METRO

Burlington Northern

Rails to Trails Feasibility Study

November 1995

METRO

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Portland, OR 97232
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BURLINGTON NORTHERN RAILS TO TRAILS FEASIBILITY STUDY

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(503) 797-1850

Prepared by

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Technical Reports Prepared by

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AGI Technologies

STAFF REPORT

BURLINGTON NORTHERN RAILS TO TRAILS FEASIBILITY STUDY
Also known as Sauvie Island to Hillsboro Rails to Trail
Informational Briefing Only / No Action Requested

November 9, 1995

Presented by:
Charles Ciecko and Mel Huie
Regional Parks and
Greenspaces Department

Project Scope and Issues

- The purpose of the briefing is to present the data/information/findings and conclusions reached by Metro's consultants, David Evans and Associates (DEA), regarding the feasibility of converting the Burlington Northern Railroad corridor to a public trail.

- The Executive Officer and Metro staff are not making any recommendations to Council at this time on the potential Rails to Trails project.

- The Council is not being asked to make any decisions at this time. The briefing is for informational purposes only. This is the first presentation to Council regarding this potential project.

- Two councilors, (who specifically requested to be involved) have participated on certain aspects of the project. Councilors McLain and Kvistad were involved in developing the scope of work and selecting the consultant for the feasibility study. Both have attended public meetings about the project and have responded to citizen comments and concerns. Councilor Kvistad also requested that Metro study the feasibility of a potential Rails with a Trail project (e.g. Keeping the rails in place for future train use, but with a trail over them and the potential for operating an excursion train on the existing track with a trail in the corridor as well).

Contents of the Feasibility Study

- Assessing the condition of the rails, ties, trestles, and tunnel within the corridor

- Determining if any hazardous wastes and/or contaminated sites exist within the corridor

- Inventorying the corridor for archeological and historical sites

- Assessing the condition of the terrain and landscape within the corridor (e.g. erosion)

- Developing a database of maps, photographs (land and aerial) and statistics about the corridor

- Conducting an appraisal of the value of the corridor
- Estimating construction costs of a potential trail
- Estimating maintenance costs for a potential trail
- Studying the Option of a potential Rails with Trail project
- Assisting Metro conduct two public meetings about the potential trail project
- Determining if any known environmental, cultural, historical, physical or other conditions exist to prevent the creation of a potential Rails to Trail for the public

The potential trail would be for non-motorized use which includes walking, biking and potential equestrian use.

Feasibility Study Not Intended to be a Master Plan.

Many questions and concerns related to: security; public safety; fire hazard; litter; vandalism; crime; private property rights, including reversionary rights, and privacy of homeowners from future trail users; the need for more recreational trails; light rail potential for the corridor; and design and maintenance issues were brought to Metro's attention. While the feasibility study does address these issues and concerns, it was not an exhaustive review.

If it is determined that Metro should acquire the corridor and that a trail should be built, a Master Plan will be developed with public input to thoroughly address and resolve these important issues and concerns.

Conclusions Reached by Metro's Consultants

The feasibility study suggests that there are no known environmental, cultural, historical, physical or other conditions precluding use of the corridor for trail purposes.

Project Background

The potential Rails to Trails project is a 6.84 mile rail corridor stretching from United Junction (just north of the Sauvie Island Bridge on Hwy. 30/N.W. St. Helens Rd.) in Multnomah County to Bowers Junction (north of Hillsboro and Hwy. 26) in Washington County. The corridor Right-of-Way (ROW) ranges from 50' to 100' wide. The rails and ties are still in place along the corridor.

The rail corridor winds through forested areas and farmlands. The area is sparsely populated. The Ancient Forest Preserve (Old Growth Grove), Howell Territorial Park and Burlington Bottoms natural area are in the general vicinity of the rail corridor. Major structures in the corridor include a 4,107 feet tunnel at Cornelius Pass and eight wooden trestles. No trains are currently operating in the corridor.

The corridor is owned by the Burlington Northern Co. (BN). Rail service for freight ceased on September 25, 1994 after a fire burned down a trestle. The trestle has not been replaced. The Burlington Northern Co. has expressed its intent to discontinue future rail service and abandon the rail corridor. A formal request to the

Interstate Commerce Commission (ICC) from Burlington Northern to abandon the line is anticipated this fall or in early 1996.

The corridor has served as a historic transportation route for nearly 100 years. Commuter rail service (old interurban line) was initiated in 1909 and continued until 1933. Freight service continued until the trestle fire occurred in September 1994. Prior to train service, various trails and roads meandered through the area providing routes for transportation by horse and foot. This connection between the Tualatin Valley and the Willamette and Columbia rivers and lowlands has always been very important.

During the past two years, public meetings and workshops were held to solicit public opinion about making the BN corridor a potential priority trail in Metro's Open Spaces Bond Measure.

Two public meetings were held this year on January 17 and February 28 to specifically address the potential Rails to Trails project and feasibility study.

Regional Significance of the Corridor

The rail corridor is outside of Metro's boundaries and the Urban Growth Boundary (UGB), but it connects two geographical areas that are within Metro; northwest Multnomah Co. / northwest Portland, and Tualatin Valley / Hillsboro. Bike lanes currently exist on Hwy 30 / St. Helens Rd. which is the eastern terminus of the potential trail. Metro's Regional Transportation Plan (RTP) designates this bicycle route as regionally significant. The city of Hillsboro is planning bike routes and pedestrian pathways near the western terminus of the potential trail. The connection between these two bike routes could be the potential BN rails to trail. The alternative route currently available is N.W. Cornelius Pass Rd. This route has been deemed less suitable for bicyclists by Metro's "Bike There" map. It is a rural road with high speed traffic. Caution areas with heavy traffic, steep sections and difficult curves exist on this route. In addition, Cornelius Pass Rd. is not designated as a bike route in Metro's proposed Regional Bicycle Network in the RTP.

Under state law and the Metro Charter, Metro has authority to purchase property outside the district, "to the extent necessary to provide a metropolitan aspect of a public service." Securing or buying what was once an interurban rail line corridor which connects two geographic areas of the region for bicycle and pedestrian use, meets this criterion.

The Burlington Northern Rails to Trail corridor was identified in Metro's Greenspaces Master Plan and Regional Trails System Map as a trail of regional significance in 1992. The planning for a potential trail within the BN corridor has been coordinated with Metro's Regional Transportation Plan (RTP) and 2040 Growth Concept. Local jurisdictions and state agencies (Oregon Parks and Recreation Department, and Oregon Department of Transportation) have also participated in the planning process for the potential trail.

The corridor is one of six regional trail projects earmarked for funding under Metro's Open Spaces Bond Measure. Ballot Measure 26-26 was approved by the region's voters on May 16, 1995.

Feasibility Study Background

In the spring of 1993, the Oregon Parks and Recreation Department requested that Metro determine the feasibility of converting the rail line to a trail once rail service was discontinued and the line officially abandoned. Since this corridor is identified in the Greenspaces Master Plan as a major trail opportunity similar to the successful Springwater Corridor Rails to Trail which connects southeast Portland to Gresham and Boring 16 miles to the east, it was determined that conducting a feasibility study had merit. Carrying out a feasibility study also had support from local parks departments.

Joining Metro and Oregon Parks and Recreation to carry out and pay for the feasibility study were Multnomah County, Tualatin Hills Park and Recreation District, and the cities of Hillsboro and Portland. Washington County provided support in the form of staff assistance. The 40-Mile Loop Land Trust also supported conducting a feasibility study. David Evans and Associates (DEA) a planning and engineering firm, was retained through a public bidding process to conduct the study

Rail Banking of the Corridor for Interim Trail Use

Following Burlington Northern's anticipated request to the Interstate Commerce Commission (ICC) to abandon the rail corridor, and after the ICC's approval of the abandonment request, Metro would have the right to become the new owner of the entire corridor. Metro would have the right to acquire the corridor intact from the Burlington Northern Co. via a purchase or donation from the company. Reversionary clauses in property titles (if any exist) would not take effect under the Rail Banking scenario.

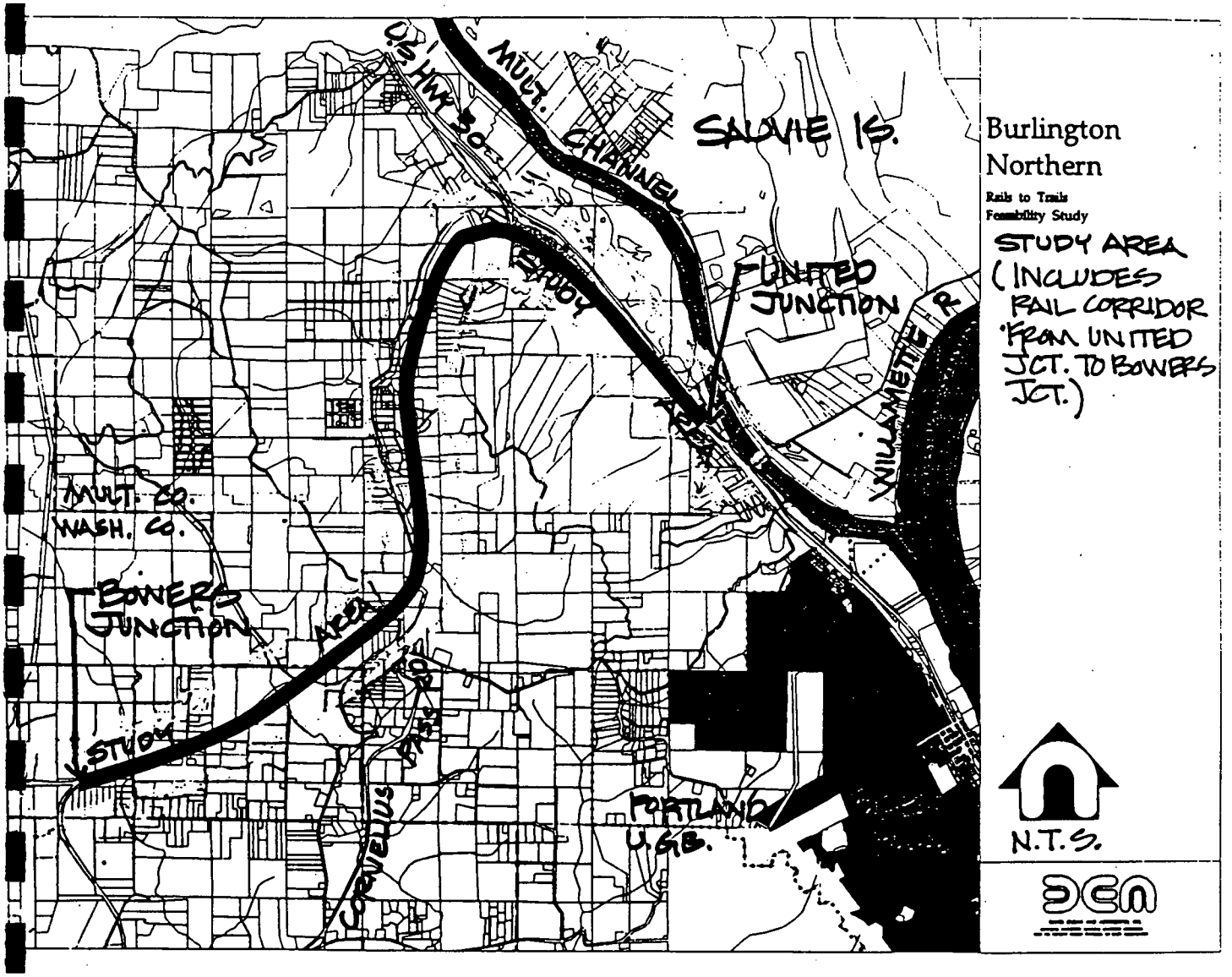
Metro would then have the right to build and maintain a trail in the corridor in the interim until rail service (freight and/or passenger) was viable again sometime in the future. If rail service returns to the corridor in the future, the cost of Metro's trail investment would be refunded or the trail would somehow have to be accommodated within the corridor next to the new rail lines.

If Metro or some other entity does not purchase the corridor for Rail Banking / Interim Trail Use, Burlington Northern would be free to dispose of the corridor, most likely by breaking it up and selling it in pieces to adjacent property owners or any other interested parties. Reversionary clauses in property titles (if any exist) would take effect under this scenario.

Availability of Feasibility Study

The feasibility study will be released to the public on November 9, 1995. The study will be available for public review at Metro, and public libraries and schools in the general area of the potential trail. Information related to valuations of railroad assets and the appraisal are confidential.

Summaries of the feasibility study can also be obtained from Metro's Regional Parks and Greenspaces Department (797-1731 or 797-1774) and from Councilor Susan McLain (797-1553).


U.S. HWY 30
MULT. CHANNEL
SAUVIE IS.
BURLINGTON
UNITED JUNCTION
WILLAMETTE R.
MULT. CO.
WASH. CO.
BOWERS JUNCTION
TUALATIN R.
PORTLAND U.G.B.
COLUMBIA SLOUGH
Burlington Northern
Rails to Trails
Feasibility Study
STUDY AREA (INCLUDES RAIL CORRIDOR FROM UNITED JCT. TO BOWERS JCT.)
N.T.S.
DEA

Acknowledgments

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Metro Regional Parks and Greenspaces

Oregon Parks and Recreation Department

Oregon Department of Transportation

Multnomah County

Washington County

City of Hillsboro

City of Portland Parks and Recreation

Tualatin Hills Park and Recreation District

Burlington Northern Railroad Co.

40-Mile Loop Land Trust

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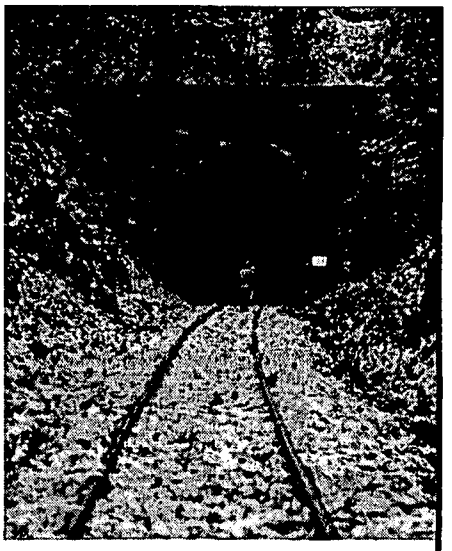


Summary of Study

INTRODUCTION

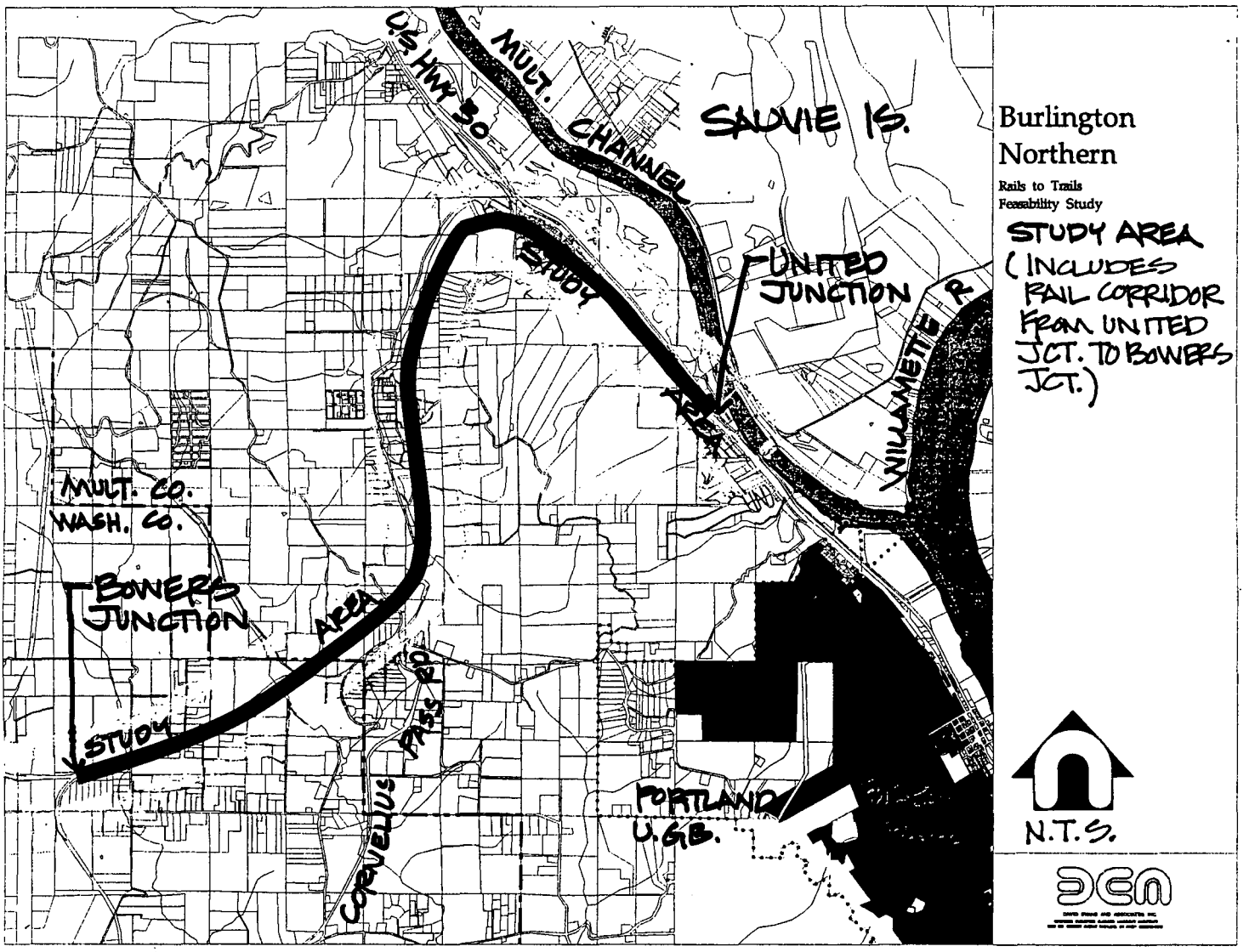
Opportunity has surfaced for conversion of a segment of the Burlington Northern Railroad's (BN) rail line over Cornelius Pass to interim trail use.

This feasibility study suggests there are no known environmental, cultural, historical, physical, or other conditions precluding use of the line for trail purposes.

BN has provided notification of the likelihood that the Company will file with the Interstate Commerce Commission (ICC) for abandonment of the 6.84 mile segment from United Junction, just north of the Sauvie Island Bridge along Hwy. 30 in Multnomah County, to Bowers Junction in Washington County. The line segment is now inoperable due to the absence of a large trestle that burned to the ground in the fall of 1994.

The line segment is identified on Metro's Regional Trails Systems Map, which is part of its Greenspaces Master Plan. The trail corridor is also listed in Metro's Regional Transportation Plan (RTP) as a potential regional bike trail. The potential rails to trails project would be another step in interconnecting regionally significant natural areas and parks such as Forest Park, Burlington Bottoms, the Ancient Forest, Sauvie Island, the Rock Creek Greenway Trail and other features that could form a trail loop from Hillsboro to Portland and back. Other potential rail abandonments and planned trails could provide links to parks and future planned facilities such as the Banks Vernonia Linear Park, Portland to the Coast Trail, and Greenway to the Pacific.

In 1991, Oregon Parks and Recreation Department (OPRD), suggested the line segment be identified and mapped in Metro's


U.S. HWY 30
MULT. CHANNEL
SAUVIE IS.
STUDY
UNITED JUNCTION
WILLAMETTE R.
MULT. CO.
WASH. CO.
BOWERS JUNCTION
AREA
STUDY
CORNELIUS PASS RD.
PORTLAND U.G.B.
Burlington Northern
Rails to Trails
Feasability Study
STUDY AREA
(INCLUDES RAIL CORRIDOR FROM UNITED JCT. TO BOWERS JCT.)
N.T.S.

Greenspaces Master Plan as a regionally significant future trail, and as a priority in the trails and greenways work program. During the summer of 1993, OPRD requested that Metro and its Greenspaces Program take the lead in carrying out a rails to trails feasibility study of the line segment. This study is the result of a cooperative effort among the affected public agencies, nonprofit organizations and citizens. Funding for the study has been jointly shared among six agencies. They include Metro, OPRD, Multnomah County Park Services (now incorporated within Metro), City of Portland Parks and Recreation, Tualatin Hills Park and Recreation District (THPRD), and City of Hillsboro.

Site Characteristics

If converted to trail use, the line segment proposed for abandonment would provide significant hiking or bicycling experiences. The BN right-of-way extends across three general landforms. From United Junction to the mouth of the McCarthy Creek Canyon (1.7 miles) the right-of-way runs at the base of the Tualatin Mountains, overlooking the Columbia River and the Multnomah Channel of the Willamette River near Sauvie Island Bridge. Over this segment the proposed trail corridor rises from approximately 50 feet mean sea level (msl) to nearly 200 feet msl. Three small unnamed perennial streams cross the right-of-way that drain the northern slopes of the Tualatin Mountains. The right-of-way follows the McCarthy Creek Canyon for about 2.4 miles, rising from 200 feet msl to about 400 feet msl. Along the way, the trail user would have the opportunity to view basalt cliffs, the Burlington Bottoms wetlands and Sauvie Island beyond, forested areas, clear-cut areas, the panorama from the big curve above the junction of Highway 30 and Cornelius Pass Road, tall trestles, and farmland.

From here the line travels under the crest of the Tualatin Mountains. The experience would include hiking or riding through a 4,000 feet long tunnel. The crest of the route occurs in the middle of the tunnel

From the tunnel the rail line turns down-grade into the farm fields of Washington County before ending at Bowers Junction just north of Hillsboro and Highway 26.

Land ownership

Some large private and public lands adjoining the right-of-way are listed below. Other adjoining lands generally consist of relatively small privately owned parcels.

The BN right-of-way ranges from approximately 50 to 100 feet in width. Except for a small amount, Agency Creek Management owns some land to the north and almost all of the land adjoining the railroad to the south from near United Junction to just around the big curve that turns toward Cornelius Pass. The private land in the section that parallels U.S. Highway 30 consists mostly of the half dozen homes that are located next to the tracks in the community of Burlington. It appears Agency Creek Management owns the land surrounding the area of the burned trestle also.

BN and Multnomah County (Tax Title), owns various lands adjacent to the right-of-way from the big curve to Rock Creek. BN and Multnomah County each have approximately one acre east of the track at Willamette View. BN has approximately 40 acres east of the tracks at Folkenberg and the County approximately two acres. BN has approximately 22 acres east of the tracks a short distance north of the Cornelius Pass Tunnel.

South of the tunnel, Oregon Department of Transportation (ODOT), owns approximately 30 acres adjacent to the tunnel entrance and west of the tracks. The property was quarried in the past. West of the tracks at the Rock Creek stream crossing, BN owns approximately 50 acres.

Site History

The corridor and surrounding property has been modified by Euro-American settlement over the past 150 years. In the 1850's, when this area was mapped in detail for the first time, the bottoms along the Multnomah Channel were covered by a network of shallow lakes, ponds, and meandering sloughs. The Tualatin Mountains were heavily timbered in fir, cedar, maple, hemlock and yew. The northern edge of the Tualatin Valley was also wooded but possibly with a denser understory of hazel and maple brush. The Tualatin Valley near Bowers Junction opened up into broad expanses of prairies surrounded by scattered woodlands of fir, oak and ash.

The BN right-of-way falls into two archaeological areas. The Columbia River floodplain and the Tualatin Valley. Location of known prehistoric sites indicates a strong association between prehistoric settlements and areas frequented and floodplain wetlands. Native American resources also traverse two cultural areas. The Chinookan Indians of the Sauvie Island area and the Tualatin Indians of the Kalapuyan group occupied the Tualatin Valley. However, there are no recorded sites along the BN right-of-way.

By 1850 several trails and roads provided access between the Tualatin Valley and the Willamette River. In 1883 a rail line was constructed along St. Helens Road and the Multnomah Channel. Between 1860 and 1890 Cornelius Road was constructed.

By 1900 the Tualatin Valley had grown to a point where connections between towns, farm and timber markets, the coast, and access to Portland by rail was essential.

In 1909 The United Railways Company completed a line to Cornelius Pass. The alignment began in NW Portland, followed the river north to Linnton and Burlington, horse-shoed to Folkenberg, went up a 5% grade called the "Tualatin Hill Shoo-Fly" to Cornelius Pass.

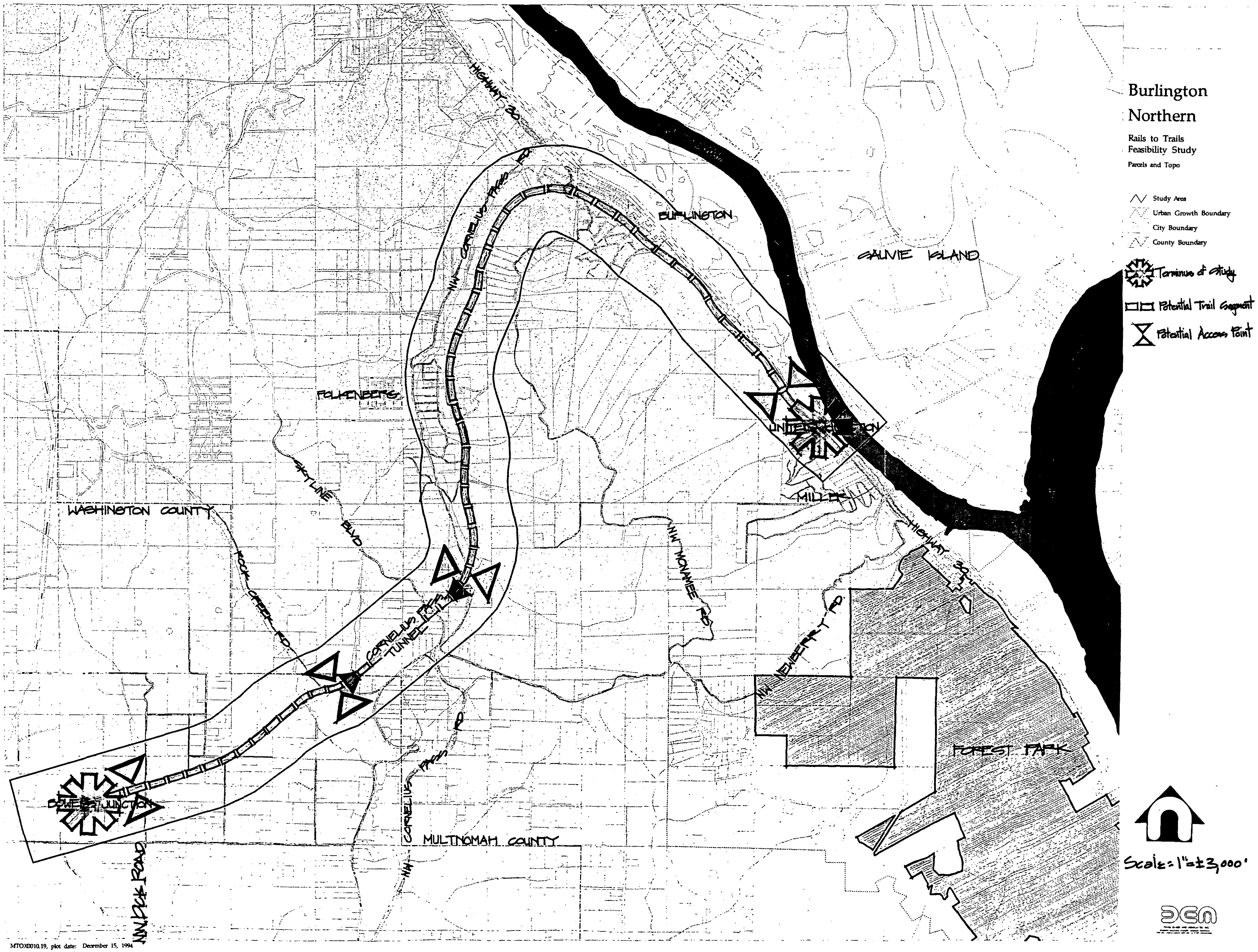
In 1910 the United Railways and the Oregon Electric railways were sold to the Spokane, Portland and Seattle Railroad Company (SP&S). In 1911 a tunnel was completed under the crest of the Tualatin Mountains eliminating the need for the "shoo-fly". At this time it was the longest interurban tunnel in the United States.

Real estate was promoted along the line. Burlington was laid out by United Railways and halfway up Cornelius Pass Folkenberg was platted in 1911 by the Folkenberg Family.

By 1913 Oregon Electric ran a connecting line between Orenco (Hillsboro) and Bowers Junction on the United Railways line.

Oregon Electric stopped passenger service in 1933. In 1944 United Railways was terminated as a corporation. SP&S continued freight service along the original United Railways line.

In 1970 SP&S became a part of Burlington Northern. Freight service declined but continued along this line until the trestle fire in 1994 stopped service.



Burlington
Northern
Rails to Trails
Feasibility Study
Parcels and Topo
Study Area
Urban Growth Boundary
City Boundary
County Boundary
Terminus of Study
Potential Trail Segment
Potential Access Point
HIGHWAY 30
NW CORNELIUS PASS RD
BURLINGTON
SAUVIE ISLAND
FOLKENBERG
SKYLINE BLVD
WASHINGTON COUNTY
ROCK CREEK RD
CORNELIUS PASS TUNNEL
NW McNAMEE RD
NW NEWBERRY RD
FOREST PARK
BOWERS JUNCTION
MULTNOMAH COUNTY
NW DICK ROAD
Scale: 1"=±3,000'
MTOXD010.19, plot date: December 15, 1994

Railroad Inspection and Analysis Report

Existing Conditions

A field inspection was conducted of the line to determine the general condition of the track, structures, tunnels, and supporting roadbed. Due to closure of the west portal of the tunnel only 500 feet of the tunnel was inspected. There are eight (8) pile trestles -- the design of the trestles is five (5) pile design with two 4-stringer chords supporting the decks. The trestles vary in length from approximately 55 feet to 1,300 feet and in height from five feet to 100 feet. No major defects were noted in any of the trestles during a field inspection.

The track ditches and major drainage courses are in good condition and carry water away from the track roadbed. One area of erosion was observed near milepost 13.2 on the west side of the track. This area appears to be unstable and may require further repairs.

The tunnel is approximately 4,000 feet long and concrete lined. No significant leaking was noted. BN records reveal the concrete liner was installed in two phases - 314 feet from the east and the remainder 3,700 from the west.

The track and roadbed appear to be in good to very good condition. The roadbed is constructed in most instances on native soils.

Useful Life Analysis

The useful life analysis looks at two functions. The use of the line for rail or for a trail. The analysis for the rail line examines the track, trestles, and tunnel and the economic need for a rail line. The analysis for trail use focuses on only the trestles and tunnel.

Rail Analysis

Useful life for rail is significantly shorter than for trail use.

With normal maintenance the track may have an indefinite useful life. The tunnel's useful life is in excess of 20 years. However, for rail use the trestles are the limiting factor. Without trestles the useful life is non-existent. Over the next 10 years the trestles will require significant work to continue to carry rail cars. Without maintenance and rehabilitation the useful life of the structures for train traffic is estimated to be less than 10 years.

Economically, the rail line did not directly serve any rail customers. Since the trestle fire, BN uses Southern Pacific lines to reach customers previously reached by this line. This arrangement makes the line redundant.

Trail Analysis

The trestles and tunnel are the limiting factors for trail use.

The trestles are in fair to good structural shape. Because of the lighter use (trail versus rail) the useful life will be extended from 10 to 15 years. New decks may further extend the life of these structures.

The tunnel's useful life is approximately the same as for rail - 20 years. All this assumes normal maintenance. See Appendix for the entire report.

Appraisal Report

David Evans and Associates, Inc. (DEA), prepared an appraisal report for Metro in October 1994. The purpose of the appraisal was to estimate the fair market value of the BN Railroad line from United Junction to Bowers Junction.

To determine property value the report reviews the factors that influence its values.

Physical and Locational Characteristics
The rail line is a 6.84 mile-long corridor within a 50 to 100 feet wide right-of-way totally 126.03 acres. The corridor is not served by sewer or water. Electricity is provided by Portland General Electric.

The corridor traverses a mix of land forms. From the Columbia River bottoms the rail line travels up varying terrain to the crest of the Tualatin Hills where it tunnels under the crest and down the Tualatin Valley floor.

Although the railway line is not presently in use its historic use over the past 75 years as a corridor is well established.

Legal Considerations
Zoning along the corridor includes: commercial forest use, rural center, rural residential, multiple use agriculture, exclusive farm use, exclusive forest and conservation, agriculture and forest-10, and rural residential-5.

Both the Multnomah and Washington County Comprehensive Plans have provisions that allow development and use of the property for roads and corridors.

Market Conditions
The market for a right-of-way corridor is generally restricted to governments, nonprofit conservancy organizations, and utilities.

Over the years thousands of miles of abandoned rail lines have been converted to trails, linear parks and in some cases "rail banked" for future use as a railway some time in the future.

There is a market for the property but it is limited. Demand has been created by governments, recreationists and futurists for use of the corridor for trails and linear parks with the opportunity to reuse them some time in the future as rail/transportation corridors. Utilities have a need for established corridors to use for transmission lines out of the public's way.

Based on market, legal and location factors the use which generates the greatest level of future benefits possible for the property is probably for use as a recreational trail.

See Appendix for brief summary. The complete report is on file with Metro Regional Parks and Greenspaces. The appraisal is confidential.

Level 1 Environmental Site Assessment

The assessment has identified past and present uses as a basis for determining the potential for on-site environmental contamination prior to trail development. This assessment focused on the existing railroad right-of-way and adjacent properties located within 500 feet. The assessment reviewed the following information: local, state and federal data bases to identify on and off site contamination sources; Oregon Department of Environmental Quality (DEQ), and Environmental Protection Agency (EPA), records for supplemental information on contamination of right-of-way; interview with present and past railroad employees; field reconnaissance of right-of-way; and the review of aerial photographs of the right-of-way

Based on this review there is a very low potential for significant soil and groundwater contamination within the BN right-of-way. Some herbicides were probably used to control vegetation in the right-of-way and some may be persistent in the soil and/or have a tendency to contaminate groundwater.

The review of the aforementioned data bases identified three (3) potential off-site sources. However, based on the distance and down

gradient direction from the right-of-way these sites have a very low potential for contamination of the right-of-way. See Appendix C, Level I Environmental Site Assessment, Section 5.2, page 9.

The historic record suggests that all significant commercial development has occurred down grade from the right-of-way. See Appendix for the entire report.

Cultural Resources Baseline Data Report

Archaeological Investigations Northwest, Inc., conducted a summary review of the prehistoric and historic development of the BN right-of-way. The map entitled Cultural Resource Locations illustrates the locations of previously recorded historic resources and cultural resource sensitivity areas within the right-of-way.

In all, ten sites were located. Of these, six are associated with trestles and associated stream crossings where there is the potential for archaeological deposits, three are related to railroad related development (interurban depot, tunnel, and the rail line from the south end of the Cornelius Pass Tunnel), and one is a stream crossing where there is the potential for archaeological deposits. The two previously recorded locations are the rail line from the Cornelius Pass Tunnel to Bowers Junction and the Smith Trestle.

The BN right-of-way itself, from United Junction to the Multnomah/Washington County line, is a likely candidate to be listed as a historic resource. This line was a component of the interurban system of the Portland metropolitan area and was important in the development of the western suburbs of Portland.

Further development of the trail should include a more in depth-study of potential historic and archaeological resources in the areas identified through this preliminary study. See Appendix for the entire report.

Potential Conflicts

This feasibility study has uncovered no known planning, design, safety, or construction conflicts that would, at this time preclude converting the line segment from rail to trail use. In most ways, conditions are very appropriate. The line segment is at the edge of the Portland Metropolitan Area and could be part of a "west side trail loop" that would serve many users in the future. The trail experience would likely be spectacular due to the nature of the route, views and the pleasant grade.

There are very few homes visible from the railroad whose privacy would potentially be impacted by the trail. Screening and fencing would be needed there.

On the north side of the right-of-way, in the community of Burlington just east of the junction of Highway 30 and Cornelius Pass Road, there are several houses on residential lots whose backyards abut the proposed trail. There is sufficient width within the right-of-way to plant and build screening to completely block views and fence for potential trespass.

At the east end of the Cornelius Pass Tunnel, there is a home that exists several hundred feet south of the right-of-way on top of a large hill over looking the potential trail. The house is located well away and above the right-of-way.

These are the only homes visible from the right-of-way from United Junction to the Dick Road trestle, approximately one-half mile from Bowers Junction. At the Dick Road trestle, the

route breaks out of the woods and the terrain allows views of local farms, rural residences, and the Tualatin Valley. Consequently, there are very few homes visible along almost the entire route.

Site Observations

On trips to the site, conflicts were observed that will require design solutions such as decking and railings for trestles, replacement of the burned trestle with a pedestrian/service bridge, repair of erosion problems, considerations for user safety, tunnel repair and lighting, considerations for private property privacy and safety, etc. However, it is anticipated that these can and would be solved in design.

Current obstacles to most any use of the segment are the gap from the burned trestle and the tunnel which has been closed with steel doors at both ends. The trestle burned September 25, 1994, (see newspaper article in the appendix of this report for additional information).The remains have been cleaned from the site and the slopes seeded for erosion control. Burlington Northern has no plans to rebuild. The railroad sealed both ends of the tunnel most likely for safety and liability reasons. Past problems with teenagers partying and setting fires in the west end of the tunnel have been reported by neighbors and newspapers.

Burlington Northern Railroad

BN has been notified of Metro's intent to file for interim trail use. In general BN supports the idea of rail trails and has indicated it is receptive to conversion of this line segment according to Steve Myhr, Property Services Division, Seattle.

Highway 30 Multimodal Corridor Plan

ODOT has begun a Regional Corridor Planning Process. In ODOT Region 1, corridor planning is being done for U.S. Highway 30 from Portland to Astoria. The Multimodal Corridor Plan will include consideration of U.S. Highway 30, Interstate 5, The Burlington Northern Rail Road and the Columbia River. The Plan will likely recommend that U.S. Highway 30 remain five lanes from Portland to Columbia City. The Plan will support the opportunity for converting the United Junction to Bowers Junction rail segment to trail use and the long range potential for linking and looping connections to other trails. U.S. Highway 30 has bike lanes on both sides from Montgomery Park in Northwest Portland to Scappoose which could be linked to the trail. The Corridor Plan will also support linking Forest Park trails to the rail trail segment beginning near United Junction. U.S. Highway 30 is a designated Statewide Bicycle Route which is to be preserved and improved to safely accommodate statewide bicycle travel.

Washington County

The Washington County Land Use and Transportation Department designated West Union Road and Cornelius Pass Road as street bike routes in the 1988 Transportation Plan. Although bicycle traffic has increased on these roads, there is considerable concern for safety because there are generally no bike lanes or shoulders.

No road improvement projects are planned in the study area by Washington County.

Multnomah County

The Multnomah County West Hills Rural Area Plan is currently being prepared by the County. In the plan the County will address the potential

for converting the rail road to a trail. The Plan will express need for minimal impact on adjacent private property owners. In the Transportation Element, the Plan will suggest study of the proposal as an alternative to bicycle use of Cornelius Pass Road. It currently is a designated bike route.

Public Concerns

Two public meetings were held to gather ideas and concerns for the rails to trails project. One was held January 17, 1995 and one was held February 28, 1995. Proponents and opponents expressed ideas and concerns. Potential conflicts expressed and responses are included in the appendix. Concern was expressed for loss of privacy, liability, fire, crime, safety, vandalism, and others and for increasing need for hiking, bicycling and equestrian trails in the area.

Fire safety is one of the biggest concerns of nearby property owners. According to the Portland Fire Bureau, the area and the corridor is served by mutual aid agreement between three service providers. The Portland Fire Bureau, Station 22, is responsible for the east side of the area or any call within the City limits of Portland. Multnomah County Fire District #20 is responsible for the northeast corner of the area or anything in Multnomah county outside the City of Portland. Tualatin Valley Fire and Rescue is responsible for the west side of the area or anything in Washington County.

Converting the railroad to a trail may improve fire response access because fire and rescue vehicles will be able to drive along the trail. Sufficient turn around would have to be provided. The situation may be superior to many situations in large public parks and forests where emergency vehicles cannot access trail routes.

The same conditions would allow access for police response. The area is served by the sheriff's departments of Multnomah County and Washington County for the section of the corridor within their respective jurisdictions.

Banks Vernonia Linear Park

Banks Vernonia Linear Park is a rails to trails project located a few miles west of Cornelius Pass. It was purchased by the Oregon State Parks in 1974 and only recently developed for trail use around 1990. Since it is very similar to this proposed project, it is worth comparing conflicts, especially for those concerned about crime and vandalism. City police in Vernonia haven't heard of problems on the trail. Neither has the Washington County Sheriff's Office.

Light Rail Analysis - Rails with Trails

The segment of rail line proposed for study could be one leg of a major trail loop west of Portland connecting Forest Park to Sauvie Island, Sauvie Island to Hillsboro, Hillsboro to Beaverton and Beaverton to Portland. The Hillsboro to Beaverton link could possibly benefit by fitting the trail into a section of the right-of-way that will be used for the West Side Light Rail, "rails with trails". The terrain on the sides is flat enough to consider potential joint use. The Portland General Electric Company may require a service road adjacent to the light rail line which could possibly be used for trail purposes. Since the light rail project is still in design, there still may be potential for joint use of the right of way from Orenco to Beaverton.

Across the country, rails with trails projects have been built with apparent success and safety. The Appendix contains a Fact Sheet from the Rails to Trails Conservancy explaining typical projects. Generally, rails with trails involve a trail that

parallels a rail line with sufficient separation or barrier between them for safety.

Trails on Rails

Public comment raised the issue of saving the rails in place until future use arises or using the line for excursions or light rail passenger service. Preliminary study suggests that freight use is not viable as BN has not chosen to rebuild the burned trestle and maintain the line in service. Tri-Met has chosen other routes for light rail. Excursion use faces the well-known hurtles of economic viability, especially for a route paralleled by roadways.

An associated concept was raised that the rails and ties could remain in place with the trail placed between them. These concerns and issues are explained in detail in a section of the Appendix and do not appear feasible.
The Rails to Trails Conservancy has not found nor recommends a project that involves trails on, between, or immediately adjacent to rails.

Abandonment Analysis

BN has notified ICC of intent to file for abandonment the line segment from United Junction to Bowers Junction over Cornelius Pass in Washington County, Oregon and filing is expected sometime during the fall of 1995 or early 1996. BN is expected to file when it finalizes trackage agreements and contracts with Willamette Pacific Company (WP) and Southern Pacific Company (SP). These agreements and contracts are part of an overall plan for service in Washington County being monitored by ODOT.

The line segment west from Bowers Junction and south from Bowers Junction to Bendemeer are not anticipated to be abandoned in the foreseeable future as long as there are customers to service along these routes. The line segment from Bendemeer to Merle is planned to be abandoned at the same time as United Junction to Bowers Junction or shortly thereafter. The segment from Merle to Orenco is being abandoned for non-trail use.

Linkage Analysis

Metro's Regional Trails Systems Plan identifies the potential rails to trails project as an essential portion of a regional trails system providing opportunity to connect communities and their parks, and natural features for all to experience. The Plan shows conceptually a system of trails, some existing and most proposed, that would serve the metropolitan area and connect to proposed regional and statewide trails.

Portland to Cornelius Pass

The potential rails to trails project described in this report could form the outer leg of a loop beginning with existing trails in Forest Park and along U.S. Highway 30. By extending those hiking and bicycle trails and turning up and over Cornelius Pass and then into Hillsboro, a large part of a trail loop would be formed connecting several communities. Ideally, the loop would be completed by then extending the trail from Hillsboro through Beaverton and on to Portland and back to Forest Park.

Cornelius Pass to Hillsboro

The United Junction (near Sauvie Island Bridge and approximately one mile from Forest Park) to Bowers Junction (approximately three miles north of Cornell Road and Sunset Highway), abandonment could provide the turning leg of the trail. The Orenco to Merle abandonment and the expected Merle to Bendemeer abandonment could extend the trail into Hillsboro with the exception of the Bendemeer to Bowers Junction

segment. This segment has a service customer and is not scheduled for abandonment.

Another potential route into Hillsboro could tie into the City of Hillsboro's plans for the Rock Creek Greenway Trail. It is planned to follow Rock Creek from Sunset Highway to near the new MAX light rail station planned at 206th Avenue. Two segments of the trail will be built in the coming year, one from Sunset Highway to Evergreen Road and one from Evergreen Road approximately one-half mile south through the Tannasbourne Commons project.

If the trail could reach Cornell Road and Sunset Highway from the north, it could be extended straight on to Orenco along the railroad right-of-way or jump east approximately three-fourths mile and connect with the Rock Creek Trail and head south or both.

The City of Hillsboro soon plans to build the pathway along Rock Creek and under Sunset Highway. A future trail could be extended from the railroad east to the Rock Creek Trail in order to make the connection southward into Hillsboro. This is the City's preferred route versus extending the trail along the corridor directly to Orenco.
One issue with extending the trail on to Orenco is that ODOT desires to remove the trestle over Sunset Highway in conjunction with plans for improvements to the Corneal Road and Sunset Highway Interchange. The trail(s) should be accommodated in any new interchange construction that occurs.

An issue with the route from Bowers Junction to Sunset Highway is that the section of line from Bowers Junction to Bendemeer is not expected to be abandoned soon, leaving a need to find a route around or alongside the tracks. As identified in plans by THPRD and on Metro's Trail System Plan, there is potential for developing a trail under Portland General Electric Company's power line that runs somewhat parallel to the railroad and then east to a substation located at Cornell and Sunset Highway.

Cornelius Pass to Banks Vernonia Trail

Coming from Cornelius Pass, the railroad splits at Bowers Junction and goes south into Hillsboro and west to Banks. The line from Bowers Junction to Banks is not expected to be abandoned soon but is shown on Metro's Regional Trails System Plan as a route that would link urban trails with other trails, including the existing Banks Vernonia Trail. The Banks Vernonia Trail is an Oregon State Parks rails to trails project that has been in use for the last several years. It extends 21 miles from near the City of Banks in Washington County to the City of Vernonia in Columbia County.

Pacific Greenway - Cornelius Pass to the Coast

The Pacific Greenway is a visionary project to develop one or more greenway corridors from the Oregon Coast to the Portland metropolitan area. Two potential corridors envisioned, the Saddle Mountain Corridor paralleling Highway 26 and the Columbia Blueway paralleling Highway 30, could connect to the trail over Cornelius Pass. U.S. Highway 30 is a designated Statewide Bicycle Route. According to the Oregon Bicycle Plan, it is to be preserved and improved to safely accommodate statewide bicycle travel. Currently bicycle lanes extend from Portland to Scappoose.

Portland to Coast Trail

The Oregon State Parks has identified a Portland to the Coast Trail on their Oregon Trail Systems

Plan. It generally identifies a concept of connecting Portland to the Banks Vernonia Trail and extending the Banks Vernonia Trail on toward the Coast. Extending a trail from Cornelius Pass west to Banks Vernonia would be in keeping with the plan.

Trailhead Recommendations

Additional study would need to be done if the trail were built. But, for the purpose of preparing a preliminary construction cost estimate for the potential trail segment, two trailheads are proposed. One would be located at United Junction near the tunnel under Highway 30 and the other on the west end of the Cornelius Pass Tunnel off Rock Creek Road.

Ideally, a trailhead would be located near Bowers Junction. However, that location is surrounded by private property. Property would have to be acquired in the neighborhood and access achieved that would not unduly impact the neighboring properties. This could be studied in subsequent planning for the trail. Consequently, the trail would be usable initially from United Junction to Rock Creek Road. When the trail was extended on to Hillsboro or Banks, the Rock Creek Road to Bowers Junction section could be utilized.

The trailhead at United Junction would have access off Highway 30 at N.W. Johnson Mill Road. If the tracks were removed there would be enough room between United Junction and the tunnel for a small trailhead with parking for approximately ten cars, portable restroom, trash receptacle and informational signing.

Off Rock Creek Road near the west end of the Cornelius Pass Tunnel, a trailhead could be provided of similar size and facilities.

Another project planned in the area may provide a nearby trailhead. Access for the Ancient Forest, a nature park reserve of a remaining stand of old growth forest, is being planned and may start near the railroad off N.W. McNamee Road.

Public Involvement

Public involvement is an important part of this feasibility study and of any future planning and decision making regarding the potential trail. Two informational meetings were held during preparation of this study. One was held January 17, 1995 and one February 28, 1995. The first meeting introduced the concept and the purpose of the study and solicited public comment. The second further explained the concept of rails to trails, how other rails to trails projects were developed and also gathered public comment.

The Appendix includes a summary of potential conflicts raised in the meetings and lists of attendees.

Preliminary Estimated Cost to Construct

Part of the answer to determine feasibility for this study is need to provide preliminary construction costing for building the trail. Preliminary costing will be useful in the upcoming decision-making process.

A number of assumptions were made in order to prepare the preliminary construction cost estimate.

1. Although, for the purposes of initial feasibility, the trail would initially be usable only from United Junction to Rock Creek Road, costing includes building the trail from United Junction to Bowers Junction.

The trail would likely only be initially open for use from United Junction to Rock Creek Road because there is opportunity to build small trail head parking facilities at United Junction and at Rock Creek Road on corridor land. There appears to be no public access to Bowers Junction and little opportunity to build trail head parking there or between there and Rock Creek Road.

2. Two small trailheads are proposed for initial use of the trail. Further study in the design development stage may modify this proposal.

3. In this study it is recommended the tunnel be lighted because not all users are expected to be outfitted with flashlights and lighting may deter potential vandalism.

4. Tracks and ties will be removed by others as determined in the negotiation process with BN.

5. The burned trestle would be replaced with a pedestrian-type bridge that would handle light service vehicles.

6. The pedestrian and bicycle trail would be asphalt paved and approximately 8 to 10 feet wide. Further study and decisions may dictate alternative surfacing. The adjoining equestrian trail would be top dressed with a soft surface material such as bark chips and be approximately 2 feet wide.

7. Fencing and vegetative screening is included for the length of the trail that would run by the back yards of homes in the community of Burlington.

8. Trestles would be re-decked and fitted with guard rails.

9. Informational, safety, and regulatory signing would be provided along the length of the trail.

10. Miscellaneous improvements would be made to protect private property and the safety of trail users. ***See following page for Table 1 - Burlington Northern Rails to Trails Feasibility Study - Preliminary Estimated Cost to Construct***

Cost of Right-of-Way

Assuming the rail segment will be abandoned and that Metro would file for rail banking, Metro would negotiate with BN for acquisition of the right of way. It is expected that BN will want to retain the ties and rails, remove them from the site and sell the right-of-way and other associated assets. If very much of the right-of-way has reversionary clauses, the cost of the right-of-way could be less than if owned fee simple. BN Property Services Division has no data on reversionary clauses for this segment but expects to find some on a line of this age and type. BN will not address the issue until an application is filed for rail banking or purchase. Original purchases along the right of way must be researched deed by deed.

The presence of reversionary clauses will not preclude trail use if the rail banking legislation is used to secure the right of way. BN has acknowledged that a letter of interest from Metro to BN has been received and general agreement to rail banking.

Conclusion

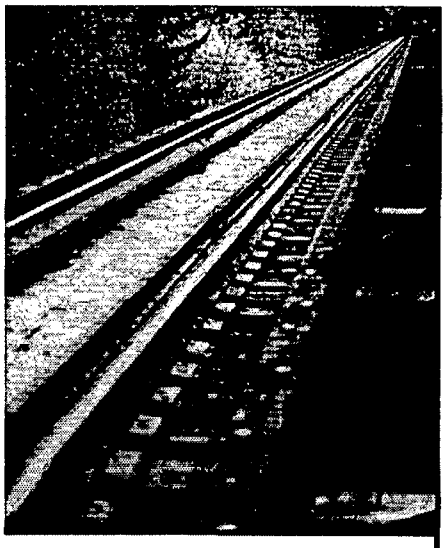
Based on the information presented above, in the appendix and in information gathered to prepare this report, there are no known conditions that would preclude economical conversion of the railway for trail use. Use of the rails to trails legislation appears to be an appropriate action to serve public recreational needs while preserving the option of returning the line to rail use if needed some time in the future.

Table 1

Burlington Northern Rails to Trails Feasibility Study

Preliminary Estimated Cost to Construct

With rails and ties removed - fine grading, add leveling course of aggregate and asphalt paving (10' pedestrian) and bark (2' equestrian trail)	$600,000
Trestle decking and railings	$350,000
New bridge to replace burned trestle	$400,000
Improvements for Cornelius Pass Tunnel including lighting	$100,000
Trailheads (2), including parking (10 cars each) (no flush toilets or water)	$ 50,000
Fencing, gates, bollards and other controls	$ 50,000
Signing	$ 10,000
	$1,560,000
Design, engineering, permits and contingency	$390,000
TOTAL PRELIMINARY ESTIMATED COST TO CONSTRUCT	$1,950,000



Appendix:
Special Studies

Appendix A

RAILROAD INSPECTION

AND ANALYSIS

UNITED JUNCTION TO

BOWERS JUNCTION, OREGON

Prepared for:

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Portland, Oregon

Prepared by:

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November 28, 1994

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LINE DESCRIPTION

The line under study is a Burlington Northern Railroad Branch Line. It extends approximately seven miles between Bowers Junction at Milepost 16.87 and United Junction at Milepost 10.03. Major features of the line include a number of large timber trestles and a 4,100-foot long tunnel. The tunnel is located at the high point of the line as it crests Cornelius Pass.

The line travels through rural farm and forest lands. It is isolated from homes and businesses along most of its length. Several homes are near the track in an area approximately 1.5 miles from United Junction. There are no industries served directly by the line. It serves strictly as a bridge railroad between the two junctions.

Currently, the line is closed to traffic due to a fire which destroyed Bridge E11.3 on September 25, 1994. The fire debris and damaged structure have been completely removed. The site has been hydroseeded and erosion control measures have been instituted to prevent further damage to the railroad embankments and to control storm water quality until vegetation is re-established.

The line traverses relatively rugged terrain characterized by ravines and steep hills. There are a total of eight pile trestles on the line. They vary in length from 55 feet to 1,300 feet and in height from 5 feet to 100 feet.

The tunnel is concrete lined for its entire length. At the time of this report, the west portal is closed with a steel plate to prevent access and vandalism. Since the report ws written, the east portal has also been closed with a steel plate. The tunnel extends from Milepost 14.6 to Milepost 15.4.

Grades on the segment average 1.5%, with a maximum of 2.0%. The line climbs for approximately five miles from United Junction to Cornelius Pass, gaining 450 feet in elevation. The last two miles descend 140 feet to Bowers Junction. The net elevation change is a gain of 310 feet from United Junction to Bowers Junction.

In addition to the mainline, there is only one 565-foot long spur track. It is located at the east portal of the tunnel for storing work equipment during tunnel maintenance and repair projects.

EXISTING CONDITIONS

A walking inspection of the line was performed on November 3, 1994. The purpose of the inspection was to determine the general condition of the track, structures, tunnels, and supporting roadbed of the railroad. Spot checks of tie, rail and ballast conditions were performed. Bridges received a cursory check looking for major defects in track, superstructures and substructure. The tunnel also received a cursory inspection of the

first 500 feet from the east portal. Due to the fact that the west portal is closed, the rest of the tunnel was not inspected. The following paragraphs describe conditions found during the inspection.

Structures

As mentioned above, bridges received a cursory inspection. No major defects were noted in any of the bridges during the inspection. In addition to the bridges, the track ditches and major drainage courses were observed to be in good condition and properly carrying water away from the track roadbed. One area of erosion damage was noted near Milepost 13.2 on the west side of the track. The Burlington Northern Railroad has attempted to repair the damage by dumping rip-rap on the face of the embankment. The bank still appears unstable and may require further repairs.

Table 1 summarizes information about the bridges observed during the inspection and obtained from Burlington Northern Railroad records. The bridges are in generally fair to good condition. All the trestles are of 5-pile design with two 4-stringer chords supporting the decks.

The tunnel, which is concrete lined, appears to be in good condition. No significant leaking was noted and the tunnel is dry. According to Burlington Northern Railroad records, the concrete liner was installed in two phases. The first 314 feet from the east portal was lined in 1944. The remainder of the tunnel was concrete lined in 1948. It appears that the original liner was wooden as some of the posts can be observed in the concrete.

Track and Roadbed

Track on the line is of standard construction with steel rail on wooden ties supported by crushed rock ballast. It is in good to very good condition. The rail is a mix of 115-pound and 112-pound sections. Approximately 0.8 miles of the line is laid with 115-pound continuously welded rail. Ties appear to be a mixture of hardwoods and softwoods, 7" x 9" x 8'-6" long. They are in fair to good condition with 5-10% needing replacement due to rot, breakage and plate cutting. The ballast is crushed basalt. From United Junction to the vicinity of Milepost 11.5 the ballast is contaminated with dirt and vegetation debris which is clogging the ballast. From Milepost 11.5 to Bowers Junction the ballast is much cleaner and appears to be draining freely.

The roadbed appears to be constructed of the native soils in the area. The bed is carrying the track satisfactorily with no areas of settlement in fills or sloughing of embankments in cut areas noted.

TABLE 1

BRIDGE CONDITION SUMMARY

BRIDGE NO.	TYPE	LENGTH	HEIGHT	SIDEWALKS	INSPECTION COMMENTS
E16.6	95 - Span Timber Pile Trestle	1297'	65'	No	Bridge in fair to good condition. Two fire breaks full-height at 1/3 points on bridge made of corrugated asbestos. Tin fire protection on deck is in fair condition. Framed piers at Dick Road. Bridge inspected and treated by Osmose Process in mid-1980s. Heavy erosion under bridge east of roads needs repair to prevent damage to pile bents. No major structural defects noted.
E13.9	38 - Span Timber Pile Trestle	519'	85'	No	Bridge in good condition. Tin fire protection on deck is in fair condition. Some pile caps are precast concrete instead of wood. Inspected and treated by Osmose Process in 1989. No major structural defects noted.
E12.6	13 - Span Timber Pile Trestle	180'	55'	No	Bridge in fair to good condition. Tin fire protection on deck in fair condition. Inspected and treated by Osmose Process in 1989. No major structural defects noted.
E12.2	14 - Span Timber Pile Trestle	192'	20'	No	Bridge located in 3° 30' curve. Fair to good condition. Tin fire protection on deck in fair condition. Inspected and treated by Osmose Process in 1983. No major structural defects noted. Structure should be considered for filling.

TABLE 1 (continued)

BRIDGE CONDITION SUMMARY

BRIDGE NO.	TYPE	LENGTH	HEIGHT	SIDEWALKS	INSPECTION COMMENTS
E12.0	35 - Span Timber Pile Trestle	465'	100'	One Side Only	Bridge located in 3° 30' curve. Fair to good condition. Tin fire protection on deck in fair condition. Walkway in fair to poor condition with planks needing replacements. Inspected and treated by Osmose Process in 1983. No major structural defects noted.
E11.9	30 - Span Timber Pile Trestle	424'	65'	Both Sides	Bridge located in 3° 30' curve. Fair to good condition. Tin fire protection on deck in fair condition. Walkways in fair to good condition. Timber piers with plank protection at road undercrossing in fair condition. Inspected and treated by Osmose Process in 1989. No major structural defects noted.
E11.7	4 - Span Timber Pile Trestle	55'	6'	No	Bridge in fair condition. Precast concrete caps on dump bents. No major structural defects noted. Structure should be considered for filling.
E11.6	18 - Span Timber Pile Trestle	243'	60'	Both Sides	Bridge in fair condition. Walkways in fair condition with planks needing replacement. Tin fire protection on deck in fair condition. Inspected and treated by Osmose Process in 1989. No major structural defects noted.
E11.3	31 - Span Timber Pile Trestle	----- (425')	----- (80')	-----	Bridge burned out on September 25, 1994. All debris and structure removed. Steep embankments on each end descend 90± vertical feet to bottom of ravine.

USEFUL LIFE ANALYSIS

This useful life analysis is based on use of the line as a rail line and as a trail. In the case of use for rail services, the track, bridges, and tunnel will be analyzed and the economic need for the line will be examined. The analysis for trail use will focus on the bridges and tunnel.

Rail Analysis

Use of the line for rail service would place heavy demands on the track and structures due to the physical size and impact of train traffic. Useful life as a rail line would, therefore, be significantly shorter in duration than that to be expected for trail use.

The current track condition reflects good maintenance practices. With continued normal maintenance the track should have an indefinite useful life. No major repairs or rehabilitation are required presently to bring the track into useful condition and none should be anticipated.

The tunnel is in very good condition with no major defects. The concrete liner is in excellent condition and the tunnel appears to be stable. The useful life should be in excess of 20 years.

The trestles are the limiting factor of the useful life of the line as a whole. Without trestles, the useful life of the rail line is non-existent. This is very evident since the line is now closed due the loss of Bridge E11.3. The bridges will require significant work over the next 10 years. Without maintenance and rehabilitation the useful life of the structures for train traffic is estimated to be less than 10 years.

Economically, the line does not directly serve any rail customers. Since the loss of Bridge E11.3 the Burlington Northern Railroad has negotiated traffic rights on the Southern Pacific Railroad to reach customers on the Burlington Northern Railroad lines which were originally reached by the line between United and Bowers Junctions. This agreement appears to make the line redundant and, therefore, the useful life has expired economically.

Trail Analysis

The limiting factors for trail use will be the trestles and the tunnel. Without trestles across the deep ravines or the tunnel under Cornelius Pass, the alignment would be nearly unusable for a trail. These structures, therefore, govern the useful life analysis for trail use.

The trestles are in fair to good shape structurally. The demands which would be placed on them by trail use will be less intensive than those from rail use. The wear on the structures should be less and the loadings smaller. Useful life of the trestles will be extended somewhat from that expected under rail use and be in the range of 10-15 years. New decks may extend the useful life beyond that. The range of useful life is based on future maintenance being performed on a regular basis.

The tunnel is in very good condition, as mentioned above. The liner will require little or no maintenance for a number of years. Use of the tunnel for a trail may increase annualized maintenance costs over those under rail use due to the need for lighting within the tunnel. As stated previously, the useful life of the tunnel should exceed 20 years.

Overall, the useful life of the line for trail use should be in the range of 10-15 years with trestles being the limiting factor in the analysis. Annualized maintenance costs and replacement costs of the structures is discussed in other sections of the report.

ANNUALIZED MAINTENANCE COSTS

During the course of the useful life of the trestles and tunnel as part of a trail system, certain maintenance, repairs and programmed replacements must be performed. These costs are projected for each structure and annualized so that future expenses can be anticipated and budgeted. Table 2 shows these expenses for each structure. The costs are based on information regarding costs of maintenance for similar structures on other rail lines.

VALUE OF IMPROVEMENTS

The valuation of the track and structures was calculated in two ways. First, the net liquidation value of the improvements was estimated based on current prices for salvaged rail and hardware, railroad ties and scrap timbers and the costs to remove the track and structures from the right-of-way. No salvage value was assigned to the tunnel, but costs were estimated to permanently close the portals. The net liquidation calculations are shown in Table 3.

Secondly, replacement costs were calculated for the track, trestles and tunnel. These costs were based on the current costs of construction for these types of improvements. A summary of these costs and the salvage values is presented in Table 4.

CEB/dmm
MTOX0010.RPT/25A
MTOXTBL1.XLS/25A
MTOXTBL2.XLS/25A
MTOXTBL4.XLS/25A

TABLE 2

ANNUALIZED MAINTENANCE COST STRUCTURES

DESCRIPTION	1-YEAR TOTAL	10-YEAR TOTAL
BRIDGES		
E16.6 95 -SPANS	$25,000.00	$250,000.00
E13.9 38 - SPANS	10,000.00	100,000.00
E12.6 13 - SPANS	6,000.00	60,000.00
E12.2 14 - SPANS	4,000.00	40,000.00
E12.0 35 - SPANS	10,000.00	100,000.00
E11.9 30 - SPANS	10,000.00	100,000.00
E11.7 4 - SPANS	1,000.00	10,000.00
E11.6 18 - SPANS	8,000.00	80,000.00
TUNNEL - (Structural Only)	5,000.00	50,000.00
TOTAL COSTS	**$79,000.00**	**$790,000.00**

TABLE 3

RAILROAD NET LIQUIDATION CALCULATION

SALVAGE VALUES

Confidential Information

COSTS TO REMOVE

Confidential Information

TABLE 4

REPLACEMENT AND NET LIQUIDATION VALUES

Confidential Information

Appendix B

APPRAISAL REPORT

BURLINGTON NORTHERN RAILROAD CORNELIUS PASS TRACK
United Junction, Multnomah County to Bowers Junction, Washington County
Oregon

Prepared For:

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Senior Regional Planner
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Portland, Oregon 97232-2736

Date of Valuation

October 21, 1994

Prepared By:

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INTRODUCTION - APPRAISAL SUMMARY

DESCRIPTION

Property Type: Right-of-way corridor.

Name: Burlington Northern Railroad, Cornelius Pass Line right-of-way.

Location: Between United Junction, northwest Multnomah County and Bowers Junction, northeast Washington County, Oregon.

Neighborhood Character: Rural, agricultural land, wooded hillsides and rural homesites.

Site Size: 126.03 acres, 5,489,828 square feet.

Zoning: CFU - Commercial Forest Use, RC - Rural Center, RR - Rural Residential, MUA - Multiple Use Agriculture, and EFU - Exclusive Farm Use in Multnomah County. EFC - Exclusive Forest and Conservation; EFU - Exclusive Farm Use; AF-10 - Agriculture and Forest-10; RR-5 - Rural Residential-5 in Washington County.

Highest and Best Use: Recreational trail.

VALUATION

Current Value October 21, 1994

Fair Market Value: ..... CONFIDENTIAL

PRELIMINARY APPRAISAL INFORMATION

Organization of Report

The intent of this report is to inform the reader of the factors which influence the property's value in an intelligible and compact style. An overview of the property and general information is given in the Appraisal Summary and Preliminary Appraisal Information sections.

General regional issues and specific issues directly related to the property are in the description section. The premise upon which the property is valued is validated in the Highest and Best Use section.

The appraisal methods including comparable information, application of market information to the subject property, and valuation analysis, are depicted in the valuation section. Lastly, the value is determined. Supporting information is affixed in the Addenda.

Purpose of the Appraisal

The purpose of this appraisal is to estimate the fair market value of the subject property. This appraisal is to be used by Metro as part of their Burlington Northern Rails to Trails Feasibility Study.

Definition of Market Value

The definition is taken from the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

a. Buyer and seller are typically motivated;

b. both parties are well informed or well advised, and each acting in what he consider his own best interest;

c. a reasonable period of time is allowed for exposure in the open market;

d. payment is made in terms of U.S. dollars or in terms of financial arrangements comparable thereto; and

e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Specified Financing

Cash to seller, with or without financing.

Cash Equivalency

This report presents the cash value of the property. This requires that all comparables utilized must be cash transactions or adjusted to "cash" if advantageous seller financing was involved. In this appraisal, the cash equivalency adjustment is applied prior to all other adjustments in keeping with generally accepted principles and practices.

Property Rights Appraised

The property rights appraised constitute the unencumbered fee simple interest of all present and future benefits which may be obtained from the property's present or possible use.

History and Ownership

The right-of-way is part of Burlington Northern Railroad's branch lines in Multnomah and Washington Counties. This line, the Cornelius Pass line, was acquired by Burlington Northern on their acquisition of the Spokane Portland Seattle Railroad Company in 1954.

Assessment and Tax Information

Railroad right-of-ways are not assessed and taxed by local counties. The railroads pay an annual tax to the State of Oregon, who pass some on to the respective counties. It is based on a formula of miles of track and improvements/buildings in the right of way.

Legal Description

At the time of the appraisal no legal description of the right-of-way was available.

Inspection

The line was walked by Bernie Brown on October 9, and October 21, 1994.

Use of Report

Without prior written approval from the author, the use of this report is limited to decision-making. All other uses are expressly prohibited. Reliance on this report by anyone other than the client for a purpose not set forth above, is prohibited. The author's responsibility is limited to the client.

LIMITING CONDITIONS AND ASSUMPTIONS

This appraisal is subject to the following limiting conditions:

Possession of this appraisal report does not include the right of publication. This report shall be used for its intended purpose only, and by the parties to whom it is addressed.

The liability of the appraiser, David Evans and Associates Inc. and employees is limited to the client only and only up to the amount of the fee actually received for this appraisal assignment. There is no accountability, obligation, or liability to any third party. If this appraisal report is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions.

The appraiser, David Evans and Associates Inc. and employees is in no way responsible for any costs incurred to discover or correct any deficiency in the subject property or proposed improvements. The appraiser assumes there are no hidden or unapparent conditions of the subject property, subsoil, structures or proposed improvements which would render it more or less valuable.

The appraiser assumes no responsibility for determining if the property requires environmental approval by the appropriate governing agencies, nor if it is in violation thereof, unless otherwise noted herein.

The appraiser, David Evans and Associates Inc. and employees assume no responsibility for matters legal in character, nor is any opinion given as to title, which is assumed to be marketable. All existing liens, encumbrances, and assessments have been disregarded, unless otherwise noted, and the property is appraised as though free and clear, under responsible ownership, and competent management.

Unless otherwise noted in this appraisal report, it is assumed that there are no encroachments, zoning, or restrictive violations existing in the subject property.

No portion of this appraisal report stands alone without the written approval from the appraiser. The appraisal report must be used in its entirety. Reliance on any portion of the appraisal report independent of others, may lead the reader to erroneous conclusions regarding the property values.

No part or portion of this appraisal report shall be conveyed to the public through advertising, public relations, news, sales, or other media without the written consent or approval of the appraiser. This applies particularly to value conclusions and to the identity of the appraiser and the firm with which the appraiser is an employee of.

Any exhibits in this appraisal report are included to assist the reader in visualizing the subject property and proposed improvements. The appraiser has not surveyed the subject property and assumes no responsibility in connection with such matters.

Information presented in this report has been obtained from reliable sources, and it is assumed that the information is accurate.

The statements of value and all conclusions shall apply as of the dates shown in this appraisal report.

The appraiser has no present or contemplated future interest in the subject property.

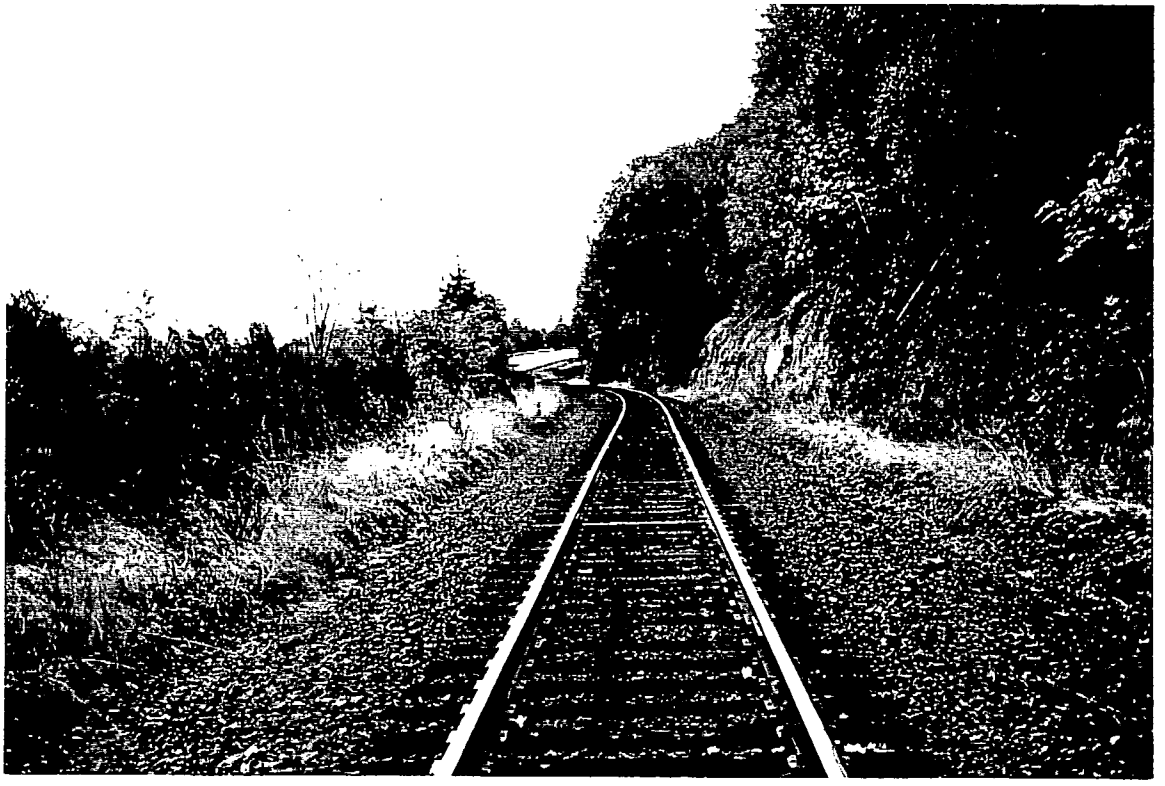
The appraiser may not be required to give testimony or to appear in court by reason of this appraisal, with reference to the subject property in question, unless prior arrangements have been made therefore.

DESCRIPTION - SUBJECT PROPERTY PHOTOGRAPHS

United Junction, Multnomah County, facing southeast

From Highway 30 underpass towards United Junction, Multnomah County

Northwest side of the Highway 30 underpass, Multnomah County

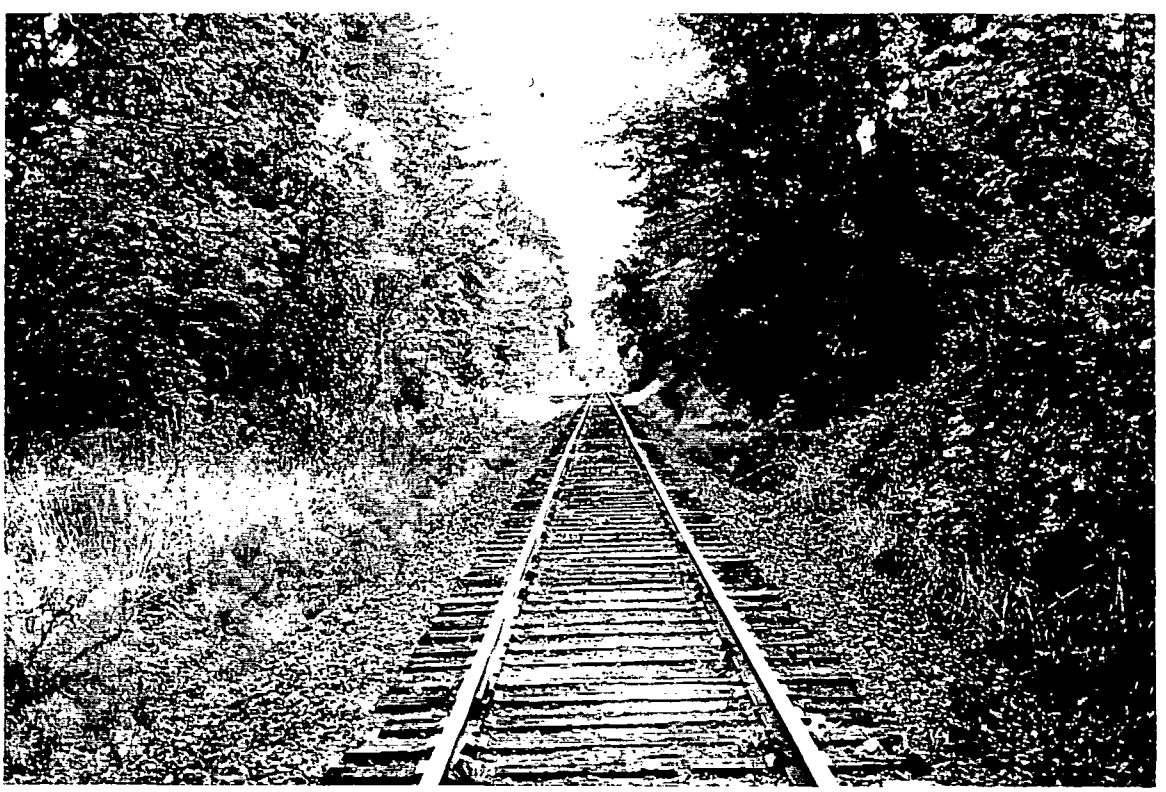


Facing southeast towards the Highway 30 underpass, Multnomah County

Southeast of burnt trestle at mile post 11.2, Multnomah County

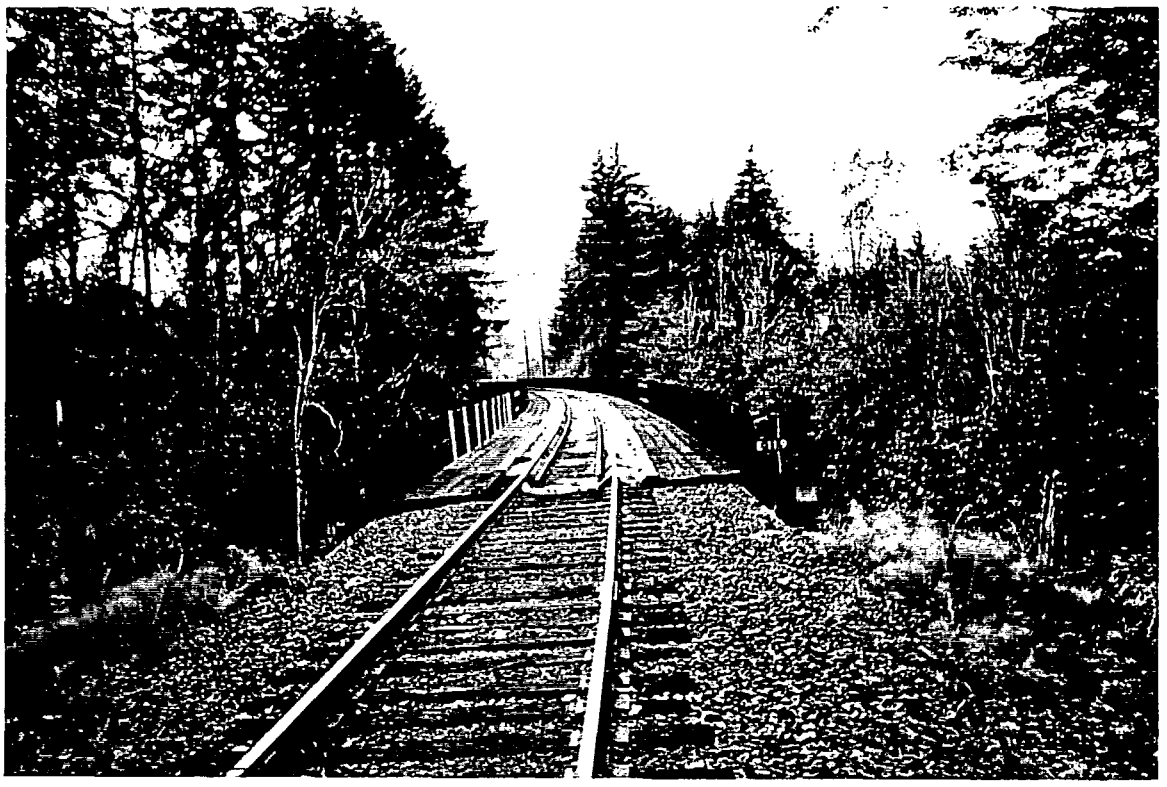
Earthworks of burnt trestle at mile post 11.4, Multnomah County

Looking southeast towards the burnt trestle at mile post 11.4, Multnomah County

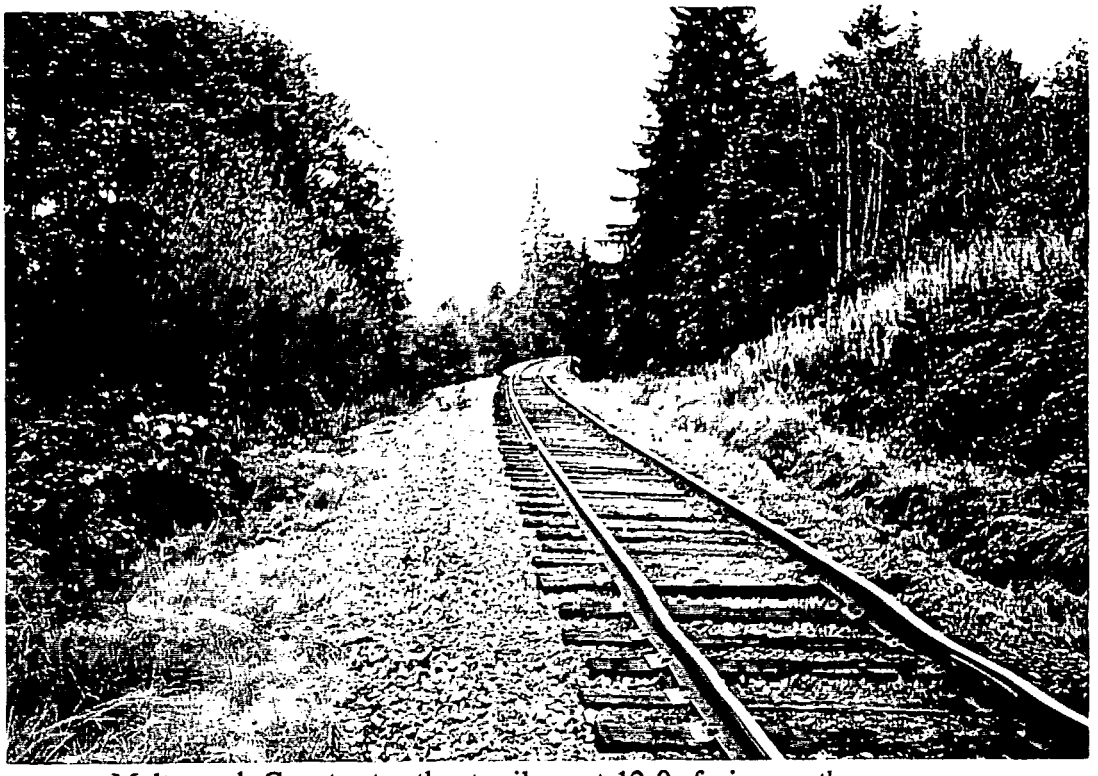


Multnomah County, facing southeast towards trestle at mile post 11.6

Facing southeast from trestle at mile post 11.9, Multnomah County

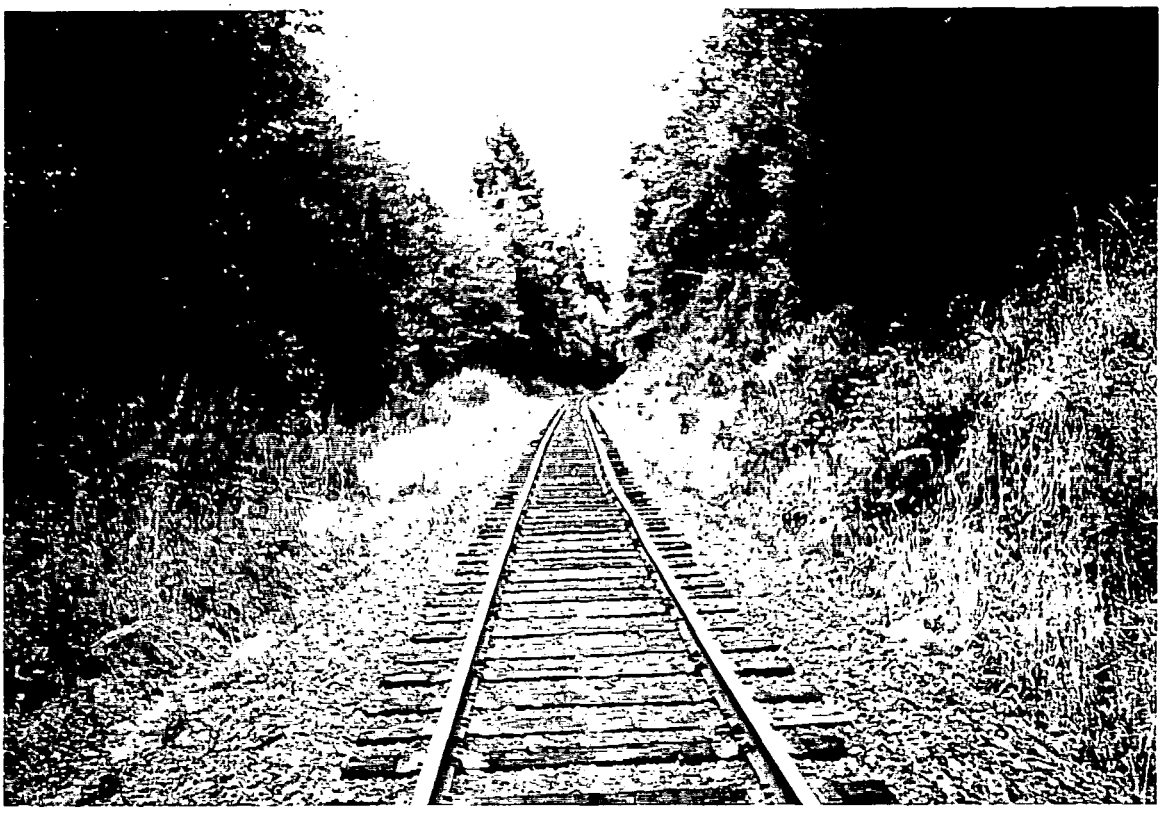


Trestle over NW McNamee Road, Multnomah County at mile post 11.9



Multnomah County, trestle at mile post 12.0, facing north

Multnomah County, trestle at mile post 12.2

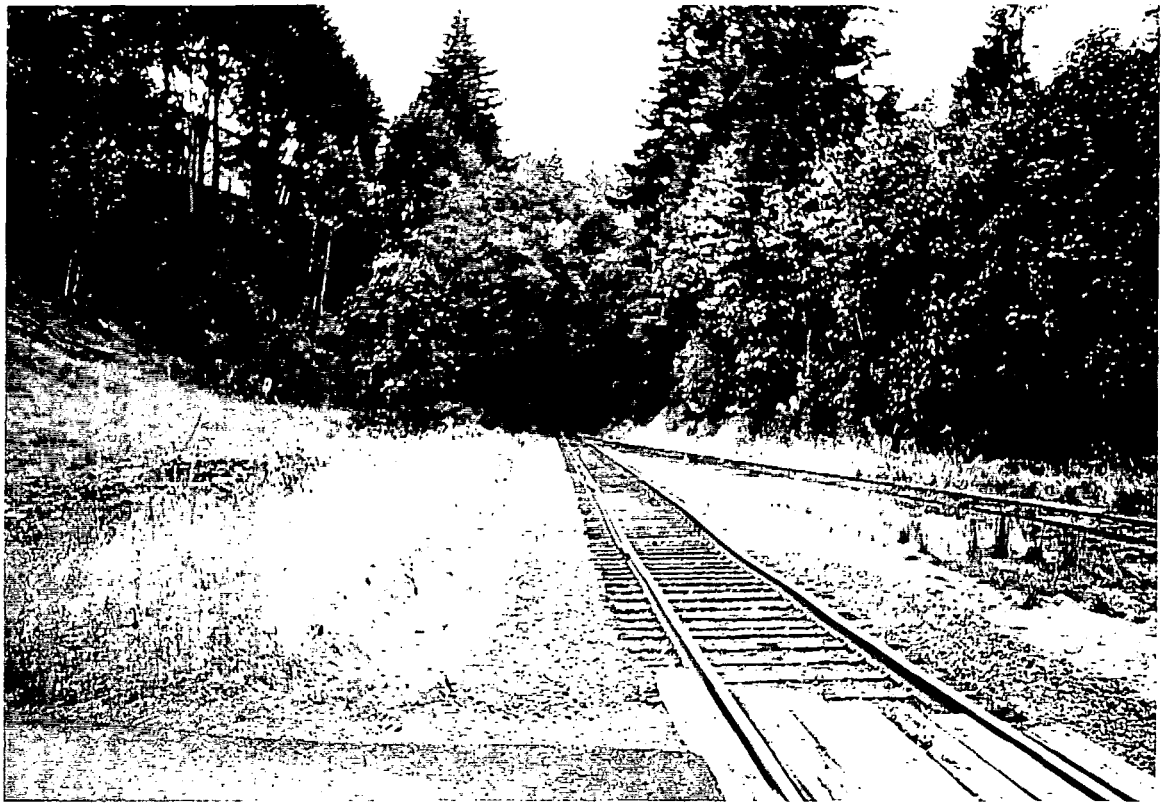


Facing north, before trestle mile post 12.6, Multnomah County

Multnomah County, looking north over trestle at mile post 12.6

Multnomah County, facing north towards the last trestle before the Cornelius Pass tunnel

Facing south towards Cornelius Pass, Multnomah County

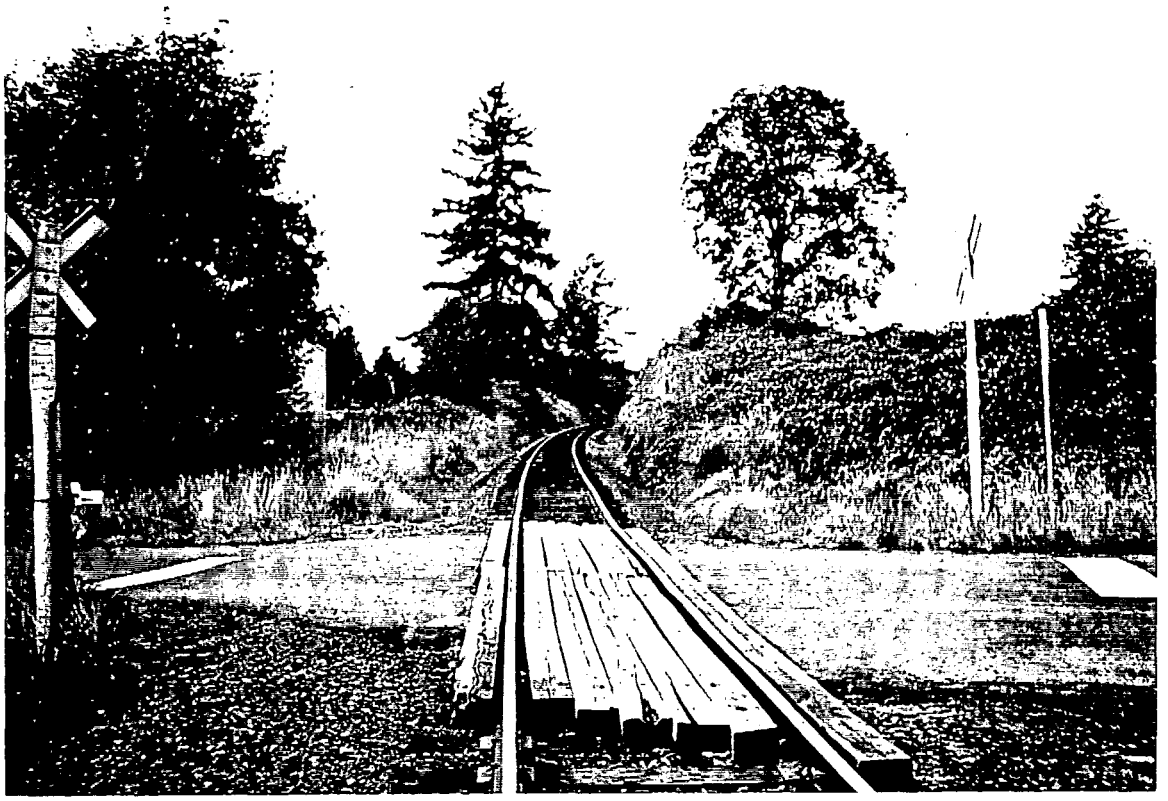


Multnomah County, north portal of the Cornelius Pass tunnel

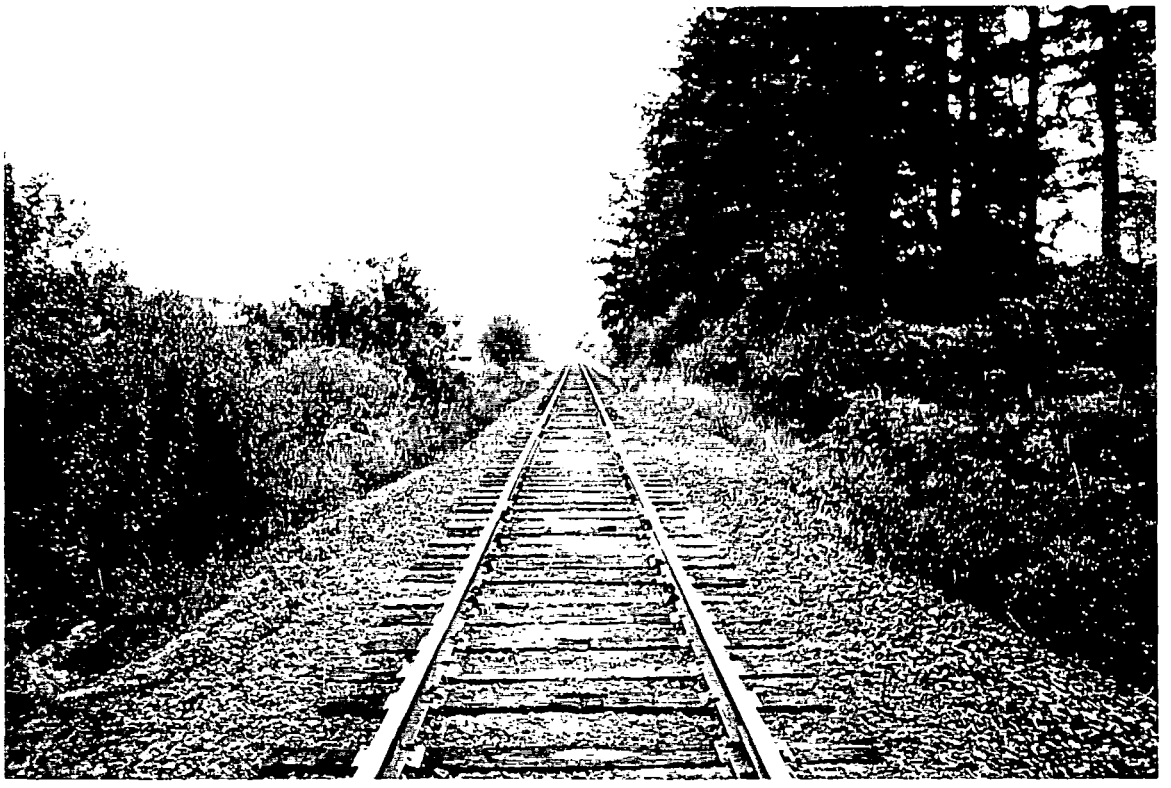
Cornelius Pass tunnel, south portal, Washington County

Washington County, facing southwest towards the Rock Creek Road crossing

Facing northeast towards the Rock Creek Road crossing, Washington County



Valley Vista Road crossing, Washington County, facing northeast

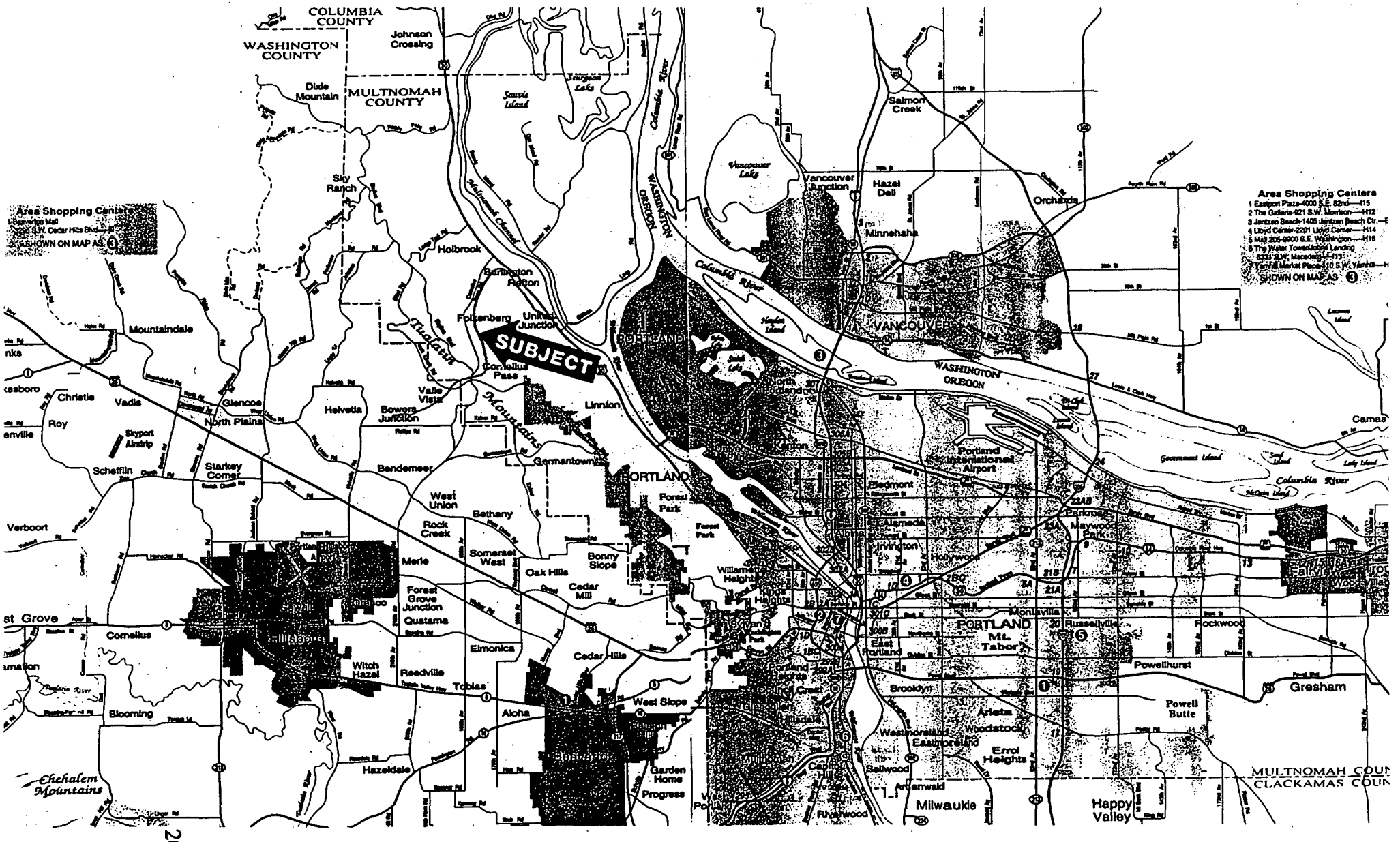


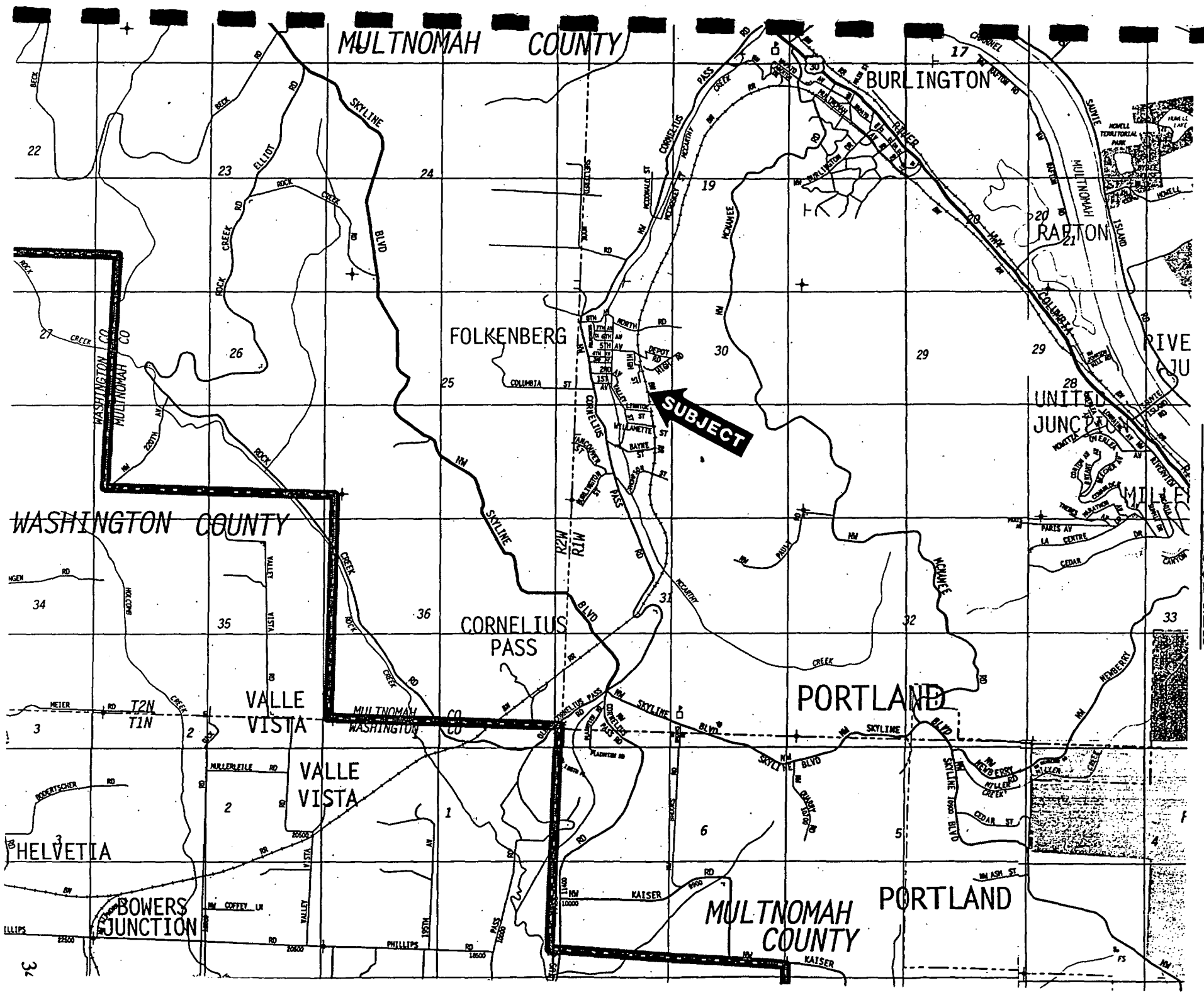
Washington County, from the southern end of the Dick Road trestle, facing northeast

Dick Road trestle, Washington County, looking southwest towards Bowers Junction

Bowers Junction, Washington County

REGIONAL LOCATION MAP





NEIGHBORHOOD MAP

NEIGHBORHOOD DESCRIPTION

The subject property is located in northwest Multnomah County and northeast Washington County. This area is outside the Portland metropolitan area urban growth boundary. In general terms it is approximately 16 miles west of downtown Portland and 12 miles north of downtown Hillsboro. The general boundaries of the area are Highway 30 and the Multnomah Channel to on the north; Logie Trail Road, Johnson Road, and Helvetia Road on the west; Phillips Road and Germantown Road on the south; Newberry Road and Cornelius Pass Road to the east. The land use is primarily rural residential on agriculture and forestry land.

Most of the neighborhood is forested and hilly. The Tualatin Mountains run through a good portion. Several creeks such as Holcomb, Rock, and McCarthy drain the area.

Development

Development of the area has been strictly rural in nature. Most of the neighborhood is in forested lands. A good portion has been gradually logged over the past two decades. Restricted access to State forest lands have made private forest lands popular for harvesting. Most of the forested area is in the Multnomah County portion of the neighborhood. As noted above most of this land is hilly. The Washington County portion is mostly in agricultural land. Uses include grassland pasture and wheat and other grain crops.

Rural Residences

Rural residences have been constructed throughout the neighborhood. Large lots have been subdivided into smaller lots where permitted by the comprehensive plan and zoning ordinances for the neighborhoods areas. Popular sizes are around twenty acres. Over the past few years construction of new residences have been steadily increasing. An increasing number of people want to live in the country on some acreage and yet be close to the urban metropolitan area.

Transportation

The neighborhood is generally well served by roads. In both Multnomah and Washington Counties the roads are well maintained and most of them are paved. The hilly and in some parts steep terrain cause some of the roads to have sharp bends and many curves. Cornelius Pass Road is the main north/south road through the neighborhood. This road connects with Highway 26 to the south in Washington County, and with Highway 30 to the north in

Multnomah County. Newberry Road, McNamee Road and Logie Trail Road also provide north/south connections. Skyline Boulevard is the main east/west route through the middle of the neighborhood. It connects with the north/south routes. Highways 26 and 30 at the southern and northern edges provide excellent access to the Portland metropolitan area.

Community Development

There is limited community development within the neighborhood. Being rural there are local Grange Halls for community meetings and entertainments. Rural fire districts serve the neighborhood. Since the neighborhood is adjacent to the Portland metropolitan area it is close to many facilities. Educational facilities include the Portland Community College campus at Rock Creek, Pacific University at Forest Grove and the Oregon Graduate Center in Hillsboro. In Washington County there are several golf courses nearby. Columbia River to the north provides boating and fishing. Both the Multnomah and Washington Counties library systems take phone orders for books by mail. The area is served by daily, (except Sunday) mail collection and delivery. Multnomah and Washington County Sheriffs Departments patrol the neighborhood. The closest emergency medical facilities are in Washington County; Tuality Community Hospital in Hillsboro and St Vincents Hospital in Beaverton.

Summary

The relative closeness of the neighborhood to the Portland Metropolitan area makes it attractive to those who want to live in the country and yet be close to the "Big City". Rural residences will continue to be developed to supply the demand for a place in the country. The area is well served by roads and services such as mail. In summary, the outlook for the neighborhood is good with the traditional agricultural and forestry merging in with the demand for a house in the country.

SITE DESCRIPTION

Hazardous Waste:	This appraisal assumes that the subject property is free of all hazardous materials as stated in the Limiting Conditions and Assumptions of this appraisal report. If questions arise, further research is recommended.
Municipal Jurisdiction:	Multnomah and Washington Counties.
Current Use of Site:	Railway line.
Site Size:	126.03 acres.
Shape:	The subject property is a transportation corridor. It is approximately 6.84 miles long. In general the width varies from 50 to 100 feet.
Topography:	A mix of land forms. Starting with flat river bottom or valley floor land at both ends. The subject goes through the Tualatin Mountains through terrain of varying steepness, over valleys and along side creek beds.
Abutting Properties–	
Multnomah County:	Mostly forest lands with some agricultural land. Also rural home sites, mostly off Highway 30, in the northeastern portion.
Washington County:	Agricultural land with some forest land. Some rural home sites, mainly in the central portion.
Utilities–	
Water:	Private wells
Sewer:	Septic/drain fields
Electric Power:	Portland General Electric
Telephone:	GTE

Road Improvements: Several roads cross or are close to the subject. Highway 30, Cornelius Pass Road, McNamee Road and Skyline Boulevard in Multnomah County. Dick Road, Valley Vista Road and Rock Creek Road in Washington County. All the roads are paved all weather type.

Accessibility: There is good access to the subject off the roads listed above.

Easements-- Perusal of the Right-of-way Plat Maps from Burlington Northern indicate the following easements.

Tunnel & underpass: Cornelius Pass Tunnel and Highway 30 Underpass. Both easements are assumed to run with the subject and their use with the subject remains unchanged should the use of the subject change. This also includes the slope easements associated with the underpass.

Pole line: There are some pole line easements along the edge of the right-of-way which may still be valid.

Transmission line: These cross the right-of-way in at least two areas.

Private crossing permits: There are at least two permits, terms and conditions are not known.

Miscellaneous: There are some miscellaneous easements in favor of the subject, such as one for a culvert and flume, over abutting property just south of the Folkenberg area, Multnomah County. It is assumed they run with the subject.

Paper roads-- Perusal of the Right-of-way Plat Maps from Burlington Northern indicate the following;

Across subject: Several "paper roads" in the "paper subdivisions" of Burlington and Folkenberg cross the subject. It is assumed the subject has access precedent over the "roads".

Multnomah Avenue: The subject has a perpetual right-of-way over Multnomah Avenue a "paper road" in Burlington a "paper subdivision" in Multnomah County.

Zoning and Comprehensive Plan-- The subject property runs through agricultural, forestry and rural land use zones.

Multnomah County: CFU - Commercial Forest Use, allows; forest uses, commercial growing and harvesting of timber, water resource conservation, natural resource conservation, recreational uses. Generally dwellings are allowed one per lot and must meet certain requirements. In most cases, new lots must be a minimum of 80 acres.

RC - Rural Center, allows the following uses; rural residential, local and tourist commercial, rural light industrial, and public service. New lots must be a minimum of one acre.
RR - Rural Residential, allows residential uses with minimum agricultural and forest uses. In most cases, new lots must be a minimum of 5 acres, although subdivisions of one acre lots may be allowed.
MUA - Multiple Use Agriculture, allows for residential along with agricultural and forest use. Other uses include recreational and natural resource conservation. Generally new lots must be a minimum of 20 acres, although smaller lots may be permitted.
EFU - Exclusive Farm Use, allows the following uses; agricultural production, forests, and open spaces. Generally dwellings are allowed. New lots size depends on applicants circumstances.

Washington County:

EFC - Exclusive Forest and Conservation. This is similar to the Multnomah County CFU designation.
AF-10 - Agriculture and Forest-10, allows agriculture, forest, conservation and rural residential use. New parcels are generally a minimum of ten acres.
RR-5 - Rural Residential-5. This is similar to the Multnomah County RR designation.
EFU - Exclusive Farm Use. This is similar to the Multnomah County EFU designation.

Flood Plain–

Flood plain information was sourced from the Regional Land Information System.

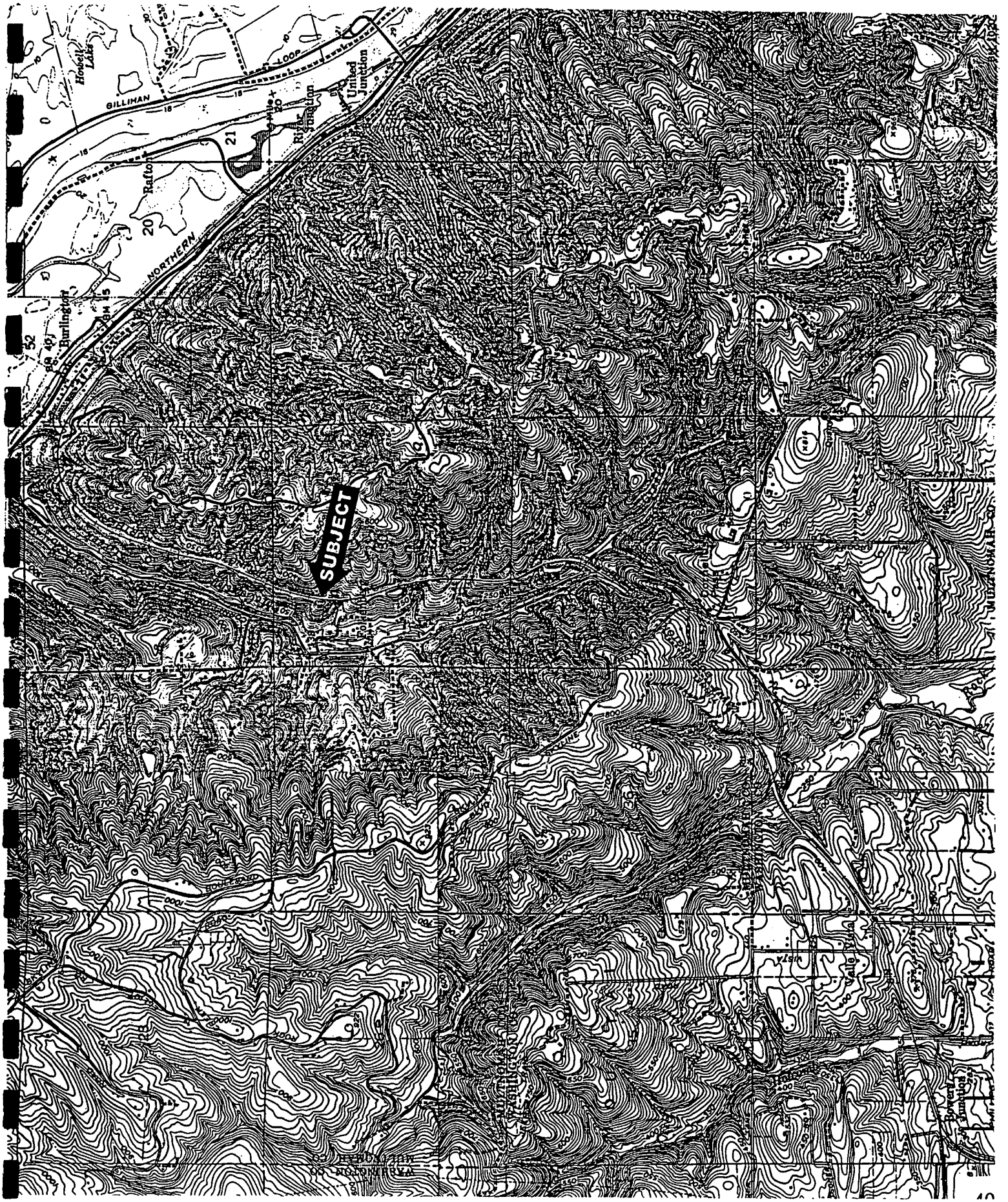
Multnomah County:

No flood plain information was available on the portion of the right-of-way in Multnomah County. Although several creeks and streams cross the right-of-way. Most are tributaries of McCarthy Creek.

Washington County:

Holcomb and Rock Creek's flood plains cross the right-of-way.

TOPOGRAPHIC MAP



HIGHEST AND BEST USE AND FEASIBILITY ANALYSIS

A definition of the highest and best use of a property is the reasonable and most probable use that will support its highest present value. The highest and best use, or most probable use, must be legal, physically possible, and marketable.

The concept of highest and best use is based upon traditional appraisal theory. It reflects the attitudes of typical buyers and sellers who recognize that value is established on future benefits. The theory is based upon the wealth maximization of the owner, with attention given to community goals. A use which does not meet the needs of the community will not meet the above highest and best use criteria.

The analysis follows.

Legal Considerations

The legal factors influencing the highest and best use of the subject property and proposed improvements are primarily government regulations such as zoning ordinances and comprehensive plans.

The subject property runs through agricultural, forestry, and rural residential zones. This zoning permits a variety of agricultural, forestry, and rural residential uses. The existing use as a railway corridor is not specifically mentioned in the zoning ordinances. However both the Multnomah and Washington Counties comprehensive plans have special provisions which allow for the development and use of property as right-of-ways for roads and corridors.

Thus, legal considerations would support the continued use of the subject property as a corridor.

Physical and Locational Considerations

Physical and locational characteristics of the subject property have been previously described in this appraisal report. The railway right-of-way was surveyed, acquired and developed in the first quarter of the twentieth century.

After over 75 years of use as a railway corridor it is well established. Improvements such as rock track bed, tunnels, trestles, and culverts are in place. (Although it is noted that the trestle at approximately mile 11.4 was recently burnt down. All debris have been removed from the site area.)

Thus while the corridor may no longer be of use as a railway line there are other ready uses. The subject property is adjacent to paved all weather roads. It is close to the Portland metropolitan area, and provides an inter county link between northwest Multnomah County and northeast Washington County.

This supports the continued use of the subject property as a corridor.

Market Considerations

This section considers market conditions which influence the subject property. Major factors are the supply and demand conditions which influence the competitive position of the subject property.

The market for a right-of-way corridor like the subject property is generally restricted to governments, nonprofit conservancy organizations and utilities. Across the USA thousands of miles of abandoned railway right-of-ways have by either governments or conservany organizations and converted to trails, and linear parks. Some have been "rail banked" which allows a right-of-way to be used again as a railway some time in the future.

Utility companies have purchased abandoned railway corridors for use as utility corridors. A local area example was the purchase by Portland General Electric of approximately three miles of abandoned railway corridor in the Hillsboro area. PGE is now using the corridor to carry transmissions lines.

There is a market for the subject property, albeit limited. However there is demand especially among governments, recreation groups, and futurists to convert abandoned railway corridors to trails and or linear parks, with the opportunity to reuse them as rail/transportation corridors sometime in the future. Because of the publics perceived concerns of electro magnetic fields given off by transmission lines, utility companies are looking to acquire corridors to place transmission lines out of the publics way.

Market conditions clearly support the continued use of the subject property as a corridor.

Conclusion

Legal, physical, and market considerations have been analyzed to evaluate the highest and best use of the subject property. This analysis is presented to evaluate the type of use which will generate the greatest level of future benefits possible from the subject property. All current factors support a highest and best use as a recreational trail.

VALUATION METHODS

The appraisal process is designed to consider all factors which influence value. General regional and neighborhood information has been presented to inform the reader of general outside influences which may impact value. Additionally, the subject has been described. The highest and best use section has been provided to evaluate the effect of legal, physical, locational, and market conditions which determine the most probable use of the subject property. The next part of the appraisal process deals directly with the valuation of the property.

The Sales Comparison Approach was used to value the subject property. Two types of sales comparison were considered; the across the fence method and the sale of existing right-of-way corridors. The reliability of the Sales Comparison Approach depends on the following:

(a) availability of sales data,
(b) accuracy of available data,
(c) similarity between comparable sale properties and the subject, and
(d) absence of atypical conditions affecting the sales price.

In the across the fence method a right-of-way corridor is divided into sections of similar highest and best use by analyzing the surrounding land uses. The value is estimated using sales data from sales of property comparable to the surrounding land uses. Each section of the right-of-way corridor is considered to be a part of, or made up one or such "typical" surrounding land parcels. The appraiser was able to find sufficient, verified sales in 1993 and 1994, comparable to the subject property. These sales were "arms length" transactions.

Sales of railroad right-of-way corridors in the State of Oregon were reviewed as possible comparables to use in estimating the value of the subject property. Compared to other states, such as Washington, Oregon has few sales. Also, Oregon has had fewer rails to trails conversions when compared with Washington. The appraiser is aware of the Portland Traction Company railroad corridor to the Cities of Portland and Gresham in 1990. The 16.5 mile corridor is a conversion of rails to trails, the Springwater Trail.

Other sales include the sale of portions of abandoned Burlington Northern Railroad right-of-way in Washington County to the City of Hillsboro in 1987, and to Portland General Electric in 1991. Also the appraiser is aware of the pending sale of other Burlington Northern right-of-way in Washington County to Tri-Met for the westside light rail project. Other abandoned railroad right-of-way corridors have been donated to the State of Oregon for conversion to trails.

The appraiser notes that these right-of-way corridors go through a mix of urban and rural land areas, very different from the subject property. Thus the appraiser has decided to use only the across the fence method to appraise the subject property.

The Income and Cost Approaches are not seen as appropriate in valuing rural acreage, in that they do not reflect the behavior of the market place.

Appendix C

AGI
TECHNOLOGIES

LEVEL 1 ENVIRONMENTAL SITE ASSESSMENT
RAILS TO TRAILS - BOWERS JUNCTION TO UNITED JUNCTION
BURLINGTON NORTHERN RAILROAD LINE
MULTNOMAH/WASHINGTON COUNTIES, OREGON

December 16, 1994

Prepared For:

David Evans and Associates
2828 SW Corbett
Portland, Oregon 97201

AGI Project No. 30,146.015

AGI
TECHNOLOGIES

A Report Prepared For :

David Evans and Associates
2828 SW Corbett
Portland, Oregon 97201

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December 16, 1994

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AGI Project No. 30,146.015

1.0 INTRODUCTION

1.1 GENERAL

This report presents the results of AGI Technologies (AGI) Level 1 Environmental Assessment (EA) of the former Burlington Northern Railroad (BNRR) line extending from Bowers Junction in Washington County, Oregon to United Junction in Multnomah County, Oregon.

The railroad tracks and right-of-way is designated as the "ROW" throughout this report. AGI was retained by David Evans and Associates (DEA) to perform the assessment in accordance with our services agreement with DEA signed by Mel Stout (DEA) on September 29, 1994.

1.2 PROJECT DESCRIPTION

The Burlington Northern Railroad (BNRR) plans to abandon the 6.84-mile Branch Line from United Junction (east end) to Bowers Junction (west end). As shown on the Vicinity Map (Figure 1), this segment of the BNRR line is situated several miles northwest of downtown Portland.

1.3 PURPOSE AND SCOPE

The purpose of the Level 1 Environmental Assessment was to identify past and present uses as a basis for assessing the potential for on-site environmental contamination prior to acquisition and/or trail development. This assessment principally focused on assessing the existing railroad ROW and adjacent properties (including the ROW) located within 500 feet of the railroad tracks; this area is identified as the primary "study area" throughout this report.

Our scope of services for this assessment included the following tasks:

- Review available local, state, and federal databases to identify potential on-site and off-site contamination sources that could impact the ROW.

- Review Oregon Department of Environmental Quality (DEQ) and U.S. Environmental Protection Agency (USEPA) records and/or contact local agencies, as necessary, to obtain supplemental information regarding environmental conditions and incidents within the ROW and remaining study area that, if contaminated, could impact the ROW

- Interview current and past railroad personnel to document ROW uses and ROW improvements and to discuss compliance with applicable environmental regulations

- Interpret the history of the ROW and surrounding portions of the study area using available aerial photos obtained from the Army Corps of Engineers Portland office and information from BNRR and Spokane-Portland & Seattle (SP&S) archive files. Information was supplemented by results of other team member's work.

- Perform a reconnaissance focusing on the ROW while conducting a cursory review of other portions of the study area and properties near the study area for the purpose of checking for physical evidence of potential contamination sources that may impact the ROW

- Prepare this report presenting the findings, conclusions, and recommendations regarding environmental concerns at and around the study area

1.4 DATA SOURCES FOR LEVEL 1 ENVIRONMENTAL ASSESSMENT

As a part of the environmental assessment, databases were evaluated to identify potential contamination sources listed by federal and state environmental regulatory agencies within the minimum search distances noted in parentheses. The following databases were reviewed.

National Priorities List (NPL) - Dated 10-7-94 (1/2-Mile). The United States Environmental Protection Agency (USEPA) NPL includes uncontrolled or abandoned hazardous waste sites identified for priority remedial actions under the Federal Superfund program.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) - dated 10-6-94 (1/2-mile). The USEPA compiles the CERCLIS list, a comprehensive database and management system that inventories and tracks historical waste handling practices that may have led to environmental problems. Superfund (NPL) sites are included on this list.

USEPA Resource Conservation and Recovery Act (RCRA) Notifiers Lists - dated 10-7-94 (study area). The RCRA Notifiers List includes companies who use, generate (large quantity, small quantity, or conditionally exempt), or transport RCRA classified hazardous wastes. This is not a list of contaminated sites or documented hazardous material releases, only registrations of businesses currently generating wastes.

USEPA Emergency Response Notification System (ERNS) - dated August 1994 through January 1990 (study area). USEPA periodically generates this list of spills reported for the State of Oregon.

DEQ Underground Storage Tank (UST) List - dated 10-19-94 (study area). This list provides an inventory of registered underground storage tanks including tank owner, address, and number of decommissioned and active tanks.

DEQ Underground Storage Tank Cleanup (LUST Cleanup) List - dated 10-19-94 (study area). This DEQ list provides an inventory of reported leaking underground storage tanks including location, tank status, and cleanup status.

DEQ List of Closed and/or Permitted Landfills - dated 1-14-94 (1/2-mile). This DEQ list includes solid waste facility addresses and indicates which sites are closed and/or currently permitted.

DEQ Environmental Cleanup Site Information (ECSI) System - dated 7-14-94 (1/2-mile). This DEQ electronic filing system includes sites that are or may be contaminated. Appearance in this report neither confirms nor denies the release of a hazardous substance at the facility; nor

does it indicate whether the facility is contaminated or cleanup is necessary, currently underway, or completed.

Oregon Department of Environmental Quality (ODEQ) Region Spill Report Log - dated 8/94 through 1/90 (study area). A log is maintained that lists spills reported to the regional office. The log includes approximate spill location, date, and material spilled. The spill reports are available for review at the DEQ regional office.

Listing of All Hazmat Incidents as Reported to the State Fire Marshal - 1986-1993 (study area). The Office of the State Fire Marshal receives incident response reports from local fire districts when they have responded to hazardous material spill reports. The list includes the incident location and date and general information regarding the material spilled. Copies of the incident reports are available through the State Fire Marshal's office in Salem.

National Pollution Discharge Elimination System (NPDES) - Dated 6/93 (1/2-mile). This list includes facilities registered as containing a NPDES permit

Results of the database search are discussed in later sections of this report.

Besides personal interviews cited later in this report, other sources of information included US Army Corps of Engineers aerial photos (dated 1938 through 1991), Metsker Maps (1936 and 1944) found in archives at the Pacific Chapter of the National Historic Railway Society, and the Spokane, Portland, & Seattle (SP&S) railroad maps (obtained from DEA) that show right-of-way acquisitions dating from 1909 through 1972.

2.0 SITE FEATURES AND LAND USE

2.1 STUDY AREA DESCRIPTION

The existing BNRR branch extends from United Junction in Multnomah County westward to Bowers Junction in Washington County as shown on Figures 1 and 2, Site Map. It is approximately 6.84 miles long and covers nine sections in three townships (Sections 1 and 2 in Township 1 North, Range 2 West; Section 36 in Township 2 North, Range 2 West; and Sections 19, 20, and 28-31 in Township 2 North, Range 1 West).

Aerial photographs and our October 3, 1994 site reconnaissance revealed that undeveloped property exists adjacent to most of the ROW within the study area. Notable exceptions include truck salvage and other businesses located just east of tracks at United Junction (refer to Figure 2). A few residences exist within the study area, one near the north end of the tunnel.

2.2 ENVIRONMENTAL SETTING

2.2.1 *Geologic Setting*

Geologic conditions surrounding and likely beneath the ROW appear to be typical of the Tualatin Mountains (i.e., Portland Hills). The principal geologic unit is the Columbia River Basalt. Geologically younger Troutdale Formation (clay/silt/gravel) and Portland Hills Silt Formation.

The basalt bedrock was deposited in numerous broad lava flow sheets in two major episodes which occurred approximately from 41 to 26 million years (m.y.) and from 15 to 13 m.y. ago throughout the Pacific Northwest. The Tualatin Mountains represent a portion of the basalt that was deformed upwards during the period 10 m.y. to 5 m.y. ago into a mountain front rising above the valley lowlands. It is generally speculated that a fault exists along the eastern front of the Tualatin Mountains with the hills being the portion that moved upwards relative to the Willamette Valley.

After bedrock uplift to about 38,000 years ago, the hills were marked by extensive soil development and down-cutting by streams. Massive sedimentation occurred in the valley lowlands and along the western flanks of the Tualatin Mountains. Remnants of this sediment (e.g., Troutdale Formation) cover the basalt surface along much of the study area west of Rock Creek Road (i.e., within the western third of the study area, as shown on Figure 2).

During the Pleistocene Period, between about 1 million and 38,000 years ago, prehistoric easterly winds rushing through the Columbia River Gorge swept large areas of exposed fresh sediment causing heavy dust storms and depositing the Portland Hills Silt on the decomposed and eroded basalt bedrock surface of the Portland Hills. The Portland Hills Silt is mapped by the US Geological Survey in a narrow 1/2-mile segment of the ROW near Cornelius Pass Road.

The basalt is several hundred feet thick beneath the ROW. Exposures of the Troutdale Formation and Portland Hills Silt are less than 30 to several tens of feet thick.

2.2.2 *Hydrogeologic Setting*

Depths to near-surface groundwater vary widely throughout the Tualatin Mountains. Surface streams are partially fed by groundwater spring activity. Groundwater gradients generally mimic the ground surface topography.

2.3 LAND USE HISTORY

AGI reviewed 26 aerial photographs (dated 1938 to 1991) that covered portions of the study area, Metsker Maps from 1936 and 1944, and twelve historic maps[1] showing right-of-way acquisitions from 1909 through 1972.

In addition, AGI conducted interviews with DEA personnel (e.g., Charles Burham) who had direct contact with BNRR staff, retired SP&S/BNRR personnel (Sam Melonas, former assistant maintenance supervisor with SP&S and BNRR for a combined 49 years), a noted author of railroad history books (Walter Grande of Portland, Oregon), and several owners/managers of businesses located within and near the study area.

The following sections discuss the study area land use as it pertains to potential sources of environmental contamination.

2.3.1 *Railroad ROW*

The project Cultural Resources Baseline Study Report[2] indicated the following. Steam-powered railroad traffic began in 1909 along the ROW. Conversion to electric power occurred in 1911. The 4,107-foot tunnel, located on Figures 1 and 2, was constructed roughly mid-point in the 6.84-mile line in 1911 to shorten the alignment and remove the "Tualatin Hill Shoo-Fly" to Cornelius Pass Road. Rail traffic generally served logging and other industries[3] although some passenger service continued through 1933. The wood trestle over Rock Creek was replaced with fill in 1946[4]. Electric service was removed in the 1930s. We understand from Walt Grande that diesel-electric (possibly some steam-powered in the 1930's) locomotives were used following the de-electrification. Freight traffic continued into the 1950s.

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1 Source: Spokane, Portland, & Seattle Right of Way (obtained through DEA).

2 Archeological Investigations Northwest Inc., dated 11/08/94 (supplied to AGI by DEA)

3 We understand from Walt Grande that shipped materials principally consisted of logs, lumber, and treated wood/piles (principally from the American Timber Products facility located in North Plains). We presume that wood treatment chemicals were shipped to North Plains.

4 We understand from Walt Grande that Willamette River gravels (from an unknown location) and the railroad cut created along the St. Johns/Peninsula segment (as shown on Figure 1, about 8 miles east of the were the source of the ballast fill.

2.3.2 *Reminder of Study Area and Adjacent Property*

Adjacent to the ROW. Historic photographs and maps indicated that most of the property adjacent to the ROW was also undeveloped. One exception could include what appears to be a structure, located on Figure 2, situated east of the tracks and north of Burlington. The historic record is unclear, however, another exception could be the BF Johnson Lumber property (north of United Junction); that portion of the property adjacent to the ROW could have been used for wood storage[5].

Other companies/agencies (including PEP Co., Highway Home, Oregon Highway, and Quality Lumber Mill) owned parcels adjacent to the west side of ROW north of United Junction. However, historic aerial photographs suggest no site development other than some clearing.

Within Study Area. Most of the property further of the ROW, but within the study area, was also undeveloped. There are several exceptions in and north of the United Junction area and these include truck salvage operations (former location of Interwood Products) and the Burlington Northern Lumber Mill. In addition, Columbia Creosote had established a railroad spur in 1920 at United Junction; aerial photographs suggest that Columbia Creosote, if operations occurred, was located on the Multnomah Channel waterfront east of the ROW. Also, Oregon Kalama Lumber Co. had established a spur west of the tunnel; aerial photos suggest that development did not occur with the study area.

Beyond Study Area. The record also indicated that much of the land beyond the study area has been undeveloped. The ROW is situated adjacent to two small unincorporated residential areas, Burlington (east end of ROW) and Folkenberg (central portion of ROW), the latter of which is situated just outside the 1000-foot wide study area (refer to Figure 2 for locations). Historic data suggests that land uses in both of these areas consisted primarily of homes with an occasional small business, similar to current land use. One exception is Burlington Wood Products (located in Folkenberg).

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5 Aerial photographs of the former BF Johnson property indicate several large structures located on the waterfront, outside the study area.

4.0 POTENTIAL CONTAMINATION SOURCES

4.1 ON-SITE SOURCES OF CONTAMINATION

Our government records review of activities likely to cause or contribute to a release or threatened release of hazardous substances within study area (i.e. railroad ROW and properties located within 500 feet of the railroad track) indicates that the study area (including the railroad ROW) is not listed on any government database.

Regardless of the lack of government records, potential sources of contamination in the ROW, especially in the vicinity of the tracks, include routine practices and accidents resulting from rail operations. The list of such practices is long and includes dumping of steam-locomotive cinders, excessive use or mixing/dumping of herbicides, use of metal slag or other potentially hazardous materials as railroad ballast or general fill, surface spills of diesel fuel or creosote, oiling for dust control, locomotive servicing/fueling, and spillage of cargo during loading/unloading or derailment. Other potential sources in the vicinity of the tracks and within the railroad ROW include unauthorized or illegal dumping of trash or hazardous chemicals.

The historic record suggests the following:

- Cinders dumping is not a significant concern given that steam was used for a very small part of the active rail history,
- Uncontaminated materials were used for fill and railroad ballast, and
- Cargo (other than wood, perhaps railroad ties, crossarms, etc.[6]) was not loaded/offloaded within the 6.84-mile ROW.

The historic record indicates that locomotive servicing and fueling did not occur within the ROW.

However, the historic record did suggest that lumber and likely treated lumber (possibly other similar products) were stored at a few locations along the 6.84-mile segment within the ROW.

In addition, identified former businesses and unidentified structures were located adjacent to the ROW.

During our October 3 site reconnaissance we checked for gross visual indicators of illegal dumping, distressed vegetation, or other abnormal signs that would indicate the presence of hazardous materials. Due to the remote nature of the ROW and the purposes of the Level 1 assessment, a walking reconnaissance of the entire 6.84-mile long ROW was not possible. However, those portions of the ROW observed by AGI and at other times by DEA and other project personnel, appeared free

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6 Relatively high altitude (i.e., low level of detail) aerial photos suggest that lumber or ties/crossarms were temporarily stored at Bowers Junction, east of the tunnel, and north of United Junction. Unconfirmed lumber/ties/structure locations are shown on Figure 2.

of trash/debris or other gross indicators of hazardous materials (i.e., surface spills, oiling for dust control, etc.).

4.2 OFF-SITE CONTAMINATION SOURCES

Our government records review of activities likely to cause or contribute to a release or threatened release of hazardous substances on the ROW is summarized below. The government databases reviewed and the minimum search area for each database are discussed in Section 1.3 and listed below:

1. USEPA National Priority List - Superfund (1/2-mile)
2. USEPA CERCLIS (1/2-mile)
3. USEPA RCRA Hazardous Waste Generator (study area)
4. DEQ Registered Underground Storage Tank (UST) (study area)
5. DEQ Underground Storage Tank Cleanup List (LUST) (study area)
6. DEQ Environmental Cleanup Site Inventory (ECSI) System (1/2-mile)
7. DEQ Landfill and/or Solid Waste Disposal Sites (1/2-mile)
8. State Fire Marshal Hazardous Material Incidents (study area)
9. ODEQ Region Spill List - (study area)
10. Emergency Response Notification System (ERNS) (study area)
11. National Pollution Discharge Elimination System (upstream of study area)

The following potential off-site environmental contamination sources were identified from the records review.

Table 1
Potential Contamination Sources Within 1/2-Mile

ODEQ (File/Site #)*	Name and Location	List
(ORD088586 748)	Burlington Wood Products 14724 NW Cornelius Pass Road	USEPA RCRA
(#106687)	Bridgeview Investors Corporation Bridgeview Moorage 14900 NW Mill Road, 97231	NPDES Permits
(34-94-5060)	Barbara Proctor II HOT 9771 NW Dick Road	LUST

* File/Site # indicates the EPA or ODEQ number associated with the respective site.

All sites appearing on databases in the study area are approximately located on Figure 2 (Site Map). All three sites are situated within 1/2-mile of the ROW. The first site, Burlington Wood Products, was found on the RCRA list under Airs Facility. The second site, Bridgeview Moorage located downstream of the ROW, was listed as containing a NPDES permit. The third site, owned by Barbara Proctor II, was reported on the LUST list as having once contained a leaking heating oil tank (HOT).

5.0 CONCLUSIONS AND RECOMMENDATIONS

Based on the results of our Level 1 Environmental Assessment, we conclude the following.

5.1 ON-SITE SOURCES OF CONTAMINATION

- There is a very low potential for significant soil and groundwater contamination within the vicinity of the railroad track and within the remainder of the ROW as a result of past or present site uses of the ROW.

  Herbicides were likely routinely used during the later years of railroad operation. These products may be persistent in soils or have a tendency to contaminate groundwater.

5.2 OFF-SITE SOURCES OF CONTAMINATION

- Our review of Oregon DEQ files on the three government-listed sites and consideration of the sites distant and downgradient (ground surface) direction relative to the ROW indicated very low potential for contaminant migration into the ROW.

- The historic record also suggests a very low potential that adjacent properties within the study area have impacted the ROW. The historic record suggests that all significant commercial development has occurred down the groundwater and surface gradient relative to the ROW.

6.0 USE OF THIS REPORT

This section provides information on the use and limitations of this report. The following paragraphs are offered to help you reduce the potential for misinterpretation, incorrect assumptions, or other costly inconveniences.

This report was prepared for the exclusive use of METRO, David Evans & Associates, and others involved in the project. Our scope of services was developed to achieve specific project objectives, with the intent of establishing an appropriate balance between level of effort and uncertainty. Providing the report to others not party to this mutual scope determination, or using it for other projects or purposes, can result in misunderstandings or incorrect assumptions. AGI cannot be responsible for interpretation or extrapolation of the data contained herein, except as stated in our conclusions or recommendations.

Our conclusions and recommendations are based on data described herein and our experience and professional judgement. The data was either made available to AGI or reasonably obtained within the practical constraints of our scope of services. Nothing can be done to eliminate all unknowns; however, we can help you take steps to lessen their impact. If you become aware of data we did not consider, or have any questions concerning our conclusions and recommendations, please advise us immediately.

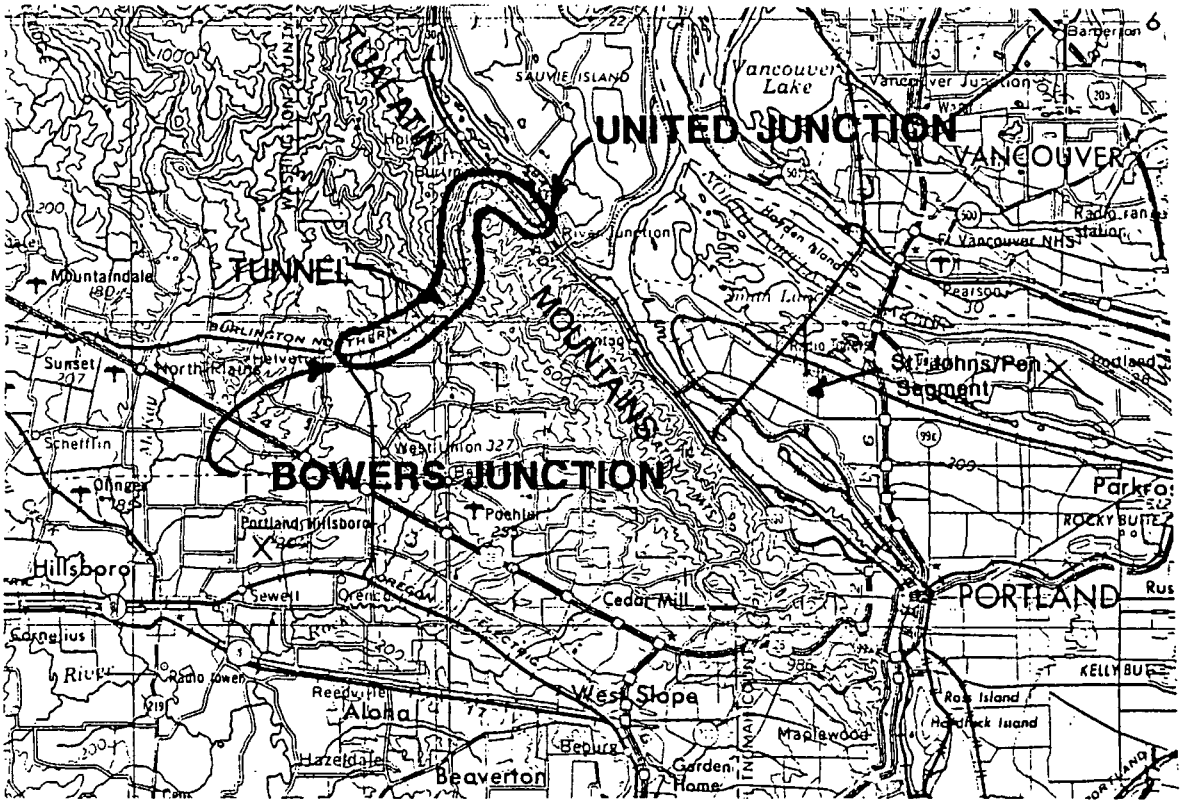
There is no such thing as a perfect due diligence and no practical study or procedure can or should be expected to discover all potential contamination. However, we believe this environmental assessment, in conjunction with any recommended additional studies, does represent due diligence as determined in accordance with the professional standard of care. This standard is the current level of care and skill ordinarily exercised by members of the engineering profession practicing under similar conditions in the project area. AGI cannot be responsible if due diligence standards change or if you are required to meet a higher standard.

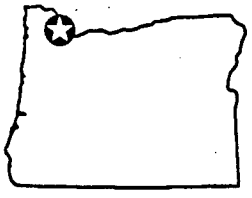
DISTRIBUTION

1 Original and 4 copies	Mr. Mel Stout David Evans & Associates Inc. 2323 SW Corbett Avenue Portland, Oregon 97201

Quality Assurance/Technical Review by:

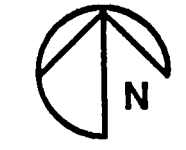
James E. Houck, Ph D.,
Principal Scientist, Vice President





Project Location

Reference: USGS Vancouver 1° x 2° Sheet, 1958 (rev. 1974)



Approximate Scale in Miles

AGI TECHNOLOGIES

Vicinity Map

Rails to Trails: Bowers to United Junction - Level 1 EA
Multnomah and Washington Counties, Oregon

FIGURE 1

PROJECT NO.	DRAWN	DATE	APPROVED	REVISED	DATE
30,146.015	BBP	16 Dec 94			

LEGEND

('40) Year(s) of historic record

Possible trestles appearing in the 1940's aerial photos (other trestles may have existing elsewhere)

Site listed in government database (type of listing noted in parentheses)

0 4000

Approx Scale in Feet

BOWERS JUNCTION

lumber/ties ('40)

Oregon Kalama Lumber Co. ('22 easement)

Rock Creek Road

Rock Creek

BARBARA PROCTOR II (Oregon DEQ LUST)

TUNNEL

lumber/ties ('40)

trestles? ('40)

BURLINGTON WOOD PRODUCTS (USEPA RCRA)

Folkenberg

structure ('40)

Burlington Northern Lumber Mill ('24,'38)

Burlington

spur ('36-'66)

structures/lumber ('38-'66)

PEP Co ('27)
Highway Home ('44)

Oregon Highway ('48 acquisition)

Quality Lumber Mill ('20-'72)

Interwood Products ('44)

Columbia Creosote Spur ('20)

BF Johnson Lumber ('44)

truck salvage facilities (existing)

BRIDGEVIEW MOORAGE/ INVESTORS (NPDES)

UNITED JUNCTION

Notes:

1. The "study area" included the railroad ROW and adjacent properties located within 500 feet of the railroad track. Government records/databases (USEPA, Oregon DEQ, etc.) were reviewed for the study area and, for some databases, over a larger area. Refer to the report text for details.

2. Based map: Oregon Highway Division

AGI TECHNOLOGIES

Site Map

Rails to Trails: Bowers to United Junction - Level 1 EA
Multnomah and Washington Counties, Oregon

FIGURE 2

PROJECT NO.	DRAWN	DATE	APPROVED	REVISED	DATE
30,146.015	BBP	16 Dec 94			

Appendix D

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BURLINGTON NORTHERN RAILS TO TRAILS FEASIBILITY STUDY:

CULTURAL RESOURCES BASELINE DATA

David V. Ellis and Judith S. Chapman
Archaeological Investigations Northwest Inc.

Prepared for
David Evans and Associates
and
METRO
Portland, Oregon

December 7, 1994

Archaeological Investigations Northwest Inc. Letter Report #84

BURLINGTON NORTHERN RAILS TO TRAILS FEASIBILITY STUDY: CULTURAL RESOURCES BASELINE DATA

David V. Ellis and Judith S. Chapman
Archaeological Investigations Northwest Inc.

December 7, 1994

INTRODUCTION

The Metropolitan Service District (METRO) is considering conversion of a railroad right-of-way (ROW) for possible trail development. The ROW is presently owned by Burlington Northern Railroad, which is planning to abandon its 6.84-mile line from United Junction to Bowers Junction in Multnomah and Washington counties, Oregon. This portion of the Burlington Northern line extends northwest from United Junction along US 30 (St. Helens Road), then turns almost due south and runs up the McCarthy Creek canyon to Cornelius Pass. At Cornelius Pass, the railroad alignment heads southwesterly to Bowers Junction. This ROW traverses Sections 19, 20, 28, 29, 30, and 31, T. 2N, R. 1W; Section 36, T. 2N, R. 2W; and Sections 1 and 2, T. 1N, R. 2W, Willamette Meridian.

METRO has contracted with David Evans & Associates (DEA) to prepare a feasibility study for the possible trail development. Under contract with DEA, Archaeological Investigations Northwest Inc. (AINW) has conducted a baseline study of the Burlington Northern ROW. The objective of the baseline study was to identify archaeological and historical resources that have been recorded or reported within the ROW or in the immediate vicinity (i.e., within 50 feet of the ROW). Institutional sources consulted include the Oregon State Historic Preservation Office (SHPO), Washington County Museum, and Oregon Historical Society. Consultation was also undertaken with the Confederated Tribes of the Grand Ronde Community of Oregon and the Confederated Tribes of Siletz for information on traditional cultural properties in addition to other cultural resources. This report presents the results of the baseline study.

ENVIRONMENTAL SETTING: PREHISTORIC AND HISTORICAL PERSPECTIVES

The Burlington Northern ROW extends across three general landforms. From United Junction to the mouth of the McCarthy Creek canyon (about 1.7 miles), the ROW runs at the base of the Tualatin Mountains, overlooking the Columbia River floodplain and the Multnomah Channel to the northeast. Over this distance, the railroad alignment climbs in elevation from 50 feet amsl at United Junction to about 200 feet amsl at the canyon mouth. Along this segment, the ROW crosses three small, unnamed, perennial streams that drain the northern slopes of the Tualatin Mountains and empty onto the floodplain. The ROW follows the east side of the McCarthy Creek canyon for about 2.4 miles, rising in elevation from about 200 feet amsl to about 400 feet amsl. The McCarthy Creek-Cornelius Pass corridor constitutes a major route between the Columbia River valley and the interior Tualatin Valley. The Burlington

Northern line passes under the crest of the Tualatin Mountains via a 4,000-foot tunnel. The line emerges from the southwestern end of the tunnel and continues for about another 1.9 miles to Bower Junction across the northern edge of the Tualatin Valley. This last portion of the ROW extends across the Rock and Holcomb creek drainages, at elevations varying from 250 to 400 feet amsl. In summary, the line extends from floodplain edge across low mountains to the northern edge of an interior valley.

This setting has been substantially modified by Euroamerican settlement and subsequent development over the past 150 years. In the 1850s, when the area was mapped in detail for the first time (General Land Office [GLO] 1852, 1854, 1855, 1856), a glimpse is provided of what this area probably looked like in the later prehistoric period and when Native populations were still the dominant human presence on the landscape. The bottoms along the Multnomah Channel were occupied by a network of shallow lakes, ponds, and meandering sloughs. The Tualatin Mountains were described as heavily timbered in "Fir, Cedar, Maple, Hemlock, Yew &c." (GLO 1855). The northern edge of the Tualatin Valley was also wooded but possibly with a denser understory of "hazel & maple brush" (GLO 1856). Just a mile or two to the south of the modern Bowers Junction area, the Tualatin Valley opened up into broad expanses of prairies surrounded by scattered woodlands of fir, oak, and ash (GLO 1852).

The best picture of the present study area is provided in the journal of John Work, an employee of the Hudson's Bay Company. Leading a fur-trapping expedition from Ft. Vancouver to the Umpqua River in the spring and summer of 1834, Work followed a trail from the Multnomah Channel to the Tualatin Valley. This was probably the Logie Trail, which is shown on the 1854 and 1856 GLO maps of the area, although it is unlabeled. Work's description of the journey is worth quoting in full as it offers the first written description of the general project area.

> The road is in many places steep & rugged particularly on the N side of the hill. The unfavorable weather & being encumbered in places with fallen timber rendered it worse than it otherwise might be.... It is not thickly wooded with timber but overgrown with underwood. The trees principally pine & cedar and of a pretty large size. On reaching the plains [the Tualatin Valley] some oak of a middling size fringe the edges of the woods. There are also some ash & other trees. The country on getting out of the woods has a beautiful appearance. It is a continuation of plains which commence here and continue to the Southward, sparated [*sic*] by narrow strips of timber, bounded to the east by the strip of woodland which occupy the banks of the Willamet; and to the westward by the woods which occupy the base of the Killymaux Mountain [the Coast Range] [Scott 1923:241-242].

On his return in July 1834, Work (Scott 1923:267) reported that the trail on the bottoms along the Multnomah Channel was difficult due to fallen timber, thickets, and "immense meadows" covered in tall grasses.

The landscape seen by Work had already been modified by the 1850s. Several trails and roads provided travel and transportation routes across the

Tualatin Mountains between the Tualatin Valley, the Multnomah Channel, and the Willamette River. There were scattered homesteads and farmsteads along the Multnomah Channel, primarily on Sauvie Island, but one was on the mainland shore, east of the modern community of Burlington. The focus of early settlement, however, was the Tualatin Valley prairies, where dozens of farms were located by the early 1850s (GLO 1852).

CULTURAL RESOURCES

Prehistoric Archaeological Resources

The Burlington Northern ROW can be considered to fall into two archaeological "areas." Sauvie Island and the mainland Columbia River floodplain have been the subjects of professional archaeological research for over 60 years but extensive research has been conducted only with the last 30 years. Systematic research in the archaeology and prehistory in the Tualatin Valley has developed only within the past 25 years. The studies conducted to date suggest that the general outlines of prehistoric development are similar in both areas. Initial human settlement probably occurred about 8,000 to 9,000 years ago by small, mobile groups exploiting a wide variety of environmental communities. Over the next few millennia, prehistoric settlement witnessed a shift toward larger populations, more permanent settlements, and less mobility. By about 3,000 years ago, the general patterns of life described by the first Euroamerican visitors to the region had become established.

The distribution of known prehistoric archaeological sites on the Columbia River floodplain indicates a strong association between prehistoric settlements and use areas and floodplain wetlands. High densities of sites have been encountered along major waterways, although the density of recorded archaeological sites along the Multnomah Channel is not as high as along some other streams (Burtchard 1990:28-33; Hibbs and Ellis 1988a:I:169-171; Pettigrew 1977). Pettigrew (1977:257, 298-299, 304-305, 372) also indicates that some of the older sites in the region may be found on the higher ground along the edge of the Columbia River floodplain. In the Tualatin Valley, the limited data on site distribution indicate that sites were concentrated on valley and stream terraces, in the lower foothills of the Tualatin Mountains, and around lakes and marshes (Hibbs and Ellis 1988b:I:147).

SHPO records indicate that no previous cultural resource surveys have been conducted that include all or part of the Burlington Northern ROW. The nearest known surveys are those conducted for proposed natural-gas pipelines in 1987-1988 (Hibbs and Ellis 1988a, 1988b) and for a proposed marina on the Multnomah Channel (Ellis and Freed 1991). One pipeline survey (the South Mist Feeder project) extended across northeastern Washington County from Mountaindale to Bethany. The closest this survey came to the ROW was about two miles south of Bowers Junction, near the intersection of Helvetia and Jacobson roads (Hibbs and Ellis 1988b). The second pipeline survey (the North Coast Feeder project) extended along the Multnomah Channel on Sauvie Island (Hibbs and Ellis 1988a). The closest point of this survey to the Burlington Northern ROW was along the Multnomah Channel opposite United Junction,

about 1,000 feet to the north. The survey for the proposed Alder Creek Marina included survey along the Multnomah Channel on Sauvie Island both upstream and downstream of the Sauvie Island Bridge. This survey also came within 1,000 feet of the Burlington Northern ROW at United Junction.

There are no prehistoric or historic archaeological sites recorded within the ROW or within 50 feet of the ROW. The nearest recorded archaeological sites in Multnomah County are 35MU4, 35MU61, and 35MU63, all of which are located along the Multnomah Channel on Sauvie Island. Site 35MU4 is about 2,000 feet NNE of United Junction; this site is one of the most important prehistoric archaeological sites in the region and has been designated a National Historic Landmark. Sites 35MU61 and 35MU63 are about 2,000 feet ESE of United Junction. The nearest recorded sites to the Burlington Northern ROW in Washington County are a cluster of sites in the Rock Creek drainage about 2.6 to 3.8 miles southeast of Bowers Junction: 35WN36, 35WN37, 35WN38, 35WN39, and 35WN40. There is also a reported prehistoric site near Holcomb Lake, about 2.3 miles southeast of Bowers Junction.

In addition to the previously recorded archaeological sites, seven locations along the Burlington Northern ROW should be considered as having a high likelihood of having associated prehistoric archaeological deposits: the crossings of Holcomb and Rock creeks in Washington County; the crossing of McCarthy Creek in Multnomah County; the crossing of a tributary of McCarthy Creek near the mouth of the McCarthy Creek canyon; and three crossings of tributary drainages that empty onto the floodplain between Burlington and United Junction. The high probability designation of three of these locations is based on associations with perennial streams, two of which (Rock and Holcomb creeks) are elsewhere associated with prehistoric cultural resources. The designation of the four crossings of minor tributaries is based on their locations on higher ground along the edge of the Columbia River floodplain, a setting in which older prehistoric sites are known to occur. Two of these crossings are characterized by fill rather than trestles: McCarthy Creek ("Boyd Fill") and Rock Creek ("Rockton Fill"). Due to the fill at the latter two locations, archaeological resources are unlikely to be intact. Where stream crossings are made via trestles, any associated archaeological deposits are more likely to be extant.

Historical Native American Resources

As with the archaeological record, the Burlington Northern ROW traverses two cultural areas. The Sauvie Island area, including the mainland floodplain, was the homeland of a branch of Chinookan peoples who inhabited the lower Columbia River valley. The Tualatin Valley, on the other hand, was the home of the Tualatin Indians, one of the Kalapuyan groups who occupied the Willamette Valley.

The Multnomah Chinook populated the river valley from the Lewis River to about Government Island, with most of their villages located on Sauvie Island or on the mainland side of the Multnomah Channel. One of these villages, *Cath-la-com-mah-cup*, was variously described by Lewis and Clark (Moulton 1991:26, 30, 34, Figure 4) as being either on the southwestern shore of Sauvie Island or on the mainland along the Multnomah Channel opposite

southwestern Sauvie Island. They also listed the village as consisting of from three to five houses, with a population of 70 to 170 (Boyd and Hajda 1987). As the Lewis and Clark expedition never saw or visited *Cath-la-com-mah-cup*, the inconsistencies in the location and composition of the village is understandable. Alexander Ross, an early fur trader in the region, depicts (1849) a village on the mainland at about the reported site of *Cath-la-com-mah-cup*. Another early settler (McKay 1877) referred to a large Chinookan village on Sauvie Island near the present Howell Territorial Park, the inhabitants of which all died during the 1830-1834 malaria epidemic. If McKay's recollection is correct, archaeological site 35MU4 could represent the remains of *Cath-la-com-mah-cup*. It appears likely that in the early 1800s there was a Chinookan village within a mile of United Junction.

The Tualatin Indians occupied all of the Tualatin River drainage and that of the North Yamhill River. By the early 1800s, their winter villages were concentrated around Wapato Lake, a now-drained body of water near Gaston. Zenk's (1976) comprehensive research with Tualatin ethnographic data located references to 17 Tualatin winter villages. Most of these were in the Gaston-Forest Grove area, but the village of *c ʰapánaxtin* was probably situated in the North Plains area, about four miles west of Bowers Junction (Zenk 1976:149, 1990:Figure 1). Another Tualatin place name, *c ʰa-go·'ndweftei*, refers to a location where the trail between Sauvie Island and the Tualatin Valley comes out into the valley. It is uncertain if *c ʰa-go·'ndweftei* was a village location or a more general place name. The trail referenced is probably the Logie Trail, long-known as an Indian trail, which reaches the Tualatin Valley about 1 1/2 miles west of Bowers Junction. The nearest possible location of a Tualatin settlement to the Burlington Northern ROW is therefore more than a mile away.

Other Native American uses of the project area included likely use for trails. As noted above, there was at least one trail across the Tualatin Mountains between the Tualatin Valley and the Sauvie Island area. Most of the travel on the trail(s) was probably by Tualatin people, who had a few subsistence sites and areas on the Columbia River floodplain, as well as close ties with Chinookan groups (Zenk 1976:4-5, 49, 51, 104). The Klickitats, a group originally based in the southern Washington Cascades, are also known to have hunted and camped in the Willamette Valley (Zenk 1976:49-50) and may have used the Tualatin Mountain trails. The best-known of these trails is the Logie Trail, named for an early settler who had a farm on Sauvie Island opposite the northern terminus of the trail (Holbrook 1985). The 1850s GLO maps show other roads and trails in the general area, one of which appears to have crossed the present Burlington Northern ROW near United Junction. This trail, labeled "Trail from the Tualatin Plains (GLO 1854)," extended from Cornelius Pass northeasterly, following ridge lines and reaching the old St. Helens Road (which was much closer to the Multnomah Channel than the present-day US 30) about a quarter-mile west of United Junction. No modern roads or even jeep trails appear to trace the route of this trail. There is no indication of a trail or road in the McCarthy Creek canyon in the 1850s.

Historical Euroamerican Resources

Overview. The Euroamerican presence in the area was initiated with the appearance of rival fur trade companies in the lower Columbia valley in 1811-1812. In the 1820s, the Hudson's Bay Company (HBC) became the dominant institution in the region, a position it was to hold until the late 1840s. As indicated by the Work journal, HBC traders and trappers occasionally made use of the Logie Trail for traveling between their post at Fort Vancouver and the upper Willamette Valley. Thomas McKay, a retired HBC employee, had a farm north of modern Scappoose and grazed stock on the prairies of the northern Tualatin Valley in the 1830s. Beginning in the late 1820s, there were a few scattered settlements in the Willamette Valley, but these were clustered around Willamette Falls (Oregon City), Champoeg (near modern St. Paul), and Mission Bottom (north of Salem). In the 1830s, an American merchant and trader (Nathaniel Wyeth) briefly occupied a trading post on Sauvie Island in the early 1830s ("Fort William," about four miles north of United Junction). After Wyeth abandoned Fort William in 1836, the HBC established a dairy on Sauvie Island, based at the post.

More intensive settlement of the ROW area began with acceleration of American emigration to Oregon in 1843. The prairies of the northern Tualatin Valley attracted many in the first wave of settlers, as did Sauvie Island. The rugged terrain of the Tualatin Mountains was bypassed in this early settlement, however. The Burlington Northern ROW traverses only one early land claim, where the community of Burlington is now located. The 1854 map of this area does not show any buildings or fields associated with this claim. The only evidence of Euroamerican occupation in the immediate vicinity of the ROW was (1) the old "Trail from Portland to St. Helens," an early predecessor of US 30 that extended along the Multnomah Channel; and (2) a building and associated field on the top of the Multnomah Channel bank almost due east of the modern community of Burlington (about 4,000' east of the ROW).

Although the St. Helens Road (US 30) and the later Northern Pacific line along the Multnomah Channel (constructed in 1883) made the floodplain east of the Tualatin Mountains an important travel corridor, there was little settlement until the late nineteenth century. Cornelius Pass Road was developed as a wagon road by T. R. Cornelius, whose family settled in the Tualatin Valley in the 1840s (Benson 1964; McArthur 1982:178). It is unknown when this road was built (it is even absent on some maps from the early 1900s), but as Cornelius died in 1899, the period from ca. 1860 to 1890 is the most likely age of the original road. At least two major realignments of Cornelius Pass Road have been undertaken in the 1900s, in 1928 and shortly after World War II (Benson 1976:5). As late as the early 1900s, Cornelius Pass Road may have served exclusively as connection between St. Helens Road and the Skyline road (*Map of Multnomah County and Vicinity* ca. 1905, Oregon Historical Society Library, map collection). There were also scattered homesteads through the Tualatin Mountains in and around the McCarthy Creek canyon. The Folkenberg family had settled at the site of the future community of Folkenberg by the 1880s and the Pauly family in the hills northeast of Cornelius Pass by the 1890s (Multnomah County 1990:Historic Resource Inventory forms for the Folkenberg House and the Pauly House). No

substantial development occurred until the United Railways line, now occupied by the Burlington Northern line, was constructed in 1909.

History of the Burlington Northern ROW. Interurban street and commuter railway traffic reached a zenith in Oregon between 1902 and 1915. Electric railways emerged from old horsecar and streetcar lines in downtown Portland. The first long-distance electric line, between Portland and Oregon City, was in operation by 1891. Portland and outlying areas were developed and greatly expanded for electric rail travel as a response to city growth, a quest for suburban living, outdoor recreation, and ease of moving freight from outlying areas. By 1900, the Tualatin Valley had grown to a point where interconnections between towns, farm and timber markets, the coast, and access to Portland and points south by rail was essential.

The first electric interurban line on the west side of the Willamette River, completed by the Oregon Electric Railway Co. in 1908, routed from Portland through Garden Home, Tigard, Tualatin, across the Willamette River at Wilsonville, and south to Salem. A spur line was constructed from Garden Home west into the Tualatin Valley through Beaverton, Orenco, and Hillsboro to reach a terminal at Forest Grove (Mills 1943:389-390). Meanwhile, the United Railways Company, organized in 1906, projected plans for completing an electric passenger railway west from Portland to Tillamook (the subject of this report). The project came to fruition in 1909 when a route was surveyed and completed to Cornelius Pass. Projected plans for extending as far as Tillamook were later dropped. As of the summer of 1909, the standard gauge alignment began in Northwest Portland, followed the river north to Linnton and Burlington, horse-shoed south to Folkenberg, then ascended a five percent grade called the "Tualatin Hill Shoo-Fly" to Cornelius Pass (Immel 1976:8; Mills 1943:398; Pintarich 1968).

At the crossing of McCarthy Creek near the head of the canyon, the original United Railways line attempted a long curve to the east to approach Cornelius Pass. A portion of this original grade up to Cornelius Pass was apparently still used even after the Cornelius Pass tunnel was built (see below), as it is depicted on the 1918 topographic map of the area (US Geological Survey 1918).

The railway company was sold in 1910 to James J. Hill of the Spokane, Portland and Seattle Railroad Company (SP&S). Plans for completing the line to Banks and converting from steam to electric began with $500,000 spent on blasting a tunnel beneath Cornelius Pass in 1911. At 4,107 feet, it was the longest interurban tunnel in the United States (Wood and Wood 1974:81). Trackage then proceeded west through Valley Vista, Helvetia, North Plains, and on to Banks, which was to be the final electrical terminal. The terminus was devoid of potential business except for the logging industry (Mills 1943:399). At the start, most passenger service was confined to the Portland/Linnton route, since the northern Tualatin Valley was too thinly populated to provide many passengers. For this reason, the system lost money from the first year it was in service (Pintarich 1968). Also in 1911, United Railways made an agreement with the Oregon Electric for joint use of track in Portland, and with SP&S for joint use of terminal freight facilities at Portland (Wood and Wood 1974:81). A part of the Portland/Linnton route was discontinued in 1915

because of disputes regarding train fare. This left the Banks to Linnton route dangling with no connection to Portland. A link was later provided by a parallel SP&S line, with terminal switching at Portland carried out by Oregon Electric (Immel 1976:8).

Real estate was promoted at points along the line. For example, the Ruth Trust Company, owned by United Railways promoters, laid out the townsite of Burlington (Wood and Wood 1974:80). Halfway up the McCarthy Creek canyon, the Folkenberg family attempted to take advantage of the new line by platting the town of Folkenberg in 1911. By 1918, Burlington consisted of less than 10 buildings, including the nearby Holbrook School. Folkenberg had also experienced modest growth and had about a dozen buildings, including a new schoolhouse. This effort at founding a new community was modestly successful and by 1916 the Folkenberg settlement was large enough to warrant building a school (Multnomah County 1990:Historic Resource Inventory forms for the Folkenberg House and School; US Geological Survey 1918).

When Hill purchased United Railways, he also purchased the Oregon Electric line and initiated plans for expansion. The Oregon Electric became the longest interurban in the country and was known to provide excellent service. In 1913, the Oregon Electric ran a connecting line between Orenco on its Forest Grove branch, north to Bowers Junction, near Helvetia, on the United Railways line (Washington County Cultural Resource Survey and Inventory No. 117/705). Much later, when Oregon Electric removed track through South Portland, the only rail route to the Oregon Electric mainline was over the United Railways, accessed by this connecting line (Immel 1976:8).

The heyday of electric interurban passenger traffic was over by the Depression. Electric service was terminated along United Railways in the 1930s with removal of overhead electric lines. The alignment from Linnton to Keasey remained in operation as a steam freight line, however (Wood and Wood 1974:84). Meanwhile, Oregon Electric terminated its passenger service in 1933 due to increased automobile and bus traffic although freight service continued into the 1950s (Pintarich 1968).

United Railways was terminated as a corporation in 1944 upon merger with SP&S, which owned all capital stock. SP&S continued freight service along the original United Railways line. A wood trestle over Rock Creek in Washington County was replaced by earth fill (the Rockton fill) in 1946. At the time, it was reportedly the largest earth fill of its kind. In 1951 the Cornelius Pass tunnel was improved with a concrete lining to replace the original timber structure in order to stop serious leakage (Wood and Wood 1974:84). By 1955, there were 16 industrial shippers on the line (Immel 1976:8). The SP&S railway became a part of Burlington Northern Railroad in 1970. The United Railways line continued an important service as part of the Burlington Northern main line through Cornelius Pass.

The United Railways line was always an important interconnecting railroad freight line, but it was never a profitable investment. Its passenger service had met operating expenses only for the year 1909. However, its service to the logging industry, its promotion of small town growth and development, its role as an integral component of the Oregon Electric railway,

especially after their South Portland line ceased, and its capacity as valuable freight feeder service for SP&S and later, Burlington Northern, is significant.

Documented Resources. A review of the Multnomah and Washington county historic resource inventories has located six properties within or in the vicinity of the Burlington Northern ROW. In Multnomah County, four such properties have been identified: the bungalow-style Hadley house in Burlington (16946 NW St. Helens Road), built in 1926; the vernacular Gothic Folkenberg house (18212 NW 6th Avenue) and a Craftsman-period school in Folkenberg (18110 NW 6th Avenue), built in about 1885 and in 1916, respectively; and the vernacular Pauly house (17006 NW Pauly Road), built in 1891 northeast of the Cornelius Pass tunnel. The Folkenberg house and school, both located about 800 feet from the ROW, have been recommended for designation as county landmarks. Multnomah County has not yet acted on these recommendations (Mark Hess, Multnomah County planner, personal communication, November 18, 1994). The Hadley house, located about 700 feet of the ROW, and the Pauly House, located about 1,300 feet east of the ROW, were not slated for county landmark designation (Multnomah County 1990).

Washington County listed two significant properties in its 1983 survey and inventory that fall within the project jurisdiction. All of the United Railways that lies within Washington County is listed as a linear resource (Resource No. 235/61). The wooden Smith railroad trestle east of Bowers Junction on the United Railways line is listed separately (Resource No. 17/365) as a classic example of a wooden railroad trestle (Washington County Museum 1983). The trestle is located near the western terminus of the project area within the railroad ROW.

The Washington County inventory was completed in 1983. The inventory for unincorporated Multnomah County was conducted in 1988 and was based on a limited "windshield survey." There may be other significant cultural resources within the ROW that were identified in the earlier surveys. A prime example is the 1911 Cornelius Pass tunnel, the longest interurban railroad tunnel in its day in the United States. Other features of possible historic interest are all associated with the former United Railways line: the former interurban depot at Burlington (it is unknown if this structure is still standing) and railroad trestles at three minor floodplain tributary drainages east of Burlington, the crossing of McNamee Road just west of Burlington, and at the crossing of the McCarthy Creek tributary west of the McNamee Road crossing.

Although no comprehensive study has been conducted to date of the United Junction-Bowers Junction line, the SHPO has stated (see Appendix A) that "this rail segment is 'considered eligible' for listing in the National Register of Historic Places based on it's [*sic*] early 20th century development, and the integrity of related built features in the form of trestles and a tunnel."

SUMMARY

AINW has completed a summary review of the prehistoric and historic development of Burlington Northern ROW area. The study has focused on cultural resources already recorded within the ROW or in the vicinity, as well as indicating areas along the ROW of potential cultural resource sensitivity. The accompanying map shows the locations of the previously recorded historic resources and cultural resource sensitivity areas within the ROW. These locations on the mapped are keyed to the following list (in order from United Junction to Bowers Junction):

1. First crossing of a floodplain tributary stream. Possible historic trestle and potential for associated archaeological deposits.

2. Second crossing of a floodplain tributary stream. Potential for associated archaeological deposits.

3. Third crossing of a floodplain tributary stream. Possible historic trestle and potential for associated archaeological deposits.

4. Fourth crossing of a floodplain tributary stream. Possible historic trestle and potential for associated archaeological deposits.

5. Location of former Burlington interurban depot.

6. Crossing of a floodplain tributary stream and McNamee Road. Possible historic trestle and potential for associated archaeological deposits.

7. Crossing of tributary of McCarthy Creek. Possible historic trestle and potential for associated archaeological deposits.

8. Cornelius Pass railroad tunnel. Likely historic resource.

9. Burlington Northern rail line from south end of Cornelius Pass tunnel to Bowers Junction. Listed in the Washington County cultural resources inventory.

10. Smith Trestle. Listed in the Washington County cultural resources inventory and potential for associated archaeological deposits.

Finally, it should be noted that the Burlington Northern ROW itself, from United Junction to the Multnomah-Washington county line, is a likely historic resource. It was a component of the interurban system of the Portland metropolitan area that was critical in the development of suburban Portland in the first half of the twentieth century and continues to influence land-use and transportation patterns today. This opinion is echoed in the Oregon SHPO's June 15, 1994, letter to the Burlington Northern Railroad (Appendix A), in which SHPO has provisionally determined the segment eligible for listing in the National Register of Historic Places. The United Junction-Bowers Junction stretch is also one of the portions of the interurban system still intact. These historic associations echo those of the successful Springwater Trail in east

Portland, which uses the abandoned alignment of the old Portland Railway Light and Power Company interurban line to Cazadero.

These associations also offer significant interpretive/educational opportunities along the Burlington Northern ROW. In this regard, it should be noted that the photograph and map collections at the Oregon Historical Society include original and detailed drawings of the United Railways alignment from United Junction to Cornelius Pass and approximately 5,000 historical photographs of SP&S lines, donated by Burlington Northern Railroad in 1971.

Should federal funds be used in the future for additional planning studies, conversion of the railroad line to a trail, and/or for maintenance of the trail, METRO should be aware of the requirements of Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR 800). Federal funding (or any necessary federal permits or licenses) may be conditional on completing more comprehensive cultural resource studies. Such studies are likely to include an evaluation of the impacts of trail development on the historic character of the rail line and associated features, any proposed alterations in the settings of nearby historic resources (such as those at the Folkenberg community), and field studies and research where any ground-disturbing activity is proposed.

CULTURAL RESOURCE LOCATIONS ON THE BURLINGTON NORTHERN ROW

○ Potential cultural resource location

△ Previously recorded cultural resource

Location numbers

1. Crossing of a floodplain tributary stream. Possible historic trestle and potential for associated archaeological deposits.

2. Crossing of a floodplain tributary stream. Potential for associated archaeological deposits.

3. Crossing of a floodplain tributary stream. Possible historic trestle and potential for associated archaeological deposits.

4. Crossing of a floodplain tributary stream. Possible historic trestle and potential for associated archaeological deposits.

5. Location of former Burlington interurban depot.

6. Crossing of a floodplain tributary stream and McNamee Road. Possible historic trestle and potential for associated archaeological deposits.

7. Crossing of tributary of McCarthy Creek. Possible historic trestle and potential for associated archaeological deposits.

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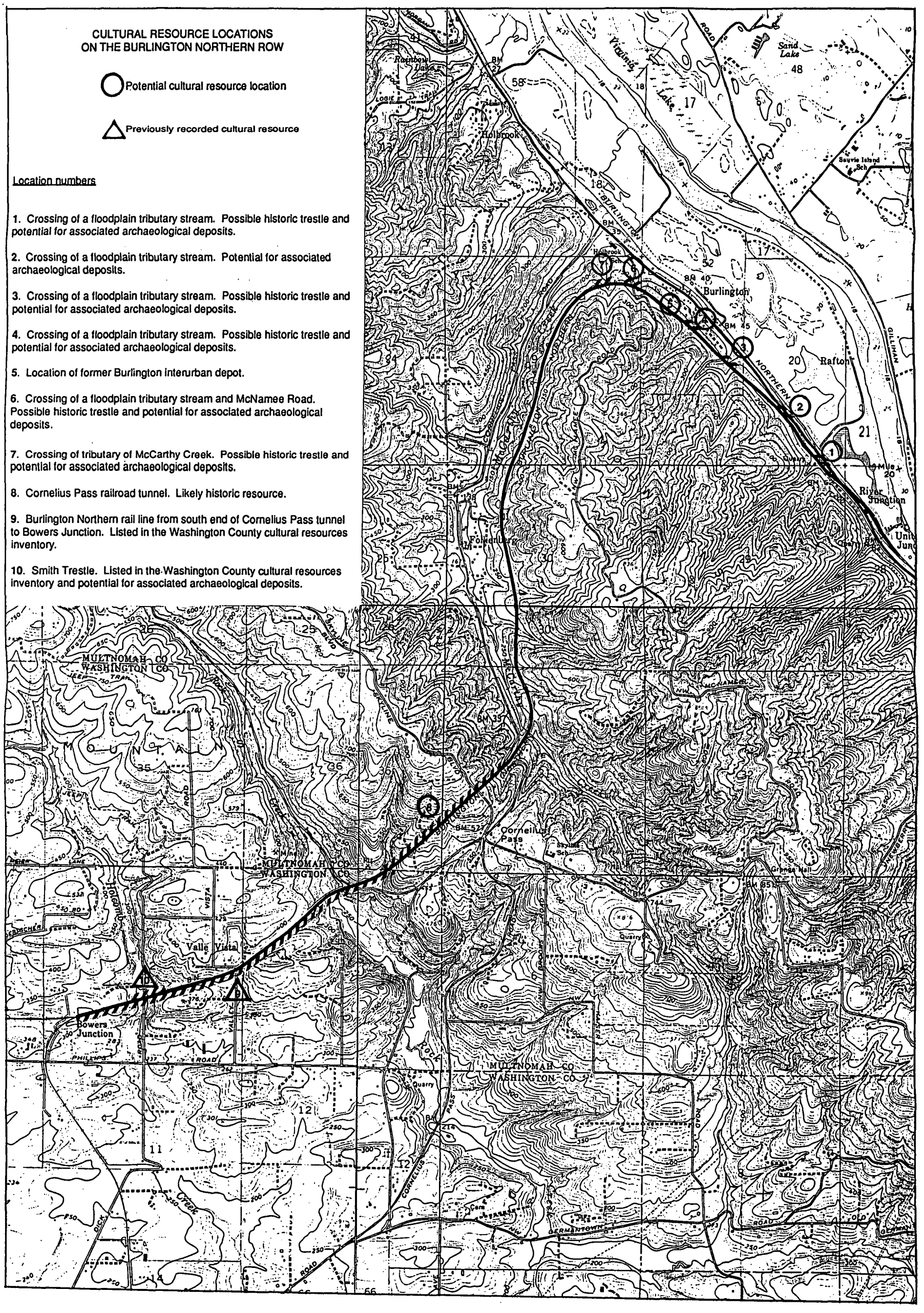
10. Smith Trestle. Listed in the Washington County cultural resources inventory and potential for associated archaeological deposits.



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APPENDIX A

LETTER TO BURLINGTON NORTHERN RAILROAD FROM THE OREGON STATE HISTORIC PRESERVATION OFFICE

Oregon

PARKS AND
RECREATION
DEPARTMENT

STATE HISTORIC
PRESERVATION OFFICE

June 15, 1994

Norman T. Lien, Senior Analyst
Corporation Development
Burlington Northern Railroad
777 Main Street
2900 Continental Plaza
Fort Worth, Texas 76102

RE: Burlington Northern Railroad Potential Abandonments in Washington and Multnomah Counties, Oregon

Dear Mr. Liem:

Thank you for your submission of project documentation for the property(s) referenced above. This information was submitted in compliance with the National Historic Preservation Act of 1966 (16 U.S.C. 470f), Section 106, and 49 CFR 1105.8(d), and reviewed under criteria and procedures outlined in 36 CFR Part 800. Further consultation and comment was also solicited from appropriate SHPO program staff. This review resulted in the following determination(s) and finding(s):

United Junction (MP 10.03) to Bowers Junction (MP 16.87), a distance of 6.84 miles in Multnomah County. While there have been no archaeological or historic sites previously identified in or adjacent to this rail line, this rail segment is "considered eligible" for listing in the National Register of Historic Places based on it's early 20th century development, and the integrity of related built features in the form of trestles and a tunnel. A finding of "conditional no adverse effect" for abandonment will be in affect until the disposition of the property is identified. I also understand that you have received a letter form Pete Bond, Trail Coordinator with Oregon State Parks and Recreation Department (OPRD) regarding public retention of the property for trial use. The SHPO supports this consideration.

Near Merle, near Cornell Road (MP 21.09) to the clear point at the GM Spur near Murry Blvd. in Beaverton (MP 26.10), Washington County. The section of this rail line (old Oregon Electric) has been previously reviewed and evaluated as part of the Westside Lightrail Corridor, and Hillsboro Extension project. The Final Environmental Impact Statement (EIS) and related Memorandum of Agreement for cultural resources is complete and available through METRO, contact Sharon Meyer, the agency's environmental coordinator if you would like a copy of this document. Ms. Meyer can be contacted at (503) 797-1753. The near Forest Grove Junction to near Merle spur of this line was not included in the Hillsboro Extension EIS. While no historic sites in this short spur have previously been identified, a number of potential archaeological sites do exist in the immediate area. Therefore, until further survey work is implemented along this site, and the results evaluated, the SHPO has determined this spur as "considered eligible" for listing in the National Register of Historic Places. A finding of "conditional no adverse effect" for abandonment will be in affect until the disposition of the property is identified.

1115 Commercial St. NE
Salem, OR 97310-1001
(503) 378-5001
FAX (503) 378-6447

Banks (MP 27.84) to (MP 28.21), a distance of .37 miles in Washington County. This short line segment is "considered not eligible" for listing in the National Register of Historic Places. Therefore, the proposed abandonment will have no effect on cultural resources.

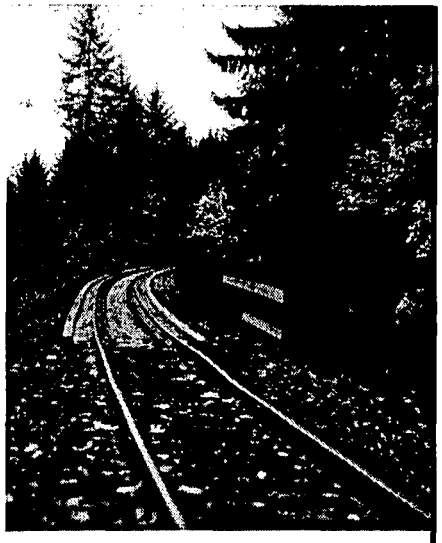
As previously indicated by letter from OPRD, retention of this segment of rail line into the town of Banks should be considered for public ownership to complete the final leg of the Banks to Vernonia State (linear) Park.

If you should have any further questions, or need additional assistance, please feel free to contact Henry Kunowski at extension 228.

Sincerely,

James M. Hamrick, Deputy
State Historic Preservation Officer

cc: Bob Meinen
Nancy Rockwell
Henry Kunowski
Nan Evens
Pete Bond
Sharon Meyer
Tom Walsh
Tuck Wilson



Appendix:
Public Comments

Appendix E

METRO
Regional Parks and Greenspaces
600 NE GRAND AVE. PORTLAND, OR 97232-2736 (503) 797-1850

VERY IMPORTANT MEETING NOTICE

What	**BURLINGTON NORTHERN RAILS TO TRAILS PROPOSAL** **Community Meeting #2** (United Junction near Sauvie Island Bridge and Hwy. 30 to Bowers Junction north of Hillsboro and Hwy. 26. 7 mile segment)
Why	**To Inform Residents, Businesses and Property Owners and Public About the Trail Feasibility Study Being Conducted by Metro**
When	**February 28, 1995 (Tue)** **6:30 p.m. to 9:30 p.m.**
Where	**Skyline Grange** **N.W. Skyline Blvd. just north of N.W. Newberry Rd.** **(see map on reverse side)**
Questions	**Susan McLain, Metro Councilor, District 4** **797-1553**

This is to notify all interested parties of our next community meeting.

For those of you who made it to the first meeting: Thank you for attending our first community meeting on January 17. It was good to hear from the more than 50 persons who attended the meeting. Metro staff and our consultants found session very informative. We will be working during the coming weeks to try to address as many of the public's comments, suggestions and concerns.
Our first priority is to maintain communication with the public and property owners/residents near the proposed rails to trails corridor. Listening to the public is essential during our planning process. Before any decisions are made, a through study must be completed as well as public meetings and hearings. We promised to hold a second public meeting as soon as possible, and the February 28 date was selected. The meeting will be held closer to the proposed trail and to the neighboring residents.

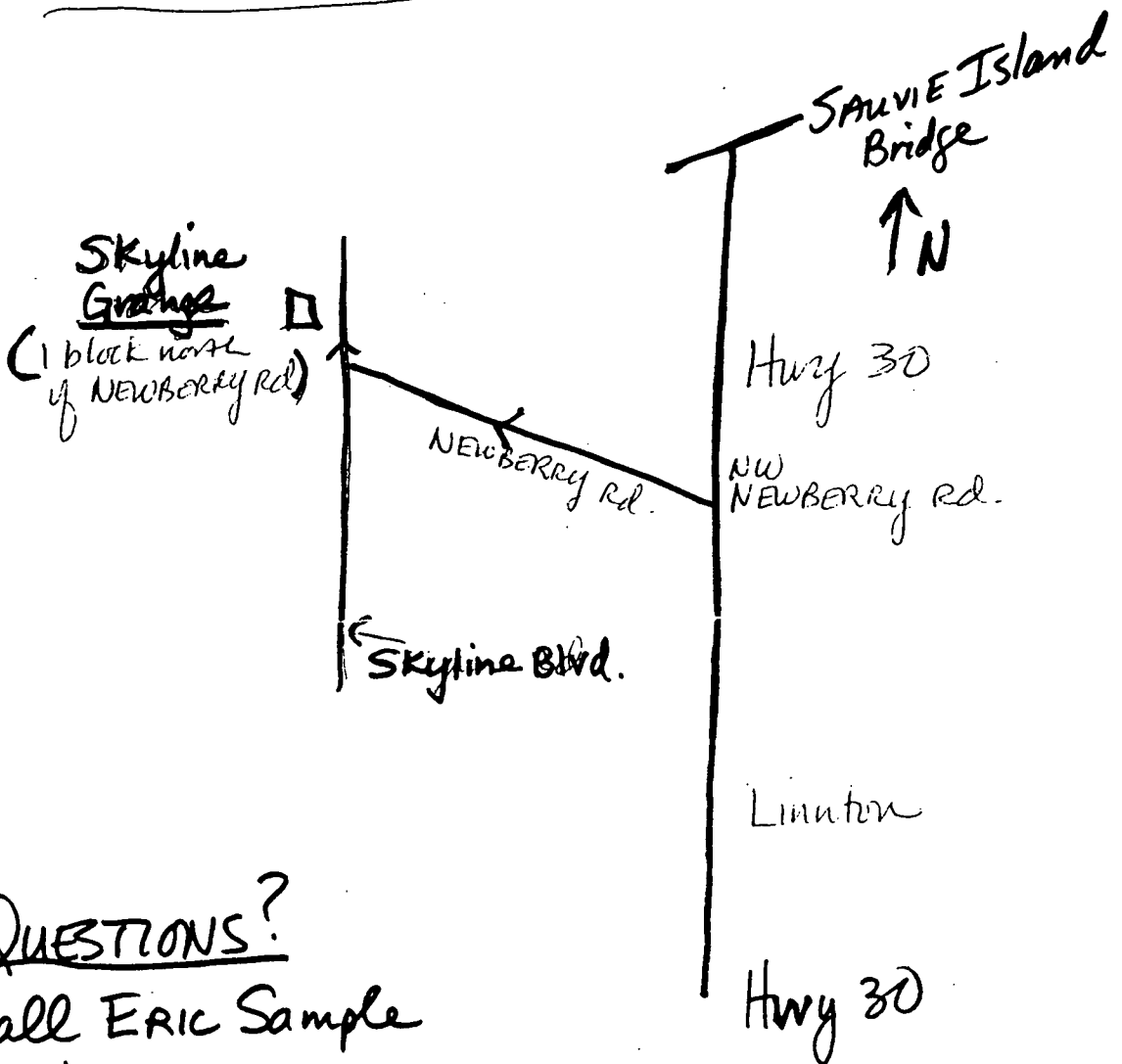
AGENDA

1. Introductions
2. What is A Rails to Trails Project / What is the Abandonment Process
3. Rails to Trails Video
4. Case Study: Comments from a Trail Manager / How a Rails to Trails Project Works / Opportunity for the Community / How It Is Maintained / Who Uses It Vandalism, Security, Sanitation, Fire Protection
5. Metro's Role and Time-Line for the Feasibility Study
6. Question and Comment Period

BURLINGTON NORTHERN RAILS to TRAILS PROPOSAL

Meeting Feb 28, 1995
6:30 p.m. - 9:30 p.m.

SKYLINE GRANGE



QUESTIONS?
Call ERIC Sample
at METRO
797-1728

PORTland

METRO
Regional Parks and Greenspaces
600 NE GRAND AVE. PORTLAND, OR 97232-2736 (503) 797-1850

January 3, 1995

To Adjacent Property Owners / Interested Parties / Residents and Businesses Near the Rail Corridor / City Councilors and County Commissioners Near the Rail Corridor / Trail and Hiking Organizations

From Susan McLain, Metro Councilor S.M.
District 4

Subject **Burlington Northern Rails to Trails Feasibility Study**
Sauvie Island Bridge at Hwy. 30 in Multnomah County to Bowers Junction north of Hillsboro in Washington County. The corridor is approximately 7 miles in length.

Important Meeting Notice: January 17, 1995 6:00 p.m. to 9:00 p.m.
Tualatin Hills Park and Recreation District Headquarters in Beaverton

Metro, the regional government for the Portland region, has initiated a study to determine the feasibility of converting a Burlington Northern Railroad line to a pedestrian and bike path. Equestrian use along the corridor will also be studied.

The Burlington Northern Railroad Co. has announced interest in abandoning a nearly 7 mile segment of its trackage as described above. The federal Interstate Commerce Commission (ICC) must approve all abandonment requests. Following an approved abandonment, Metro and other public agencies and private non-profits may apply to the ICC to "Rail Bank" the corridor for future rail use (e.g. freight, passenger or commuter). The development of a trail in the corridor would be the interim use until the day rail service returned to the corridor.

Other agencies working with Metro on the feasibility study of converting a railroad line to a trail include: Oregon Parks and Recreation; Multnomah County; Washington County; city of Hillsboro; city of Portland; and the Tualatin Hills Park and Recreation District.

We are in the midst of gathering relevant information about the rail corridor: assessing the condition of trestles and the tunnel on the line; determining if there are any hazardous wastes in the corridor; undertaking an archeological inventory of the corridor; taking photographs; making maps; estimating costs of acquiring right-of-way and building a few trail heads; and working to obtain funds for right-of-way acquisition and trail construction if the final decision is that we should build a trail for the public.

We are at the beginning of the project. We need to inform you of what is going on. We need to hear from you. No final decisions have been made as to whether the rail line will become a trail. In fact, the Burlington Northern Railroad Co. has yet to officially file for abandonment.

(continued on reverse side)

Metro is hosting a Public Workshop and Open House to answer the following questions on the Burlington Northern Rails to Trails Feasibility Study on:

January 17, 1995 (Tue)
6:00 p.m. to 9:00 p.m.

6:00 p.m. to 7:00 p.m.
Meet with staff one on one and ask questions. Review maps and photos.

7:00 p.m. to 9:00 p.m.
Presentation of information from the feasibility study.

Meeting Location
Tualatin Hills Park and Recreation District Headquarters
15707 S.W. Walker Rd., Beaverton, OR

Hwy. 26 to Murray Blvd. Exit. / Southbound to Walker Rd. / West to 158th (See attached map for directions)

Meeting is in the: Dry Land Training Center Conference Room which is next to the swimming pool. The pool is just north of the main administration building.

- What are the facts and merits of such a proposal? Why do we even want to consider a trail in this corridor?
- What are the benefits and disadvantages of a trail in this corridor?
- What does the feasibility study tell us about the opportunity for a trail in this corridor?
- How does such a proposal impact you?
- What are your thoughts, comments and ideas?
- What are other examples of rails to trails projects in Oregon?
- How did residents and property owners react to a rails to trail in their backyard?
- How did citizens work with public agencies to plan for a rails to trail?

If you cannot attend, but would like more information or have comments/concerns, write to me or call me at:

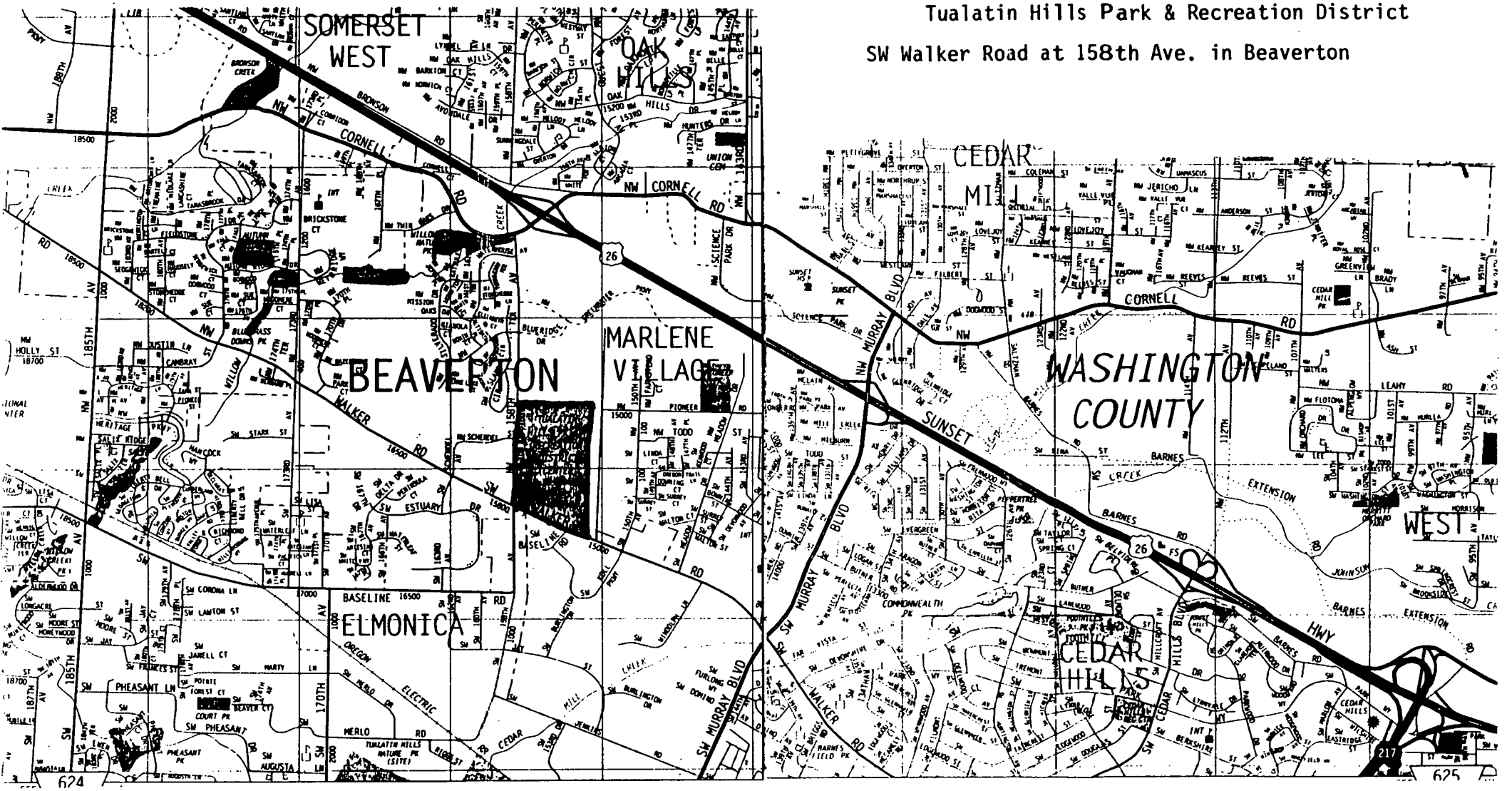
Susan McLain, Metro Councilor
Metro, 600 N.E. Grand Ave., Portland, OR 97232.
Phone: (503) 797-1553

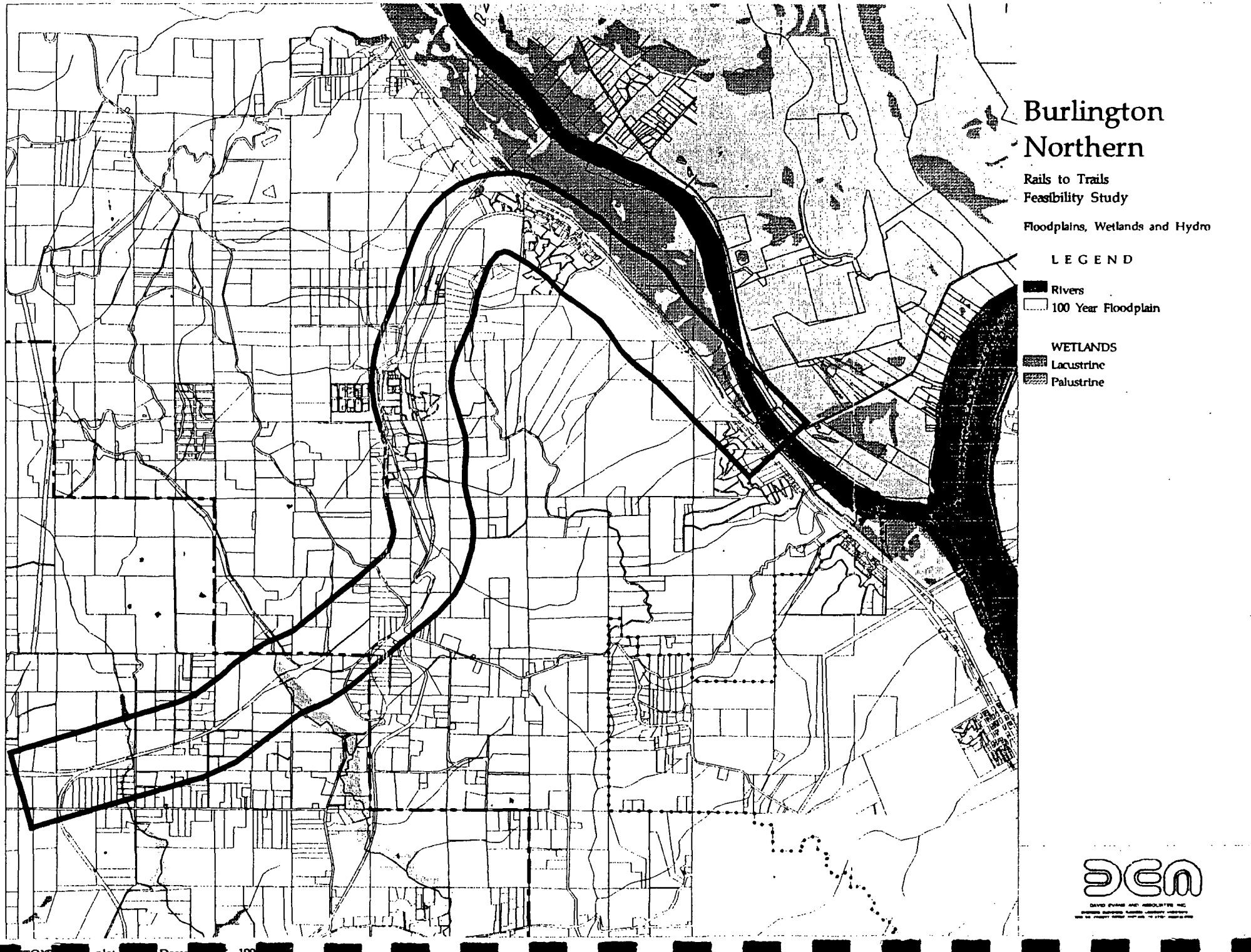
BURLINGTON NORTHERN RAILS TO TRAILS MEETING

JANUARY 17, 1995 6:00 p.m. to 9:00 p.m.

Tualatin Hills Park & Recreation District

SW Walker Road at 158th Ave. in Beaverton




Burlington
Northern
Rails to Trails
Feasibility Study
Floodplains, Wetlands and Hydro
LEGEND
Rivers
100 Year Floodplain
WETLANDS
Lacustrine
Palustrine

A PROPOSAL

Burlington Northern Rails to Trail

United Junction
(just north of Sauvie Island Bridge on Hwy. 30 in Multnomah Co.)

to

Bowers Junction (north of Hillsboro) in Washington Co.

Approximately 7 miles

Open House and Community Meeting #2
February 28, 1995
6:30 p.m. to 9:30 p.m.

Skyline Grange Hall

Agencies and Organizations to Contact for More Information, Questions and General Comments

Metro Regional Parks & Greenspaces
Mel Huie, 797-1731
600 N.E. Grand Ave.
Portland, OR 97232

Metro Councilors
Susan McLain, 797-1553
600 N.E. Grand Ave.
Portland, OR 97232
(resides in Washington Co.)

Jon Kvistad, 797-1549
600 N.E. Grand Ave.
Portland, OR 97232
(resides in Washington Co.)

Oregon Parks & Recreation
Pete Bond, 378-6305
1125 Commercial St., N.E.
Salem, OR 97310

City of Portland Parks
Jim Sjulin, 823-5122
1120 S.W. 5th, Rm. 1302
Portland, OR 97204

City of Hillsboro Parks
Scott Talbot, 681-6123
626 S.E. 9th Ave.
Hillsboro, OR 97123

Tualatin Hills Park & Recreation Dist.
Jim McElhinny, 645-6433
15707 S.W. Walker Rd.
Beaverton, OR 97006

I:\BNMTG.Feb

QUESTIONS AND ANSWERS

Rails to Trails

METRO

Regional Parks and
Greenspaces Dept.
600 NE Grand Ave.
Portland, OR 97232
Tel (503) 797-1728
Fax (503) 797-1849

February 1995

What is the Burlington Northern Rails to Trails study?

This is a feasibility study to see whether a seven-mile segment of railroad corridor owned by the Burlington Northern Railroad Co. could be developed as a public trail to connect regionally significant natural areas and parks. Those natural areas and parks include: Forest Park, Multnomah Channel and Willamette River shorelines, recreational areas on Sauvie Island, Rock Creek and the Banks-Vernonia Trail/Linear Park.

The corridor extends from United Junction just north of the Sauvie Island Bridge along Highway 30 in Multnomah County to Bowers Junction in Washington County.

Why is the study being conducted?

Burlington Northern has given notice to the state of Oregon and the federal Interstate Commerce Commission that it plans to abandon the seven-mile segment from United Junction just north of the Sauvie Island Bridge to Bowers Junction. Metro, the regional government whose responsibilities include managing regional natural and open spaces, began the study in cooperation with other local governments to determine whether the rail corridor could be used as a pedestrian and bike path and equestrian trail. The railroad company anticipates filing the abandonment notice in the near future. In the meantime, Metro and other participating agencies are studying the possibility of developing the trail for walking, bicycling and equestrian purposes. If the abandonment is filed and approved, Metro and the other agencies could apply to the Interstate Commerce Commission to use the rail corridor as a trail.

Who are the participating agencies?

Other agencies working with Metro on the study are Oregon Parks and Recreation, Multnomah County, Washington County, city of Hillsboro, city of Portland and the Tualatin Hills Park and Recreation District.

What is the process for studying the project?

The feasibility study is scheduled to be completed in March 1995. The study will assess the condition of trestles, rails, ties and the tunnel on the line; determine if there are any hazardous wastes; inventory any historical or archaeological sites in the corridor; take photographs and make maps, estimate costs associated with right-of-way acquisition; and outline a funding strategy.

Metro will schedule additional community meetings, including a public hearing, following official abandonment of the line by Burlington Northern.

How would this project benefit the region?

The trail corridor would provide an important link among regionally significant natural areas, particularly on the west side of the Willamette River that is lacking in significant trail connections. The Burlington Northern rail corridor has been identified and mapped in Metro's Greenspaces Master Plan as a regionally significant future trail and as a priority in the trails and greenways work program. Local jurisdictions that would be connected by the proposed trail or have direct access to it include: Portland, Scappoose, St. Helens, Banks, Vernonia, Forest Grove, Hillsboro and Beaverton.

How can I get more information?

Contact Metro Councilor Susan McLain at 797-1553 or Mel Huie, senior regional planner, Metro Regional Parks and Greenspaces, at 797-1731. Or write to them at: Metro, 600 NE Grand Ave., Portland, OR 97232.

About Metro

Metro is the directly elected regional government that serves more than 1.2 million residents in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area.

Metro is responsible for growth management, transportation and land-use planning; solid waste management; operation of the Metro Washington Park Zoo; regional parks and greenspaces programs; and technical services to local governments. Through the Metropolitan Exposition-Recreation Commission, Metro manages the Oregon Convention Center, Civic Stadium, the Portland Center for the Performing Arts and the Expo Center.

Metro is governed by an executive officer and a seven-member council. The executive officer is elected regionwide; councilors are elected by district. An Auditor is also elected regionwide.

For more information about Metro or to schedule a speaker for a community group, call 797-1510.

Printed on recycled-content paper

Appendix F

BURLINGTON NORTHERN RAILS TO TRAILS FEASIBILITY STUDY

Minutes of Public Meeting/Open House

Held January 17, 1995

The meeting began shortly after 7:00 P.M. following an open house highlighting existing conditions maps prepared to show the location of the trail and surrounding land uses and other information. It was held in the Dry Land Training Center Conference Room at the Tualatin Hills Park and Recreation District facilities on Walker Road in Beaverton.

Susan McLain, Metro Councilor District 4, opened the meeting with background and overview of the proposed rails to trails project. Oregon State Parks (Pete Bond), and Oregon Department of Transportation (Ed Immel), regularly track segments of railroads that may be abandoned and notified Metro because they thought it might fit into regional greenspaces planning. Susan told the group that other jurisdictions are interested and supportive of the project including, Washington County, Multnomah County, the Tualatin Hills Park and Recreation District, the City of Hillsboro, and the City of Portland. She told the group that this was the first meeting to gather comment of the idea. The study and input from the public and various agencies will help determine whether the idea should be carried forward. Comments and suggestions were encouraged.

Mel Huie, Metro Regional Parks and Greenspaces planner, gave an overview of how the segment proposed for abandonment could fit into Metro regional plans for trails and greenspaces. Metro has identified the segment on their Metro Area Trail System Map as a proposed Regional Trail. Development of the trail would depend upon results of the Feasibility Study, approval of the Metro Council, funding, negotiations with the Burlington Northern Railroad Co., cooperation with other agencies and more. Mel Huie explained that once the Interstate Commerce Commission provided notice that Burlington Northern Co. has filed for abandonment, Metro or some other agency will have the first right of refusal for rail banking under Federal Rails to Trails legislation. Metro could then act to save the corridor intact for future rail service and use it in the interim as a trail.

Mel Stout, Project Manager for David Evans and Associates, Inc. (DEA), provided a description of the rails to trails concept and the 7 mile segment proposed for abandonment. He showed slides of the segment and commented on the setting and conditions. He also described information contained in background reports that have been prepared for the Feasibility Study on anthropological and historical review, Level I Environmental review, rail and right-of-way conditions and right-of-way appraisal. To date nothing in the reports has surfaced to present a physical or environmental problem that would preclude building the project. The most serious obstacle to overcome is the loss of one trestle due to fire. A bridge would have to be built to replace the trestle or additional land acquired that would allow room for trail switchbacks.

The meeting was opened for public comment with Susan McLain moderating.

Wayne Salisbury, with the Washington County Sheriff's Office, commented that he has observed that these types of trails cause no increase in crime. He is familiar with the Banks-Vernonia trail and has followed it's development and use. He stated that at times you might expect some slight problems with motorcycles.

Steve Bach objected to development of the trail. He is concerned about hunting conflicts, fire from cigarette smoking, liability of property owners suggesting that people could fall off trestles onto private property and sue the property owner, inadequate policing and response time. He claims "right of recision" which he claims would preclude development of the trail "unless the corridor is condemned".

Ernie Fulmer said he owned frontage on 1,300 feet at the Bower's Junction end of the segment. He was concerned about the safety of people and his property. He asked if the project would cause the formation of a scenic overlay to cover the project. No one present could answer the question.

Elinor Markgrat representing Fire District #1 expressed concern for increased fire hazard, heavy fuel loads in the area, and the ability of the District to respond on it's limited budget. She was concerned about access, police protection, sanitary facilities, and privacy of adjacent property owners.

Chuck Morrow said he lives in the area and knew about the trestle fire. He said it was started by a brake fire on a train. He said there is a lot of wood fuel on the ground in the area that increases fire danger. He wanted to know what type of fire protection would be provided and who would be responsible for police patrols. Would water and sanitary facilities be provided and where? He said that it appeared that the decision to build the trail had already been made. He was concerned about access near his house and his privacy.

A person whose name was not recorded expressed support for the project. An opponent asked for a show of hands of those opposed and approximately one half of those present raised their hands. Approximately one half raised their hands in support.

Duane Larson raised concerns about the Multnomah County Sheriff's Office ability to respond to emergencies on the trail.

Jim Tierney, formally with the Friends of Banks-Vernonia Trail, expressed support of the project. He said he had checked with the Vernonia Police and Washington County and there were no reports of problems on the trail since it has been in use. He suggested getting a copy of a national study that the Friends had conducted on similar trails showing that fire and criminal activity is not a problem along trails.

Maggie Machuca lives by the big trestle over Dick Road. She rides horses and said she was not happy with the surface over trestles on the Banks-Vernonia Trail. She said the trestle is a landmark and visual focal point in the area that increases property values. She said if the trestle was torn down, people would not be happy. Her concern is that "city people" think the public owns rural property and generally do not respect property rights. She said that occasionally kids party under the trestle and on the trestle, throw things off it and sometimes fight.

Michael Strider suggested that Metro buy the route and use it for commuter service and freight.

John Dreskel was concerned about fires being started in the tunnel and asked if the tunnel would be lighted.

Frank Buehler lives on nearly an acre near the corridor. He suggested the corridor be used for light rail commuter use saying there is a lot of traffic between Scappoose and Hillsboro.

Kris Bach, son of Steve Bach, said he was concerned about police response time to an emergency in the area. He related an incident when it took two hours for police to reach a home in the area.

Marleen Mandel asked if horses would be allowed to go through the tunnel.

Jim Schultz asked if there had been or was there going to be a study done on projected use of the trail. He wanted a comparison of potential light rail user value vs. trail user value.

Mary Vogel said she supported the trail as she enjoys and supports walking.

Becky Gerrett said he supports walking and development of the trail. She suggested that city people are average people who would not cause problems along the trail.

Steve Bach stated that he moved out of the City to get away from people and didn't want people in the area.

Authur Marx asked about budget and funding for the study and time table for the study. He expressed association with the Spirit of Oregon Railroad excursions. He suggested purchasing the corridor and leaving it sit with rails in place for future use. He expressed knowledge of an old quarry site near the Rock Creek Road crossing. He wondered if the railroad had a record of vandalism in the area.

Marlee Whitmire with the Washington County Sheriff's Office expressed support for the project. She said that the Office had dealt with periodic parties and theft at the west end of the tunnel involving teen-agers.

Rod Schulter said he was a hiker but wondered if both light rail and a trail could be function together.

Milt Varney said he was a supporter. He thought the trail would lessen vandalism and trash in the area.

Donis McArdle talked about fire danger in Forest Park and potential for fires along the trail.

Maggie Machuca related that Sheriff's response to her area has been about 20 minutes and that they have been helpful. She is concerned about metro area people restricting what rural people can do on their property.

There was general discussion about the next meeting. People suggested a place more close to the site at Skyline Elementary School or the West Union grange or West Union School.

John Kvistad, Metro Councilor, expressed thanks for those attending and said that Metro will look at all options. He said it didn't make sense to let the corridor go out of public use.

Susan McLain closed the meeting by thanking those attending and said Metro would announce a time and place for the next meeting.

Minutes of the Burlington Northern Rails to Trails Proposal
Community Meeting #2
Skyline Grange
February 28, 1995

Present: Metro Councilor Susan McLain; Mel Huie, Metro Senior Regional Planner; Tim Schmidt, Washington State Park Area Manager; Ed Immel, Oregon Department of Transportation Rail Planner; Mel Stout, David Evans & Associates Senior Architect; Peter Bond, Oregon Parks & Recreation Department Trails Coordinator

Councilor McLain called the Community meeting to order at 6:45 p.m.

1. Introductions

Councilor McLain introduced the agenda and summarized the project. She discussed the development of the Greenspaces Master Plan. She discussed the rails to trails projects in general.

2. What is A Rails to Trails Project/ What is the Abandonment Process

Mel Stout explained David Evans and Associates had been hired to evaluate the project. He highlighted the route proposed for abandonment and the proposal in general. He explained eight wooden trestles were included on the proposed route. He stated the grade was approximately two percent. He explained he mapped the route; examined the trestles; evaluated the condition of the rail line; identified historically significant areas; and found drainage under the line segments had cultural significance.

Councilor McLain noted several issues were raised in the last meeting and would be continued to be considered as the study proceeds.

3. Rails to Trails Video

Pete Bond attempted to present a Rails to Trails Video.

4. Case Study: Comments from a Trail Manager / How a Rails to Trails Project Works / Opportunity for the Community / How It Is Maintained / Who Uses It Vandalism, Security, Sanitation, Fire Protection

Ed Immel discussed the abandonment project. He explained the abandonment process called for publication of a map of the line proposed to be abandonment. He stated the process was expedited because of the lack of impact on shippers. He said environmental impact needed to be conducted first. Following the impact statement was a public comment period. Next, potential public uses of the rail line are examined. He stated abandoned rail lines were still owned by the railroad and may be offered for sale upon abandonment. Sometimes the property is reverted to the previous owner. Reversion allows for the person who granted the property easement to receive it back. He noted the process was heard before the interstate commerce division. He

stated the track was removed by the railroad. He noted Congress approved legislation that allows the line to remain intact for trail usage.

Pete Bond discussed the legislative and legal background on the use of rail lines. The National Trails System Act allows a trails agency to enter into agreement with the railroad companies to manage the line as a trail in the interim. The rail line can be later converted back to an operating rail line; this is called "rail banking". This is the method under which Metro can acquire the rail line for trail use. He noted the line is not actually abandoned under the act, but reserved for future use. Restoration of rail service would require the rail road to pay for any improvements and must announce intent to restore the railroad. Ed Immel noted the rail banking act had been tested through the Supreme Court.

Tim Schmidt presented a slide show of a Washington State rail to trail project. He emphasized both the positive aspects and challenges of a rail to trail project.

Keith Haag stated property owners adjacent to the rails to trails projects are an important aspect. He said concerns centered around liability, crime, preexisting, revision, and hunting. He stated Oregon Revised Statutes 105. 665 removed any liability for recreation use of property. He stated additional provisions were provided in new legislation. He stated based on historical data and actual studies, crime and vandalism have been reduced on trails. He said in other studies properties near the trail sold for six percent more than properties away from the trails. He discussed studies that supported the notion that crime concerns did not materialize following construction of the trails. Related to hunting, he stated the trails were frequently used for access to hunting areas. He emphasized the importance of an open area for wildlife.

5. Question and Comment Period

Charles Morrow, property owner in the area, spoke to his concerns about burglaries in his previous residence in Portland. He expressed continued concerns about crime and vandalism. He stated privacy issues and fire concerns continued to be problematic. He called for separate organization among people with similar concerns.

Steven Bock, property owner, stated property rights had been circumvented by legislation. He stated Metro intended to "cram it down our throats". He stated the "sweat and blood" of the property owners was going to be marketed. He called for community action against Metro. He said users will not stay on the trail.

Tim Schmidt responded to a question by a citizen with regard to a multi-use trail. He stated no problems had occurred with regard to conflict of use.

Joe Satchell expressed population growth concerns. He said recreational area needed to be located nearby. He supported the project.

Mary Rudell rock creek. expressed support of a local trail. She stated her credentials related to trails. She invited participants to attend local trips along similar trails. She expressed an interest in native plant species survival through the development of the trail. She noted volunteers

Mary Lidell stated she loved parks but expressed concerns about the location of her home with regard to the proposed trail. She said people would be walking through her front yard.

Sheryl Neil shared concerns with Mary Rudell. She stated she understood both sides of the issues. She stated the area is growing and the area is being encroached upon. She stated the trail would connect people. She said the project could enhance the community, particularly the youth. She stated the profile of the users was not consistent with the concerns expressed. She noted crime and vandalism already existed in the area. She anticipated the community may be safer as a result of the trail.

Barbara Walker stated she lived adjacent to the Banks Vernonia trail. She said she had become a real trail proponent, stating the trail improved her quality of living. She said the trail reduced illegal activities in the area (marijuana smoking and drinking). She stated homeless people camping out moved on. She said no security problems existed to date. She said the bicyclist would be provided a safer environment. She noted her husband had a business near the Springwater trail and had similar positive experiences. She said no littering existed on the trail.

Tracy Waters said she worked in school health in the Banks area. She called for the people in the area to discuss concerns with others in similar trail areas. She said the trail was a positive experience for children in the Banks area.

Raymond Roy stated he lived in the area for 25 years. He stated the area had vandalism and similar problems. He anticipated the trail project would improve those conditions.

Karen Frost-Mccey, BTA, advocated the trail as an option for bicycle users and an important transportation connection.

Doug Allen asked about other options for the rail line specifically, excursion trains. Ed Immel stated to make the track viable the trestles would have to be replaced at a cost of approximately $2 million. He said very little rail traffic used the line. He said excursion trains without freight revenues was not very feasible.

Sunny Spiroff said she was an avid walker and lived in the area. She advocated for a trail for bicyclist and walkers as an option. She noted the roads were not safe and she had to drive her kids everywhere. She said the trails would make children more mobile.

Brian Lightcap said he had been on rails to trails in the Michigan area. He stated the experience was positive. He spoke to economic development opportunities and development of community pride. He said resource conservation development might provide funds for the development.

Steve Abeling said he was an avid bicyclist on the Springwater Corridor. He noted homeless camps had disappeared in the area. He suggested that if people had concerns about traffic on the trail they should consider not paving the trail, allowing for use, but not encouraging high use. He noted those in opposition had left the room

Ron Walker asked if Metro had made up their mind to making a rail instead of making an excursion line. He favored commuter opportunities on the line. He said the line should be maintained as a rail line. He stated he had history of the rail line available.

Elinor Markgrat said the questions asked had not been addressed. Councilor McLain noted the questions asked would be forwarded to the next phase of the study. She stated she was not representing the fire department. Councilor McLain stated the Metro Council would make the decision about

Laurie Voss noted most of the people in favor did not live in the area. She stated she was "ill" over the proposal.

Valerie Lance said she had examined a lot of trails throughout the state and said the proposal was a viable and exciting project. She said she planned to move to an area with a trail that was rural and said she was in the market in the area. She gave a personal account of purchasing lemonade and carrots on a trail from local children.

Diane Alton asked if parking access and rest room facilities would be provided. Councilor McLain suggested that if the trail were developed, the plan would be developed with cooperation of the area residents to determine necessary facilities with minimum impact on the area.

Wilbur Miller asked why Metro was involved when it was outside the Metro boundaries. Councilor McLain noted Metro addresses some issues that cross jurisdictional boundary when regional concern exists.

Jim Howell expressed opposition to the demise of the railroad. He noted the rail line could be put into passenger service. He advocated rail transportation.

Paul Thutt expressed concerns about the "pro" literature available at the meeting. He called for Metro to subsidize his hobby of computers.

Dave Griffith called for timber protection in the area. He stated he sold rural real estate for twenty-five years and did not expect the trail would be a selling point.

Brian Remyan, BTA, said bicycling is not a hobby for many people. He called for a safe trail for bicyclists. He said the concern about privacy was real and called for effort to mitigate the privacy concerns.

Leslie Almar stated she lived on the Rock Creek side of tunnel and expressed concern related to the tunnel. She stated teenage parties were a problem at the tunnel. She said last summer over one hundred youth were in the road partying and drunk. She said the problem would only increase with the rails to trails project.

6. Metro's Role and Time-Line for the Feasibility Study

Councilor McLain said Mel Stout would complete the feasibility study and report to the Council. She said the development of any plan would be long term. She said Metro's involvement was to examine and keep track of Burlington Northern for appropriate project identification. She explained nothing additional was proposed at this time, but members would be notified if and when any other action was proposed.

Elinor Markgrat stated she did not represent the Fire District as noted in previous minutes. She said most of the people in the area opposed the trail.

Slim Bowman said as a bicyclist he supported the trail. He noted the area was the most popular area in the US and the trail would limit the intrusions to the trail, controlling the impending impacts. He said things were changing and that people like the area.

The meeting was closed at 9:45 p.m.

Prepared by,

Susan Lee, CMC
Council Assistant

Appendix G

BURLINGTON NORTHERN RAILS TO TRAILS FEASIBILITY STUDY

APPENDIX G

Potential Conflicts Raised in Public Meetings
(January 17, 1995 and February 28, 1995)

Public information/open house meetings were held January 17, 1995 and February 28, 1995 to introduce the potential for the Burlington Northern Cornelius Pass rails to trails project, describe the feasibility being prepared by David Evans and Associates, Inc. for Metro, and gather ideas and concerns for the project. Attached are major comments and concerns raised and responses to them (where within the scope of the feasibility study). Concerns listed at the end of this presentation will require significant additional study to provide adequate responses.

Concern: Concerns were raised that crime and vandalism in the area surrounding the proposed trail would increase.

Response: Contact with the Oregon State Parks, Washington State Parks and the Rails to Trails Conservancy indicates in the Northwest and across the nation, crime and vandalism does not increase due to rails to trails projects. Wayne Salisbury, with the Washington County Sheriff's Office, commented at the January 17, 1995 meeting that he has observed that these types of trails cause no increase in crime. Jim Tierney, formally with the Friends of Banks-Vernonia Trail said that he checked before the meeting with the Vernonia Police Department and the Washington County Sheriff's Office and neither reported any problems along the Banks Vernonia trail which is a few miles north of Cornelius Pass.

Response time was mentioned as a potential problem on the Multnomah County side of Cornelius Pass. The County announced in mid-March a Sheriff's deputy will now be stationed on Sauvie Island. This should greatly improve response time to any law enforcement situation in the Cornelius Pass area. Cornelius Pass is the dividing line between Multnomah County and Washington County with about two-thirds of the potential trail in Multnomah County and one-third in Washington County. Law enforcement would be the responsibility of the respective Counties.

Concern: Concern was raised regarding conflicts with hunting.

Response: There is always potential for accidents; however, hunters are responsible for safety. They must remain aware of roads, trails, residences and other locations where people may be present and not endanger human life. The Oregon Department of Fish and Wildlife would be appraised of the trail. It would be similar to hunting near roadways where public use would be a consideration the hunter would have to watch for. Users of the trail would not be allowed to wander from the trail right of way. Consequently conflicts are anticipated to be minimal.

Concern: There was concern voiced that trail users may start fires.

Response: Although design and operations planning would be subsequent tasks if the proposal is pursued, assumptions can be made based upon similar projects. The route would likely be posted for day use only, no camping or fires allowed. The route could be posted no smoking but this may not be a major issue as hikers and bicyclists are generally athletically inclined and tend not to smoke. Only two access points have been identified in this study. One would be located at United Junction and the other where Rock Creek Road crosses the line. These would be expected to receive observation by park operations and maintenance staff, law enforcement and others.

The trail would be more accessible for emergency vehicles than currently because it would be constructed and modified to be a trail (one vehicular lane in width) which would carry emergency vehicles. The trestles, which were built to carry trains, would carry emergency vehicles and the new bridge to replace the burned trestle could be designed to carry emergency vehicles. The trail could provide new emergency escape routes for a number of properties and the communities of Folkenberg and Burlington whereas the rails now prevent vehicle use.

With trains no longer using the line segment, danger of fires from that use is no longer present.

Concern: Some concern was expressed about increased liability.

Response: Oregon State Law (Oregon Revised Statutes 105.665) removed any liability for recreation use of property and the law has since been strengthened to protect property owners.

Fencing the length of the trail, or certain areas, is an option. However, it would make the trail experience less enjoyable looking through fencing and would not allow local access to the trail. Trestles and bridges would be fitted with railings per State and local building code standards.

Concern: The issue of reversionary clauses was raised.

Response: According to Steve Myhr, Burlington Northern Property Services Division, reversionary clauses are likely to be present in the deeds of properties along the line segment. However, if the Rails to Trails Legislation is used by a government agency such as Metro, the line segment could be purchased for continued public use and not be available on the market or revert. The main objective of the legislation is to allow interim trail use until such time the line segment is needed again for rail use.

Concern: Would development of the trail cause formation of a scenic overlay to cover the project?

Response: Multnomah County is currently finalizing the West Hills Rural Area Plan. The plan will support study of the trail. The portion of the potential trail which parallels Highway 30 is in a Scenic Overlay Zone of Multnomah County related to views of the West Hills. The potential trail is in a Significant Wildlife Habitat Area that covers the West Hills in Multnomah County. The portion of the trail that is in Washington County is considered Historically Significant by the County. No new scenic overlay zones are known to be proposed.

Concern: Would sanitary facilities be provided?

Response: Although the master planning and design tasks would be next steps where this issue is addressed in detail, it is anticipated portable sanitary facilities and trash receptacles would be provided at the two proposed trail heads. Water may or may not be provided for users. The trail could be walked in two or three hours and thus should not require a lot of support services. In the future, if the trail became part of a larger loop system, the trail heads might be provided with more permanent type of support facilities. The objectives in providing support facilities likely will be to provide only for the most basic needs that also help protect nearby property owners while not attracting non-associated use or excessive operations and maintenance costs.

Concern: Concern was raised over the loss of privacy to residents along the trail.

Response: In that people would be traversing the trail where mostly nothing but train traffic did previously, some sense of privacy would be lost. Rules and regulations, signing, pamphlets, and other means could be used to reinforce private property rights and trespassing laws. If reoccurring problems of trespass prevail, Metro would need to work with law enforcement and property owners to help eliminate the problem. Techniques such as signing, fencing, gating, obstacles, and screening may help.

Visual encroachment may be a problem in the few locations where homes are located near the potential trail. Again, vegetative screening, mounding, and fencing may be appropriate in visually screening homes and yards from trail users.

Concern: Concern was expressed about accommodation for horses on the trail, especially over the trestles and through the tunnel.

Response: Generally, the trail is anticipated to be planned and designed to accommodate equestrian use. Exactly how equestrian use would be accommodated is a design issue yet to be studied. However, most likely the bike/pedestrian portion of the trail would be separated from the equestrian trail for safety. Horses would probably cross most of the shorter trestles on some type of non-skid surface provided in the center of the trestle. Some of the longer trestles may not be satisfactory for horses to safely cross and routes would need to

be made under the trestles with switch-back trails up and down the slopes. This is likely the case with the Smith Trestle over Dick Road which is very long and high.

The tunnel would require additional study to determine if equestrian use of it would be feasible.

Concern: Would the tunnel be lighted and what about fires in the tunnel?

Response: The tunnel is in good condition and lined with concrete. In the west end of the tunnel, some timbers are exposed. However they are not thought by engineers observing condition of the tunnel to be essential to the structural integrity of the tunnel. Additional study would be required for a definitive answer on this specific issue, but the engineer observing the condition of the tunnel for the feasibility study does not consider the tunnel to be a fire hazard.

The tunnel could be lighted during hours of use. However, nationwide, rails to trails tunnels are not lighted and users are required to carry flashlights. Additional study would be required in this situation. Any lighting used would likely also be used in conjunction with the control of historic party activity at the west end of the tunnel. Site design for the trail head and operations and maintenance planning will need to cover these concerns. Fencing and/or ditching in the area could be used to control location and quantity of parking. Parking could be locked at night if necessary. Other options could be studied to improve existing conditions.

Concern: There was concern for the Dick Road Trestle as it is considered a landmark and visual focal point in the community.

Response: Those same attributes add value to the potential trail. It would be important to keep the trestle in place to be used for the trail and as a visual and historical asset.

Concern: What is the projected use of the potential trail?

Response: Walking for pleasure continues to be the number one recreation activity in surveys taken over the last twenty years or more. Walking opportunities in natural settings are preferred. The potential trail could become part of a loop connecting to Forest Park and the City of Hillsboro and other trails and points of interest in proximity of urban users. It offers a truly unique opportunity to help serve the leisure needs of future generations.

Concern: Someone wondered if both light rail and a trail could function together.

Response: This is the subject of a supplemental report on joint use of the rail segment located elsewhere in the appendix of this study. The supplemental report indicates that the idea is not practical. Contact with the Rails to Trails Conservancy, a nationwide advocate for rails to trails projects, indicated no knowledge of a combined trail/rail facility. There are projects with parallel rails and trails separated by barriers and/or buffers.

Tri-Met has been studying locations for light rail for years and has priority routes identified. This route is not identified for light rail probably because it does not traverse the sufficiently populated areas that are needed to make the routes cost effective.

Concern: Others wondered if excursion trains may be feasible.

Response: Ed Immel, Oregon Department of Transportation Rail Planner, expressed at the February 28, 1995 public meeting for this project that very little fright traffic was on the line before the trestle burned and that excursion trains without freight revenues were not very feasible. The Oregonian, in an article on March 23, 1995, reported that the City of Lake Oswego has had no one interested in extending a contract for the Portland to Lake Oswego excursion line which suggests that it may be difficult in this area to make excursion lines pay for themselves.

The Cornelius Pass line follows close-in urban area route that can be very closely experienced by roads that parallel the route. That option may limit potential excursion use.

Additional information is presented in this study in the supplemental report on joint use of the rail segment in this appendix.

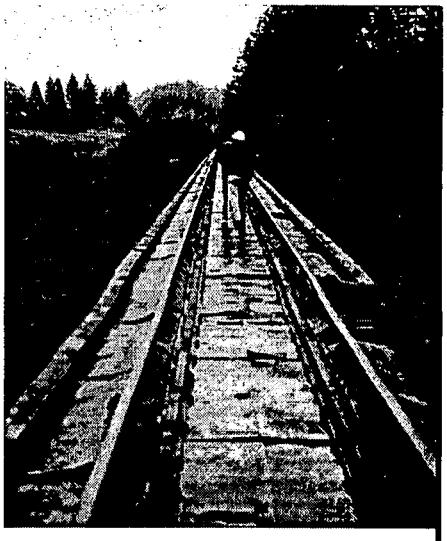
Concern: It was asked why Metro was involved in this study when the project is outside of the Metro boundary.

Response: At the February 28, 1995 public meeting for the potential project, Councilor Susan McLain noted Metro addresses some issues that cross jurisdictional boundaries when regional concern exists.

When notice of the potential abandonment became apparent, several agencies expressed interest in the potential project and provided funds or staff assistance for this feasibility study. They included Metro, Oregon State Parks, Oregon Department of Transportation, Washington County, Multnomah County, City of Portland, City of Hillsboro, Tualatin Hills Park and Recreation District and the National Park Service. The route is identified in the Metro Greenspaces Trail Master Plan and the jurisdictions generally recognize and support the regional significance of the potential trail for recreation and multi-modal transportation.

Concerns identified that would require additional study include:

Equestrian use in the tunnel and over the longer trestles.
Comparison of potential light rail use verses trail use of the line segment.
Lighting in the tunnel.
Statistics for projected use of the trail.
Economic analysis of potential excursion use of the line segment.



Appendix:
Special Report

Appendix H

BURLINGTON NORTHERN RAILS TO TRAILS FEASIBILITY STUDY

APPENDIX H

Special Report - Trails with Rails

From public comment, recommendation was presented to save the rails in place and potentially find users for the line. At the same time, recommendation was presented to save the rails in place and build the trail on or adjacent to the rails.

The purpose of this special summary report is to explore the feasibility of saving the rails in place and joint use of the rail segment over Cornelius Pass from United Junction to Bowers Junction. The following explores the physical and economic considerations associated with maintaining rail use, while at the same time modifying the track, right-of-way and trestles to allow trail use. A series of questions and responses are presented followed by summary conclusions. This summary report is not intended to be an in-depth study. Information and conclusions have been drawn from information developed for the Feasibility Study, from Study team members, from calls to other experts, and from a limited literature search.

Design Considerations

The right-of-way for the railroad line segment from United Junction to Bowers Junction is generally 50 to 100 feet in width. With the exception of a short spur at the north end of the Cornelius Pass Tunnel, the right-of-way is improved with a grade for a single track. The ties and rails for the track are in place. The line is functional except for a trestle that burned in the fall of 1994 and both ends of the Cornelius Pass Tunnel which are blocked with steel doors.

The line segment contains approximately eight wooden trestles from 200 to 1,300 feet in length. They range from approximately 50 to 100 feet in height. Several of them occur on curves. Because of limited sight distance and length of time for trail users to clear the trestles, it is potentially dangerous to have trail users on or near the rails without some separation or barrier between rails and a trail. It would be difficult to build walkways with comfortable separation and barriers for the height and length of the trestles. Their height also makes it difficult to build switch back trails up and down the steep slopes of the ravines within the right-of-way. The trestles could be fitted with cantilevered walkways separated by a barrier between the track and walkway but it would be very expensive to cantilever wide enough to provide a combination bikeway and walkway. It might be uncomfortable to walk or bike cantilevered 50 to 100 feet high while a steam or diesel locomotive passes by a few feet away.

It may also be difficult to safely pass rail and trail traffic through the tunnels. The train could be stopped while the tunnel under U.S. Highway 30 was cleared of trail traffic but that would be much more difficult with the 4,100 feet long Cornelius Pass Tunnel. Signals could be installed to alert hikers and bicyclists of trains about to enter the tunnel. But if they were caught in the middle - 2,000 feet in - it would take them

a while to clear the tunnel. Perhaps, refuges could be made periodically throughout the tunnel, but safety and cost would still be major concerns.

Along much of the route, steep upper and/or lower slopes are adjacent to the tracks making it difficult and expensive to leave the tracks in place and build a separated trail (basically an additional roadbed), alongside the tracks within the current right of way.

If safety concerns allowed the trail to be built between the rails, the situation could be likened to a long linear grade crossing. This poses other potential problems. If the space between the rails were filled with gravel or asphalt, space would need to remain for the rail wheel extension inside the tracks. This would leave the rails (for gravel fill), and/or the slots (for asphalt), exposed and a hazard for bicycles and pedestrians (places for bicycle tires to fall into and for twisted ankles). Another problem with this concept is potential added maintenance cost for ties and rails. Filling between the rails would make observation difficult, tend to rot the ties, and make repairs more difficult to reach and make. The material would have to be removed to perform any track maintenance. According to David Evans and Associates, Inc.'s (DEA), rail engineer, Charlie Burnham, flangeway maintenance would be a continuous concern to provide safe train operations, much as it is at grade crossings.

Rails to Trails Legislation

The question has been raised, "can the rails to trails legislation be used to preserve the rails in place and not build a trail?" The intent of the rails to trails legislation is to allow interim trail use. The Rails to Trails Conservancy confirms that the intent of the legislation is that a trail replace the rails. Some situations have occurred with purchases or agreements other than use of the legislation, allowing trails alongside rails where there is sufficient width and allowable topography. Also, Oregon State Parks and Recreation (OSPR), has used the legislation where it was or will be an extended period of time before allowing public use after acquisition and removal of rails form the right of way.

Rails **on** Trails History

Calls to the Rails to Trails Conservancy have uncovered no known situations where trails have been built on or with rails. Parallel trails have been built with rails where there is room to provide barriers, fencing, or sufficient buffer space for separation and safety. Included in this report is a Rails to Trails Conservancy summary of rails **with** trails projects.

Potential for Light Rail, Excursion, and Freight Use of the Line

Some proponents of saving the rails in place have suggested the line is needed for light rail. Although the line was originally used as an interurban passenger carrier until the early 1930's, settlement along the route was not populated enough to sustain it. The same is apparently true today. Growth has occurred farther south in the Tualatin Valley and is the reason why the new Westside MAX is being built there. Planning for light rail in the Portland metropolitan area does not include the line. This suggests that if the need arises, it will be well into the future. Although the line is in good condition for freight, it would likely be rebuilt for light rail use due to liability and to allow faster speed. Use of the existing line would probably limit speed to 20 miles per hour for passenger service.

Others have suggested the line could be used for excursions. The burned trestle would have to be replaced to withstand loading for trains, which would of course be an initial heavy expense. It appears that the recent history of excursion lines shows that it is difficult to make them self-sustaining. Included is a recent article from The Oregonian regarding the plight of the Willamette Shore Trolley that runs from Portland to Lake Oswego. In the Preliminary Economic Impact Analysis - Three Alternative Uses of the Oregon, California and Eastern Railway Company Right-of-Way Between Klamath Falls and Bly, Oregon, Table A, OC&E ROW Alternatives-Summary of Selected Economic Impacts, a comparison of trail use and excursion use shows for trails annual O&M Costs of $88,000 and annual Operational Revenue of $18,000 compared to excursion O&M Costs of $313,000 and annual Operational Revenue of $214,000. Additional study would be needed to make a comparison for the Cornelius Pass line.

An excursion train on this line may have difficulty in attracting ridership as the route parallels roadways that are readily accessible for viewing the same scenery. This is one of the major differences between the line and the Roy to Coast Range excursion. It passes through areas not commonly accessible and relatively remote.

Freight use of the line appears doubtful in the foreseeable future. When the trestle burned, Burlington Northern Co. (BN), made trackage agreements with Southern Pacific (SP), to route service another way instead of rebuilding. Agreements are being finalized in the coming months between various carriers that will satisfy trackage needs in Washington County and the line is not planned to be used by BN. Application for abandonment is expected sometime in the fall of 1995 or early 1996.

General Statistics

In analyzing the feasibility of saving the rails in place the following statistics may be useful:

Approximate replacement value of the seven miles of track (rails and ties) for freight , equals $3 million.

Approximate cost of 7 miles of MAX light rail line on existing grade equals $55 million.

Approximate cost to build the trail on existing grade with rails and ties removed by others equals $1.5 million (includes replacing the trestle with a trail bridge). Note: Determination of approximate cost to build trail separated from existing grade but still in the right-of-way would require preliminary design for trestle improvements, retaining walls, grading for additional grade of similar width, etc.

Estimated cost to replace burned trestle for train usage equals $1.275 million.

Estimated cost to replace burned trestle with trail bridge equals $300,000.

Approximate annual cost to maintain the rails in place equals $10,000 per mile times seven miles equals $70,000.

Approximate annual cost to maintain the trail would be $35,000 per year excluding any capital improvements. Note: OSPR expends approximately $4,500.00 per year per mile for maintenance of the Banks Vernonia trail.

Approximate construction cost of asphalt grade crossing for the length of the trail to allow trail surface between the rails equals $200 per linear foot times 7 miles equals $7.4 million.

Approximate maintenance cost of asphalt grade crossings equals $5.00 per linear foot times seven miles equals $185,000 per year.

Conclusions

Based on preliminary information gathered, it does not appear practical, cost effective or safe to build a trail on the existing grade and leave the rails in place (between the rails). Liability would be high. Construction and maintenance costs would be high.

Because of steep cut and fill slopes along much of the existing grade, it doesn't appear cost effective to build a trail alongside the line separated by barrier or sufficient space for safety. Additional study would have to be made to determine the costs of alterations to the grade, retaining walls, and other structures to keep the trail within the right-of-way.

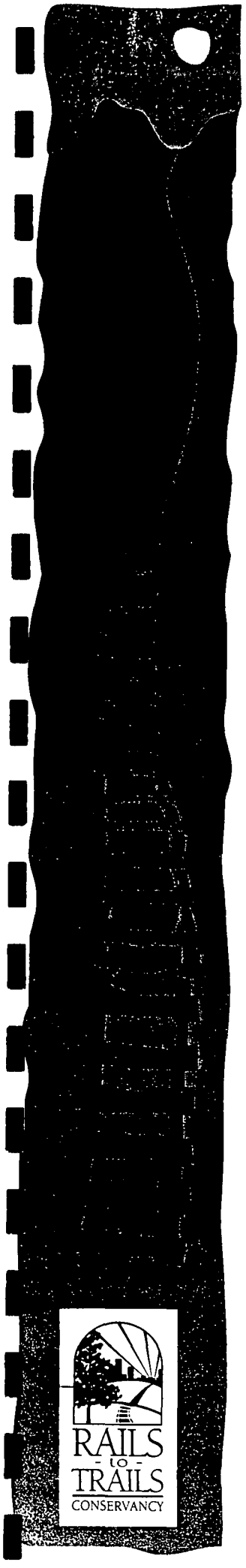
The efficiency of converting rails to trails, of course, is that once the rails and ties are removed and the ballast removed or regraded, the remaining grade provides a good base for a trail.

It doesn't appear there are viable options to using the rails if they remained in place especially for freight and light rail passenger service. Additional study and solicitation could be made to determine possibilities for excursions. However, there is a good possibility such service would not prove self sustaining.

Since technology changes rapidly, especially for the needs of light rail, the rails as they exist probably would not be suitable for use if and when the time came in the future. It is likely the line and the trestles would need to be newly rebuilt even if light rail was needed now. Also, the savings of keeping the rails in place may be insignificant in comparison with total costs of construction of a MAX-type project at some time in the future.

Interim use of the right-of-way for a trail, until such time rail use is required, appears to allow a needed public service and best preserve options for future public need.

* Sources of information for this report were taken in part from telephone conversations with Charlie Burnham, DEA Rail Engineer, Ed Immel, Oregon Department of Transportation (ODOT), Rail Planner, Pete Bond, OSPR Trails Coordinator and Peter Harwick, Vice President of Rails to Trails Conservancy.



TRAINS AND TRAILS TOGETHER

Will the Next Big Movement be called Rails-with-Trails?

Although thousands of miles of abandoned rail corridors have been converted into trails—and thousands more are in the works—there are two obvious limitations to the growth of the rails-to-trails movement. First, not all rail lines are abandoned. Second, trains are good for the country; they move freight and passengers more efficiently and cleanly than any other mode. Many transportation experts feel that the U.S. needs more trains, not less.

Therefore, some people are asking if there isn't a way of having trails *and* trains.

The answer is yes. The so-called "rails-with-trails" approach is becoming an increasingly important tool in the nation's trail-building efforts.

Constructing a rail-with-trail involves installing a multipurpose public pathway alongside an active railroad track in a way that is safe to all users. Generally, this means utilizing an abandoned corridor (or other vacant space) alongside an active rail line. In some cases, significant grade separation isolates the active track from the proposed trail. In other cases, fencing is erected or natural vegetative screening is planted. In addition, warning and explanatory signs are usually posted.

Rails-with-trails have most of the advantages of regular rail-trails: they are generally flat; they are frequently grade-separated from auto traffic, thanks to bridges, tunnels and berms; they are centrally located, serving workplaces, schools and shopping; and they are often scenic, following rivers and stream valleys.

In 1993, RTC published a study evaluating 16 existing rails-with-trails around the country. The report found that rails and trails can and do safely and satisfactorily coexist. (Since the study's release, RTC has learned of at least nine more rails-with-trails and another two dozen in the works.)

The 16 rails-with-trails surveyed are as varied as any trails; some pass entirely through rural terrain while others connect urban and suburban areas. The types of railroad tracks adjacent to these trails vary from high-speed, main-line freight to industrial spurs with 15 mile-per-hour weekly locals. However, the majority of these trails have a number of characteristics in common:

- 50 to 100 feet of separation between the tracks and the trail
- some sort of fence or vegetative barrier between the tracks and the trail
- infrequent or slow-moving trains
- few at-grade crossings of the track by the trail

Each of these characteristics helps ensure the safety of trail users, although some rails-with-trails do not exhibit all of these features.

An example of a highly successful rail-with-trail is Wisconsin's LaCrosse River Trail, which parallels a rail corridor for 18 miles. The trail, opened in 1987, attracts about 35,000 walkers, cyclists and snowmobilers each year despite the 16 daily Amtrak and Soo Line trains that travel at up to 80 miles per hour. The track and trail are 100 feet apart, with vegetative and grade separation. There have been no train-related trail user injuries.

Despite the success of the rail-with-trail idea, the railroad industry is not supportive of the concept. Railroaders view rails-with-trails solely as an additional risk and liability problem. In fact, most existing rails-with-trails have been created by public agencies in circumstances where the railroad could not block the proposal.

-over-

RAILS-to-TRAILS CONSERVANCY

RAILS-TO-TRAILS CONSERVANCY ◆ 1400 Sixteenth Street, NW, Suite 300, Washington, DC 20036
(202) 797-5400 ◆ FAX (202) 797-5411

While railroad corridors may have some obvious risks, most trail users find them safer than the principle alternative—roadways. And statistics bear this out: nationally, for every person killed on a railroad track, about 70 are killed on a roadway.

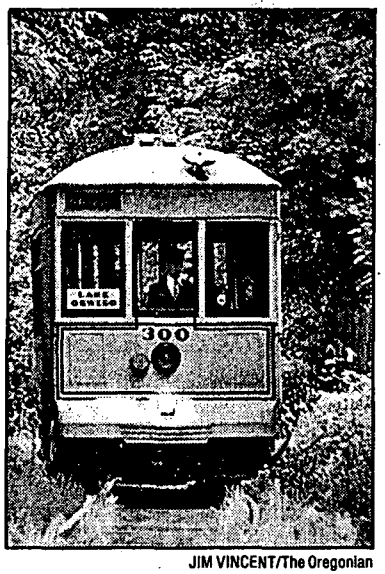
Railroad companies have liability only for their corridors, not roadways, and they spend millions of dollars a year through programs like "Operation Lifesaver" to educate people about the dangers associated with active rail lines. So, if a rail-with-trail proposal is to succeed, its proponents must demonstrate that the trail will improve overall safety of pedestrians, cyclists and others.

RTC's study shows that, with proper planning, railroads and trails can safely coexist. The study includes the name and contact person for each of 16 rails-with-trails, the completed surveys from all respondents and numerous comparative charts.

You can order **"Rails-with-Trails: Sharing Corridors for Recreation and Transportation"** by sending $11.50 ($9.00 for RTC members) to: Rails-to-Trails Conservancy, 1400 Sixteenth Street, NW, Suite 300, Washington, D.C. 20036.

As a non-profit public charity, Rails-to-Trails Conservancy is wholly supported by its membership. Help make our vision a reality by joining today at one of the following levels: regular ($18); supporting ($25); patron ($50); benefactor ($100); advocate ($500); or Trailblazer Society ($1,000).

Supporters struggle to keep trolley service running



JIM VINCENT/The Oregonian

The Willamette Shore Trolley's future grew brighter this week.

■ The line between Lake Oswego and Portland may be extended to the RiverPlace marina if local governments will pay for the work

By JANET GOETZE
of The Oregonian staff

LAKE OSWEGO — The Willamette Shore Trolley will have a short run this summer.

But its future as a longer commuter line between Lake Oswego and Portland grew a little brighter this week.

The company that has operated the line for the past five years can't afford to keep it going without money from Lake Oswego to repair equipment. The City Council agreed Tuesday that it can't afford those costs, either.

The Friends of the Willamette Shore Trolley Committee, however, may have the vintage system operating part of the summer with the help of the Oregon Electrical Historical Society.

First, however, the state must clear the tracks. In early February, heavy rains sent mud cascading over the line, officially known as the Jefferson Street Branch Rail Line, near Riverdale Road on Oregon 43.

Jerry R. Baker, the city public works director, said the Oregon Department of Transportation expects to clear the line and finish building a retaining wall near the track in July.

Donald R. Stark, a Friends committee member, is talking to the historical organization about making late summer trolley runs on the line, which is popular among tourists and weekend rail riders.

The trolley usually runs on Fridays, Saturdays and Sundays from March to Dec. 31. Riders board in Lake Oswego at State Street, between A Avenue and Foothills Road, for a journey ending under the Marquam Bridge, four blocks south of the RiverPlace marina.

The line could become more attractive if it ended at the marina, the City Council agreed. To support a half-mile extension from the bridge, the council approved spending $25,000 to build a rail crossing at Southwest Sheridan Street in Portland.

With that financial commitment, Lake Oswego agreed to become the lead agency for the crossing and for trying to persuade Portland and Tri-Met to put $25,000 each into track for the half-mile extension. Last year, the three helped build a rail crossing at Southwest Moody Street, which also will be part of the extension.

So far this year, nothing is moving with mud on the tracks. Even without mud, the going would be tough.

Gales Creek Enterprises of Oregon Ltd. has notified Lake Oswego it can't continue operating the line unless the city helps pay for repairs on one of two passenger vehicles used on the line.

The city didn't find anyone else interested in operating the trolley earlier this year, after the five-year operating agreement with Gales Creek expired.

Lake Oswego wants to continue using the branch rail line to assure its residents of a future commuter route to downtown Portland. The city and a consortium of other governments and agencies bought the line seven years ago from Southern Pacific Railroad. The consortium includes Portland, Metro, Tri-Met, Clackamas County, Multnomah County and the state Department of Transportation.

3/23/95 OREGONIAN

Chugging along with crab cakes and a window on Washington

By MILLY WOHLER

RENTON, Wash. — Charlie Broom lives in Bellevue, Wash., on the side of a hill under the Wilburton railroad trestle. All his short life he's watched a silver-and-red train glide across that trestle and dreamed of being aboard.

Charlie's dream came true on a recent Sunday. He celebrated his fifth birthday with eight relatives on the Spirit of Washington Dinner Train.

DESTINATION NORTHWEST

Mike and Mollie Broom chose a Sunday brunch run instead of dinner for their son, so Charlie could see all the sights on the train's 24-mile route from Renton to the Columbia Winery near Woodinville.

On its way along the east side of Lake Washington, the first thing to see was the Boeing plant, and Mercer Island across the lake. Then the train passed over the 104-year-old Wilberton trestle, and he thought he could see his house. The 975-foot-long trestle is believed to be the longest wooden trestle in the Northwest.

After Bellevue came the tall towers of Seattle, then Kirkland and finally the Columbia Winery in Woodinville, where Charlie and his friends had 45 minutes to run the kinks out of their legs while interested adults indulged in a bit of wine-tasting.

Panoramas and flowers

The Washington Central Railroad Co. started The Spirit of Washington Dinner Train as an experiment in the Yakima Valley in 1988. It proved so popular that regular runs began in 1989, and in 1992 the train was moved to the Seattle area to take advantage of the bigger population market.

The train offers daily dinner trips, a Saturday lunch and a Sunday brunch, except from mid-September through May, when Monday runs are canceled.

Two diesel electric F-7A locomotives, built by General Motors Electro-Motive Division in 1953, pull the train using 1,500 horsepower each.

The seven dining cars, three of them with arched domes for horizon-to-horizon viewing, have been refurbished and appear as shiny as when they were built between 1937 and 1952.

White-clothed tables, with cocked crimson napkins, fill the cars. Fresh flowers adorn each table, except for the winter months, when small lamps take their place.

The train hasn't much aisle room, but passengers are invited to explore. The ride on tracks leased from Burlington Northern is a bit lurchy, but at an average speed of 25 mph, it's not a problem.

From scones to salmon

Food rolls in as the miles roll by, and it's delicious.

The brunch offers a choice of Dungeness crab sandwich, a salmon quiche with apple sausage, a four-slice Monte Cristo sandwich or a French toast entree. With each comes muffins and scones with strawberry jam, fruit with yogurt dressing (pears poached in champagne, for instance), fresh fruit and fried potatoes.

Saturday lunch is similar but substitutes roasted salmon for the quiche and roasted breast of chicken for the French toast.

The menu for dinner includes prime rib, roasted salmon, breast of chicken or Dungeness crab cakes, along with salads, rice and vegetable. Desserts of Grand Marnier chocolate mousse or hot apple crisp topped with cinnamon whipped cream are served on the homebound leg from Woodinville.

A children's menu includes pizza, hamburgers, hot dogs or lasagne for lunch or dinner.

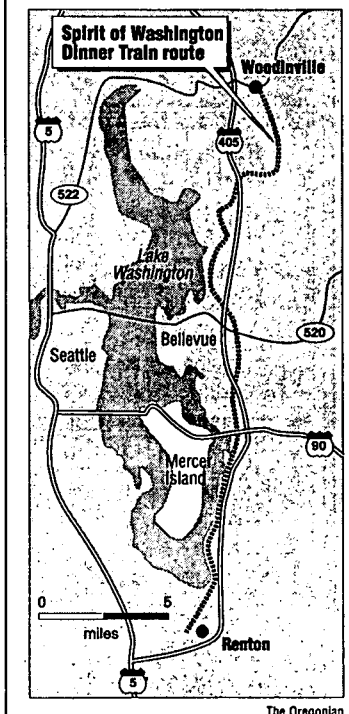
Capacity for the train is 371, but Tom Burton, one of the train managers, said he prefers to aim for 350. A crew of 43 is on board when the train is full.

Burton advises making reservations a month in advance from May through September, although sometimes there are cancellations. Reservations have to be made by 11 a.m. for dinner rides, so dinner can be ordered. All food is cooked on the train.

Tickets for adults are $57 for the dinner train ($69 for the dome car) and $47 for Sunday brunch or Saturday lunch ($59 for dome seating). Children 12 and younger pay $20 for the Saturday lunch or Sunday brunch. However, a special promotion allows kids to ride free with their parents for all trips through the end of March, excluding the dome cars.

Charlie is one youngster who enjoyed the ride. And now he knows where that silver-and-red train goes.

Milly Wohler is retired travel editor for The Oregonian.



The Oregonian

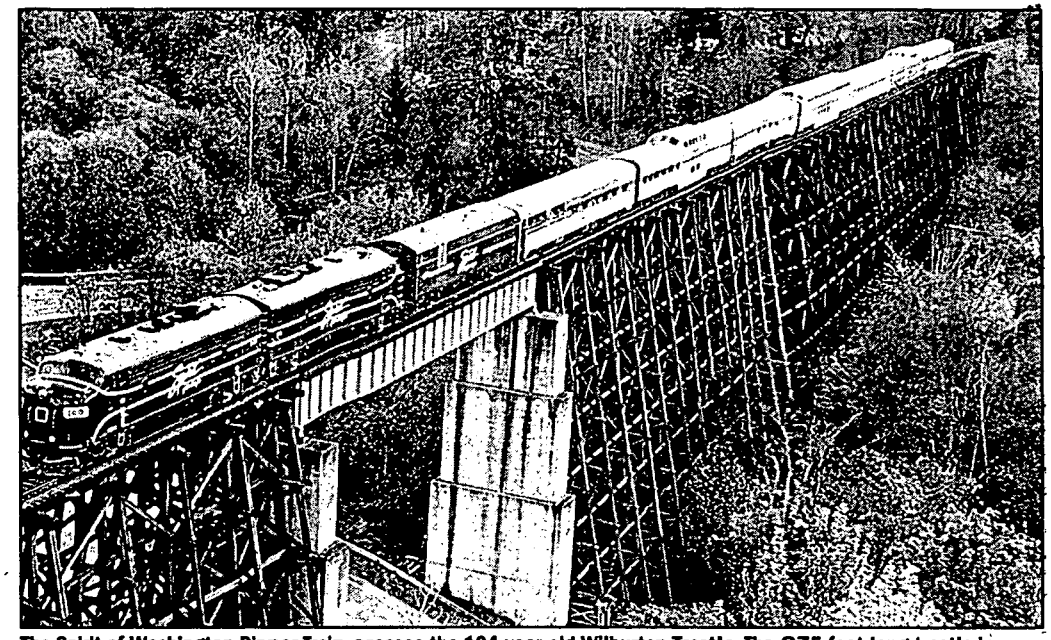
GETAWAY PLAN

■ **GETTING THERE:** Take Interstate 5 north to Interstate 405 and take the Rainier Avenue South exit. Continue to Third Street. Turn right on Third Street (not Third Place), then right on Burnett to the depot. Arrive 30 minutes before boarding time.

■ **SCHEDULE:** From mid-September through May the train doesn't run on Mondays. Otherwise the hours are identical: Monday-Friday dinner train at 6:30 p.m.; Saturday lunch train at noon, and dinner train at 5:30 p.m.; Sunday brunch train at 11 a.m., and dinner train at 5:30 p.m. Each round trip takes 3½ hours.

■ **COST:** Parlor car seating: $57 dinner; $47 lunch and brunch. Dome seating is $69 and $59. Reservations are a must, with menu selections by 11 a.m. Most tables seat four, with a limited number for two or six. Wheelchair accessible.

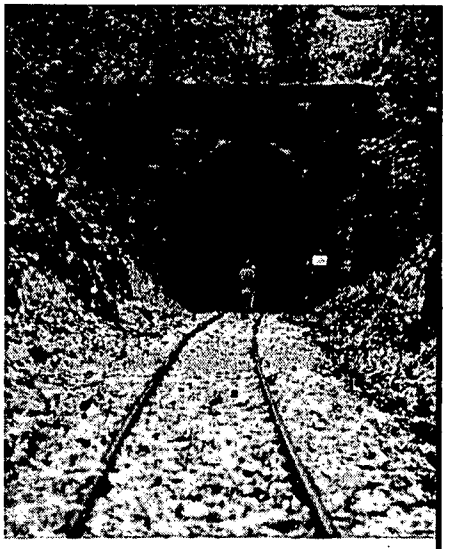
■ **INFORMATION:** (800) 876-7245 or (206) 227-7245.



The Spirit of Washington Dinner Train crosses the 104-year-old Wilburton Trestle. The 975-foot-long trestle in Bellevue is believed to be the longest wooden trestle in the Northwest.

BEN WOHLER

Charlie Broom, 5, opens a birthday present during his party aboard the Spirit of Washington Dinner Train.



Appendix:
Additional Information

Appendix I

OUTDOORS

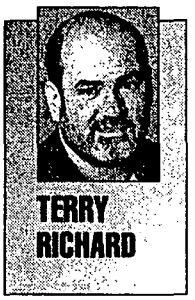
Portlanders could walk for miles if new trails don't hit a dead-end

Portland should have a Willamette River walking circle, from the Sellwood Bridge to the Steel Bridge, in the next few years.

That's the easy part.

Mel Huie wants a whole lot more: a system of trails, paths and greenways that would connect the greenspaces within Portland's urban growth boundary.

The interconnecting regional trail network will be tougher to achieve than the Willamette River trail, but Huie thinks that it, too, will become reality.


TERRY RICHARD

"We've worked the last five years to develop a regional system of off-road trails, rail trails and river trails," said Huie, senior regional planner in charge of trails for the Metro Regional Parks and Greenspaces Department.

A map compiled by Metro planners places most Portlanders within a short walk of a trail. Many of the trails are already in place.

Enough funding — mostly federal transportation grants — is in the pipeline to complete the east-bank Willamette River trail, Huie said. Within three years, Huie said, walkers and bike riders should be able to tour the east bank between the Sellwood and Steel bridges.

The missing link on the west side of the Willamette, beneath the Marquam Bridge, will be completed as the land is developed.

Metro has identified five other regionally significant trails that it wants to build, pending voter approval of a $138.8 million bond measure for parks and greenspaces in May. Most of the money would be spent to purchase undeveloped land, but $25 million would go to local parks districts and $16.3 million for regional trails.

Trails that Metro wants to build are:

■ **PENINSULA CROSSING:** A three-mile route that connects the Willamette and Columbia rivers in North Portland. The corridor is undeveloped and within the city's right of way. The route is parallel and above an active rail line, which sits in a ravine.

■ **FANNO CREEK:** A 12-mile corridor that runs from the West Hills, through Beaverton and Tigard, to the Tualatin River. The trail would connect several existing parks.

■ **BURLINGTON NORTHERN:** The railroad intends to abandon seven miles of rail line at the northwest edge of the urban growth boundary. Conversion of the line to a trail would link the Sauvie Island Bridge with rural Washington County near Helvetia.

■ **CLACKAMAS RIVER:** Metro wants to obtain as much land as possible on the north bank of the river's lower eight miles, from Carver to Meldrum Bar. The land may be left undeveloped, except for river access points.

■ **BEAVER CREEK:** A tributary of the Sandy River, Beaver Creek flows eight miles through rural east Multnomah County and Troutdale. The creek is a natural walking corridor for a rapidly developing area.

Huie said money from the bond measure also would be used to build a better trail along the Willamette River and the Springwater Corridor.

The Springwater Corridor is a success story that proves metropolitan areas can be retrofitted for trails. The Springwater follows an abandoned rail line from southeast Portland at McLoughlin Boulevard for 16 miles to Boring. It was opened four years ago.

The Portland Park Bureau plans to resurface the Springwater this summer and construct trailhead parking. The trail links rural east Multnomah County with Gresham City Park, Powell Butte Park, Beggars Tick Marsh, the I-205 bike path, Tideman-Johnson Park and the future Willamette River east bank trail.

"We're finally doing things city planners thought of doing 100 years ago," Huie said.

Terry Richard's column appears Thursday. He can be reached at 221-8222, by FAX at 221-8168, or by mail at 1320 S.W. Broadway, Portland, 97201.

AUTO ALTERNATIVES

■ **ROUTES PLANNED:** Portland plans to install bike lanes this summer on the Lovejoy ramp, from the Broadway Bridge to Northwest 14th; the Hawthorne Bridge eastbound viaduct; Southeast Hawthorne Boulevard to 12th Avenue; the east end of the Burnside Bridge to Sixth Avenue; Northeast Multnomah Street and Lloyd Boulevard; and Southeast Seventh Avenue from Northeast Sandy to Southeast Division.

■ **ROUTES COMPLETE:** Portland recently has installed bike lanes on Southwest Terwilliger Boulevard from Dunniway Park to Beaverton-Hillsdale Highway. Due this spring are bike lanes on Terwilliger from Taylors Ferry Road to Boones Ferry Road.

■ **NEW MAP:** Metro plans to publish a new "Getting There By Bike" map this spring. It also plans to adopt a regional bicycle plan and publish a rails-to-trails plan.

■ **WORKSHOP:** The public is invited to "The Choices We Make," a regional transportation fair, 9 a.m. to 1 p.m. Saturday at the Metro Regional Center, 600 N.E. Grand Ave. Planners will listen to ideas and share their plans for the future.

1/20/95 OREGONIAN

Metro considers turning rail right of way into trail

■ Officials hear views pro and con on the idea of converting a Burlington Northern route into a pedestrian path

By HARRY BODINE
of The Oregonian staff

Before Metro commits itself to acquiring 6.8 miles of railroad track to build a pedestrian path in the Cornelius Pass area, it wants to be sure no fatal flaws would doom the project at the outset.

Some neighbors of the rail line told Metro's consultants where to look for those flaws during a meeting this week.

Their concerns ranged from increased fire danger to adjacent homes and forests to vandalism and liabilities they would face from hikers falling off trestles onto their land.

Project supporters urged Metro to move forward and gain control of the Burlington Northern tracks, which have not been used since fire damaged one of nine trestles on the route last summer.

One supporter is Hank Bullock, who missed Wednesday's meeting but plans to attend future ones. Bullock said that his first thoughts on creating a trail for hikers and bicyclists near his home on Northwest Dick Road are positive.

He cited a 17-mile-long paved bicycle path near Sun Valley, Idaho, as "the neatest bike path you have ever seen." He also is eager to see a long rail trestle over Dick Road preserved. "The thing is a landmark," he said.

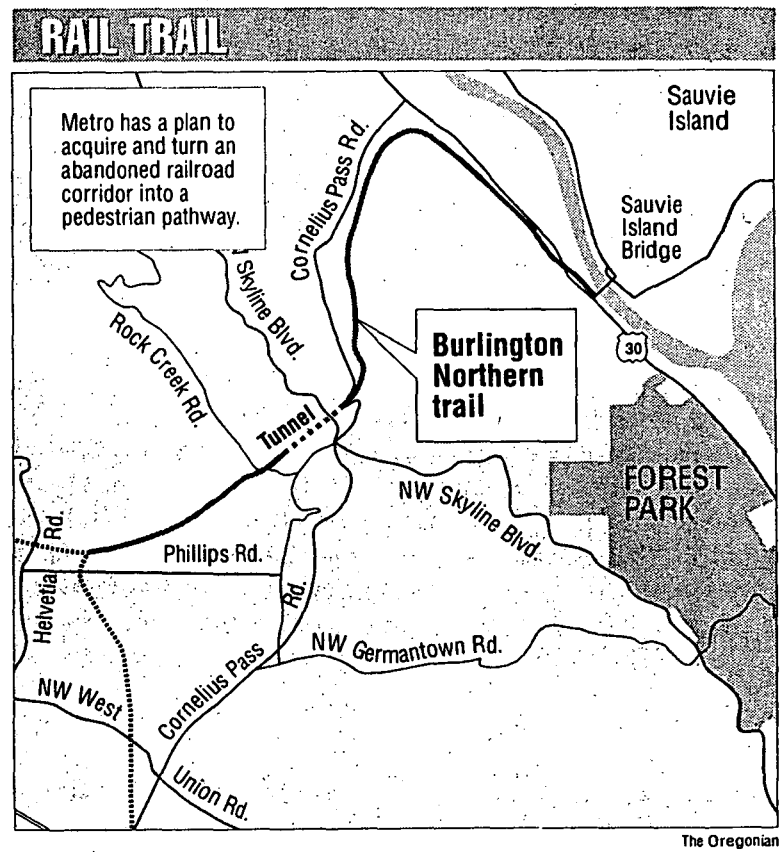
The tracks Metro is examining begin alongside Northwest St. Helens Road (U.S. 30) near the Sauvie Island bridge. They cross under the highway, climb gradually up the face of hills overlooking the Multnomah Channel, curve around the entry to the canyon served by Northwest Cornelius Pass Road, run 4,103 feet through a tunnel, emerge in Washington County and proceed downhill to Bowers Junction in the Helvetia area.

The maximum grade of the route is 2 percent, noted Mel Stout, director of landscape architecture for David Evans and Associates, Metro's consulting firm on the project.

Elinor Markgraf, a volunteer firefighter for Multnomah County Rural Fire District 20 that serves the area, was one of several Cornelius Pass residents against the plan.

A hiking trail would present a huge hazard in the forested hillsides it traverses, she said. The major problem is there are no access roads to the trail that fire vehicles could use.

Markgraf also recalled fires within the rail tunnel, including one last May that proved extremely difficult for Burlington Northern to extinguish.



Stephen Bach, who lives near the rail line on the Multnomah County side of Skyline Ridge, vowed to fight the proposed trail to the end. "Over my dead body, you'll build this," he told Metro officials.

Lack of police protection already is a problem in his area of Multnomah County, Bach said.

"We don't want 'em," he said of hikers. If someone falls off a trestle onto property he and his wife own, "we're liable."

Backing the project was Wayne Salisbury, a sheriff's detective who investigates property crimes in the Banks area, where a similar trail has been opened for hikers and horseback riders.

Since the Banks-Vernonia trail opened, no vandalism, no burglaries, no thefts and no garbage dumping have occurred along it, Salisbury said.

Metro Councilor Susan McLain told those attending the Wednesday meeting that others will be held — at Skyline Elementary School or some other location more convenient for those who live along the trail. Dates have not been set.

Metro is at the beginning of this project. No final decisions have been made, McLain emphasized.

If Burlington Northern abandons the line as rail officials have indicated it will after suspending service and sealing both ends of the Cornelius Pass tunnel, the public will have one chance to acquire it before the right of way is divided into smaller segments. Metro Councilor Jon Kvistad said.

"Once it's gone, it's gone. It's a resource. Can we protect it? Can we afford to protect it?" he asked. Metro would be remiss if it did not try to answer those questions, Kvistad concluded.

9/26/94

BUSINESS: *Making the most of $1,000/Section starts on back page!* **B12**

INSIDE
COMMUNITY, **B2**
OBITUARIES, **B5**
EDITORIAL, FORUM **B6,7**

DANA E. OLSEN/The Oregonian

Firefighters douse a wooden Burlington Northern railroad trestle that caught fire shortly before 6 a.m. Sunday. The hard-to-reach blaze off St. Helens Road attracted 130 firefighters and its intense heat twisted metal tracks into Z shapes.

130 fight canyon rail fire

■ The firefighters get water by train as flames char a hard-to-reach wooden trestle in Northwest Portland; the damage might top $1 million

From staff and wire reports

About 130 firefighters spent Sunday morning putting out a fire that charred a wooden train trestle in a canyon area of Northwest Portland and then threatened to flare again. Damages were estimated at $1 million.

There were no injuries.

The Portland Fire Bureau kept watch over the crumbling, smoldering structure Sunday afternoon. Spokesman Neil Heesacker said fresh crews would be dispatched to the site throughout the night.

A train crew discovered the fire, in a steep canyon a half-mile from St. Helens Road, about 6 a.m. Sunday. The Fire Bureau was notified at 7:30 a.m.

Firefighters had to travel dirt roads to get to the fire, far from a convenient water source.

Burlington Northern Railroad, which uses the trestle, shipped in three tanker cars carrying 50,000 gallons of water. The Fire Bureau borrowed three 4,000-gallon water trucks from the Portland Street Department.

Crews from the Fire Bureau, Burlington Northern, Skyline Fire District 28 and U.S. Forest Service also used foam and dug a fire line to contain the flames.

The cause of the fire was under investigation, Heesacker said. But someone near the trestle reported hearing train brakes and cars slamming together during the night.

Circumstances of the fire were not suspicious, Heesacker added.

The fire never threatened nearby homes on Burlington Drive and Wapato Drive, he said. But neighbors, including Julie Morrow, worried they might be evacuated.

"The first thing we did is get the kids dressed and ready to go if we needed to go," she said, "and then we packed up the photo albums into the car and pointed down the street."

The trestle, 487 feet long and 90 feet above the canyon floor, is on the old Oregon Electric South line, now used by Burlington Northern as its main freight line from Portland into the Willamette Valley.

The fire fed on the trestle's creosote timbers, twisting the rails into Z shapes. Despite its intensity, few people saw flames or smoke because morning fog blanketed the canyon.

Firefighters contained the fire by late morning, and dispatchers began recalling crews at 11:25 a.m.

Railroad deal provides Tri-Met with westside light-rail route

■ The transit agency will use Burlington Northern's right of way for the line through Beaverton and Hillsboro

By GORDON OLIVER
of The Oregonian staff

Tri-Met has made a $10 million deal with three railroads that gives the agency Burlington Northern's tracks for light rail through Beaverton and Hillsboro.

The agreement opens the way for Tri-Met to build light rail on Burlington Northern's right of way instead of having to buy and build next to the freight tracks.

Tri-Met will pay $10 million to get the right of way. It figured to spend almost that much to buy land and build new tracks, making the new deal a financial wash.

But Tri-Met gets something it wanted — elimination of side-by-side trains that could create safety problems at light-rail stations.

And the agency won't have to build unsightly walls between the light rail and Burlington Northern trains.

The agreement involves Tri-Met and Burlington Northern, Southern Pacific and Union Pacific railroads. Tri-Met officials had tried for three years to work out a deal without success, and they had declared the idea dead.

"I was convinced six weeks ago that it couldn't happen," said Tri-Met General Manager Tom Walsh.

But Burlington Northern Chairman Gerald Grinstein, a former Seattle attorney, offered to meet in early May with Walsh.

That meeting led to talks by all parties that produced a deal that is still not official, although all sides have made informal agreements.

Here's how it works:

■ Burlington Northern will abandon its tracks along the MAX alignment from Southwest Murray Boulevard in Beaverton to Southwest 216th Avenue in Hillsboro.

The railroad will also scrap its line along Cornelius Pass, which includes a tunnel and an old trestle that create high maintenance and operations costs for Burlington Northern.

The railroad will instead use Southern Pacific's line through Portland and can double back its trains northward at Tualatin to reach customers in Washington County.

Burlington Northern no longer needs a controversial connection through a wetlands in Tualatin, discussed as part of an earlier deal, because its through trains will be running on Southern Pacific tracks east of the Willamette River. Tri-Met will spend about $1 million to improve Burlington Northern tracks.

■ Tri-Met will pay Union Pacific $2.8 million for letting Burlington Northern use the Steel Bridge, which UP owns.

At first, Union Pacific demanded that Burlington Northern improve rail operations in Tacoma to eliminate a bottleneck for Union Pacific trains, but it agreed to take the $2.8 million from Tri-Met instead.

The dollar figure is based on UP's estimate of its losses over 20 years in Tacoma because of delays in Tacoma caused by BN operations, said Lyndon A.S. "Tuck" Wilson, Tri-Met's light-rail construction manager.

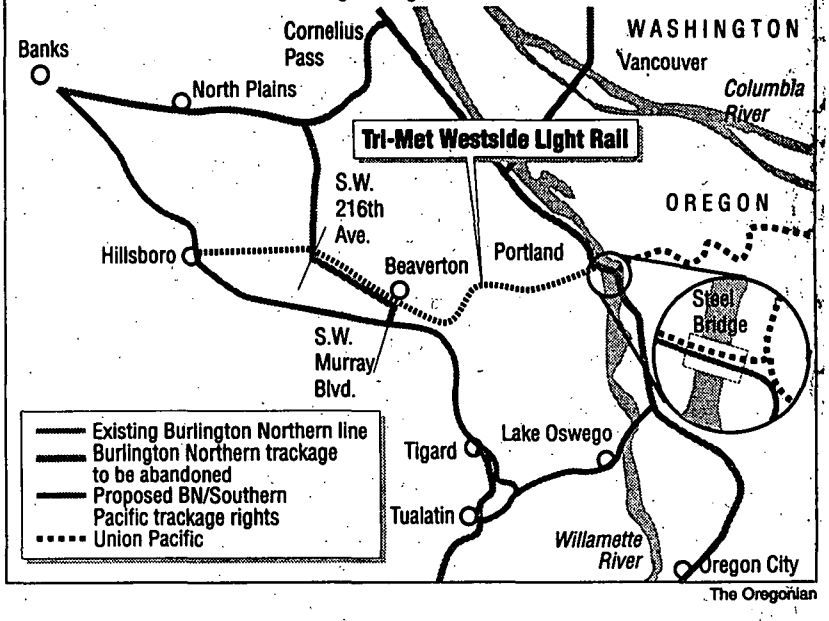
Union Pacific will spend the money on improvements in the Portland area, Wilson said. Tri-Met will also spend about $640,000 on improvements east of the Steel Bridge.

■ Tri-Met has agreed to pay Southern Pacific $3 million for letting Burlington Northern use its tracks through Portland, and it will spend about $1.5 million on track improvements. Burlington Northern will move trains back to its own tracks a few miles north of Salem.

Tri — Met's budget for westside light rail contained enough money to buy property and build tracks alongside the Burlington Northern alignment. Wilson said he expects the Federal Transit Administration, which is paying 75 percent of the westside light rail construction costs, to go along with spending money on the railroad package deal instead.

THE TRI-MET DEAL

Tri-Met will take over the Burlington Northern right of way between Southwest Murray Boulevard in Beaverton and Southwest 216th Avenue near Hillsboro. Burlington Northern will run its trains through Portland on Southern Pacific's mainline and the Steel Bridge, owned by Union Pacific. The railroad will abandon its line on the Cornelius Pass and will reach its Washington County customers on a Southern Pacific line running through Tualatin.



The Oregonian

Appendix J

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797

METRO

November 2, 1994

Mr. Leroy Hall,
Director-System Administration
Burlington Northern RR Co.
2000 First Interstate Center
Seattle, WA 98104

SUBJECT: LETTER OF INTRODUCTION REFERENCE FEASIBILITY STUDY

Dear Mr. Hall:

With knowledge gained from the State of Oregon that Burlington Northern RR Co. may file for abandonment for the rail road line segment from United Junction to Bowers Junction, Washington County, Oregon, Metro is conducting a study regarding the feasibility of converting the segment into a hiking/bicycling trail. The trail could potentially connect with other regionally significant trails and planned trails.

Metro is working closely with Oregon State Parks, City of Portland Parks and Recreation and other park agencies in the region to plan and build a regional trails system. Upon receiving notice of abandonment, Metro or Oregon State Parks will file for rail banking.

We have provided notice of this study in previous correspondence to Burlington Northern RR Co. Metro has since hired David Evans and Associates, Inc. to prepare the feasibility study. Through this letter we are asking permission for study personnel to visit the property, and seeking Burlington's cooperation when they request mapping and other information on the line segment.

Authorization for access and cooperation would be greatly appreciated in order that we may continue the study.

Please also note that Metro sent a letter to the Burlington Northern Railroad Co. last June regarding our interest in the potentially abandoned line. Metro staff also spoke by telephone, with Burlington Northern Railroad Co. staff in Fort Worth, Texas about our interest. If you have questions, please feel free to call at (503) 797-1731.

Sincerely,

Mel Huie

Mel Huie,
Senior Regional Planner
Metro Regional Parks and Greenspaces

enclosure

CC: Charles Ciecko, Director, Metro Regional Parks and Greenspaces
Larry Shaw, Senior Assistant Counsel, Metro, Office of General Counsel

Bn.ltr
MH/mb

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1760 | FAX 503 797 1797

METRO

June 21, 1994

Gerald Grinstein
Chairman and Chief Executive Officer
Burlington Northern Railroad
777 Main Street
2900 Continental Plaza
Fort Worth, Texas 76102

Dear Mr. Grinstein:

Subject: Possible abandonment of Burlington Northern trackage in Multnomah and Washington Counties, Oregon

Metro, a regional agency serving the Portland, Oregon metropolitan area, and Oregon Parks and Recreation Department are interested in acquiring the United Junction to Bowers Junction line through a rail-banking arrangement with Burlington Northern. We are also interested in working with State Parks and TRI-MET, the region's public transit agency, on a similar arrangement for the Cornell Road to Murray Boulevard section.

Metro and State Parks will shortly commence a rails-to-trails feasibility study regarding these potential abandonments. We expect to issue a request for qualifications in July with a contract executed in September. We hope to work closely with Burlington Northern on this study and would greatly appreciate any cooperation that you may be able to provide.

Mel Huie is the project manager for this study. He may be reached at (503) 797-1731. Please advise of the appropriate contact at Burlington Northern with whom Mel should work.

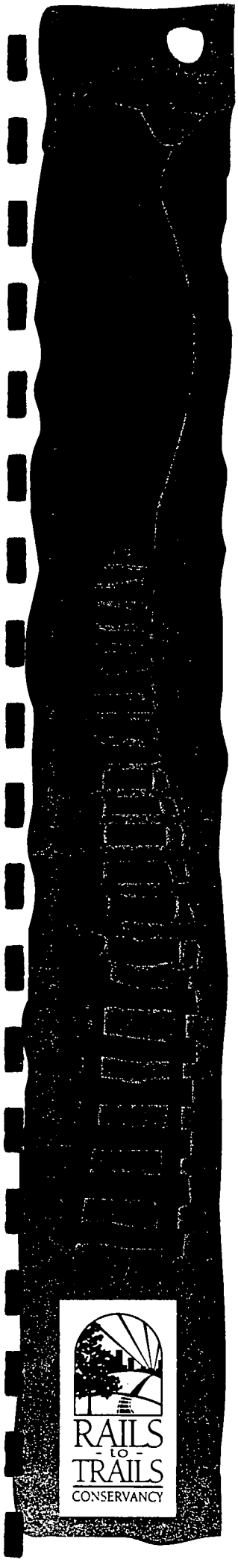
Thank you for your assistance.

Sincerely,

Rena Cusma
Executive Officer

cc: Terry Moore, Metro Council
Andy Cotugno, Metro Planning
Mel Huie, Metro Parks and Greenspaces
Pete Bond, Oregon State Parks
Ed Immel, Oregon Department of Transportation
Tuck Wilson, Tri-Met

Appendix K



RAILS-TO-TRAILS CONSERVANCY

RAILBANKING

What, Where, Why, When and How?

In 1983, concerned by the rapid contraction of America's rail network, the United States Congress amended the National Trails System Act to create the railbanking program. Railbanking is a method by which lines proposed for abandonment can be preserved through interim conversion to trail use.

If the title to an about-to-be-abandoned rail corridor is in question and there is any interest in trail use, the line should be railbanked to ensure that the opportunity is not lost. On the reverse side of this fact sheet is a 'boilerplate' letter that can be used to file a railbanking and public use condition request with the Interstate Commerce Commission.

Some rail corridors contain reversions to adjacent landowners which become effective as soon as the abandonment is consummated. However, if the line is railbanked, the corridor is treated as if it were not abandoned. As a result, the integrity of the corridor is maintained and any reversions that could break it up into small pieces are prevented.

Railbanking can be requested by either a public agency or a qualified private organization. The railbanking request must be sent to the Interstate Commerce Commission in Washington, D.C., and must at the very minimum include a "Statement of Willingness to Assume Financial Responsibility" (see reverse side). Since the abandoning railroad company must agree to negotiate a railbanking agreement, a copy of the request for railbanking must be served on the railroad at the same time it is sent to the ICC.

A Public Use Condition (PUC) is different but complementary to a request for railbanking. If a PUC request is made to the ICC, the Commission will place a restriction on the abandonment, which prevents the railroad company from selling off or otherwise disposing of any property or trail-related structures such as bridges or culverts for a period of 180 days from the effective date of the abandonment. This public use condition gives the prospective trail manager some breathing room for preparing an offer to the railroad. (The public use condition is also a good back-up device should the railroad not agree to railbanking since the ICC will issue public use conditions regardless of whether the railroad agrees.)

There are several other important points regarding railbanking:

1. A railbanking request is not a contract and does not commit the interested party to acquire any property or to accept any liability. It invites negotiation with the railroad company under the umbrella of railbanking. A party filing a "Statement of Willingness to Assume Financial Responsibility is not accepting any financial responsibility. It is merely expressing an interest in possibly doing so.
2. The tracks and ties on a railbanked line can be removed. However, bridges and trestles must remain in place, and no permanent structures can be built on the right-of-way.
3. Under railbanking, there will likely still be an actual sale of the property and the railroad will likely still want compensation. Railbanking is not generally a method for obtaining a free trail.
4. A railbanked line is subject to possible future restoration of rail service. Any railroad can apply to the ICC to resume rail service on a railbanked corridor. However, if the ICC restores rail service, the trail agency is entitled to fair market value for the corridor. The terms and conditions of a transfer back to rail service would be determined by the ICC.
5. The attached letter can only be filed on a rail line that is still under the authority of the ICC. Generally, the ICC loses authority 30 days after the effective date of an abandonment.

A more thorough discussion of railbanking and other legal issues related to rails-to-trails conversions is available in ***Secrets of Successful Rail-Trails: An Acquisition and Organizing Manual for Converting Rails into Trails,*** which is available from RTC for $19.95 ($16.95 for RTC members) plus $4.00 for shipping and handling.

For text of "boilerplate" letter, see other side.

RAILS-TO-TRAILS CONSERVANCY ◆ 1400 Sixteenth Street, NW, Suite 300, Washington, DC 20036
(202) 797-5400 ◆ FAX (202) 797-5411

The following letter requests both a public use condition and railbanking. The items In Italics are to be completed by the prospective trail agency or group.

[*Date*]

Mr. Sidney L. Strickland, Jr.
Secretary
Interstate Commerce Commission
12th & Constitution Ave., NW
Washington, DC 20423

Re: [*Name of Railroad Company*]-Abandonment-[*Name of County and State*] AB-*xx* (Sub-no. *yy*) [ICC Docket Number]

Dear Mr. Strickland:

This comment should be treated as a protest or a petition for reconsideration in the above-captioned proceeding. This comment is filed on behalf of [*Agency Name*] which is a [*political subdivision or government agency interested in transportation and/or natural resources, private public interest organization interested in conservation and/or recreation, etc.*], which is hereinafter referred to as 'Commenter'.

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between [*endpoint a*] and [*endpoint b*].

A. Public Use Condition

Commenter requests the ICC to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. The justification for this condition is that [***example: the rail corridor in question is along a scenic river and will connect a public park to a major residential area. The corridor would make an excellent recreational trail and conversion of the property to trail use is in accordance with local plans. In addition, the corridor provides important wildlife habitat and greenspace and its preservation as a recreational trail is consistent with that end.***] The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because [***example: we have not had an opportunity to assemble or to review title information, complete a trail plan or commence negotiations with the carrier.***]
2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use.

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, Commenter also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. §____ 1247(d), and 49 C.F.R. §____ 1152.29, [Agency Name] is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by [Name of Railroad Company] and operated by _____.

The property, known as the _____ extends from railroad milepost _ near ____ to railroad milepost [endpoint a] near [endpoint b] a distance of _ miles in -County, ___. The right-of-way is part of a line of railroad proposed for abandonment in ICC Docket No. AB-xx (Sub-no. yy).

A map depicting the right-of-way is attached.

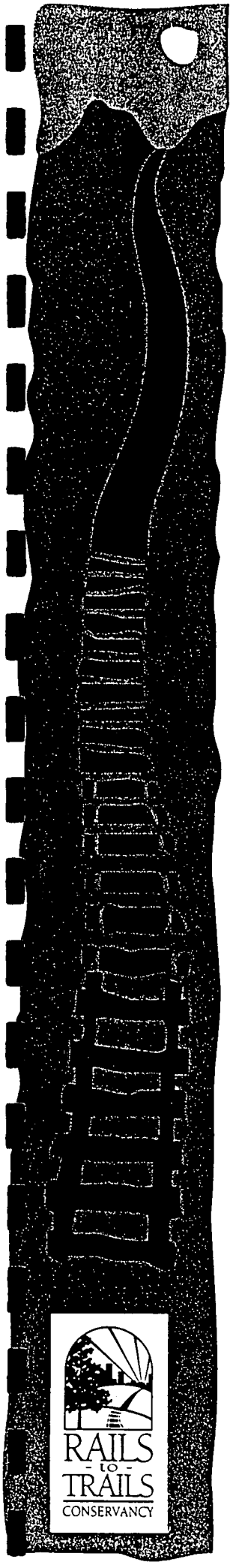
[Agency Name] acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon [*Railroad Company and address*], by U.S. Mail, postage prepaid, first class, this _ day of 19_.

Respectfully submitted,

_____
Name

on behalf of: _____



RAIL-TRAIL Q & A

The 12 Most Frequently Asked Questions About Rail-Trails

What is a rail-trail?

Rail-trails are multi-purpose public paths created from abandoned railroad corridors. Flat or following a gentle grade, they traverse urban, suburban and rural America. Ideal for many uses, such as bicycling, walking, horseback riding, in-line skating, cross-country skiing and wheelchair recreation, rail-trails are extremely popular as recreation and transportation corridors. To date, more than 7,000 miles of rail-trails have been created across the country. Rail-trails also serve as historic and wildlife conservation corridors, linking isolated parks and creating greenways through developed areas. They also may stimulate local economies by increasing tourism and promoting local business.

Do rail-trails encourage railroad abandonment?

No. Rail-trails are built after all possibilities for continued rail service have been exhausted. Rail-trails preserve the linear corridor in public ownership and provide the silver lining to the tragic decline in the nation's railroad network, still one of the most environmentally sound forms of transportation.

What does 'abandoned' mean?

A railroad corridor is generally considered abandoned when:

(1) rail service is discontinued; (2) the Interstate Commerce Commission (ICC) officially approves the abandonment; and (3) tariffs (pay-schedules) are canceled. A rail corridor can be legally abandoned even if the tracks and ties are still in place. Conversely, even if the tracks are out it might not be legally abandoned.

Are the tracks and ties left in place when a trail is created?

No. After abandonment the railroad company usually removes the tracks and ties for salvage. Generally the corridor is then re-graded with the original ballast left behind by the railroad. Many trails are later surfaced with asphalt, crushed stone, wood chips or another material appropriate for the intended trail uses.

How can I find out if a corridor is actually abandoned?

This is sometimes harder than you might think. In most cases you can find out through the Rail Office of your state Department of Transportation. You might also be able to find out through the railroad, although you may need to get a high-quality historical map from your library to determine the railroad that operated on that line. *To learn more about converting abandoned corridors into trails — and to get a listing of key agency contacts in each state — order a copy of* **Secrets of Successful Rail-Trails: An Acquisition and Organizing Manual for Converting Rails into Trails** *from the Rails-to-Trails Conservancy ($19.95, $16.95 for RTC members, plus $4.00 shipping and handling).*

What is 'railbanking?'

Railbanking (as defined by the National Trails System Act, 16 USC 1247(d)) is a voluntary agreement between a railroad company and a trail agency to use an out-of-service rail corridor as a trail until some railroad might need the corridor again for rail service. Because a railbanked corridor is not considered abandoned, it can be sold, leased or donated to a trail manager without reverting to adjacent landowners.

Who owns the abandoned corridor before it becomes a trail?

Ownership of a rail corridor is generally mixed, often including the railroad, federal, state or local governments, as well as adjacent landowners. Historically, when the railroad built a line it bought some of the land and leased the rest from adjacent landowners or the federal government. When abandoned, a corridor may revert to the lease holders and, in effect, be owned by many people.

-over-

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(202) 797-5400 ◆ FAX (202) 797-5411

What is a 'public use condition' and a 'notice of interim trail use'?

Both are documents that can be issued by the ICC during the abandonment process. A public use condition (PUC) gives public agencies the exclusive right to negotiate for 180 days with the railroad for purchase of an abandoned corridor. During this time, bridges, culverts, surface material, and any other features essential to building a trail must be kept intact. A notice of interim trail use (NITU) permits the railroad and trail manager to negotiate for railbanking and use of the line for a trail.

What happens to the bridges or tunnels, and what about road crossings?

Ideally, bridges and tunnels are left intact after abandonment so that the trail agency need only add wooden decking, appropriate railings and other safety features. Although road crossings tend to be relatively few and far between on most rail lines, they must be properly striped and signed for both trail and road users. *To learn about all aspects of rail-trail design, including surfacing materials, width, plantings, crossings and amenities, order a copy of* **Trails for the Twenty-First Century: A Planning, Design, and Management Manual for Multi-Use Trails** *from the Rails-to-Trails Conservancy ($24.95 plus $4 shipping and handling).*

Who builds the trail?

In most cases, the public agency that buys or manages the corridor builds the trail as well. The agency either develops it using its own labor and equipment or hires an independent construction company. In a few cases, a group of citizen volunteers has constructed a trail.

Who manages the trail?

Trails are generally managed by local, state or federal government agencies, but some are operated by other types of organizations, including non-profit "friends of the trail" citizen groups, land trusts and community foundations.

Where are the trails located?

As of July 1994, RTC has identified more than 615 rail-trails in 45 states. An additional 650 rail-trail projects are in progress, with new projects beginning each month. *For a directory of 500 of the best rail-trails, order RTC's* **500 Great Rail-Trails**, *available for $9.95 ($7.95 for RTC members), plus $4.00 shipping and handling.* If you order more than one RTC publication, include $4 shipping and handling for the first book and $1 for shipping each additional book.

I want to get involved! Where do I start?

If you're not a member of Rails-to-Trails Conservancy, now is the time to become one! As a non-profit public charity, Rails-to-Trails Conservancy is wholly supported by its membership. Help make our vision a reality by joining today at one of the following membership levels: regular ($18); supporting ($25); patron ($50); benefactor ($100); advocate ($500); or Trailblazer Society ($1,000).