

 **Metro** | *Agenda*

Meeting: Metro Council
Date: Thursday, Sept, 8, 2011
Time: 2 p.m.
Place: Metro Council Chambers

CALL TO ORDER AND ROLL CALL

1. **INTRODUCTIONS**
2. **CITIZEN COMMUNICATIONS**
3. **NATURAL AREAS PROGRAM PERFORMANCE OVERSIGHT COMMITTEE ANNUAL REPORT** **Brennan-Hunter**
4. **CONSIDERATION OF THE MINUTES FOR AUGUST 11, 2011**
5. **RESOLUTIONS**
- 5.1 **Resolution No. 11-4289**, For the Purpose of Confirming the Appointment of Martha Bennett as Metro Chief Operating Officer. **Hughes**
- 5.2 **Resolution No. 11-4288**, For the Purpose of Authorizing the Council President to Sign the Final Environmental Impact Statement for the Columbia River Crossing Project. **Hughes**
6. **CHIEF OPERATING OFFICER COMMUNICATION**
7. **COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for Sept. 8, 2011 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 11 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> 2 p.m. Thursday, Sept. 8 (Live)</p>	<p>Portland Channel 11 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 <i>Date:</i> 8:30 p.m. Sunday, Sept. 11 <i>Date:</i> 2 p.m. Monday, Sept. 12</p>
<p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> 2 p.m. Monday, Sept. 12</p>	<p>Washington County Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> 11 p.m. Saturday, Sept. 10 <i>Date:</i> 11 p.m. Sunday, Sept. 11 <i>Date:</i> 6 a.m. Tuesday, Sept. 13 <i>Date:</i> 4 p.m. Wednesday, Sept. 14</p>
<p>Oregon City, Gladstone Channel 28 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>	<p>West Linn Channel 30 – Willamette Falls Television <i>Web site:</i> http://www.wftvmedia.org/ <i>Ph:</i> 503-650-0275 Call or visit web site for program times.</p>

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 503-797-1804 or 503-797-1540 (Council Office).

Agenda Item Number 3.0

**Natural Areas Program Performance
Oversight Committee Annual Report**

Metro Council Meeting
Thursday, Sept. 8, 2011
Metro Council Chamber

Agenda Item Number 4.0

Consideration of the Minutes for August 11, 2011

Metro Council Meeting
Thursday, Sept. 8, 2011
Metro Council Chamber



METRO COUNCIL MEETING

Meeting Summary

August 11, 2011

Metro Council Chambers

Councilors Present: Council President Tom Hughes and Councilors Carl Hosticka, Barbara Roberts, Carlotta Collette, Rex Burkholder, Kathryn Harrington and Shirley Craddick

Councilors Excused: None

Council President Tom Hughes convened the regular Council meeting at 2:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Marianne Shannon, 3365 SE Floss St., Milwaukie: Ms. Shannon addressed the Council on the Oregon Zoo's service animal policy. Ms. Shannon believed that the Zoo's policy, as currently practice, is out of compliance with multiple ADA requirements. She is willing to work with the Metro Council and Zoo staff to resolved this issue.

Staff and legal counsel will to review the ADA requirements and the Zoo's policy and provide written response to the Council as well as meet with Ms. Shannon to discuss the Zoo's policy and position.

3. CONSIDERATION OF THE MINUTES FOR AUGUST 4, 2011

Motion:	Councilor Kathryn Harrington moved to adopt the August 4, 2011 Council minutes.
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Vote:	Council President Hughes and Councilors Hosticka, Collette, Roberts, Harrington, Craddick, and Burkholder voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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4. ORDINANCES – SECOND READING

4.1 **Ordinance No. 11-1263**, For the Purpose of Amending the FY 2011-12 Budget and Appropriations Schedule to Remodel Metro Regional Center to Accommodate the Consolidation of MERC and Metro Business Services and Declaring an Emergency.

Motion:	Councilor Rex Burkholder moved to adopt Ordinance No. 11-1263.
Second:	Councilor Carlotta Collette seconded the motion.

Councilor Burkholder introduced Ordinance No. 11-1263. In March 2010, a series of recommendations were made regarding improvements and efficiencies which could be obtained through standardization of business practices and consolidation of MERC and Metro personnel into one central support services group. As of July 2010, former MERC business office staff formally report to the Metro central service areas: Finance and Regulatory Services, Human Resources, and Information Services. However, due to limited space, staff is still physically divided between the Metro Regional Center and Oregon Convention Center.

The ordinance, if adopted, would approve a one-time expenditure to complete necessary remodeling to accommodate the consolidation of Human Resources and Finance personnel. The proposed remodel, which yields the most space for the least cost, is proposed to be drawn down from the 2.66 percent of the budget contingency.

Council President Hughes opened a public hearing on Ordinance No. 11-1263. Seeing no citizens who wished to testify, the public hearing was closed.

Vote:

Council President Hughes and Councilors Hosticka, Collette, Roberts, Harrington, Craddick, and Burkholder voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .

5. **RESOLUTIONS**

5.1 **Resolution No. 11-4280**, For the Purpose of Amending the 1998 Land Use Final Order for the South/North Light Rail Project and Adopting a Land Use Final Order the Expo Center/Hayden Island Segment of the Project Including the I-5 Columbia River Crossing Bridge and Associated Highway Improvements.

Council President Hughes provided an opening statement for the South/North Light Rail Project Columbia River Crossing segment. The resolution, if adopted, would include the approval of TriMet's application to amend the original South/North Land Use Final Order (LUFO) which the Metro Council adopted in 1998 by Resolution No. 98-2673. Council President Hughes highlighted the amendments for Council consideration:

1. Modify portions of the Expo Center and Hayden Island segments of the South/North project from approximately the Expo Center and Victory Blvd. To the Oregon/Washington state line, including realignment of the light rail route, relocation of the Hayden Island rail station, and highway improvements including new I-5 Columbia River bridges, and modify I-5 interchanges and local access and circulation improvements.
2. Expand and improve Ruby Junction Maintenance Facility in Gresham within previously established boundaries to accommodate new light rail vehicles associated with the Columbia River Crossing project.

Additionally, the resolution, as currently proposed would authorize the Metro Council President to sign the Final Environmental Impact Statement (FEIS). Signatures by the participating agencies, including President Hughes, would release the FEIS for public comment. The Council President's signature does not indicate Council approval of the project's FEIS.

President Hughes overviewed the LUFO and House Bill 3478 requirements and emphasized that the action before the Council is consideration of a land use decision. Decision on how to build and finance the project will be made by other bodies.

Ms. Alison Kean Campbell of Metro overviewed HB 3478's procedural requirements and President Hughes overviewed the hearing procedures.

Motion:	Councilor Rex Burkholder moved to adopt Resolution No. 11-4280.
Second:	Councilor Harrington seconded the motion.

Councilor Burkholder, with assistance from Mr. Andy Cotugno, introduced Resolution No. 11-4280 which if adopted would approve the LUFO amendment and the adoption of land use findings of fact in support of the LUFO amendment. Mr. Cotugno provided a brief project history and next steps.

Council President Hughes opened a public hearing at 2:33 p.m. on Resolution No. 11-4280:

Mr. Dan Blocker of TriMet overviewed the proposed light rail components and updates since the approved 1998 LUFO, and highlighted some of the associated benefits. Mr. Matt Garrett of the Oregon Department of Transportation emphasized the linkages between the project's transit and highway components, discussed the collaboration and partnership on the application, and briefly overviewed the benefits of the proposed highway improvements. Mr. Steve Witter, of the CRC project, overviewed the original South/North alignment and LUFO, project's purpose, need and components, and highlighted project design refinements.

Council discussion and clarifications included:

- The scope of the project's Findings of Facts; specifically in regards to impacts to local neighborhoods caused by highway or light rail construction.
- The project's location outside the existing Urban Growth Boundary, but within Metro's service district. While the project exists outside the Metro region's UGB, the original project was approved to the Oregon state line.

Additional discussion included LUFO approvers and signers, finance plan next steps, and components of the FEIS.

Verbal testimony included:

- Joe Rowe, One Person Lobby: Mr. Rowe was opposed to the resolution and expressed his intent to appeal the resolution if approved. He viewed the CRC as being a highway expansion project versus a project that provides highway improvements. He invited councilors and the public to attend a people's debate on October 29, 2011. (Written testimony included as part of the meeting record.)
- Dan McFarling, AORTA: Mr. McFarling was opposed to the resolution stating that the LUFO is not applicable for the project as proposed, and that the local access bridge required has no physical connection with the Interstate. He was in support of the Common Sense Alternative citing reduced costs, improved traffic flow, established short and long-term family-wage jobs, and a healthier environment as reasoning. (Written testimony included as part of the meeting record.)
- Jim Howell, AORTA: Mr. Howell was opposed to the resolution stating that the project definition is far too broad. He stated that light rail can be extended north within the

existing UGB without modifying the Interstate and therefore the highway improvements should be excluded. He recommended that the project scope be narrowed. (Written testimony included as part of the meeting record.)

- Joseph Cortright, Impresa Inc.: Mr. Cortright was opposed to the resolution. He focused his testimony on the project's finance plan. He stated that (1) the CRC project financing is uncertain; (2) there is a lack of assurance that the project can be built for the currently budgeted amount; and (3) the CRC traffic model projections are inaccurate. (Written testimony included as part of the meeting record.)

Council discussion included the traffic technical report's accuracy and the model's ability to be used for a tolled facility.

- Chris Girard, Plaid Pantries, Inc.: Mr. Girard was opposed to the resolution stating that the project under consideration is in effect a "No build" option as he believed could not be funded as currently proposed. He encouraged the Council to send the proposal back to TriMet and CRC staff to develop a phaseable, affordable, financeable and buildable solution. (Written testimony included as part of the meeting record.)

Council members noted that a state legislative committee has been established to review the project, including the finance plan.

- Evan Manvel, 4047 NE 14th Ave., Portland: Mr. Manvel was opposed to the resolution stating that finance sequencing plan has not been reviewed and the environmental and traffic impacts have yet to be determined. He was concerned with the accuracy of the traffic model and faulty data. He emphasized that public support for the project has shifted. Mr. Manvel also commented on a letter he co-submitted on behalf of Bike Walk Vote that addressed the reduced bike facilities/infrastructure – he used the entrance to Vancouver, WA as an example.
- Michael Lilly, Attorney for Plaid Pantries, Inc.: Mr. Lilly was opposed to the resolution, stating that TriMet's LUFO application seeks Metro's approval of a bridge that is outside Metro's authority as established under HB 3478. He stated that the project is essentially a "No Build" option and emphasized the need to consider economic and traffic impacts to the region. (Written testimony included as part of the meeting record.)
- Ronald Buel, 2817 NE 19th Ave., Portland: Mr. Buel was opposed to the resolution, stating that the project cannot be financed as currently proposed and that approval of the LUFO would prevent better, faster, less expensive project alternatives. He stated that the FEIS would be appealed. (Written testimony included as part of the meeting record.)
- Pamela Ferguson, Hayden Island Manufactured Home Community: Ms. Ferguson was in support of constructing light rail to and through Hayden Island; however, she was concerned with impacts to her community including displacement of the local Safeway. She was in support of building a local access bridge first. She also requested that the LUFO describe more of the impacts to the local community. (Written testimony included as part of the meeting record.)

Council discussion included the environmental justice community residents' needs, local jobs, potential enhancement grant fund, and Target's ability to provide food/grocery needs for the community.

- John Mohlis, Oregon Building Trades Council: Mr. Moholis was in support of the resolution citing job creation as reasoning. (Written testimony included as part of the meeting record.)
- Art Lewellan: 1020 NW 9th, Apt. #604, Portland: Mr. Lewellan was opposed to the resolution. He was in support of Concept #1 regarding the Hayden Island Interchange and off-island access. He cited reduced cost as reasoning. (Written testimony included as part of the meeting record.)
- Donna Murphy, Hayden Island Livability Project: Ms. Murphy was not opposed to the CRC project or light rail, but was concerned that the project did not reflect the impacts to her community. She was concerned with the displacement of Safeway, mobility impacts and difficulties qualifying for paratransit (i.e. TriMet LIFT service), outdated census data, and short and long-term impacts such as noise, vibrations and fumes. She was concerned that while the project claims to protect the community in the LUFO, it does not indicate what types of protection will be provided; she emphasized that mitigation efforts need to begin now. (Written testimony included as part of the meeting record.)
- Deborah Heckhausen, Hayden Island Livability Project: Ms. Heckhausen was not opposed to the project, but believed the LUFO inadequately addressed the impacts to neighborhoods nor did it identify specific mitigation efforts. She emphasized concerns with mobility for the elderly and disabled and impacts to emergency vehicles response times and access during construction.
- Sharon Nasset, 1113 N. Baldwin, Portland: Ms. Nasset was opposed to the resolution stating that Oregon and Washington state legislatures have yet convened to a project oversight committee and are not anticipated to until late September. She stated that federal guidelines require high capacity transit service to be within ½ mile of a station; she was specifically concerned with the Rivergate and Delta Park areas. She requested a map be provided that illustrates the locations of anticipated employment and housing and which light rail stations will provide service. (Written testimony included as part of the meeting record.)
- Joe Smith, 2211 NE 21st, Portland: Mr. Smith was opposed to the resolution and stated that the project did not adequately address impacts to freight mobility. He was concerned with the cost of the project and believed that if the project continued on the same path, it would not be built soon. He appreciated the opportunity to testify and participate in future proceedings.
- Mara Gross, Coalition for a Livable Future: Ms. Gross was opposed to the resolution. She highlighted media articles that addressed reductions in the project's projected job creation, lack of budget oversight and spending tracking, problems fulfilling records requests, a flawed model as related to traffic volumes and tolls, misestimated employment and population growth forecasts, and lack of uncertainty at the federal level for transportation investments. She emphasized that there is still a lot unknown

about the project and that not all of the Council's concerns have been addressed. (Written testimony included as part of the meeting record.)

- Corky Collier, Columbia Corridor Association: Mr. Collier was in support of the resolution and emphasized the 70 percent of the population that is in support of the Council taking action. He emphasized the project's collaborative approach and that work would continue to address outstanding questions, such as the enhancement fund.

The public hearing for written comments was closed at 4:34 p.m.

The council recessed for a 15-minute break to provide time for TriMet, CRC and Metro staff to discuss testimony received and appropriately respond to concerns and/or questions raised.

Mr. Mark Greenfield, of TriMet, overviewed the revised Findings of Facts. Updates included additional and/or new information on tolling, traffic demand models, traffic patterns and impacts as referenced by Plaid Pantries, Inc. and Burger King, and the anticipated newly remodel Target store. He stated that HB 3478 and Senate Bill 573 anticipated that highway improvements would be required at some point and emphasized the linkages between the light rail and highway project components. Additional discussion and/or clarifications included a no-build alternative versus proposed project, the Oregon state Treasures' report, special sessions law, mitigation efforts and use of the 2000 census data.

Council discussion included criteria for mitigation efforts and Metro's role and/or authority, past comparable mitigation and compensation efforts (i.e. WES), Metro's model, the project's finance plan and possible funding sources (i.e. state, federal and tolling), the project's public involvement strategy, noise and vibration impacts, and potential financial impacts to other regional projects should the CRC be funded. Additional discussion included ODOT staff's ability to encourage, but not mandate, displaced businesses to relocate close to their original location (e.g. Safeway). TriMet and CRC staff clarified the differences between the LUFO and FEIS components, level of detail, and timing. Staff clarified that the FEIS had not yet been released to the public; approval from each of the signing agencies is required to release the document for public comment. That said, a version of the FEIS was leaked to the public through a citizen public records request.

Ms. Kean Campbell and Mr. Dick Benner of Metro conferred and agreed that there were no new substantive facts presented. However, staff requested a recess to further discuss points and concerns raised and to further revise the Findings of Facts.

Council President Hughes closed the public hearing for all testimony at 6:28 p.m. The Council recessed for a 20-minute break.

Mr. Greenberg and Mr. Benner distributed revised errata sheets for Pages 45, 50, and 55. Revisions reflected Council discussion and public comment regarding impacts (i.e. noise, vibrations and dust) to Hayden Island residents and businesses, access to facilities, Safeway's displacement, and potential mitigation efforts, such as shuttle service, for impacted low-income Island residents that rely on services formally provided by Safeway. The changes also address the relationship between the highway and light rail improvements.

Councilor Hosticka requested that staff's proposed revisions to the Findings of Facts, Page 45, be amended to read, "...Initially the Council finds that for some of these businesses located on Hayden

Island, the roadway modifications resulting in these impacts are consistent with the City of Portland's adopted Hayden Island Plan, ~~and that testimony objecting to the provisions of that plan constitutes an unlawful collateral attack on that plan.~~ That stated the Council finds..." The Council supported the revision.

Amendment #1:

Motion:	Councilor Barbara Roberts moved to amend Resolution No. 11-4280 to strike the third "BE IT RESOLVED" that reads, "Authorizes the Council President to sign the Final Environmental Impact Statement for the I-5 Columbia River Crossing Project."
Second:	Councilor Carl Hosticka seconded the motion.

Councilors expressed general support for the amendment; members emphasized that outstanding concerns, such as the enhancement grant fund, had not yet been addressed. In addition, members were supportive of having space between the LUFO and FEIS as generally practiced. Councilor Burkholder was opposed to the amendment, stating that he had faith that the ODOT team and partners would address the concerns raised. He requested that if the amendment passed, the Council reconsider signing the FEIS at their first meeting following Council recess, Sept. 8, 2011.

Vote:	Council President Hughes and Councilors Hosticka, Collette, Roberts, Harrington, and Craddick voted in support of the motion. Councilor Burkholder voted in opposition to the motion. The vote was 6 ayes, 1 nay, the motion <u>passed</u> .
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Council discussion on the motion, as amended, included the complexity of the CRC project and general support for light rail. Councilor Hosticka was not in support of the motion. While he did support the project's light rail component, he did not believe the criteria had been addressed. He emphasized (1) the scope of the affected communities was too narrow and highlighted that the area affected by the project's benefits was broaden, but the impacts minimized; (2) the social impacts the Hayden Island residents (i.e. Safeway displacement and mobility issues); and (3) the affects of tolling. Councilor Hosticka disclosed that he had lived on Hayden Island previously.

Vote:	Council President Hughes and Councilors Collette, Burkholder, Roberts, Harrington, and Craddick voted in support of the motion. Councilor Hosticka voted in opposition to the motion. The vote was 6 ayes, 1 nay, the motion <u>passed</u> .
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Council directed staff to continue work on the identified outstanding issues. Council consideration and vote, by resolution, to authorize the Council President to sign the CRC FEIS is anticipated for Sept. 8.

6. CHIEF OPERATING OFFICER COMMUNICATION

There was none.

7. COUNCILOR COMMUNICATION

Metro Council Meeting

8/11/11

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There were none.

8. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 7:46 p.m. The Metro Council will be on recess August 19 to September 5. Council will reconvene the next regular council meeting on Thursday, September 8 at 2 p.m. at Metro Council Chambers.

Prepared by,



Kelsey Newell,
Regional Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF AUGUST 11, 2011

Item	Topic	Doc. Date	Document Description	Doc. Number
3.0	Minutes	8/4/11	The Council summary for August 4, 2011	81111c-01
5.1	Handout	N/A	South/North Project Land Use Final Order Criteria	81111c-02
5.1	Handout	N/A	Resolution No. 11-4280: Land Use Final Order for Expo Center/Hayden Island Segment of South/North Light Rail Project – List of documents of Which the Metro Council Takes Official Notice	81111c-03
5.1	Report	N/A	Revised Findings of Fact and Conclusions of Law	81111c-04
5.1	Handout	8/11/11	Revised coversheet for Findings of Fact, Exhibit B	81111c-05
5.1	Errata Sheet	8/11/11	Findings of Fact, Pg. 45 – Errata Sheet	81111c-06
5.1	Errata Sheet	8/11/11	Findings of Fact, Pg. 55 – Errata Sheet	81111c-07
5.1	Resolution	8/11/11	Revised Resolution No. 11-4280	81111c-08
5.1	PowerPoint	8/11/11	“A Long-Term, Multimodal Solution” presented by Steve Witter	81111c-09
5.1	Testimony	8/11/11	Written testimony submitted by Joe Rowe	81111c-10
5.1	Testimony	8/11/11	Written testimony submitted by Dan McFarling	81111c-11
5.1	Testimony	8/11/11	Written testimony submitted by Jim Howell	81111c-12
5.1	Testimony	8/11/11	Written testimony submitted by Joe Cortright	81111c-13

5.1	Testimony	8/11/11	Written testimony submitted by Kay Williford	81111c-14
5.1	Testimony	8/11/11	Written testimony submitted by Chris Girard	81111c-15
5.1	Testimony	8/11/11	Written testimony submitted by Michael Lilly	81111c-16
5.1	Testimony	8/11/11	Written testimony submitted by Ron Buel	81111c-17
5.1	Testimony	8/11/11	Written testimony submitted by Pamela Ferguson	81111c-18
5.1	Testimony	8/11/11	Written testimony submitted by John Mohlis	81111c-19
5.1	Testimony	8/11/11	Written testimony submitted by Art Lewellan	81111c-20
5.1	Testimony	8/11/11	Written testimony submitted by Donna Murphy	81111c-21
5.1	Testimony	8/11/11	Written testimony submitted by Deborah Heckhausen	81111c-22
5.1	Testimony	8/11/11	Written testimony submitted by Herman Kachoid	81111c-23
5.1	Testimony	8/11/11	Written testimony submitted by Sharon Nasset	81111c-24
5.1	Testimony	8/11/11	Written testimony submitted by Joe Smith	81111c-25
5.1	Testimony	8/11/11	Written testimony submitted by Mara Gross	81111c-26
5.1	Testimony	8/11/11	Written testimony submitted by Jonathan Schlueter	81111c-27

5.1	Testimony	8/11/11	Written testimony submitted by Steven Pfeiffer	81111c-28
5.1	Testimony	8/8/11	Written testimony submitted by Jonathan Ater	81111c-29
5.1	Testimony	8/10/11	Written testimony submitted by Evan Manvel and Peter Welte	81111c-30
5.1	Testimony	8/11/11	Written testimony submitted by Chris Lopez	81111c-31
5.1	Testimony	8/9/11	Written testimony submitted by Tom Dana	81111c-32

Agenda Item Number 5.1

Resolution No. 11-4289, For the Purpose of Confirming
the Appointment of Martha Bennett as
Metro Chief Operating Officer.

Metro Council Meeting
Thursday, Sept. 8, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 11-4289
APPOINTMENT OF MARTHA BENNETT)
AS METRO CHIEF OPERATING OFFICER) Introduced by Council President Tom Hughes

WHEREAS, on February 24, 2011 the Metro Council adopted Resolution No. 11-4241 (“For the Purpose of Confirming the Appointment of Daniel B. Cooper as Acting Chief Operating Officer”) to fill the vacancy resulting from the former COO’s resignation effective March 15, 2011, and in that Resolution the Metro Council President appointed and the Metro Council confirmed an Acting Chief Operating Officer until a competitive process was completed to fill the Chief Operating Officer vacancy on a permanent basis; and

WHEREAS, the duties and responsibilities of the Chief Operating Officer are described and provided for in the Metro Charter and the Metro Code; and

WHEREAS, Section 2.20.020(a) of the Metro Code provides that the Chief Operating Officer shall be appointed by the Council President subject to confirmation by the Council by resolution, and that the Council President shall involve the Council in the hiring process; and

WHEREAS, a competitive hiring process was held for the position of Metro Chief Operating Officer and the Metro Council President has involved the Council in the hiring process; and

WHEREAS, on the basis of that competitive hiring process the Metro Council President has appointed Martha Bennett to serve as Chief Operating Officer subject to Council confirmation; and

WHEREAS, Martha Bennett is qualified to be the Chief Operating Officer under the Metro Code and has stated his/her intent to accept the position; and

WHEREAS, Metro Code Section 2.20.060 provides that the Chief Operating Officer shall receive such compensation as the Council shall fix by contract; and

WHEREAS the Metro Council President has negotiated a compensation and employment contract with Martha Bennett in the form attached hereto, subject to approval by the Metro Council; now therefore

BE IT RESOLVED by the Metro Council:

- 1. The appointment of Martha Bennett as Chief Operating Officer is confirmed; and
- 2. The Metro Council President is authorized to execute an employment agreement with Martha Bennett substantially similar in form to Exhibit A attached herein.

ADOPTED by the Metro Council this _____ day of _____ 2011.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Acting Metro Attorney

STAFF REPORT

FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF MARTHA BENNETT AS CHIEF OPERATING OFFICER

Date: September 8, 2011

Prepared by: Andy Shaw,
503-797-1746

BACKGROUND

On February 24, 2011 the Metro Council adopted Resolution No. 11-4241 (“For the Purpose of Confirming the Appointment of Daniel B. Cooper as Acting Chief Operating Officer”) to fill the vacancy resulting from the former Metro Chief Operating Officer’s resignation. In accordance with the Metro Charter and Metro Code, that resolution appointed and confirmed Daniel B. Cooper as the Acting Chief Operating Officer, effective March 15, 2011, until a competitive process could be completed to fill the Chief Operating Officer vacancy on a permanent basis.

A competitive hiring process ensued for the position of Metro Chief Operating Officer. That process included a wide group of stakeholders, including regional elected officials and city managers, private business leaders, citizens, all Metro Councilors, the MERC Commission, the Metro Senior Leadership team, and Metro staff. An extensive background check was conducted. On the basis of this competitive process the Metro Council President has appointed Martha Bennett to serve as Chief Operating Officer subject to Council confirmation. Subject to that confirmation, Metro has negotiated a compensation and employment contract with Martha Bennett in the form attached to the resolution.

ANALYSIS/INFORMATION

1. **Known Opposition** None
2. **Legal Antecedents** Metro Charter Chapter V, Section 25(1) and Metro Code Chapter 2.20 govern the creation, duties, powers, and other functions of the Metro Chief Operating Officer.

Metro Code Section 2.20.020(a) states that the Council President shall appoint the COO subject to confirmation by the Council by resolution, and that the Council President shall involve the Council in the hiring process. That section also states that the COO shall be chosen “solely on the basis of executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practice in respect to the duties of the office set forth in this Chapter.” That Code section also provides that at the time of appointment, the appointee need not be a resident of Clackamas, Multnomah, or Washington County, but that during the COO’s tenure of office shall reside within the boundaries of one of those counties.

Section 2.20.060 of the Metro Code provides that the Chief Operating Officer shall receive such compensation as the Council shall fix from time to time by contract.

3. **Anticipated Effects.** This appointment will fill the vacancy in the position of Chief Operating Officer, currently being filled on an interim basis.
4. **Budget Impacts.** The COO’s salary is in the current Metro budget.

RECOMMENDED ACTION

Council President Hughes recommends adoption of Resolution No. 11-4289.

Agenda Item Number 5.2

Resolution No. 11-4288, For the Purpose of Authorizing the
Council President to Sign the Final Environmental Impact
Statement for the Columbia River Crossing Project.

Metro Council Meeting
Thursday, Sept. 8, 2011
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 11-4288
THE COUNCIL PRESIDENT TO SIGN THE)
FINAL ENVIRONMENTAL IMPACT) Introduced by Council President Tom
STATEMENT FOR THE COLUMBIA RIVER) Hughes
CROSSING PROJECT

WHEREAS, on July 23, 1998, the Metro Council adopted Resolution No. 98-2673 (For the Purpose of Adopting the Land Use Final Order Establishing the Light Rail Route, Stations, Lots and Maintenance Facilities and the Related Highway Improvements for the South/North Light Rail Project) approving the Land Use Final Order (LUFO) for the South/North Light Rail project; and

WHEREAS, on November 14, 2002, the Council adopted Resolution No. 02-3237A (For the Purpose of Endorsing the I-5 Transportation and Trade Study Recommendations), which endorsed the recommendation of the 28-member Bi-State Task Force' appointed by Governors Locke of Washington and Kitzhaber of Oregon, in a Final Strategic Plan to make multi-modal improvements along the I-5 corridor from the Fremont Bridge to the Clark County Fairgrounds; and

WHEREAS, in 2005, the Oregon and Washington Departments of Transportation (DOTs) initiated an evaluation process to implement the National Environmental Policy Act (NEPA) with the assistance of a 39-member Task Force; and

WHEREAS, on May 2, 2008, the DOTs published a Draft Environmental Impact Statement (DEIS) with the results of the evaluation of options for meeting the purposes of the multi-modal improvements in the corridor, providing a basis for selection of the "locally preferred alternative" (LPA); and

WHEREAS, the Metro Council endorsed an LPA for the I-5 Columbia River Crossing Project by Resolution No. 08-3960B (For the Purposes of Endorsing the Locally Preferred Alternative for the Columbia River Crossing Project and Amending the Metro 2035 Regional Transportation Plan with Conditions) that provided for replacement of the I-5 bridge with two structures, three through lanes each direction plus auxiliary lanes for merging and weaving, extension of South/North Light Rail from the Expo Center to Vancouver, Washington, significant pedestrian and bicycle facilities across the river and connecting to the regional networks on both sides of the river and tolling as a demand management and financing tool; and

WHEREAS, Resolution No. 08-3960B included a list of conditions on Council endorsement of contained in Exhibit A to the resolution to be addressed prior to Council consideration of a LUFO for the project; and

WHEREAS, Metro's Regional Transportation Plan (RTP) calls for the Columbia River Crossing Project including extension of light rail from the Expo Center to Vancouver, Washington and places the project on the RTP's Financially Constrained System; and

WHEREAS, ON June 9, 2011, the Council adopted Resolution No. 11-4264 (For the Purpose of Concluding that the Concerns and Considerations Raised About the Columbia River Crossing Project in Exhibit A to Resolution No. 08-3960B Have Been Addressed Satisfactorily), resolving that the conditions adopted by Resolution No. 08-3960B had been sufficiently addressed to allow consideration of a LUFO and endorsed proceeding to the publication of a Final Environmental Impact Statement (FEIS), one element of which is to describe consistency of the project with regional and local land use plans and policies; and

WHEREAS, on August 11, 2011, the Council adopted Resolution No. 11-4280 (For the Purpose of Amending the 1998 Land Use Final Order for the South/North Light Rail Project and Adopting a Land Use Final Order for the Expo Center/Hayden Island Segment of the Project Including the I-5 Columbia River Crossing Bridge and Associated Highway Improvements) and indicated that the Council would continue to work with partner governments on measures to reduce adverse effects on neighborhoods on Hayden Island to address the conditions in Resolution No. 11-3960B; and

WHEREAS, since adoption of Resolution No. 11-4280, the Final Environmental Impact Statement has been reviewed and is consistent with the goals and policies of Metro; and

WHEREAS, publication of the Final Environmental Impact Statement for the Columbia River Crossing Project requires the signing by all federal, state and regional project partners, including Metro; now, therefore,

BE IT RESOLVED THAT the Metro Council authorizes the Council President to sign the FEIS for the Columbia River Crossing Project on behalf of the Council.

ADOPTED by the Metro Council this 8th day of September, 2011

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Acting Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 11-4288 FOR THE PURPOSE OF AUTHORIZING THE COUNCIL PRESIDENT TO SIGN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE COLUMBIA RIVER CROSSING PROJECT

Date: August 30, 2011

Prepared by: Andy Cotugno xt. 1763

BACKGROUND

The final step in the development of the Columbia River Crossing (CRC) Project is to authorize the Council President to sign the Final Environmental Impact Statement (EIS) along with all of the other federal, state and regional project partners. The signature of all those parties indicates that the legal and policy interests of each party have been satisfactorily addressed. Upon publication of the Final EIS, there is a public comment period and then the decision of whether to approve the project rests with the Federal Highway Administration and Federal Transit Administration through the issuance of a Record of Decision (ROD). These approvals constitute completion of the effort to define what is proposed to be built and allows actions relating to financing to commence.

The content of the FEIS is to document the problem and establish the purpose and need to be addressed through implementation of the project, describe the selected preferred alternative and the basis of this selection relative to the other reasonable alternatives that could meet the purpose and need, document expected impacts of the selected preferred alternative and commit to mitigation measures to address expected impacts. The project documented in the FEIS and the process to produce the FEIS must be consistent with all relevant laws and policies of the federal, state and regional organizations, including Metro's Regional Transportation Plan.

Following issuance of the Record of Decision, implementation of the project is still subject to further decision-making about financing and further design and engineering definition. Financing decisions must be made by the federal government and the two state legislatures and involves borrowing funds through the commercial bond markets of funding that will be repaid through tolls. Further engineering and design work is required to develop the design details of the various project elements that are only defined in concept at this time. In addition, the most effective sequencing of construction needs to be developed taking into account movement of traffic from one element to the next and taking into account contracting of logical elements that can be built as increments of funding become available.

On August 11, 2011 the Metro Council adopted Resolution No. 11-4280 to amend the Land Use Final Order for the CRC Project. However, the Metro Council deferred consideration of the Final EIS pending further consideration of a number of issues:

1. Clear documentation of mitigation of impacts to Hayden Island.
2. Inclusion of Metro in the process of evaluating and determining phasing options.
3. Inclusion of Metro in the refinement and advocacy for funding.
4. Inclusion of Metro in the evaluation and determination of governance during and after construction.

5. Determination of how further detailed design work will incorporate aesthetic considerations and include Metro in the process.
6. Further development of a community enhancement fund.

Attachment 1 provides a description of how these issues have been addressed. In addition to these issues, the staff reviewed a preliminary draft of the FEIS document and provided comments leading to numerous changes that have now been incorporated. In addition, staff has reviewed the revised Finance Chapter of the FEIS document which has been revised consistent with the recommendations of the Oregon State Treasurer. The Finance Chapter acknowledges that the details of the Finance Plan will continue to evolve in consultation with project partners (including Metro).

ANALYSIS/INFORMATION

1. Known Opposition

The CRC is a very large and complex transportation project. There are strong feelings – pro and con – associated with the project. Opposition to the project includes concerns raised regarding the need for the project, costs, tolls, the light rail extension to Vancouver, Washington and the aesthetic qualities of the bridge type. Opposition to tolls and light rail in Clark County has been well organized and aggressive. Opposition on the Oregon side has included concern that the project will simply worsen the bottleneck on I-5 in the vicinity of the Fremont Bridge and I-84 interchange. While it does not worsen that bottleneck, there remains criticism that the project shouldn't be built if it doesn't address an equally severe bottleneck just downstream.

Support for the project includes addressing the severe bottleneck and safety issues, the impact on freight movement and the opportunity to significantly improve transit service to Vancouver.]

2. Legal Antecedents

Federal

- National Environmental Policy Act
- Clean Air Act
- SAFETEA-LU
- FTA New Starts Process

State

- Statewide Planning Goals
- State Transportation Planning Rule
- Oregon Transportation Plan
- Oregon Highway Plan
- Oregon Public Transportation Plan
- Oregon Bicycle and Pedestrian Plan

Metro

- Resolution No. 02-3237A, "For the Purpose of Endorsing the I-5 Transportation and Trade Study Recommendations," adopted on November 14, 2002.
- Resolution No. 07-3782B, "For the Purpose of Establishing Metro Council Recommendations Concerning the Range of Alternatives to Be Advanced to a Draft Environmental Impact Statement For the Columbia River Crossing Project," adopted on February 22, 2007.

- Resolution No. 07-3831B, "For the Purpose of Approving the Federal Component of the 2035 Regional Transportation Plan (RTP) Update, Pending Air Quality Conformity Analysis," adopted on December 13, 2007.
- Resolution No. 08-3911, "For the Purpose of Approving the Air Quality Conformity Determination for the Federal Component of the 2035 Regional Transportation Plan and Reconfirming the 2008-2011 Metropolitan Transportation Improvement Program," adopted on February 28, 2008.
- Resolution No. 08-3938B, "For the Purpose of Providing Metro Council Direction to its Delegate Concerning Key Preliminary Decisions Leading to a Future Locally Preferred Alternative Decision for the Proposed Columbia River Crossing Project," adopted on June 5, 2008.
- Resolution No. 08-3960B "For the Purpose of Endorsing the Locally Preferred Alternative for the Columbia River Crossing Project and Amending the Metro 2035 Regional Transportation Plan with Conditions." adopted July 17, 2008.
- Ordinance 10-1241B "For the Purpose of Amending the 2035 Regional Transportation Plan (Federal Component) and the 2004 Regional Transportation Plan to Comply With Federal and State Law; to Add the Regional Transportation Systems Management and Operations Action Plan, the Regional Freight Plan and the High Capacity Transit System Plan; to Amend the Regional Transportation Functional Plan and Add it to the Metro Code; to Amend the Regional Framework Plan; and to Amend the Urban Growth Management Functional Plan." Adopted on June 10, 2010.
- Resolution No. 11-4264 "For the Purpose of Concluding that the Concerns and Considerations Raised About the Columbia River Crossing Project in Exhibit A to Resolution No. 08-3960B Have Been Addressed Satisfactorily." Adopted on June 9, 2011.
- Resolution No. 11-4280 "For the Purpose of Amending the 1998 Land Use Final Order for the South/North Light Rail Project and Adopting a Land Use Final Order for the Expo Center/Hayden Island Segment of the Project Including the I-5 Columbia River Crossing Bridge and Associated Highway Improvements." Adopted on August 11, 2011.

3. Anticipated Effects

Adoption of this Resolution will authorize the Council President to sign the Final EIS. If all of the other federal, state and regional partner agencies also sign the FEIS, it will be published in the Federal Register. Upon publication of the FEIS in the federal register there will be a public comment period after which it will be the responsibility of the Federal Highway Administration and Federal Transit Administration to issue the Record of Decision (ROD). The ROD is the final federal permitting step.

4. Budget Impacts

Future involvement by Metro staff in the development and refinement of the remaining issues will require budgeted resources in the Metro budget.

RECOMMENDED ACTION

Staff recommends adoption of Resolution No. 11-4288.

**FEIS and post EIS Metro Questions
and CRC Responses
resulting from
August 11, 2011 Metro Council Meeting**

Hayden Island Long and Short Term Mitigation in FEIS

The FEIS includes various mitigation measures or offsets that are specific to Hayden Island for long term and short term impacts from the project. Short-term mitigation measures are for impacts identified during construction, while long term mitigation measures constitute post construction commitments or concepts. Below is a list of the mitigation measures and where they can be found in the July 2011 version of the Draft FEIS.

1. Long Term Mitigation (or offsets) for Hayden Island:

a. Displacements (page 3-91):

- (All) Purchase property for fair market value as determined through an appraisal and in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended..

b. Visual (page 3-250):

- Planting vegetation, street trees, and landscaping for screening or visual quality,
- Shielding station and facility lighting from nearby residences and the night sky,
- Minimizing structural bulk, such as for ramps and columns,
- Designing architectural features to blend with the surrounding community context,
- Use of public art for transit,
- Utilization of the UDAG Design Guidelines

c. Safety (pages 3-64 and 3-250):

- Transit station will be designed with Crime Prevention Through Environmental Design and will be monitored with police, private security patrols, and security cameras.

2. Short Term (Construction Period) Mitigation for Hayden Island:

a. Air quality (pages 3-262 – 3-263):

- Controlling dust and exhaust emissions from demolition and construction activities,
- Contractors are required to comply with ODOT standard specifications (Section 290) for dust, diesel vehicles, and burning activities described above,
- Follow ODOT's specifications for truck staging areas for diesel-powered vehicles,
- Diesel construction vehicles and equipment will use ultra low sulfur diesel or will otherwise comply with any new, more stringent regulations in place at the time of construction,
- The project will continue to pursue emerging technologies for cleaner construction emissions, like the use of diesel scrubbers for compatible equipment, and continue to encourage and require those types of technologies as bidding laws allow.
- Stationary sources, such as concrete mix and asphalt plants, are generally required to obtain an Air Contaminant Discharge Permit from either DEQ or SWCAA and to comply with regulations for controlling dust and other pollutant emissions.
- Construction materials and activities would be managed to minimize dust, glare and smoke.

b. Noise and vibration (pages 3-295- 3-296):

- Comply with ODOT standard specifications relating to noise, including:
 - Limitation of hours and days on which construction is performed,
 - Equipment using sound-control devices,
 - Equipment comply with EPA noise standards,
 - Establishment of a complaint hotline,
 - Use broadband back-up alarms, or restrict the use of back-up beepers during evening and nighttime hours, and use spotters,
 - Contractor will perform vibration monitoring of all activities that might produce vibration levels,
 - Strategic placement of material stockpiles,
 - If specific noise complaints are received, contractor may be required to:
 - Locate stationary construction equipment as far from nearby noise-sensitive properties as feasible.
 - Shut off idling equipment.
 - Reschedule construction operations to avoid periods of noise annoyance identified in the complaint.
 - Notify nearby residents whenever extremely noisy work will be occurring.

- Install temporary or portable acoustic barriers around stationary construction noise sources.
- Operate electrically powered equipment using line voltage power rather than generators.

c. Commercial impacts (pages 3-65 and 3-115 – 3-116):

- Scheduling construction activities to minimize conflicts during peak travel ,
- Contractor required to obtain approval of traffic control plans,
- Maintain a program of coordination with and outreach to affected business and community interests to oversee the development and implementation of a transportation management plan,
- Establish a telephone complaint and information system to be staffed around the clock by personnel with authority to require the contractor to initiate immediate corrective action,
- Limit or concentrate work areas to minimize disruptions,
- Identify, provide and/or advertise temporary parking locations,
- Relocate affected loading zones, property accesses, bus stops, and other specially designated parking and access points before construction.
- Keeping businesses open and accessible
- Signs to identify the location of access points to businesses
- Business planning assistance
- Contractors coordinate schedule, pace and order of construction to minimize impact to nearby businesses
- Where possible, provide for local contracting opportunities

d. Traffic and transportation (pages 3-157 – 3-158):

- Maintain the existing bus service that regularly connects Hayden Island with nearby grocery and other retail services. This may include additional routing on the island to provide greater transit access during construction.
- Maintain paratransit and a shuttle service for qualifying, mobility impaired Hayden Island residents
- Provide effective detours that minimize out-of-direction travel and delays for travelers, and minimize cut-through traffic.

CRC Responses to specific FEIS issues

1. Replacement of Safeway grocery store

The displacement of Safeway is documented in the FEIS. Mitigation for this impact is governed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The project will suggest that Safeway relocate on Hayden Island, but cannot require them to relocate in any specific location. The eventual relocation will be a business decision by Safeway.

We have been informed that there will be a Target grocery store and pharmacy as part of the redevelopment plan for the Jantzen Beach Super Center. We understand that officials representing the Super Center initiated a site plan review with the City of Portland for a relocation and expansion of the Target store. Plans submitted to the City of Portland's Bureau of Development Review indicate that the store could include a grocery and a pharmacy. The plans show, for the Super Center as a whole, a space for a pharmacy, and at least one space for a grocer. We will continue to track this as redevelopment occurs.

2. Mitigating construction impacts such as dust, air pollution, vibration and air quality monitoring on Hayden Island

- a. See Hayden Island Short and Long Term mitigation section above.
- b. Air quality monitoring:

We understand there is a desire for air quality monitoring on Hayden Island during construction and long term. With the LPA, air quality is predicted to be lower than in the no-build condition due to project improvements and fleet changes, therefore the project is not providing mitigation for air quality impacts. In addition, air quality monitoring is not considered a form of mitigation, because the toxin source cannot be identified accurately. For some types of air toxics, such as diesel particulates, no direct measurement methods exist.

Finally, monitoring of Mobile Source Air Toxics (MSAT's) within a project corridor would yield data results that would be inconclusive in terms of health risk since short term and long term exposure limits or concentration levels have not yet been identified by the EPA. Issues that affect the accuracy of the health risks were also discussed in the air quality report for the CRC.

3. Early construction of the local bridge as a mitigation measure during the construction period

The possibility of early construction of the local multimodal bridge will continue to be a consideration by the project as project sequencing is refined. It is also discussed in Chapter 2 of the Draft FEIS, (Section 2.3.1), but not as mitigation. Although it is not appropriate to describe the early construction as mitigation, it is discussed as something we will explore as we further refine construction staging. Specifically it reads:

Similarly, the Marine Drive interchange construction would need to be coordinated with construction of the southbound lanes coming from Vancouver. While this interchange can be constructed independently from the work described above, the completion and utilization of the ramp system between Hayden Island and Marine Drive requires the work to occur in the same period. Early construction of the local multimodal bridge between Marine Drive and Hayden Island, so that it can be used as an alternate access route during the remaining construction period, will be analyzed during final design. The interchange reconstruction also needs to occur so that Marine Drive can be elevated, allowing the light rail extension to cross under Marine Drive. The Marine Drive interchange is expected to take a little more than 3 years to construct, including work at the Victory Boulevard interchange.

4. Review of the Finance Chapter of the FEIS (incorporate recommendations from the OST)

The project has incorporated the treasurer's recommendations to reduce financial risk and provide a more conservative finance plan. The updated financial chapter in the FEIS includes a recalibrated tolling financial projection to reflect the stalled economic growth and a level debt service. The treasurer's office is currently reviewing the FEIS financial chapters for consistency with his recommendations. The CRC will submit a finance chapter that reflects the treasurer's recommendations and the Federal Transit Administration and Federal Highway Administration will provide final approval of the finance chapter for FEIS publication.

5. Inclusion of the Bike/Ped Safety and Security Plan in the FEIS

We have included new language in 2.2.3 Pedestrian and Bicycle Improvements. We also refer the reader to the Memo from the Pedestrian and Bicycle Advisory Committee to the project and letter from the project accepting these recommendations. The new language reads:

Safety and Security

A maintenance and security program for the multi-use pathway would be established. It could include some or all of the following, as well as additional, elements:

- Identification of reliable funding sources and responsible parties for maintenance and security
- Commitment of reliable funding sources and responsible parties for maintenance and security
- Demand responsive and prompt facility management and maintenance
- Opportunities to "program the space" and support activity (e.g., kiosks, overlooks, vendor opportunities) to provide "eyes on the pathway"
- Ensure 24 hours a day, seven days a week pedestrian and bicycle access to and across the bridge and its connecting pathways
- Visible and regular on-site monitoring by law enforcement officers or security staff
- Security cameras monitored by law enforcement officers or security staff
- Call boxes to enable bridge users to report immediate maintenance needs and security concerns

- Efficient, sufficient, vandal-proof, no glare and dark skies compliant clear, crisp, white LED lighting
- Clearly posted laws and ordinances
- Advance notification and posting of maintenance closures and detours
- Citizen and volunteer participation shall be encouraged for future maintenance, operations and programming

CRC Responses to Post EIS Issues

1. Disposition of the former Thunderbird Hotel site after use as a construction staging area as a park

The process for the final decisions regarding the disposition of any surplus property is made following the completion of construction. The potential uses of this specific site as a park and its potential to be declared surplus property will be discussed and coordinated with residents, local property owners and project partners.

2. Establish an approach to considering a park and ride lot on Hayden Island

Further discussion regarding a park and ride on Hayden Island will occur as the project design is further developed after the Record of Decision. Compared to current transit access, the LPA represents a 25% driving distance reduction for a typical Hayden Island resident to access a park and ride facility and without having to use the freeway system. Please note the City of Portland's Hayden Island Plan designates the MAX station area as a mixed use district. Generally, TriMet and the City of Portland policies do not support siting park & rides in existing or planned mixed-use districts.

3. Commit to development of a community enhancement fund proposal (see attached work plan draft)

In the last three years the CRC project team, the Project Sponsors Council, and CRC advisory groups have focused on incorporating a wide range of community enhancements into the project. The project has looked for ways to leverage the highway and transit investments into additional improvements for project neighbors and local communities. These improvements are beyond the benefits identified as the project's purpose and need. These tangible improvements include: improved local street connections in downtown Vancouver; new local roads and improved local flow and connections for Hayden Island residents; better bike and pedestrian access to the improved facilities; new bike and pedestrian trails; and a separate bridge for local auto access from North Portland to Hayden Island.

We know there is more to be done. The CRC remains committed to aggressively maximizing and leveraging resources to bring additional benefits and improvements to our community. Two options have been identified for further exploration, both include a financial set aside of a specific amount dedicated to a specific purpose. One approach is a project specific community enhancement fund. There is some history with such an approach - the Delta Park I-5 widening

project (2006) and Metro's solid waste program (1991) are two examples. The other approach is a new concept, a regional fund established by the state to benefit the neighborhoods and communities in close proximity to I-5 and the CRC project.

We need to be clear about both of these approaches – neither will be easy. Both approaches have limitations and legal restrictions associated with anticipated funding sources. Both will require legislative support. Both will likely need enabling legislation and both will require funding. To be successful will require a clear purpose with obvious benefits and very broad support.

We appreciate the attention and focus that the Metro Council has maintained on this issue. The CRC is committed to working with Metro and project partners to: develop a clear need or problem statement; review and advance a program concept(s) that addresses the needs statement with funding sources or opportunities identified; and, submit the program concept(s) to the Oregon legislatures in 2012 or 2013. The work scope to carry this out is defined in Attachment 1-A.

4. Establish how phasing will be defined and Metro will be involved

The CRC has always anticipated that construction of the entire project would require several years and would be phased to provide the most efficient implementation while minimizing impacts on the community and corridor users. Project engineers began months ago reviewing engineering realities associated with keeping the facility open for users and bringing key elements such as light rail transit on line as expeditiously as possible.

While the engineering work on phasing was in progress, the project team also began an update of the financial analysis for the FEIS. That work dovetailed with the governor's request to the state treasurer to undertake an independent review of the CRC's "financial options, an assessment of strengths and weaknesses, as well as project phasing schedules with contingency plans if some of the funding does not materialize."

The state treasurer's review provides more clarity as well as updated information on the finances available for project implementation and the flow of those resources. In addition to the treasurer's work, the governor went further and signaled that he expects the CRC to start planning for a project that "adapts to available resources and fits into today's economic reality."

Capturing the work of the state treasurer and recognizing the changing economic realities, the CRC has begun an intensive work plan overlaying the engineering phasing with anticipated cash flow and funding realities. We have been asked to have this work ready for review and discussion by the interim legislative committees in both states. We anticipate that this work will have a full and complete public review and discussion, which will include Metro and other project partners.

The project is also incorporating the treasurer's recommendations to reduce financial risk and provide a more conservative finance plan. This more conservative approach will help inform the CRC's sequencing plans. The updated financial chapter in the FEIS will include a recalibrated

tolling financial projection to reflect the stalled economic growth and a level debt service. Further financial scrutiny and certainty will result from an investment grade analysis that will occur prior to the initial sale of bonds.

5. Establish how governance of the project after completion will be determined and how Metro will be involved

In 2010, the Project Sponsors Council began discussing a set of complicated policy issues dealing with the management of this multi-modal facility. To facilitate a more in-depth review of some of these “governance” issues, a 14-member work group comprised of partner agencies, including Metro, was formed and chaired by Henry Hewitt and Steve Horenstein. The work group agenda includes developing options to implement a structure for on-going governance and project management in the periods before, during and after construction.

To help inform these discussions, WSDOT, ODOT, state DOJ/AG’s, and the CRC are currently identifying key legal issues between the states and developing corresponding terms and conditions that will ultimately form the intergovernmental agreements. This scope of work includes:

- Reviewing existing bi-state agreements, decision matrix, and supporting documents;
- Reviewing state authority for Oregon and Washington;
- Developing proposals and options for governing structure for toll setting and administration, including how it would work with the Oregon and Washington Transportation Commissions;
- Developing proposals for debt allocations, including identification of needed legislation; and
- Identifying issues that may need resolution through new state or federal legislation.

The Oregon treasurer’s July 20, 2011, report confirms the CRC focus with a finding that the CRC’s governance plan must include a robust toll setting mechanism to assure that all toll-related debt service is paid in full each year through toll revenues.

The legal review and findings currently underway will serve as foundation for the governance work group as it develops options on possible governance models. This work must result in a governance model that will build confidence with the bond markets.

The probability that state legislation will be required in Washington and Oregon requires substantial progress on key governance issues in the next year. The CRC is working on a timeline and work plan for identifying and resolving the legal, policy and political issues on management of the facility. The specific schedule for which work when will be developed in response to the timelines associated with legislative action and bonding.

6. Establish how the finance plan will be refined and implemented over time and how Metro will be involved, including when there will be a decision on collection of tolls during construction

The financial plan for the CRC project is a combination of state, federal and local contributions. The general basis of that plan is not anticipated to fundamentally change but will be flexible in response to timing of available revenue. It is the project's intent to seek funding that does not jeopardize other regional priorities.

Specifically related to the federal dollars being contemplated, the project will pursue FHWA highway discretionary funding and FTA Section 5309 funds through the competitive New Starts process. The funding contribution being pursued is \$400 million in highway funds, and \$850 million through New Starts. Work on this portion of the plan will continue through the Preliminary Engineering, Final Design and the Full Funding Grant Agreement phases of the project. The project anticipates applying to enter into Final Design by early summer 2012, and hopes to begin receiving grant funds prior to construction starting in 2013.

The state funding participation is anticipated to be in the amount of \$450 million each from Washington and Oregon. Initial requests will begin in the legislative sessions for 2012 and/or 2013, with state funds being allocated prior to construction in late 2013. The CRC looks forward to continued partner agency support, including Metro, in the quest for state funds for this important project.

The local participation described above will be pursued as tolls on the new crossing. The authorization to toll will be a topic in the 2012 Washington legislative session, and toll bond sales are anticipated to begin upon completion of the toll investment grade analysis, currently planned for 2013. Toll bond covenants will require that toll revenues are first used for the following: debt service, reasonable return on private investment, and operation and maintenance, including reconstructing, resurfacing, restoring and rehabilitating work, among other things.

The recently released analysis by the Oregon Treasurer advanced the idea of pre-completion tolling to help achieve sufficient revenues. Further discussion of tolling during the construction phase will likely be raised during the engagement process with the legislatures, and pending governance discussions will need to be resolved to implement tolling.

7. Establish how aesthetic considerations will be incorporated into the design and how Metro will be involved

Governor Kitzhaber is working on a proposal to appoint a bi-state committee to review and select an architect and a bi-state bridge design advisory committee to work with the architect and public. The draft work plan is still in progress but is guided by the following:

“Moving forward the project requires highly qualified, exceptionally skilled, visionary design leadership that understands the importance of design in delivering a project that is worthy of the majestic setting and serves the needs of the citizens.” UDAG

A joint governor appointed independent selection committee will review qualifications and recommend a qualified bridge architect to work with stakeholders, the urban design community, public, and project staff to develop conceptual designs, standards and/or criteria that will be included in any bridge construction procurement documents. This firm or person could be retained throughout the design and construction of the bridge to develop, explain, and work with the design/builder to ensure that the final bridge design includes these standards and criteria.

The architect(s) would:

- Develop the aesthetic response to the crossing over the Columbia;
- Include the Harbor bridge(s) and the Hayden Island and SR 14 interchanges;
- Create increased certainty in the community about the conceptual design;
- Develop the design standards and/or criteria for inclusion in the bridge design-build RFP; and
- Provide consistency for the aesthetic design throughout the design-build process.

The architect will work with a group of stakeholders to develop conceptual designs, engage the public on design concepts, and approve the architectural standards and/or criteria for inclusion in design-build RFP and procurement documents. The members will represent diverse bridge and bridge corridor stakeholders including, but not limited to: freight, marine, bike/ped, neighbors, commuters, transit and design community.

This work is in progress and is guided by providing adequate time to inform the design-build procurement schedule.

Community Enhancement Fund – Work Scope

A Community Enhancement Fund has been proposed and is intended to go above and beyond mitigating the direct impacts of the CRC project and is also envisioned to provide additional benefits and enhancements to the adjacent communities in the vicinity of Interstate 5 and the CRC. The CRC project improvements themselves, and the detailed mitigation elements that improve the livability of the region and the neighborhoods in the immediate vicinity, are included as commitments in the FEIS document.

Community Enhancement Fund Scope of Work/Work Plan

- Development of Purpose and Goals of the Community Enhancement Fund.
- Definition of a policy basis for establishing the fund.
- Investigation of existing programs, including implementing agencies, legal structure, decision-making structure and criteria, project eligibility, accountability and summary of actual projects implemented.
- Definition and evaluation of alternative organizational and governance structures for administration of the fund and minimum requirements for representation on enhancement fund project selection committees. Consideration of alternative approaches for administration, including in-house, through an existing foundation (such as Oregon Community Foundation or Meyer Memorial Trust) or creation of a special purpose non-profit organization.
- Definition of community enhancement fund project eligibility and required vs. optional selection criteria.
- Investigation of legal restrictions of various potential funding sources under federal, state, regional and local authority and funding limitations. Identification of potential legislation required for implementation.
- Definition of mechanisms to ensure accountability of expenditure of public funds.

Materials following this page were distributed at the meeting.

City of Wilsonville

Talking Points in Support of Adding the 316-acre “Advance” Urban-Expansion Area (Metro UGB Analysis Area 4H) to the Regional Urban Growth Boundary for Residential Uses

9/8/2011

Regional Equity for Urban Growth

- **Only one Clackamas County residential area in running:** The Advance area is the only urban-expansion area sought by a city in Clackamas County. UGB additions in Clackamas County are important in order to balance future regional growth in an equitable manner. Oregon City does not seek the proposed Maplelane area.
- **Washington County predominance:** All other urban-expansion areas under consideration are located in Washington County. Of three UGB analysis areas recommended by the Metro COO for adoption by the Metro Council—South Hillsboro, South Cooper Mountain (Beaverton) and North Hillsboro Industrial—that total 1,916 acres, the Advance area would constitute only a 14% addition.
- **Foreseeable development:** Of the Clackamas County lands that have received consideration this year, the Advance area has the greatest development potential in the foreseeable future.

Regional Jobs / Local Housing Imbalance

For two decades, Wilsonville has had nearly as many or more workers than residents, often referred to as a “jobs/housing imbalance,” with approximately 90% of 15,000 FTE jobs filled by non-Wilsonville residents. A shortage of available housing compared to demand has contributed to increased housing costs and lack of affordable housing opportunities and a need for most employees to commute from all over the metro region to jobs in Wilsonville.

- **New regional employment lands to exacerbate local jobs/housing imbalance:** Wilsonville continues to need more residential land to offset the ongoing imbalance that will otherwise only be compounded by building-out hundreds of acres of “Title 4” employment/industrial lands—Coffee Creek and Basalt Creek—added respectively to the UGB in 2002 and 2004.
- **Increased housing options near employment center:** Development of Advance and Frog Pond areas offer opportunities to develop a range of single- and multi-family residential units for people who work in Wilsonville and seek to live in the community of their employment.
- **Reduced commuting and cross-regional travel:** Additional residential development provides more housing options for people employed in Wilsonville, thereby potentially reducing commuter-traffic congestion on I-5 and other prime arterials as well as overall vehicle miles traveled (VMT).

Economies of Scale for Planning and Development

The 316-acre proposed Advance area together with the adjacent 181-acre Frog Pond urban reserve area brought into the UGB in 2002 compose a nearly 500-acre total residential area for annexation.

- **Better concept planning:** By considering the Advance and Frog Pond areas together, the overall concept plan can be prepared more efficiently, at a lower cost and in a more holistic

manner. The City has begun to update both the transportation and water master plans; being able to include the Advance area at this time would be more efficient and advantageous.

- **Lower infrastructure costs:** Public infrastructure costs for roads, water, sewer and stormwater can be off-set and spread over a larger area with both the Frog Pond area and the proposed Advance inclusion. City believes that Metro-estimated costs for Advance could be significantly reduced when combined with Frog Pond.
- **Attractive, efficient homebuilder mobilization:** A potential 500-acre master-planned development—possibly only one of a few of this size in the metro region—is attractive to major homebuilders who can more efficiently focus construction activities in one area, especially with Wilsonville’s successful experiences with prior large-scale planned developments such as Charbonneau and Villebois.

Wilsonville Continues to Grow

- **City is growing faster than anticipated:** The City’s *20-year Look* in 2007 predicted a City of Wilsonville 2010 population of 19,019 residents, based on the medium-growth scenario. The 2010 PSU/Census-update count identified Wilsonville’s population as 19,535, which even exceeded high-growth projections. This means that the Advance residential area could be necessary sooner than expected.
- **Development proceeds despite “Great Recession”:** While the recession slowed the pace of new development, activity over the past year has increased, including over 800 residential units that are in the planning, permitting or construction phase at Villebois and new Brenchley Estates; spec construction of 111,500 sf Wilsonville Road Business park; and opening of \$70 million, 262,000 sf Wilsonville Old Town Square anchored by Fred Meyer stores and featuring mixed-use commercial/residential development.

Complete Community Aspirations

- **Advance area as a top-priority for community:** Wilsonville’s *20-Year Look* was a proactive process that resulted in community-supported recommendations for residential expansion, vetted through the Planning Commission and City Council through an extensive public process. The residential development of the Advance area emerged as a top priority through that process.
- **Planning for whole community needs:** Much planning actually happens in reaction to specific development proposals, one subdivision at a time. By looking at the potential build-out of the Frog Pond and Advance areas together, a more comprehensive approach can be taken and the whole community’s needs can be more fully considered.

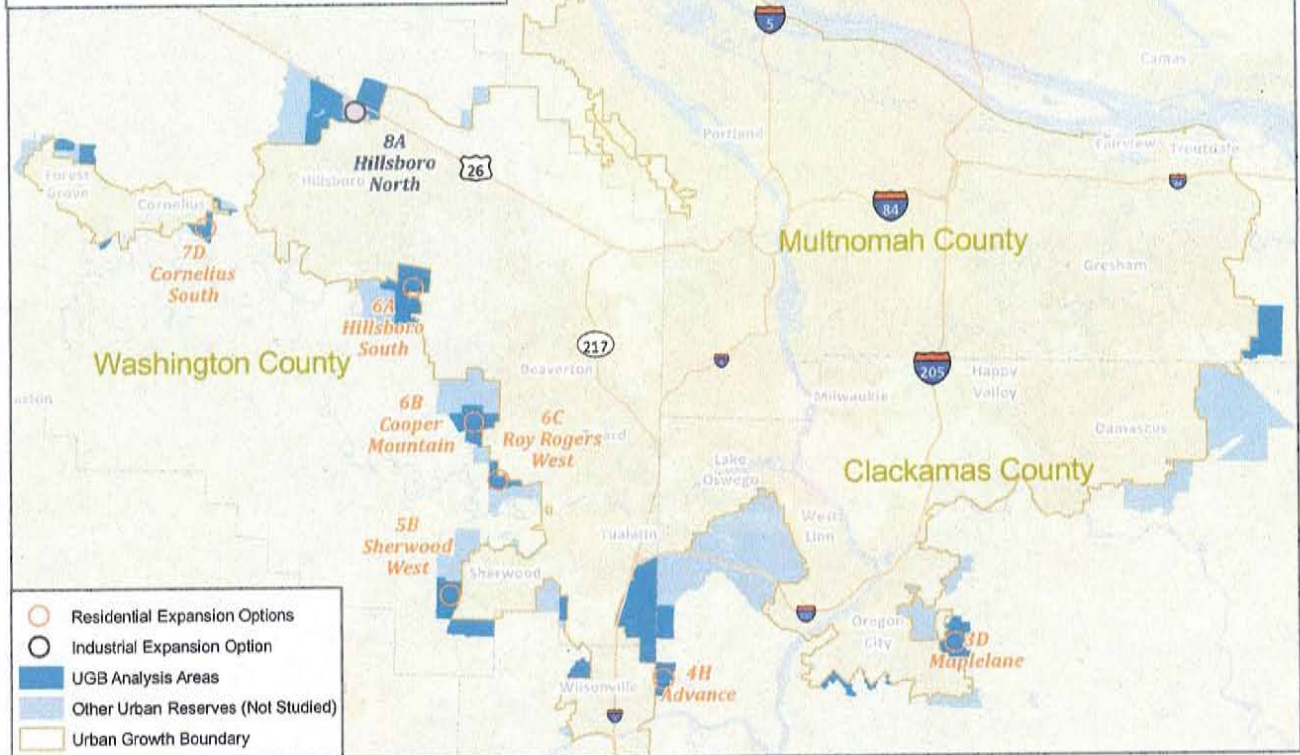
City–School District Development Plans

- **Schools planned for Advance area:** Both primary and middle schools are planned for the Advance area that would serve east Wilsonville. The West Linn-Wilsonville School District Board passed a resolution in support of the Advance UGB expansion in September 2010.
- **Ten-acre regional park to meet community need:** Wilsonville has a pressing community need for sports fields, which is to be met with a long-term plan by swapping ten-acre sites with the school district. The City has already met its end of that deal by providing the land for the new Lowrie Primary School at Villebois; the school district cannot legally reciprocate until the district’s land in the Advance area has been brought into the UGB.



Metro | Making a great place

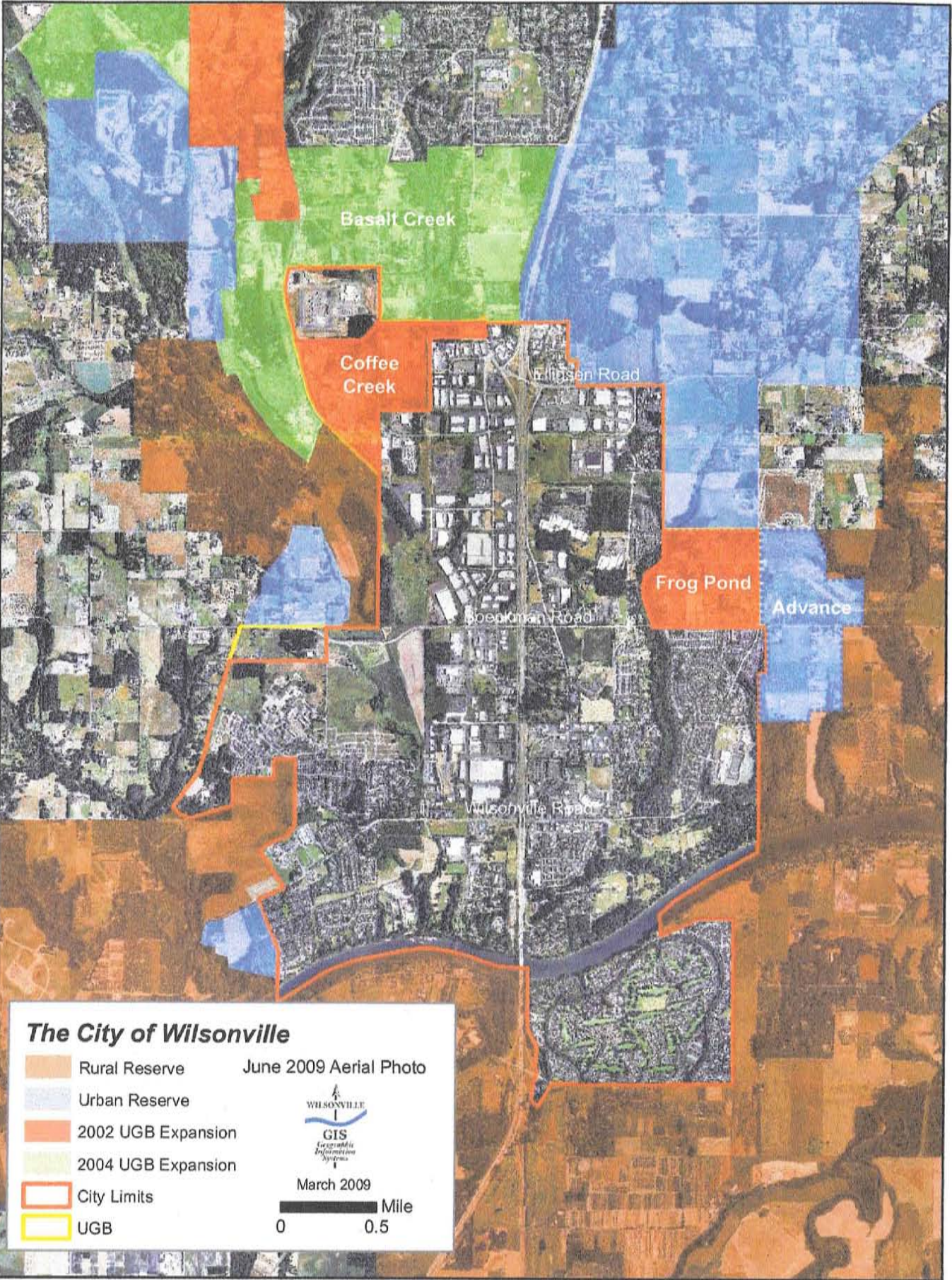
COO Recommendation UGB Expansion Options



- Residential Expansion Options
- Industrial Expansion Option
- UGB Analysis Areas
- Other Urban Reserves (Not Studied)
- Urban Growth Boundary

UGB Analysis Area	Size (Acres)		County of UGB Area
Areas Recommended by Metro COO			
South Hillsboro	1,063	55%	Washington
South Cooper Mountain (Beaverton)	543	28%	Washington
North Hillsboro Industrial	310	16%	Washington
Sub-Total of Metro COO Areas	1,916	100%	
Not Recommended by Metro COO			
Advance (Wilsonville)	316		Clackamas
Cornelius South	210		Washington
Maplelane (Oregon City) *	573		Clackamas
Roy Rogers West (Tigard)	256		Washington
Sherwood West	496		Washington
Sub-Total of Not Recommended	1,851		
GRAND TOTAL of all UGB Areas	3,767		

* Area not desired by city



The City of Wilsonville

- Rural Reserve
- Urban Reserve
- 2002 UGB Expansion
- 2004 UGB Expansion
- City Limits
- UGB

June 2009 Aerial Photo



March 2009
 0 Mile 0.5

Taking measure

A report to the community from the Natural Areas Program Performance Oversight Committee

Our overall conclusion is that the Natural Areas Program is on target toward meeting the goals of the 2006 bond measure.

Metro's Natural Areas Program has acquired 2,846 acres of regional natural areas since 2007. Local jurisdictions have expended \$22.2 million to open new parks, improve others and acquire natural areas land. Community groups and other local partners have been awarded 18 grants for projects that enhance natural areas.

These numbers show that after four years, the Natural Areas Program is about halfway toward meeting the acquisition and expenditure goals of the 2006 bond measure that funds it. Although the \$227.4 million bond measure does not specify a completion date, the previous open spaces bond measure passed in 1995 was substantially completed within 10 years.

This is one type of information the Natural Areas Program Performance Oversight Committee considers in taking measure of the program's progress. As an independent citizen committee, we are charged with making sure the program's policies, processes, business practices and administration are on track. This is our third report on our work, covering the period from January 2010 through June 2011.

In our first year, we took a broad view to determine if the program was being conducted in ways that are accountable and transparent. The second year, we looked at whether the program was able to stay on course in light of the challenges presented by the economic downturn. Both years, we worked with Metro staff to develop tools to help monitor the program and assess if objectives are being met and any improvements are needed.

As designated in the 2006 bond measure, Metro's **Natural Areas Program** acquires and preserves natural areas throughout the Portland Metropolitan region to safeguard water quality, protect fish and wildlife habitat and ensure access to nature for future generations. The program has three components:

Regional natural areas: The acquisition of 3,500-4,500 acres from willing sellers in 27 target areas (\$168.4 million).

Local share projects: \$44 million allocated to local governments for park improvement projects and locally important acquisitions.

Nature in Neighborhoods capital grants program: \$15 million for grants to community groups, nonprofits and local governments for projects that "re-green" or "re-nature" neighborhoods.

This year, we focused on fine-tuning the assessment tools to allow for a more comprehensive understanding of program performance. While numbers such as acres acquired and money spent are important, it is also important to consider more qualitative issues. For example, how can Metro evaluate project benefits and outcomes? What are the best approaches to maintain and enhance properties once they are acquired? Are appropriate procedures in place for property transactions that have unusual circumstances? Is there a way to assess whether the program as a whole is improving the ecological health of the region?

Our overall conclusion is that the Natural Areas Program is on target toward meeting the goals of the 2006 bond measure. We also recommend some additional fine-tuning of program measures and procedures. As we proceed into the next year, we will continue our commitment to help ensure the program is working well to preserve and protect our region's valued natural areas.



I came onto the committee not really knowing what it would involve, but thanks to the Metro staff and other committee members, I quickly learned that our role was an important one and we were providing significant oversight. Staff members were willing to share information with us and provide answers to our many wide-ranging questions about their activities. As a result, this report clearly sets forth the progress that has been made.

– Norman Penner

OVERSIGHT COMMITTEE MEMBERS

Linda Craig (chair)	CPA, Linda S. Craig LLC
Dean Alterman	Attorney, Folawn, Alterman & Richardson LLP
Drake Butsch	Land development consultant, Portland
Michelle Cairo	Chief Financial Officer, Opus Solutions
Bridget Cook	Executive Director, Adelante Mujeres
Christine Dupres	Project Manager, National Policy Consensus Center
John Esler	Project Manager, Portland General Electric
Dave Evans	Senior Vice President and CFO, The ODS Companies
Kay Hutchinson	Director of Programs, Reach
Sindy Maher	Attorney, Dunn Carney
Walter McMonies	Attorney, Lane Powell P.C.
Rick Mishaga	Wildlife Ecologist, Independent Consultant
Shawn Narancich	Vice President of Research, Ferguson Wellman Capital Management
Andrew Nordby	Principal Broker, GRI, SRES, Prudential NW Properties
Norman Penner	Lt. Col., USAF, MSC Retired; Board Member, Friends of the Tualatin Refuge and Washington County Visitors Association
David Pollock	Senior Advisor and Director, Ashoka, Ecotrust Forest LLC
Autumn Rudisel	Senior Vice President, Umpqua Bank
Kendra Smith	Willamette Watershed Program Director, Bonneville Environmental Foundation
Dietra Stivahtis	Vice President, Fidelity National Title
Cam Turner	Principal, United Fund Advisors
Steve Yarosh	Real Estate Broker, Irma Valdez Properties

PROGRAM ASSESSMENT

In response to committee recommendations over the past three years, Metro has developed and refined several tools to help assess program progress, including dashboard reports and qualitative performance measures.

Dashboard reports

Dashboard reports are a periodic snapshot of each program component’s status, providing quantitative information such as the number of acquisitions or projects, acreage, expenditures and percent of goals met to date. The oversight committee reviews these reports at each meeting and discusses whether any program revisions may be warranted. The highlights below summarize dashboard report information as of June 30, 2011.

Overall target area acquisition to date is 2,846 acres – about 70 percent of the mid-range goal of 4,000 acres. This includes the 1,143-acre Chehalem Ridge, a very large tract that was not anticipated in the original acquisition estimates. Excluding Chehalem Ridge, about 43 percent of the 4,000-acre goal has been reached to date. In 15 of the 27 individual target areas, acquisitions to date are at least 50 percent of the target area goal.

Total trail/greenway corridor acquisition to date is 14,360 linear feet (2.7 miles).

Local share projects: Local jurisdictions have expended \$22.2 million, representing 51 percent of the total \$44 million allocation.

Nature in Neighborhoods capital grants program: Grants have been awarded to 18 projects, representing 31 percent (\$4.7 million) of the total \$15 million allocation.

Conclusion

Four years into the program, acquisition rates and expenditures suggest the program is on target in terms of meeting its goals within a 10-year timeframe.

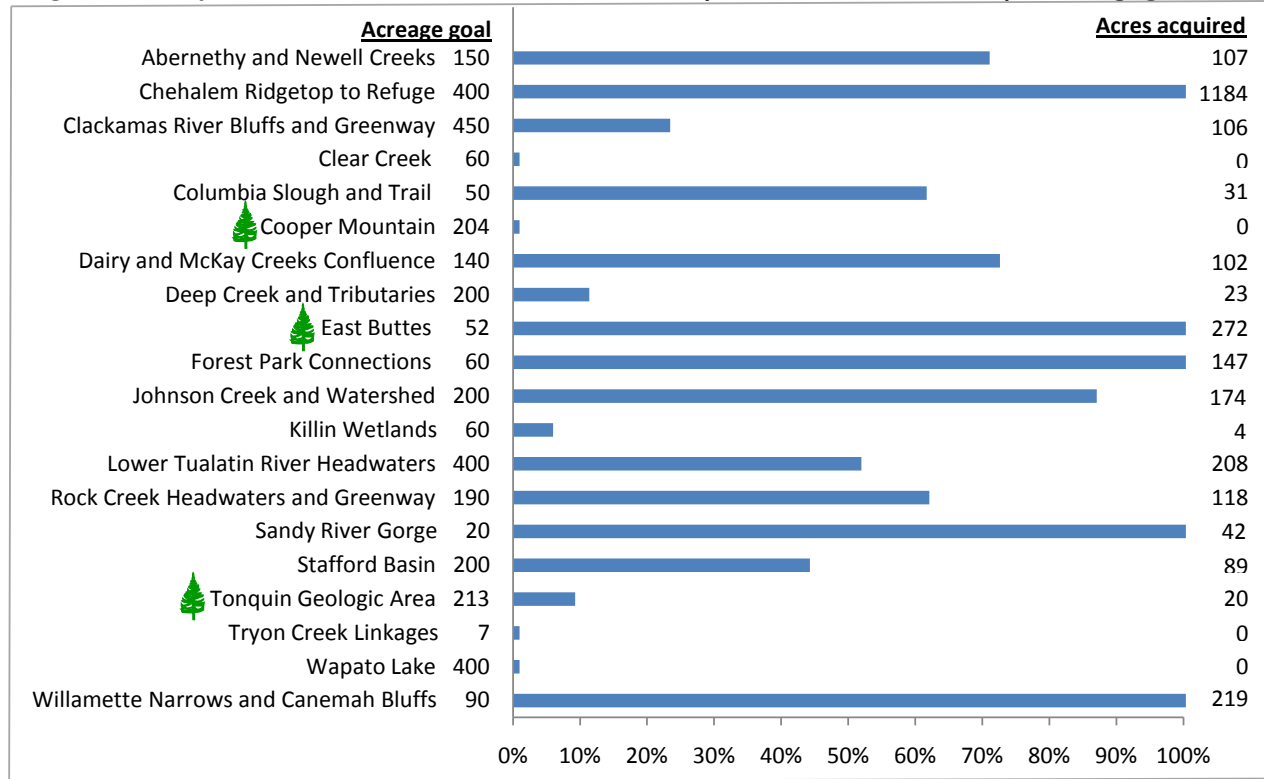
DASHBOARD REPORT HIGHLIGHTS June 30, 2011

Target Area Acquisition



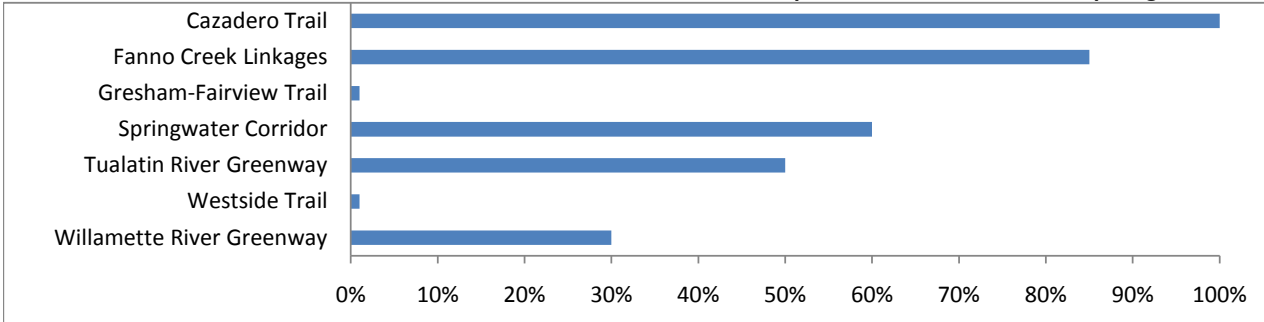
park built

■ percent of 2006 refinement plan acreage goals met



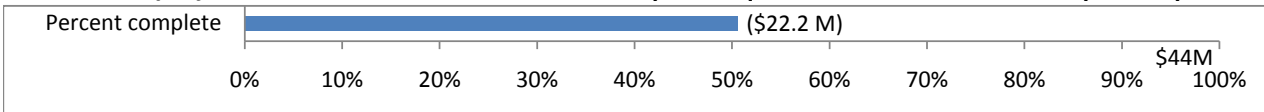
Trail/Greenway Corridors

■ percent of 2006 refinement plan goals met



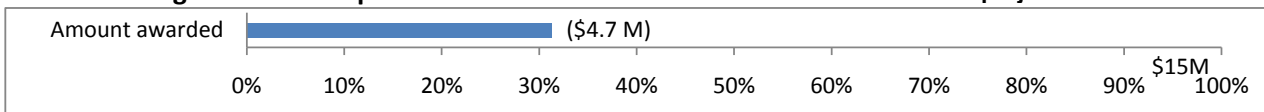
Local Share projects

62 new parks acquired 4 trails enhanced 24 parks improved



Nature in Neighborhoods Capital Grants

18 projects awarded to date



Qualitative performance measures

While dashboard reports provide quantitative information, qualitative performance measures are a way to account for other benefits of each acquisition and project.

- Qualitative performance measures were first developed and applied to regional acquisitions, providing at-a-glance information about water quality and wildlife habitat benefits, public benefits and financial benefits. They are now an integral part of staff evaluation of each land acquisition, as well as a tool for oversight committee review. Metro continues to refine these performance measures to make them as useful as possible.
- Last year, staff developed performance measures for capital grants projects, in the form of project award reports and project completion reports. The project award report rates the project based on the outcomes envisioned by the grant applicant and its partners. It also identifies project

A citizen advisory group is useful only if it has timely access to performance data. Metro staff was quick to design a chart that allows us to see how the program has progressed. This has helped us do our job and track the land acquisition targets. I've found staff to be open to our suggestions and willing to supply any information we requested. – John Esler

From a realtor's point of view, I appreciate the way Metro has acquired property from land owners at market value. Also, the improvements being made along the Trolley Trail have helped freshen up the surrounding community. – Andrew Nordby

I'm pleased to see that Metro has successfully adapted the program to include trails acquisition as well as natural areas and parks. – Dean Alterman

risks and the factors that will be used to measure successful implementation. The project completion report is a retrospective look at how well the project succeeded in achieving the envisioned outcomes.

Recommendations

- In addition to performance measures for individual acquisitions and projects, an assessment of combined benefits could help determine if the overall program is improving the ecological health of the region. We recommend that staff investigate how this composite assessment could be designed.
- Staff should develop performance measures for local share projects, taking into account that local jurisdictions select and implement these projects.

SITE STABILIZATION

Stabilization is the work necessary to secure an acquired site to reduce hazards and prevent degradation of its intended use and value – for example, addressing invasive species, tree health, revegetation and erosion. Staff develops a stabilization plan when a site is acquired. Current staff guidelines require completion of the stabilization work within two years of the acquisition.

Although stabilization costs currently account for less than 1.8 percent of the total bond proceeds expended, the stabilization process is critical. If properties can be stabilized and are trending toward ecological health, less money will be required for site management in future years, and the value of the investment will be maintained or increased.

Given the importance of site stabilization, we worked with Metro's scientists to investigate whether current stabilization practices adequately address ecological site conditions and ensure that properties will not further degrade. The work resulted in the two recommendations below. Staff has responded to these recommendations by drafting new stabilization guidelines that will be tested over the next year to see if they work more effectively to achieve the goal.

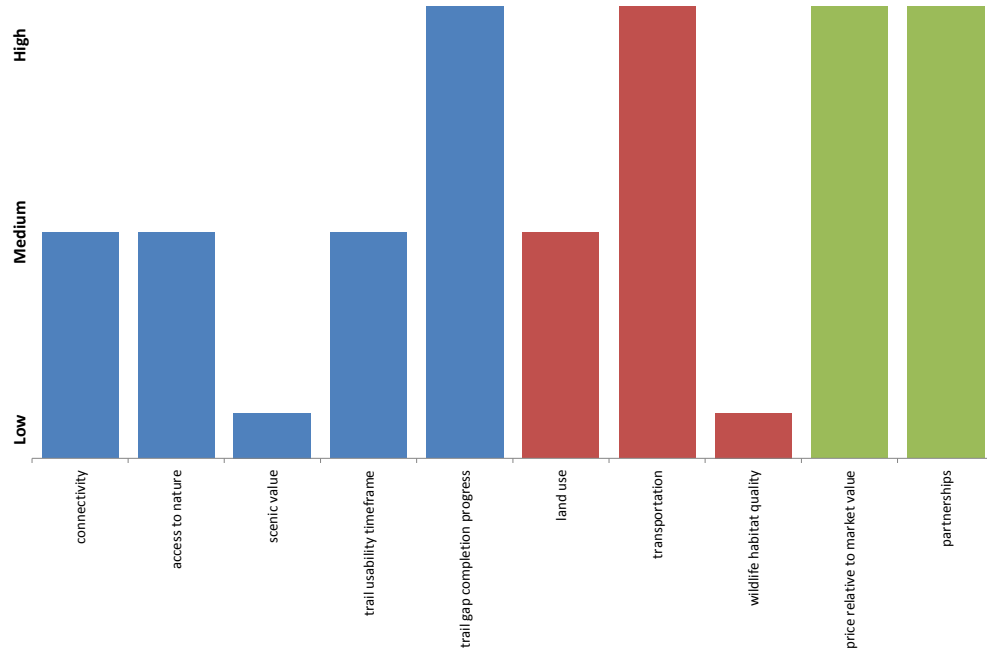
EXAMPLES OF QUALITATIVE PERFORMANCE MEASURES

Trail easements, such as a donation from Staples Corp. in the Columbia Slough target area, emphasize access to nature, as well as land use and transportation connections. Many new natural areas, such as the Fernald property in the Rock Creek target area, highlight water quality and wildlife habitat.

Staples Corp.

March 31, 2011

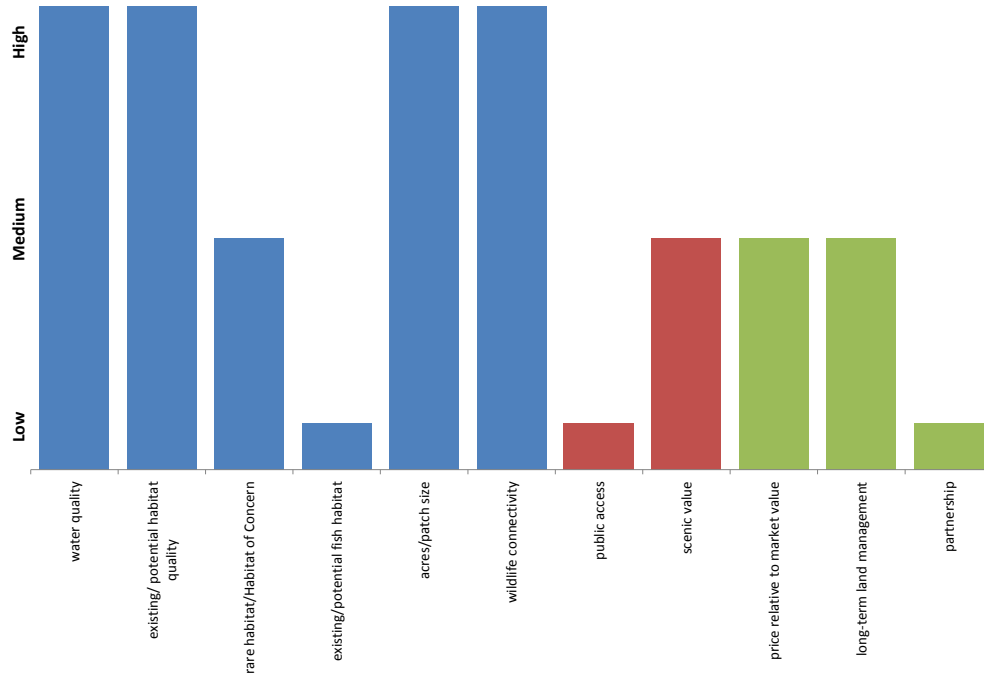
- Recreational benefits
- Environmental benefits
- Financial benefits



Fernald

April 21, 2011

- Water quality and wildlife habitat benefits
- Public benefits
- Financial benefits



Recommendations

- Clarify the definition of stabilization and refine stabilization criteria to further guide staff.
- Change the timeframe so stabilization is driven by site conditions rather than a “one-size-fits-all” two-year time limit. This would allow the process to adequately account for site scale, complexity and the time of year the land is secured.

PROGRAM ADMINISTRATIVE COSTS

As in the previous two years, we looked at program administrative costs to determine whether they are an appropriate percentage of overall expense relative to land purchases and grants disbursed.

The Metro team has been very open to suggestions regarding performance measurement methods. They have implemented new performance processes with enthusiasm and have continued to fine tune the measurements and apply them to other aspects of their responsibilities. Their commitment to excellence and desire to learn are an outstanding characteristic of our working relationship. – David Pollock

Conclusions

- Metro is allocating and accounting for administrative costs in accordance with federal office of management and budget guidelines for capital projects, and is following standard practice.
- Administrative costs have averaged 5.3 percent of total program expenditures to date. This is well under the 10 percent limit required by the bond measure.

I appreciate Metro staff's willingness to evaluate their processes to ensure the best possible outcome for the natural areas while being sensitive to both short- and long-term costs. They are true stewards of our regional natural areas, so thank them when you see them in the field! – Kendra Smith

UNUSUAL CIRCUMSTANCES

Metro staff has the authority to conclude property transactions within certain parameters, without case-by-case authorization by the Metro Council. Outside those parameters, staff must declare “unusual circumstances” and bring the transaction to the Council for discussion and authorization. The most frequent unusual circumstances requests are to pay more than the appraised value for an acquisition or to provide other compensation to the seller in addition to cash.

This year, we reviewed all acquisitions since 2006 that met the definition of unusual circumstances to determine if this mechanism is being used appropriately.

Conclusions

- Staff is using the unusual circumstances mechanism appropriately.
- Staff is providing reasonable explanations about the unusual circumstances purchases to the Metro Council and the oversight committee.
- Adequate checks and balances are in place to ensure the appropriate use of unusual circumstances, including review and approval by internal legal counsel.
- The current policies strike a reasonable balance between acquisitions that can be approved at the staff level and those that must be submitted to Council for approval.

Recommendation

- The oversight committee should continue to review unusual circumstances purchases annually to confirm the process continues to be used consistently and appropriately.

BOND SALE SEQUENCE AND CASH MANAGEMENT REVIEW

The 2006 bond measure authorized Metro to issue a total of \$227.4 million in bonds for the Natural Areas Program. Metro issued \$124 million in April 2007 and anticipates it will need to sell additional bonds by fall 2012 to continue the program's funding. The oversight committee discussed the timing and amounts of the bond sales with Metro staff.

We also reviewed the cash management and investment criteria and procedures Metro uses for the bond funds that are held in trust until they are expended. The State of Oregon establishes these procedures, and no deviations are allowed

I've served on a number of government committees, and I'm always concerned about program efficiency and effectiveness, so I asked questions of the staff to confirm not just efficiency but that Metro was following the voters' intention. I found that Metro uses federal guidelines for recording overhead costs, and that administrative costs for this program are carefully allocated. I think the program is well run. – Drake Butsch

Conclusions

- The oversight committee concurs with Metro's plan to issue bonds in one or two installments, depending on legal requirements and the bond market.
- We note no concerns regarding cash management and investment; Metro should continue with its normal practices and procedures.

OTHER OVERSIGHT COMMITTEE WORK

'It's Our Nature' outreach initiative

The oversight committee and the Metro Auditor have encouraged Metro to strengthen outreach and communicate progress on the Natural Areas Program. In response, Metro launched the "It's Our Nature" initiative, which uses a variety of approaches to inform and engage citizens and communities. The committee reviewed the draft plan and proposed some changes to reduce cost. We also asked staff to track and evaluate the outreach results.

Partners and future management

The Metro Council and the oversight committee are interested in the issue of long-term management of acquired properties. The committee heard a staff report on partnerships and resource leveraging across the region and advises a continued emphasis on partnerships to assist with future land management.

In the two years I've served on the committee, I've never ceased to be impressed with staff professionalism, transparency and attention both to detail and to the big picture – i.e., their obligation to our taxpayers. What's more, land acquisition is careful, thoughtful, and conducted with integrity. – Christine Dupres

As a banker, it was important for me to look at how Metro is managing the bond sale proceeds before they are spent and how they plan for new bond sales. Metro's fiscal officer reviewed their procedures with me, and I was reassured to find that best practices are being followed for the safety of the bond funds. – Autumn Rudisel

The Intertwine

The oversight committee views the Natural Areas Program as part of an overall regional system, rather than as a stand-alone program. We believe “The Intertwine” – an ever-growing network of parks, natural areas and trails – has great potential to unify the myriad resources and activities throughout the region. We will continue to monitor The Intertwine’s evolution and how the Natural Areas Program is integrated into it.

Natural areas information system

Metro is developing a new information system that will incorporate multiple databases, performance measures and program management reports. We are interested in seeing how this system might facilitate performance measures and program evaluation – for example, whether it could be used to help combine individual project performance reports into a program overview.

I chose to serve on the committee because the region’s quality of life is directly impacted by access to the outdoors and experiences enjoyed there. Visiting Graham Oaks Nature Park in Wilsonville was a highlight of my committee experience and brought firsthand insight into the types of acreage that Metro’s program is securing for the benefit of area citizens.
– Shawn Narancich

It has been an honor to work with Metro’s highly competent, entrepreneurial and professional staff. They solicit and implement advice from the committee, and Metro is on track to meet the bond’s acquisition goals. Our community will benefit from these land acquisitions for years to come. – Kay Hutchinson

I am impressed with the effectiveness of this program. Metro staff has an impressive system in place to ensure proper financial considerations are made on each purchase and the properties purchased meet the criteria set forth in this program. The program has helped create a strong foundation for our trail system and connectivity throughout the area. – Dietra Stivahtis

THE YEAR AHEAD

In the coming year, the oversight committee plans to direct attention to the following subjects, as well as continue to monitor the overall program.

Continue to work on the performance measures:

- Explore the feasibility of combining individual project performance reports into an overview that may help indicate whether the program is improving the ecological health of the region.
- Review the results of the capital grants projects performance criteria.
- Monitor staff progress on developing performance criteria for local share projects.

Review implementation of the new site stabilization guidelines.

Monitor development of the information system and how it might be used to create a program overview.

Assess the effectiveness of the “It’s Our Nature” outreach initiative.

I’ve been on the committee since its inception, and I’ve had the opportunity to visit many of the new natural areas and parks. Seeing these areas is the best way to get a true picture of how much is being accomplished. I think the voters will appreciate that they are getting good value for their money, and I am pleased the committee has been able to help ensure that outcome. – Linda Craig

HOW TO LEARN MORE

We encourage you to learn more about Metro’s Natural Areas Program and how you can be involved by visiting the Metro website.

We also welcome your feedback about what you would like to hear from us next year. Are there specific areas of concern or processes you think we should focus on? Please contact us with any ideas, suggestions or questions.

Website

www.oregonmetro.gov/naturalareas

Email

naturalareas@oregonmetro.gov

Phone

503-797-1545

For ongoing information, subscribe to GreenScene, Metro’s quarterly guide to great places and green living.

www.oregonmetro.gov/greenscene



Metro | *Making a great place*

Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy, and sustainable transportation and living choices for people and businesses in the region. Voters have asked Metro to help with the challenges and opportunities that affect the 25 cities and three counties in the Portland Metropolitan area.

A regional approach simply makes sense when it comes to providing services, operating venues and making decisions about how the region grows. Metro works with communities to support a resilient economy, keep nature close by and respond to a changing climate. Together, we're making a great place, now and for generations to come.

Stay in touch with news, stories and things to do.

www.oregonmetro.gov/connect

Metro Council President

Tom Hughes

Metro Councilors

Shirley Craddick, District 1

Carlotta Collette, District 2

Carl Hosticka, District 3

Kathryn Harrington, District 4

Rex Burkholder, District 5

Barbara Roberts, District 6

Auditor

Suzanne Flynn

optin
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EXHIBIT A

MARTHA BENNETT AT WILL EMPLOYMENT AGREEMENT

THIS AGREEMENT is entered into by and between Metro, a metropolitan service district organized under the laws of the State of Oregon and the 1992 Metro Charter (herein referred to as “Metro”) and Martha Bennett (herein referred to as “Bennett” or “employee”).

RECITALS

1. Metro requires the services of a Chief Operating Officer.
2. Bennett has the qualifications and the desire to serve Metro as its Chief Operating Officer.
3. This Agreement shall be effective once the Agreement is signed by Bennett, approved by the Metro Council and signed by the Council President, and shall be referred to as the “At Will Employment Agreement” or “the Agreement.”

NOW, THEREFORE, IN CONSIDERATION of the compensation to be paid by Metro to Bennett, as specified in this Agreement, and in consideration of the mutual promises contained in this Agreement, the parties hereby agree as follows:

AGREEMENT

1. **Engagement.** Subject to the parties’ right to terminate this Agreement as specified below, Metro hereby employs and Bennett hereby accepts employment from Metro for Bennett’s services as Chief Operating Officer.
2. **Term of Agreement.** Bennett’s employment under this Agreement shall begin on October 31, 2011, and shall continue until terminated as provided herein.
3. **Services.** Bennett shall faithfully, industriously and to the best of her ability provide her services as Chief Operating Officer of Metro, and shall perform all duties as may be required of her by the Metro Charter, Metro Code and the Council.
4. **Exclusivity.** During the term of this Agreement, and except as otherwise provided herein, Bennett shall devote all of her business efforts, time, attention, knowledge, and skills to Metro as its Chief Operating Officer. Bennett shall not actively engage in any other employment, occupation or consulting activity for any direct or indirect remuneration without the prior approval of the Metro Council. It is understood that if Metro exercises its notice provisions under 8.B(ii) Bennett can begin to search for other employment while still employed by Metro.
5. **Employment At-Will.** Metro and Bennett understand and acknowledge that Bennett serves at the pleasure of the Metro Council. Metro and Bennett understand and acknowledge that Bennett’s employment with Metro constitutes “at-will” employment. Subject to Metro’s obligation to provide severance benefits as specified in this Agreement, Bennett and Metro acknowledge that this employment relationship may be terminated at any time, upon written notice to the other party, with or without cause or good reason and for any or no cause or reason, at the option of

either Metro or Bennett. It is further understood and agreed that neither this Agreement, nor service provided under this Agreement, shall create a property interest of any kind. This Agreement has no monetary value.

6. Compensation.

- A. Salary. As compensation for Bennett's services, Metro shall pay Bennett the sum of One Hundred Seventy Five Thousand Dollars (\$175,000.00) per year, payable in the same frequency and manner as other Metro employees. Bennett's performance and salary shall be reviewed annually by Metro as provided below. Any salary increases shall be based on Metro's annual evaluation of Bennett's performance, availability of funding, and on Metro's assessment of inflation and a survey of annual salaries paid to comparable positions in the Metro region. The compensation paid to Bennett shall be subject to customary withholding taxes and other taxes as required with respect to compensation paid by Metro to an employee.
- B. Benefits. Bennett shall receive all normal and regular benefits accruing to Metro non-represented employees as provided in Metro Code Chapter 2.02. For the purposes of this section, "benefits" means health insurance, including dental and vision care, life insurance, disability insurance, sick leave, employee assistance, and retirement benefits pursuant to the Public Employees Retirement System ("PERS"). Bennett shall pay the six percent (6%) employee contribution required by PERS. Bennett shall be entitled to these benefits under the same terms and conditions as provided for Metro's non-represented employees. Except as otherwise expressly provided in this Agreement, the employee benefits provided to Bennett under this section are subject to any additions, reductions or other changes made by the Metro Council to the benefits provided to Metro's non-represented employees. To the extent Bennett has a gap in insurance coverage due to her October 31, 2011 start date, Metro will pay for one month's COBRA coverage for that month. If Bennett does not have a gap in coverage, this payment will not apply.
- C. Vacation Leave. Bennett shall accrue paid vacation leave of 192 hours per year, plus personal holiday leave accruing to Metro non-represented employees, currently two days per year. Bennett's paid vacation leave may accumulate up to a maximum of 520 hours per fiscal year. Any accruals beyond 520 hours not used in a fiscal year will be lost. Bennett will also receive forty (40) hours of administrative leave per year but these hours must be used in the fiscal year received or be lost at the end of the fiscal year. In no circumstance will Metro payout upon termination more than 520 hours of vacation leave. Metro will also credit ten (10) days of vacation leave to Bennett's account upon employment, which shall be in addition to the vacation time that Bennett would otherwise accrue.
- D. Modifications to Compensation. Metro may change or modify Bennett's salary or benefits on three months' written notice to Bennett, or at any time by mutual agreement of the parties.
- E. Relocation Expenses. Metro will reimburse Bennett for reasonable expenses for relocation to the Metro Region in an amount not to exceed Ten Thousand Dollars (\$10,000.00). Metro will only pay for moving expenses allowable under applicable IRS regulations.

- F. Dues, Subscriptions, Professional Development, and Civic Involvement. Metro agrees to budget for and pay for Bennett's reasonable professional dues, subscriptions, travel, and training for Bennett's participation in national, regional, State and local associations necessary and desirable for Bennett's professional development and for the good of Metro. Metro further acknowledges the benefit of having Bennett participate and be involved directly in local civic clubs and organizations, and Metro shall pay for reasonable membership fees and/or dues to enable Bennett to be an active member in said civic clubs or organizations.
- G. Expenses. Metro recognizes that certain expenses of a job related nature will be incurred by Bennett and agrees to reimburse direct expenses in accordance with Metro policy.
7. Performance/Compensation Reviews. Metro shall annually evaluate Bennett's performance as soon as practicable after July 1. The performance evaluation will be in accordance with criteria and process developed jointly by Metro and Bennett prior to each annual evaluation. Further, Bennett shall receive a written copy of the findings of the evaluation and the process will provide an adequate opportunity for Bennett and the Metro Council to discuss the evaluation. No failure to evaluate Bennett shall limit Metro's right to terminate Bennett as specified in this Agreement.
8. Termination
- A. Termination for Convenience.
- i. Either party may terminate this Agreement whenever it determines that it would be convenient and/or desirable to do so. In the event that either party elects to terminate this Agreement for convenience, this Agreement shall terminate upon a date chosen by the terminating party, unless another termination date is mutually agreed upon. In the event of a termination for convenience, the terminating party shall provide the other party with a written notice of termination that specifies the date the termination becomes effective. Examples of termination for convenience include but are not limited to the following situations, unless they also accompany "cause" as provided for in paragraph C:
 1. If the Council President or Metro Council discharges or dismisses the employee without prior written notice of a "cause" identified in paragraph C.
 2. If the Council President or Metro Council discharges or dismisses the employee at any time during the first six months after a new Council takes office in January of every odd numbered year.
 3. If Metro, its citizens, or the Oregon Legislature acts to amend any provisions of the Metro Charter or related laws pertaining to the role, powers, duties, authority, responsibilities of the Chief Operating Officer that substantially changes the form of government in such a way to substantially reduce or limit the responsibilities of the COO.
 4. If Metro reduces the base salary, compensation or any other financial benefit of Bennett, unless it is applied in no greater percentage than the average reduction of all members of the Metro Senior Leadership Team.

5. If Bennett resigns following an offer to accept resignation, whether formal or informal, by the Council President or Metro Council that the employee resign.

ii. In the event Bennett terminates for convenience, no severance pay shall be due Bennett. Bennett shall use her best efforts to provide a minimum of 30 days notice prior to terminating this Agreement for convenience.

B. Payments Upon Termination for Convenience. In the event that this Agreement is terminated for convenience by Metro or its lawful successor, Bennett shall receive six (6) months' salary as severance pay, along with the cash value of any accrued and unused vacation leave. In addition, the severance will require Metro to continue to pay the employer portion of the premium for medical and dental insurance coverage through the end of the month that Bennett's severance pay is intended to cover or until the last day of the month in which Bennett obtains employment with alternative insurance, whichever occurs earlier.

As a condition of the severance offer, Bennett will be required to release Metro, its officers, representatives, insurers and employees from claims arising from employment with Metro and separation of employment.

In the alternative, Metro, at its sole discretion and option, may elect to give Bennett notice of its intent to terminate this Agreement. Such notice shall be in lieu of severance pay for the equivalent period. The combined total of notice and severance pay under this section shall not exceed six (6) months, exclusive of accrued vacation pay.

C. Termination for Cause. Metro may terminate this Agreement for "cause" by giving Bennett 72 hours written notice of its intent to terminate for "cause." In the event that Metro elects to terminate this Agreement for "cause," no severance pay shall be due Bennett. "Cause" shall include one or more of the following:

- (i) Willful failure to follow lawful resolutions or directives of the Metro Council or the Metro Charter or Metro Code;
- (ii) Willful failure to attempt to substantially perform her duties as Chief Operating Officer (other than any such failure resulting from her incapacity due to physical or mental impairment), unless such failure is corrected within thirty (30) days following written notice by the Metro Council President that specifically identifies the manner in which the Metro Council President believes Bennett has substantially not attempted to materially perform her duties;
- (iii) Misappropriation of funds or property of Metro;
- (iv) Fraud or gross malfeasance;
- (v) Conduct of a felonious or criminal nature which would tend to bring discredit or embarrassment to Metro or its operations;
- (vi) Commission of any act, the nature of which would tend to bring discredit or embarrassment to Metro or its operations

- (vii) The habitual use of drugs or intoxicants to an extent that it impairs Bennett's ability to properly perform her duties;
- (viii) Significant violation of the written work rules or written policies of Metro that bring doubt on Bennett's ability to adequately perform the functions of the COO after written notice of violation from the Metro Council President.

9. Termination Authority.

The Council President has the sole authority to terminate this Agreement on behalf of Metro. The Council President may terminate this Agreement in writing pursuant to any provision of Paragraphs 7 or 8 of this Agreement. Upon receipt of a termination notice, Bennett may accept the termination or request in writing within 48 hours that the Council President submit the termination to the Council for its concurrence. Concurrence in the termination by the Council is a final decision.

10. Disability or Death.

A. If, as the result of any physical or mental disability, Bennett shall have failed or is unable to perform her duties for more than twelve (12) consecutive weeks, Metro may, by subsequent written notice to Bennett, terminate her employment under this Agreement as of the date of the notice without any further payment or the furnishing of any benefit by Metro under this Agreement (other than accrued and unpaid salary and accrued benefits), subject to compliance with all applicable laws and regulations including the Americans With Disabilities Act.

B. The term of Bennett's employment under this Agreement shall terminate upon her death without any further payment or the furnishing of any benefit by Metro under this Agreement (other than accrued and unpaid salary and accrued benefits).

11. Successorship. This Agreement shall inure to and shall be binding upon Metro's successors, assigns, trustees, etc.

12. Modification. This Agreement can only be modified by a written amendment, signed by Bennett and the Metro Council President. No oral or written statements, promises, or course of conduct shall serve to modify the Agreement in any way. No practices or customs which may arise between Bennett and Metro shall modify this Agreement or affect its meaning in any way.

13. Construction. This At Will Employment Agreement is the final agreement between the parties, shall be construed as having been drafted jointly by the parties is intended to be a complete and final expression of the agreement between the parties, and shall supersede any and all prior discussions or agreements.

14. Severability. In the event that any court of competent jurisdiction determines that one or more portions of this Agreement are invalid or unlawful, the remaining portions shall remain in full force and effect.

15. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon. Bennett consents to the personal jurisdiction of the state and federal courts located in Multnomah County, Oregon for any action or proceeding arising from or relating to this Agreement.

16. Waiver: No waiver by Metro of any default shall operate as a waiver of any other default on a future occasion or the same default. No delay or omission by Metro in exercising any right or remedy shall operate as a waiver thereof, and no single or partial exercise of a right or remedy shall preclude any other or further exercise thereof, or the exercise of any other right or remedy.

EXECUTED IN TRIPLICATE on _____, to be effective immediately.

METRO

Martha Bennett

Tom Hughes
Metro Council President

APPROVED AS TO FORM:

Alison Kean Campbell
Acting Metro Attorney

Columbia River CROSSING

700 WASHINGTON STREET
SUITE 300
VANCOUVER, WA 98660
360-737-2726 | 503-256-2726

September 8, 2011

Mr. Tom Hughes
Metro Council President
600 NE Grand Avenue
Portland, OR 97232

Dear President Hughes:

In recent weeks, the Columbia River Crossing has been working with Metro staff to address questions regarding mitigation identified in the Final Environmental Impact Statement (FEIS) document and commitments for work activities going forward. Attached is a document that summarizes some of the questions that have been raised, and how we have worked to resolve some of those questions with Metro staff. We are pleased with the coordinated progress we have made.

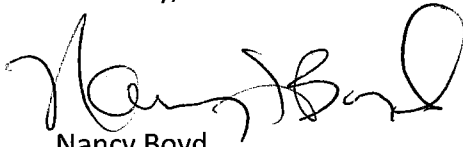
In the attachment, there are references to “we” and “the project” that are intended to refer to the Columbia River Crossing project, a joint project of the Oregon Department of Transportation and Washington State Department of Transportation. The project team is committed to the actions described in the attachment, and in the FEIS document that is soon to be published by our federal partners.

At your suggestion we have made the following modifications or amendments to the written materials included in the Metro Council’s September 6, 2011, Work Session Packet.

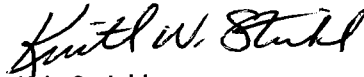
- Page 4 – Multi-year construction contracts will include a stipulation requiring that construction equipment and methodology utilize the best available practices, through the life of the project as they become available, to minimize environmental impacts.
- Page 4 – Provided a more clear description of short term vs. long term mitigation for air quality.
- Page 6-7 – Community Enhancement Fund – Added the draft scope of work to this section; and deleted the first paragraph previously attached as part of the scope.

Thank you for the opportunity to discuss the CRC project with you in the Metro Council Work Session. The open and collaborative discussion will help lead to a better project that will benefit the entire region. We sincerely appreciate your efforts to ensure this project moves forward in a way that is considerate and inclusive of Metro, and the interests of the community. We look forward to our work with you as the project proceeds toward construction. As always, we thank you for your support.

Sincerely,



Nancy Boyd
Director



Kris Strickler
Deputy Director

Cc: Metro Councilors

Enclosure

**FEIS and post EIS Metro Questions
and CRC Responses
resulting from
August 11, 2011 Metro Council Meeting
And September 6, 2011 Metro Council
Work Session**

Hayden Island Long and Short Term Mitigation in FEIS

The FEIS includes various mitigation measures or offsets that are specific to Hayden Island for long term and short term impacts from the project. Short-term mitigation measures are for impacts identified during construction, while long term mitigation measures constitute post construction commitments or concepts. Below is a list of the mitigation measures and where they can be found in the July 2011 version of the Draft FEIS.

1. Long Term Mitigation (or offsets) for Hayden Island:

a. Displacements (page 3-91):

- (All) Purchase property for fair market value as determined through an appraisal and in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended..

b. Visual (page 3-250):

- Planting vegetation, street trees, and landscaping for screening or visual quality,
- Shielding station and facility lighting from nearby residences and the night sky,
- Minimizing structural bulk, such as for ramps and columns,
- Designing architectural features to blend with the surrounding community context,
- Use of public art for transit,
- Utilization of the UDAG Design Guidelines

c. Safety (pages 3-64 and 3-250):

- Transit station will be designed with Crime Prevention Through Environmental Design and will be monitored with police, private security patrols, and security cameras.

2. Short Term (Construction Period) Mitigation for Hayden Island:

a. Air quality (pages 3-262 – 3-263):

- Controlling dust and exhaust emissions from demolition and construction activities,
- Contractors are required to comply with ODOT standard specifications (Section 290) for dust, diesel vehicles, and burning activities described above,
- Follow ODOT's specifications for truck staging areas for diesel-powered vehicles,
- Diesel construction vehicles and equipment will use ultra low sulfur diesel or will otherwise comply with any new, more stringent regulations in place at the time of construction,
- The project will continue to pursue emerging technologies for cleaner construction emissions, like the use of diesel scrubbers for compatible equipment, and continue to encourage and require those types of technologies as bidding laws allow.
- Stationary sources, such as concrete mix and asphalt plants, are generally required to obtain an Air Contaminant Discharge Permit from either DEQ or SWCAA and to comply with regulations for controlling dust and other pollutant emissions.
- Construction materials and activities would be managed to minimize dust, glare and smoke.

b. Noise and vibration (pages 3-295- 3-296):

- Comply with ODOT standard specifications relating to noise, including:
 - Limitation of hours and days on which construction is performed,
 - Equipment using sound-control devices,
 - Equipment comply with EPA noise standards,
 - Establishment of a complaint hotline,
 - Use broadband back-up alarms, or restrict the use of back-up beepers during evening and nighttime hours, and use spotters,
 - Contractor will perform vibration monitoring of all activities that might produce vibration levels,
 - Strategic placement of material stockpiles,
 - If specific noise complaints are received, contractor may be required to:
 - Locate stationary construction equipment as far from nearby noise-sensitive properties as feasible.
 - Shut off idling equipment.
 - Reschedule construction operations to avoid periods of noise annoyance identified in the complaint.
 - Notify nearby residents whenever extremely noisy work will be occurring.

- Install temporary or portable acoustic barriers around stationary construction noise sources.
- Operate electrically powered equipment using line voltage power rather than generators.

c. Commercial impacts (pages 3-65 and 3-115 – 3-116):

- Scheduling construction activities to minimize conflicts during peak travel ,
- Contractor required to obtain approval of traffic control plans,
- Maintain a program of coordination with and outreach to affected business and community interests to oversee the development and implementation of a transportation management plan,
- Establish a telephone complaint and information system to be staffed around the clock by personnel with authority to require the contractor to initiate immediate corrective action,
- Limit or concentrate work areas to minimize disruptions,
- Identify, provide and/or advertise temporary parking locations,
- Relocate affected loading zones, property accesses, bus stops, and other specially designated parking and access points before construction.
- Keeping businesses open and accessible
- Signs to identify the location of access points to businesses
- Business planning assistance
- Contractors coordinate schedule, pace and order of construction to minimize impact to nearby businesses
- Where possible, provide for local contracting opportunities

d. Traffic and transportation (pages 3-157 – 3-158):

- Maintain the existing bus service that regularly connects Hayden Island with nearby grocery and other retail services. This may include additional routing on the island to provide greater transit access during construction.
- Maintain paratransit and a shuttle service for qualifying, mobility impaired Hayden Island residents
- Provide effective detours that minimize out-of-direction travel and delays for travelers, and minimize cut-through traffic.

CRC Responses to specific FEIS issues

1. Replacement of Safeway grocery store

The displacement of Safeway is documented in the FEIS. Mitigation for this impact is governed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The project will suggest that Safeway relocate on Hayden Island, but cannot require them to relocate in any specific location. The eventual relocation will be a business decision by Safeway.

We have been informed that there will be a Target grocery store and pharmacy as part of the redevelopment plan for the Jantzen Beach Super Center. We understand that officials representing the Super Center initiated a site plan review with the City of Portland for a relocation and expansion of the Target store. Plans submitted to the City of Portland's Bureau of Development Review indicate that the store could include a grocery and a pharmacy. The plans show, for the Super Center as a whole, a space for a pharmacy, and at least one space for a grocer. We will continue to track this as redevelopment occurs.

2. Mitigating construction impacts such as dust, air pollution, vibration and air quality monitoring on Hayden Island

- a. See Hayden Island Short and Long Term mitigation section above.
- b. Multi-year construction contracts will include a stipulation requiring that construction equipment and methodology utilize the best available practices, through the life of the project as they become available, to minimize environmental impacts.
- c. Air quality monitoring:

We understand there is a desire for air quality monitoring on Hayden Island during construction and long term. With the LPA, air quality is predicted to be better than in the no-build condition due to project improvements and fleet changes, therefore the project is not providing additional long term mitigation for air quality impacts beyond the elements of the project itself that will produce a reduction of vehicle emissions through the use of alternative modes and less congestion and bridge lift related idling (short term mitigation is discussed previously). In addition, air quality monitoring is not considered a form of mitigation, because the toxin source cannot be identified accurately. For some types of air toxics, such as diesel particulates, no direct measurement methods exist.

Finally, monitoring of Mobile Source Air Toxics (MSAT's) within a project corridor would yield data results that would be inconclusive in terms of health risk since short term and long term exposure limits or concentration levels have not yet been identified by the EPA. Issues that affect the accuracy of the health risks were also discussed in the air quality report for the CRC.

3. Early construction of the local bridge as a mitigation measure during the construction period

The possibility of early construction of the local multimodal bridge will continue to be a consideration by the project as project sequencing is refined. It is also discussed in Chapter 2 of the Draft FEIS, (Section 2.3.1), but not as mitigation. Although it is not appropriate to describe the early construction as mitigation, it is discussed as something we will explore as we further refine construction staging. Specifically it reads:

Similarly, the Marine Drive interchange construction would need to be coordinated with construction of the southbound lanes coming from Vancouver. While this interchange can be constructed independently from the work described above, the completion and utilization of the ramp system between Hayden Island and Marine Drive requires the work to occur in the same period. Early construction of the local multimodal bridge between Marine Drive and Hayden Island, so that it can be used as an alternate access route during the remaining construction period, will be analyzed during final design. The interchange reconstruction also needs to occur so that Marine Drive can be elevated, allowing the light rail extension to cross under Marine Drive. The Marine Drive interchange is expected to take a little more than 3 years to construct, including work at the Victory Boulevard interchange.

4. Review of the Finance Chapter of the FEIS (incorporate recommendations from the OST)

The project has incorporated the treasurer's recommendations to reduce financial risk and provide a more conservative finance plan. The updated financial chapter in the FEIS includes a recalibrated tolling financial projection to reflect the stalled economic growth and a level debt service. The treasurer's office is currently reviewing the FEIS financial chapters for consistency with his recommendations. The CRC will submit a finance chapter that reflects the treasurer's recommendations and the Federal Transit Administration and Federal Highway Administration will provide final approval of the finance chapter for FEIS publication.

5. Inclusion of the Bike/Ped Safety and Security Plan in the FEIS

We have included new language in 2.2.3 Pedestrian and Bicycle Improvements. We also refer the reader to the Memo from the Pedestrian and Bicycle Advisory Committee to the project and letter from the project accepting these recommendations. The new language reads:

Safety and Security

A maintenance and security program for the multi-use pathway would be established. It could include some or all of the following, as well as additional, elements:

- Identification of reliable funding sources and responsible parties for maintenance and security
- Commitment of reliable funding sources and responsible parties for maintenance and security
- Demand responsive and prompt facility management and maintenance
- Opportunities to "program the space" and support activity (e.g., kiosks, overlooks, vendor opportunities) to provide "eyes on the pathway"
- Ensure 24 hours a day, seven days a week pedestrian and bicycle access to and across the bridge and its connecting pathways

- Visible and regular on-site monitoring by law enforcement officers or security staff
- Security cameras monitored by law enforcement officers or security staff
- Call boxes to enable bridge users to report immediate maintenance needs and security concerns
- Efficient, sufficient, vandal-proof, no glare and dark skies compliant clear, crisp, white LED lighting
- Clearly posted laws and ordinances
- Advance notification and posting of maintenance closures and detours
- Citizen and volunteer participation shall be encouraged for future maintenance, operations and programming

CRC Responses to Post EIS Issues

1. Disposition of the former Thunderbird Hotel site after use as a construction staging area as a park

The process for the final decisions regarding the disposition of any surplus property is made following the completion of construction. The potential uses of this specific site as a park and its potential to be declared surplus property will be discussed and coordinated with residents, local property owners and project partners.

2. Establish an approach to considering a park and ride lot on Hayden Island

Further discussion regarding a park and ride on Hayden Island will occur as the project design is further developed after the Record of Decision. Compared to current transit access, the LPA represents a 25% driving distance reduction for a typical Hayden Island resident to access a park and ride facility and without having to use the freeway system. Please note the City of Portland's Hayden Island Plan designates the MAX station area as a mixed use district. Generally, TriMet and the City of Portland policies do not support siting park & rides in existing or planned mixed-use districts.

3. Commit to development of a community enhancement fund proposal

In the last three years the CRC project team, the Project Sponsors Council, and CRC advisory groups have focused on incorporating a wide range of community enhancements into the project. The project has looked for ways to leverage the highway and transit investments into additional improvements for project neighbors and local communities. These improvements are beyond the benefits identified as the project's purpose and need. These tangible improvements include: improved local street connections in downtown Vancouver; new local roads and improved local flow and connections for Hayden Island residents; better bike and pedestrian access to the improved facilities; new bike and pedestrian trails; and a separate bridge for local auto access from North Portland to Hayden Island.

We know there is more to be done. The CRC remains committed to aggressively maximizing and leveraging resources to bring additional benefits and improvements to our community. Two options have been identified for further exploration, both include a financial set aside of a

engineering realities associated with keeping the facility open for users and bringing key elements such as light rail transit on line as expeditiously as possible.

While the engineering work on phasing was in progress, the project team also began an update of the financial analysis for the FEIS. That work dovetailed with the governor's request to the state treasurer to undertake an independent review of the CRC's "financial options, an assessment of strengths and weaknesses, as well as project phasing schedules with contingency plans if some of the funding does not materialize."

The state treasurer's review provides more clarity as well as updated information on the finances available for project implementation and the flow of those resources. In addition to the treasurer's work, the governor went further and signaled that he expects the CRC to start planning for a project that "adapts to available resources and fits into today's economic reality."

Capturing the work of the state treasurer and recognizing the changing economic realities, the CRC has begun an intensive work plan overlaying the engineering phasing with anticipated cash flow and funding realities. We have been asked to have this work ready for review and discussion by the interim legislative committees in both states. We anticipate that this work will have a full and complete public review and discussion, which will include Metro and other project partners.

The project is also incorporating the treasurer's recommendations to reduce financial risk and provide a more conservative finance plan. This more conservative approach will help inform the CRC's sequencing plans. The updated financial chapter in the FEIS will include a recalibrated tolling financial projection to reflect the stalled economic growth and a level debt service. Further financial scrutiny and certainty will result from an investment grade analysis that will occur prior to the initial sale of bonds.

5. Establish how governance of the project after completion will be determined and how Metro will be involved

In 2010, the Project Sponsors Council began discussing a set of complicated policy issues dealing with the management of this multi-modal facility. To facilitate a more in-depth review of some of these "governance" issues, a 14-member work group comprised of partner agencies, including Metro, was formed and chaired by Henry Hewitt and Steve Horenstein. The work group agenda includes developing options to implement a structure for on-going governance and project management in the periods before, during and after construction.

To help inform these discussions, WSDOT, ODOT, state DOJ/AG's, and the CRC are currently identifying key legal issues between the states and developing corresponding terms and conditions that will ultimately form the intergovernmental agreements. This scope of work includes:

- Reviewing existing bi-state agreements, decision matrix, and supporting documents;
- Reviewing state authority for Oregon and Washington;

specific amount dedicated to a specific purpose. One approach is a project specific community enhancement fund. There is some history with such an approach - the Delta Park I-5 widening project (2006) and Metro's solid waste program (1991) are two examples. The other approach is a different concept, a regional fund established by the state to benefit the neighborhoods and communities in close proximity to I-5 and the CRC project. Both approaches have been successfully implemented in the Portland region and will help inform this effort.

We need to be clear about both of these approaches – neither will be easy. Both approaches have limitations and legal restrictions associated with anticipated funding sources. Both will require legislative support. Both will likely need enabling legislation and both will require funding. To be successful will require a clear purpose with obvious benefits and very broad support.

We appreciate the attention and focus that the Metro Council has maintained on this issue. The CRC is committed to working with Metro and project partners to: develop a clear need or problem statement; review and advance a program that addresses the needs statement with funding sources or opportunities identified; and, submit the program concept(s) to the Oregon legislatures in 2012 or 2013. The work scope to carry this out is defined below:

Community Enhancement Fund Scope of Work/Work Plan

- Development of Purpose and Goals of the Community Enhancement Fund.
 - Definition of a policy basis for establishing the fund.
 - Investigation of existing programs, including implementing agencies, legal structure, decision-making structure and criteria, project eligibility, accountability and summary of actual projects implemented.
 - Definition and evaluation of alternative organizational and governance structures for administration of the fund and minimum requirements for representation on enhancement fund project selection committees. Consideration of alternative approaches for administration, including in-house, through an existing foundation (such as Oregon Community Foundation or Meyer Memorial Trust) or creation of a special purpose non-profit organization.
 - Definition of community enhancement fund project eligibility and required vs. optional selection criteria.
 - Investigation of legal restrictions of various potential funding sources under federal, state, regional and local authority and funding limitations. Identification of potential legislation required for implementation.
 - Definition of mechanisms to ensure accountability of expenditure of public funds.
4. **Establish how phasing will be defined and Metro will be involved**

The CRC has always anticipated that construction of the entire project would require several years and would be phased to provide the most efficient implementation while minimizing impacts on the community and corridor users. Project engineers began months ago reviewing

- Developing proposals and options for governing structure for toll setting and administration, including how it would work with the Oregon and Washington Transportation Commissions;
- Developing proposals for debt allocations, including identification of needed legislation; and
- Identifying issues that may need resolution through new state or federal legislation.

The Oregon treasurer's July 20, 2011, report confirms the CRC focus with a finding that the CRC's governance plan must include a robust toll setting mechanism to assure that all toll-related debt service is paid in full each year through toll revenues.

The legal review and findings currently underway will serve as foundation for the governance work group as it develops options on possible governance models. This work must result in a governance model that will build confidence with the bond markets.

The probability that state legislation will be required in Washington and Oregon requires substantial progress on key governance issues in the next year. The CRC is working on a timeline and work plan for identifying and resolving the legal, policy and political issues on management of the facility. The specific schedule for which work when will be developed in response to the timelines associated with legislative action and bonding.

A report entitled "Columbia River Crossing, Cross-Jurisdictional Laws, Governance and Funding" has been distributed to Metro staff as further information on this topic as well. The report was originally prepared for the Washington State Legislature pursuant to ESSB 6381.

6. Establish how the finance plan will be refined and implemented over time and how Metro will be involved, including when there will be a decision on collection of tolls during construction

The financial plan for the CRC project is a combination of state, federal and local contributions. The general basis of that plan is not anticipated to fundamentally change but will be flexible in response to timing of available revenue. It is the project's intent to seek funding that does not jeopardize other regional priorities.

Specifically related to the federal dollars being contemplated, the project will pursue FHWA highway discretionary funding and FTA Section 5309 funds through the competitive New Starts process. The funding contribution being pursued is \$400 million in highway funds, and \$850 million through New Starts. Work on this portion of the plan will continue through the Preliminary Engineering, Final Design and the Full Funding Grant Agreement phases of the project. The project anticipates applying to enter into Final Design by early summer 2012, and hopes to begin receiving grant funds prior to construction starting in 2013.

The state funding participation is anticipated to be in the amount of \$450 million each from Washington and Oregon. Initial requests will begin in the legislative sessions for 2012 and/or 2013, with state funds being allocated prior to construction in late 2013. The CRC looks

forward to continued partner agency support, including Metro, in the quest for state funds for this important project.

The local participation described above will be pursued as tolls on the new crossing. The authorization to toll will be a topic in the 2012 Washington legislative session, and toll bond sales are anticipated to begin upon completion of the toll investment grade analysis, currently planned for 2013. Toll bond covenants will require that toll revenues are first used for the following: debt service, reasonable return on private investment, and operation and maintenance, including reconstructing, resurfacing, restoring and rehabilitating work, among other things.

The recently released analysis by the Oregon Treasurer advanced the idea of pre-completion tolling to help achieve sufficient revenues. Further discussion of tolling during the construction phase will likely be raised during the engagement process with the legislatures, and pending governance discussions will need to be resolved to implement tolling.

7. Establish how aesthetic considerations will be incorporated into the design and how Metro will be involved

Governor Kitzhaber is working on a proposal to appoint a bi-state committee to review and select an architect and a bi-state bridge design advisory committee to work with the architect and public. The draft work plan is still in progress but is guided by the following:

“Moving forward the project requires highly qualified, exceptionally skilled, visionary design leadership that understands the importance of design in delivering a project that is worthy of the majestic setting and serves the needs of the citizens.” UDAG

A joint governor appointed independent selection committee will review qualifications and recommend a qualified bridge architect to work with stakeholders, the urban design community, public, and project staff to develop conceptual designs, standards and/or criteria that will be included in any bridge construction procurement documents. This firm or person could be retained throughout the design and construction of the bridge to develop, explain, and work with the design/builder to ensure that the final bridge design includes these standards and criteria.

The architect(s) would:

- Develop the aesthetic response to the crossing over the Columbia;
- Include the Harbor bridge(s) and the Hayden Island and SR 14 interchanges;
- Create increased certainty in the community about the conceptual design;
- Develop the design standards and/or criteria for inclusion in the bridge design-build RFP; and
- Provide consistency for the aesthetic design throughout the design-build process.

The architect will work with a group of stakeholders to develop conceptual designs, engage the public on design concepts, and approve the architectural standards and/or criteria for inclusion in design-build RFP and procurement documents. The members will represent diverse bridge

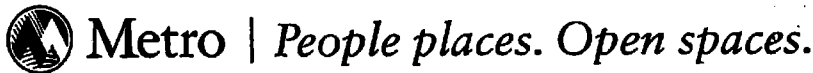
and bridge corridor stakeholders including, but not limited to: freight, marine, bike/ped, neighbors, commuters, transit and design community.

This work is in progress and is guided by providing adequate time to inform the design-build procurement schedule.

Tom Hughes

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COUNCILOR ROBERT LIBERTY, DISTRICT 6

**Statement to the Independent Review Panel
for the Interstate 5 Freeway Widening Project (CRC)
July 7, 2010**

I am Robert Liberty, a member of the Metro Council. I represent the 240,000 people living in District 6, which is – roughly – the southern half of Portland.

Thank you for the opportunity to address you regarding the proposal to widen Interstate 5 between Vancouver and North Portland.

I have been a participant in transportation planning and project discussions, in one role or another, since 1988. I was the lead attorney in the litigation challenging Metro's approval of the Western Bypass in 1989. I first proposed what later became the Land Use Transportation Air Quality project, which developed the locally preferred alternative in the Western Bypass study.

In the early 1990s I proposed language and participated in the hearings and discussions about the Transportation Planning Rule.

Starting in 1994 I served as Executive Director of 1000 Friends of Oregon at the time when a member of our Board was John Russell who subsequently served on the Oregon Transportation Commission. The Chair of our Board was Gail Achterman, now chair of the Oregon Transportation Commission.

I have served on advisory committees for the Sellwood Bridge, the Portland to Milwaukie Light Rail Project and co-chair the Portland to Lake Oswego transit study.

In other words, I am no stranger to transportation planning and transportation projects.

I am here today because I support taking action to address passenger and freight vehicle delay between Portland and Vancouver.

Let me repeat that statement: I am here today because I believe we need to do something about congestion on Interstate 5.

I felt obliged to repeat that statement because the Columbia River Crossing project staff and supporters have worked hard to characterize anyone who questions the particulars of their proposed solution as being opposed to doing anything.

That is not true of me. It is not true of any of the other elected officials and community leaders who support a smarter, cheaper, greener approach to congestion on I-5 between Clark County and the rest of the metro region.

But the project staff's defensive and hyper-critical response to suggestions for different study assumptions and methods is characteristic of the entire project. The staff seemed determined to deliver a particular solution from the very beginning. In part, that solution flowed logically from a set of basic assumptions in the study, assumptions that I believe were erroneous.

Your June 9 press release regarding your June 17 meeting included this statement: "The governors have directed this work to ensure that key project study assumptions and methods are reasonable." In response to this invitation, I am sharing a few of my questions regarding key project study assumption and methods.

The first assumption that I question is the geography chosen for study. Was it reasonable to restrict the area of the study to a short stretch of Interstate 5 and a narrow band of adjacent land and water, given:

- (a) The potential impacts of the project on traffic outside the study area, on Interstate 5 from North Portland into the I-5/I-405 and the I-5/I-84 interchanges just a few miles south?
- (b) The potential impact on commuter and freight movement on I-205, which is outside the study area.
- (c) The local and regional land use patterns and arterial network in Vancouver and Clark County outside the study area, which affect traffic volumes on I-5 in the study area?
- (d) The potential effects of the project on job location and land development outside the project area, which will have impacts on the new facilities?
- (e) The downstream rail bridge is outside the study area. The rail plays a major role in freight and passenger movement on the West Coast and its current design was used to help justify or dictate the design of the alternatives but no consideration was given to how renovating or rebuilding that bridge might save money and provide important benefits to rail and barge freight movements.
- (f) The opportunity to address important long-distance freight travel time by making less expensive improvements elsewhere along I-5 or the options for freight benefitting options on I-205?
- (g) The opportunity to consider permanent or temporary commuter rail service on the existing BNSF line between downtown Portland and downtown Vancouver?

The second set of assumptions that seem questionable to me is about how the project could be financed.

Was it reasonable to assume that the taxpayers of Oregon and Washington would each contribute 1/6th of the total project costs, that is, in the \$400 to \$600 million range?

As events have proved out, this was a very *unreasonable* assumption. The 2009 Oregon legislature raised the gas tax for the first time in many years and then earmarked much of that money for favorite local projects. But this project was not earmarked. No specific authorization was made for this project. That should have given everyone a clear signal that this project was not favored by the Oregon legislature.

Is it now reasonable to assume that the Oregon legislature will raise the gas tax again, just for this project? Alternately, is it reasonable to assume the legislature will re-direct existing revenues and ignore the competing projects earmarked by the legislators who supported the bill based on those earmarks?

Is it now reasonable to assume Oregon legislators from outside the Portland metro area, where a majority of Oregonians live, in Bend, Baker, Corvallis, Medford, Eugene and Salem will agree to raise gas taxes, again, on Oregonians for the primary benefit of commuters from Washington State?

Washington Legislators have identified their top priority transportation projects as the construction of a new 520 (Evergreen Point) Bridge, the replacement of the Alaska Way Viaduct and a new Spokane Freeway. Each of these projects costs \$1 to \$4 billion. Is it reasonable to assume that the legislators will change their mind and make widening of I-5 in Clark County a higher priority?

The project's financial plan called for tolls to provide about one-third of the financing. Is it reasonable to assume that Washington State legislators or local officials will impose tolls on a new I-5 bridge after the mayor of Vancouver was elected running heavily on an anti-tolling platform?

Was it reasonable to assume that the next Federal transportation bill would set aside \$400 million for the highway portion of the project, even though Congressman Baird, who represents Clark County, and Congressman DeFazio, who is Chair of the House Transportation & Infrastructure Subcommittee publicly announced they believed this amount was too much?

Is it reasonable to assume that this project has local Congressional support when Congressman Blumenauer declined to support an earmark for more study money?

Is it reasonable to assume that the next Congress will raise taxes at all, for anything?

The third set of questions concerns land use causes and land use consequences. As the LUTRAQ project demonstrated, land use patterns interact intimately with transportation patterns. Changing land use plans and regulations and the resulting development patterns can lead to a very different solution because these changes affect trip volumes, modes and destinations. Was it reasonable for the CRC project to assume that future land use patterns were fixed? Was it reasonable to refuse to analyze how alternative land uses could address some of the project's goals?

The fourth set of questions relates to the seismic standard adopted for the project. This may seem like a relatively minor issue but it is, I believe, one of the chief justifications given for the demolition of the existing two bridges.

In this regard I note that the two bridges, contrary to statements I have heard from time to time, are not "falling down." According to ODOT's bridge inspection report, which can be viewed on line, the two bridges' sub-structure, superstructure and decks are in adequate condition. In fact, the 1958 bridge is in about the same structural condition as the Marquam Bridge on I-5 over the Willamette, a bridge no one is proposing be demolished. There are about 30 bridges on or over I-5 in Oregon that are rated as "structurally deficient" but the I-5 bridges are not on that list.

Was it reasonable to impose a seismic safety standard based on the biggest *local* earthquake that may occur every 2,500 years? That appears to be a far more rigorous standard than one tied to the regular great off-shore quakes caused by the subduction of the Juan deFuca plate.

We now know a great deal about the severity and frequency of the subduction quakes but my impression is that there is very little geologic evidence about the frequency of a 6.8 or 7.0 magnitude quake occurring in the Portland-Vancouver region.

In the event of an earthquake of the scale to which the standard is tied, was it reasonable to assume that the bridge will even be accessible given the likely collapse of the overpasses and approach ramps north and south of it given that these structures do not meet these seismic standards?

In this regard, wouldn't far more lives be saved in the event of a big earthquake if the money for demolishing and replacing the existing I-5 bridges were redistributed to retrofitting key bridge structures that provide more critical local access to hospitals or for evacuation routes?

This leads me to a fourth comment, which is not about project assumptions but gets to a fundamental problem with this, and other projects, which is the process for choosing between competing projects. This project, no matter how much it is scaled back, will be so expensive that it will use up so much federal and state tax revenues that other projects will have to be delayed and abandoned.

Many, perhaps all of those projects, addressed the same concerns addressed by this project; congestion, safety, freight movement and transit options. These alternate projects may have provided the same or greater increment in congestion relief, safety improvement, freight access and transit options at lower costs. For example about as many people die in a comparable stretch of 82nd Avenue (a state highway) as they do in the five miles of the Columbia River Crossing study area. Perhaps as many, or more lives, could be saved with a few, less expensive safety improvements on 82nd Avenue than by building the Columbia River Crossing preferred alternative.

There are many more questions and methods I would like to question but I have taken too much time already.

I realize that my questions about assumptions and project priorities are beyond the narrow scope given to you by the two Governors to:

- Assess the implementation plan for the CRC project
- Review the financial plan for the project
- Review and evaluate post-construction performance measures

Regardless of the charge given to you by the two Governors, I invite you, at the very least, to state in your final report;

(1) Different but reasonable assumptions about the geographic scope of the study, about financial feasibility and about seismic standards could have been made.

(2) These different, but reasonable assumptions could have led the project to a very different, but equally valid, solution.

(3) This project should be considered in the context of a comparison of the benefits and costs of other regional transportation investments.

Thank you for your time.

Metro Copy

The Columbia River Crossing.

My name is Gerald Fox. I am a retired Transportation Engineer. I live in Portland.

I have been following the CRC Project with a growing sense of dismay. Seems it's all about the DOTs wanting to build a big new bridge, rather than fulfilling the "Purpose and Need" in a manner appropriate to the 21st Century. Awash in public money, the Project is still attempting to overwhelm decision makers with a blizzard of hype, and misinformation.

Consider:

- Project proponents love to point out that the CRC is a key link in the Trade Corridor between Canada and Mexico. Except that it isn't, and may never be. Through traffic is routed onto I-205, because the Portland Freeway system is full. It will still be full, regardless of the number of lanes at the CRC
- The Project claims that it will reduce traffic congestion, which is odd, since it feeds into the congested Portland Freeway system. In fact, any new traffic induced by the CRC is going to degrade travel throughout the local highway system.
- The claims of increased capacity rest on the extra lanes for local cross-river traffic, but more significantly on Metro's projection that light rail will provide 37% of peak hour capacity – if Vancouver votes for it. These functions do not require a new freeway bridge, and could be accomplished faster and cheaper with an independent bridge.
- And then there is the allegedly world class bike path. Sandwiched in among 10 lanes of freeway traffic. You can see what a disaster that will be by visiting the bikepath on the I 205 bridge. A cruel hoax on the bike community that an independent bridge could fix.
- And freeing up truck traffic across the river will only work if the tolls set high enough to ensure free traffic flow. Of course that could be done anytime, and certainly doesn't need a \$4 billion new bridge.

- And of course, we need the jobs. But those depend on getting the project right, something that's long overdue.

Almost everyone agrees that something needs to be done. There are already 14 freeway lanes across the Columbia, and nothing else. Wouldn't it make more sense to relieve the freeway by encouraging alternative transportation, with a local street bridge, and improvements to the railroad bridge, before embarking on a new round of highway expansion.

I've worked in this region for almost 30 years. Everything from the Mount Hood Freeway to light rail. Ever since its inception, Metro has played a lead role guiding the Portland Region to become a showcase for the nation.

Let's do this one right. Do not approve this evil project.

Gerald Fox 9/8/2011

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Metro Council President Tom Hughes
Councilor Shirley Craddick
Councilor Carlotta Collette
Councilor Carl Hosticka
Councilor Kathryn Harrington
Councilor Rex Burkholder
Councilor Barbara Roberts

Metro Council
600 NE Grand Avenue
Portland, OR 97232-2736

September 7, 2011

Dear Council President Hughes and Metro Councilors:

Please accept this written testimony for consideration in your deliberations for the proposed CRC FEIS Resolution at your September 8, 2011 Council Meeting. Also, please accept this as my formal request that you allow oral testimony by citizens to provide additional input on this important matter.

I would like to strongly reiterate that your action on the CRC's FEIS, including its integral Finance Plan and Phasing Plan, is directly related to your land-use responsibilities. To support this point I refer you to the enclosed excerpts from the Governors' Independent Review Panel (IRP), which was made up of world-renowned bridge experts and engineers. The Governor, his Staff, the DOT Directors, the Project Sponsors Council, Legislators, and the CRC itself expressed the highest levels of confidence and appreciation for the IRP's work.

As you will see in the enclosed excerpts, the IRP recommended that a phasing plan should be included in the FEIS. (Page 13 highlighted section). The IRP defines "phasing" on Page 185 of their report; "Phasing (as opposed to staging) refers to the completion of some major portion of a total project, **with such completion having meaningful value**". [emphasis added]. Please note in particular the distinction that the IRP draws between "staging" and "phasing". They are not the same things.

In CRC's written responses provided to you at your September 6, 2011 work session, the project Staff continues to mis-apply the term "phasing". The CRC does not have a phasing plan. As an example, I believe it was Councilor Craddick who asked the question of CRC Staff regarding the timing of the construction of the Hayden Island arterial bridge, particularly as it relates to

impacts on citizens. CRC Staff's completely inadequate response indicated that they have not even finalized a staging plan, much less a phasing plan, and there has been no information whatsoever provided on a limited-funding phasing plan as recommended by the IRP. The IRP was concerned about the financial viability of the project and recommended that "the CRC fully investigate and develop alternative construction phasing concepts" (Page 120).

This is not a pure finance issue, as some have suggested, but constitutes a very significant land-use issue for which Metro is responsible. Referring again to page 120 of the IRP Report, the experts explain; "As phased construction offers unique impacts and effects on resources and communities, potential phasing plans should be discussed with stakeholders and fully evaluated and documented".

But there is no phasing plan, much less any evaluation or documentation. It was and is impossible for stakeholders to have had any discussion about a non-existent plan.

On Page 186, the IRP specifically recommended that the project be broken into "say, three phases each in the \$1 billion to \$1.5 billion range". CRC so far has indicated only a minimal option to defer work on two (2) interchanges which cost \$239 million, representing only 7% of the stated project cost. This is not phasing.

On Page 187, the IRP again emphasizes that phasing has different traffic and environmental impacts; "Note that traffic and environmental impacts may vary after implementation of an initial or interim phase from those anticipated at completion. ***These must be fully investigated and disclosed to stakeholders***" [emphasis added]. But there is no phasing plan, no investigation of related impacts, and no disclosure to stakeholders. Now you are placed in the position of being asked to approve an environmental impact statement that has not addressed these critical issues and facts.

As I testified earlier, the CRC's "phasing" plan is to go forward with 93% of the initial plan as "Phase 1", and none of the proposed funding is nailed down... zero. There is no plan that provides interim phases with "meaningful value". So we'll most likely end up with intermittent periods of time staring at a useless, partially-completed project, while waiting for the next tranche of funding from who knows who and when.

The Governor, the IRP, many Legislators, and the state Treasurers have recognized the risk in the CRC's finance plan. Mr. Cotugno reported that he has seen the revised finance plan, and thinks that it is a lot better than the earlier plan. But your proposed resolution on the FEIS, of which the Finance Plan is an integral part, recites that the FEIS "has been reviewed and is consistent with the goals of Metro". It is not possible for you to make this determination when the plan is still being reviewed by the Treasurer, and is subject to yet additional modification.

Now is the time for the CRC to actually do something about a phasing plan, and produce something more than mere lip service by incorrectly calling their staging plan "phasing". This mega-project needs a real phasing plan as outlined by the experts on the IRP.

I urge you to not approve the FEIS until you have actually reviewed the revised Finance Plan, and are presented with a realistic and workable phasing plan, including contingencies for virtually certain limited-funding scenarios. Both of these issues are directly relevant to land-use considerations and related impacts on citizens.

Your endorsement of the CRC's FEIS is not merely a perfunctory step to move the process along. The Legislature is not going to address land-use issues. The issue before you now is the last time you will have any leverage to ensure that Metro's land-use goals are met, as you propose to certify in your resolution. With the limited, incomplete, and inaccurate information you have been provided to-date, it is impossible for you to make such a determination at this time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Girard". The signature is fluid and cursive, with a large initial "C" and "G".

Chris Girard
President & CEO
Plaid Pantries, Inc.

INDEPENDENT REVIEW PANEL

Columbia River Crossing



<p>Clearance issues present a challenge.</p>	<p>Clearance issues linked to the river traffic and aviation associated with Pearson Field and Portland International Airport present constraints that make reasonable bridge solutions difficult.</p>
<p>Consensus on a specific plan regarding land use, commercial development, and community concerns on Hayden Island must be in place before the right transportation solution can be developed.</p>	<p>Completing the Final EIS requires consensus behind a specific plan. The controversy at Hayden Island has been a contentious issue for the CRC. The interchange design for Hayden Island, the number of lanes crossing the island and the river in that area each affect the future of the island in terms of land use and development. The CRC will be unable to provide the right transportation solution for the island until these issues are resolved. Once the City of Portland and the island residents have resolved their issues and are unified so that decisions can be made, a transportation solution will emerge.</p>
<p>Light rail transit is essential.</p>	<p>The IRP finds that light rail transit (LRT) is an essential component of the successful CRC and that LRT and the CRC Bridge are co-joined; one won't be built without the other. The systemic value of extending the LRT from EXPO Center to downtown Vancouver seems obvious to the IRP as it contributes to the long-term mobility needs of the region.</p>
<p>Tolling issues require attention.</p>	<p>The finance plan contains typical revenue sources including New Starts funding for the light rail project, grants from the Projects of National Significance program, funds from the respective legislatures, and revenues from tolls. The certainty of each revenue source is unique although some are more predictable than others. For example, the IRP is unable to judge whether or not the state legislatures will provide the \$750-850 million shown in the project finance plan. Tolling is seen by the IRP as essential to the viability of the suggested plan. However, many tolling issues remain including overall philosophy, how and when tolls are imposed, and whether their purpose is project finance, travel demand management or some of both.</p>
<p>Discussion of project phasing is not in the Draft EIS.</p>	<p>No provision was presented to the IRP about project phasing. The IRP finds this to be unrealistic given the final cost of the CRC as well as the need to address cash flow demands and construction sequencing. Phasing is not part of the Draft EIS currently under review but should be included in the Final EIS.</p>

INDEPENDENT REVIEW PANEL

Columbia River Crossing



access needs. The CRC team has demonstrated design sensitivity with respect to minimizing the footprint of I-5 in proximity to Fort Vancouver and National Park Service property.

Issues/ Open Items

Demand management is central to the project's success. Restricting entering traffic during periods of potential congestion through metering is the best tool available for demand management on the freeway. Entrance ramps of insufficient length are difficult to meter without adverse queuing spilling back onto the crossroad. The ability to institute and operate ramp-metering technology at entrance ramps is a key element of any demand management program. The CRC should verify that entrance ramp designs (length and width) are sufficient to enable the implementation of metering, including the ability to implement bus transit bypass or other transit priority schemes.

The financial viability of the project remains a key concern. A significant part of the total project investment need is associated with interchange reconstruction and capacity improvements along the I-5 mainline in Washington. With respect to phasing, there may be more than one potential phasing scheme to consider under a limited funding scenario. The CRC team has pointed out that deferral of system interchange construction at the north end of the project is one such approach, as well as deferral of portions of the Marine Drive interchange in Oregon. The IRP recommends the CRC fully investigate and develop alternative construction phasing concepts for the I-5 corridor in Washington.

The CRC engineering team has recommended single point diamond (SPI) interchanges at a number of locations. Members of the IRP have considerable experience in interchange configuration design studies. The panel's experience is that such designs can be more expensive and operationally less efficient than other diamond alternatives, particularly in locations where the crossroad is under the freeway. The IRP suggests that as part of design refinement the CRC should investigate such alternative diamond forms with the objective being to determine whether cost savings in the profile of I-5 and bridge structures can be attained.

INDEPENDENT REVIEW PANEL

Columbia River Crossing



Issues / Open Items

There is a possibility that despite best efforts to assemble funding, the Project Sponsors may encounter a significant shortfall in funding to complete all of CRC as currently envisioned.

There is also a possibility that a number of current uncertainties in design and schedule will adversely affect the total cost of the project.

Projects of this size and scope are often planned and developed assuming a phased construction effort. Phasing (as opposed to staging) refers to the completion of some major portion of a total project, with such completion having meaningful value, yet deferring subsequent construction till later, often uncertain, dates when additional funding can be obtained.

From a long term perspective, phasing is preferred over permanent ‘scaling back’ of the ultimate plan, particularly in growing regions such as the Portland/Vancouver Metro area.

Optimal phasing plans address the most pressing problems first, minimize throw-away construction, and preserve right-of-way for subsequent phase completion. For any given phasing plan, slight revisions to current ultimate designs may be needed. As phased construction offers unique impacts and effects on resources and communities, potential phasing plans should be discussed with stakeholders and fully evaluated and documented.

Phasing is routinely considered by project owners for projects of this size and uncertain delivery timeframe. Current examples of similar projects (information obtained from FHWA Megaprojects office) either in final design or construction are summarized in Table 7 below:

Table 7 – National Sample of Similar Projects Using a Phased Approach

Project	Phased Approach
I-29/I-80/I-480, Council Bluffs Iowa	Reconstruction including Missouri River Bridge; project developed using tiered EIS; five segments identified with funding and construction for only segments 1 and 2 (\$837M); partial or interim solution for segment 3 and no funding yet for segments 4 and 5.
I-64/I-65/I-71 Indiana and Kentucky	Project in Louisville includes two new bridges over the Ohio River and adjacent interchange reconstruction; project funding and construction plan spread over 12 years (\$4.1 B)

INDEPENDENT REVIEW PANEL

Columbia River Crossing



I-70 St. Louis	New crossing of the Mississippi River; project split into phases (SEIS re-evaluation performed) with initial phase of \$660 M (including the new bridge) and subsequent phases requiring \$2 B not yet funded but planned
I-71/I-77/I-90 Cleveland Inner Belt	Reconstruction including crossing of the Cuyahoga River; planned for phased construction from 2010 to 2033; initial phase of \$400 M and total funding requirement of \$3.5B.

Successful phasing for projects of this magnitude addresses the most pressing problems in initial phases, and produces manageable projects (say, three phases each in the \$1B to \$1.5B range). Appropriate consideration of phasing involves a number of project development steps. In carefully planned phasing actual geometric and structural design solutions may change to accommodate interim ‘ties’ or minimize subsequent throw-away.

IRP team members were recently involved with a similar project (replacement and widening of a major river crossing on an interstate highway between two states) in which deferral of one of two new river crossing bridges and conversion of existing crossing bridges for one direction of travel was considered as a phased solution to an expected possible major funding shortfall. In that case, approach roadway design solutions were developed to demonstrate the feasibility and cost implications of having to resort to such phasing plan should funding not become available for the full ultimate solution.

In the context of the project there may be many different ways to approach phasing. For example, the ultimate plan may call for reconstruction of the North Portland Harbor Bridge, but its replacement may be deferred to a second phase. Similarly, individual interchange reconstruction may be deferred, and/or some auxiliary lane widening associated with deferred interchange reconstruction could also be deferred. A three-bridge solution offers potential for phasing of all bridges if significant shortfalls occur. For example, only two of the three bridges could be built initially under a range of operating regimes (one might be -- build one highway bridge slightly overwidth; operate with 8 lanes with reduced interim dimensions; build the transit and pedestrian bike bridge; perhaps operate bus rapid transit as an interim measure on the transit bridge with LRT eventually implemented; defer the other highway bridge until, say, 2035 at which point the full ten or 12 lanes would be provided).

INDEPENDENT REVIEW PANEL

Columbia River Crossing



Construction on a new interchange at Hayden Island could be deferred until after completion of all three bridges. It is possible or even likely that significant development may be delayed as this area will be a major construction zone and may not be as desirable during first phase construction; perhaps look for developer participation in Hayden Island interchange construction and until then use Marine Drive as the initial phase access).

Note that traffic and environmental impacts may vary after implementation of an initial or interim phase from those anticipated at completion. These must be fully investigated and disclosed to stakeholders. In other examples of similar projects noted above, phasing was explicitly included in project development and covered in the Final EIS.

As currently envisioned development of the CRC is counting on full funding from multiple sources, including tolling which will be new to the community and unproven in its revenue generating potential. Failure to achieve one or more major sources of funding can make the entire project unmanageable or unaffordable in the present. The IRP is less concerned about 'marginal' shortfalls but more about individual funding sources and/or unanticipated cost increases representing \$0.5 B or more.

Finding

As discussed in Section 3.2 the IRP recommends evaluating and offering public review of phasing options. In conducting the phasing evaluation, the CRC should consider:

- Developing and reviewing different phasing concepts with Project Sponsors and other key stakeholder groups. This would be more than a cost cutting exercise but rather explore what a workable project might look like if, for example, only \$2.5B rather than \$3.5B were available. This exercise could be conducted using outside experts in workshop settings to brainstorm phasing solutions, with background on phasing conducted in other similar projects. Phasing in this context should include all major project components – freeway improvements, the CRC bridges, and LRT components.
- Describing and fully evaluating project phasing as part of a Supplemental EIS, assuming FHWA and FTA concurs that an SEIS is needed. This will leave options open to the Project Sponsors and avoid having to perform yet another SEIS if phasing is required due either to lack of funding or significant increased implementation costs.



September 8, 2011

Metro President Hughes
Metro Councilors Burkholder, Colette, Craddick, Harrington, Hosticka, Roberts
Metro
800 NE Grand Avenue
Portland, OR 97232

RE: Resolution No. 11-4288
Columbia River Crossing Final Environmental Impact Statement

Dear President Hughes and Metro Councilors:

I submit the following written testimony for your consideration as you deliberate on Resolution No. 11-4288. Also, as provided for in your notice of this meeting, I hereby request that you hold a public hearing on this resolution.

Resolution No. 11-4288 asks you to authorize the Metro President to consent to the Final Environmental Impact Statement (FEIS) for the Columbia River Crossing. I strongly urge you to withhold your consent because the FEIS does not disclose either the true nature of the project as it is likely to be built, nor does it accurately disclose the impacts of this project on the region. Specifically:

1. You do not know what portions of the project will be built, and as a result cannot accurately assess its impacts, because project funding has not been determined.
2. CRC traffic forecasts are wrong, the traffic models used to produce them have been acknowledged by their authors to be incapable of accurately forecasting traffic on tolled facilities, and traffic projections have not been revised since the DEIS to correct acknowledged errors and changes in conditions.
3. Metro has not evaluated the effect that approval of CRC will have on funding for other transportation projects in the region.

Approval of the Final Environmental Impact Statement is a momentous responsibility: It is Metro Council's last opportunity to certify to the citizens of the region that it has fully analyzed, disclosed and considered the project's impact on the region's transportation system, its environment, and the region's communities and people. You have an important duty to assure that this information is accurate, complete and fair.

My analysis shows that the FEIS presents an incomplete, inaccurate and deceptive view of the project's impacts, and therefore you ought to postpone approving this resolution until the information in the FEIS is corrected.

1. CRC project financing is highly uncertain, making it impossible to know what will actually be built and therefore what will be the actual environmental, social and land use impacts

In order to assess the impacts of the project, you have to know what the project is. It is clear from the record that the scale of the project will be adjusted to fit available financing. But as yet, the project's financing is simply conjectural: none of the sources of funding (federal highway earmarks, FTA transit funding, Oregon and Washington gas tax increases, tolls, and a CTRAN sales tax) have been committed to the project. The Governors have directed that the project be phased, and the CRC has indicated that it is planning to break the project into phases, but as yet, no meaningful action has been taken.

It is apparent from the staff report that the financial plan for the CRC is completely unresolved at this point. We have no idea what kind of project will actually be built, so we have no way of accurately assessing its impacts.

It is particularly galling that the resolution, as drafted, makes a claim that is contradicted by the material included in the staff report. The resolution states that Metro has reviewed the FEIS, while the staff report contains material statements from CRC indicating that the financial chapter of the FEIS has not been completed yet. Metro Council cannot, in good faith, adopt a resolution that makes a claim that it has reviewed a document that does not, as of today, even exist. Here are the particulars:

The resolution before you provides:

WHEREAS, since adoption of Resolution No. 11-4280, the Final Environmental Impact Statement has been reviewed and is consistent with the goals and policies of Metro; and
(Metro packet, PDF page 21)

But, if you read the CRC's response to questions in the staff report, you will find that a key component of the FEIS, the financial plan, is still not complete and is being revised:

Answers to Questions

4. Review of the Finance Chapter of the FEIS (incorporate recommendations from

the OST)

The project has incorporated the treasurer's recommendations to reduce financial risk and provide a more conservative finance plan. The updated financial chapter in the FEIS includes a recalibrated tolling financial projection to reflect the stalled economic growth and a level debt service. The treasurer's office is currently reviewing the FEIS financial chapters for consistency with his recommendations. The CRC will submit a finance chapter that reflects the treasurer's recommendations and the Federal Transit Administration and Federal Highway Administration will provide final approval of the finance chapter for FEIS publication.

(Staff Report, PDF page 30)

Metro should not adopt a resolution today that claims to have reviewed a document—the financial plan—that has not according to the record been completed yet. Moreover, Metro should not vote to add its endorsement to a “Final” Environmental Impact Statement that has not been completed yet.

The CRC depends on a complex, multi-part financing plan. None of the parts of the plan have yet been approved by any of the bodies that must approve such funding. There are four key elements to this financing plan: toll bonds, Oregon and Washington appropriations, federal New Starts funding, and federal highway funding.

The CRC financing plan rests on seven key assumptions about decisions that will be made and amounts that will be provided for project funding:

1. Washington legislative approval of facility tolling.
2. Washington legislative approval of funding for the state share of the project.
3. Oregon legislative approval of funding for the state share of the project.
4. Earmarking or Federal Highway Administration approval of funding for the highway portion of the project.
5. Federal Transit Administration approval of New Starts Funding
6. Oregon and Washington Treasurers' approvals for the authorization of toll-backed revenue bonds
7. Voter approval in the CTRAN district or a portion thereof of operating funds for light rail.

In order to construct the project as currently described by the Project Sponsors Council, all of these financial approvals must be made, and made at the full amount budgeted. If any of these sources of funds or approvals is not made, or if funding is provided at less than the budgeted amount or if funding or approval is delayed, there is no assurance that all of the component parts of the project will be constructed.

There are major risks that one or several of these assumptions are incorrect and that expected sources of funding will not materialize, and additional risks that they will not materialize in the amounts budgeted or on the schedule currently planned.

In addition, it now seems certain that the project will need to be broken into a series of separate phases. The timing and the ultimate scope of the Columbia River Crossing project will depend upon the amount of funds received for project construction. There is no assurance at this time that any given component of the project will be completed.

At the present time, it is highly likely that funding will not be available to construct the entire project as described. Acknowledging this fact, on July 20 of this year, Governor John Kitzhaber directed CRC to develop a “sequencing” plan for the project (Kitzhaber 2011):

The Treasurer also identified potential replacement revenue strategies, which I appreciate and am willing to explore. But I believe that if we are going to get the CRC done, it is time to start planning for a project that adapts to the available resources and fits into today’s economic reality. To that end, I am going to ask the Oregon Department of Transportation and the CRC to prepare a sequencing plan that accommodates anticipated cash flow.
(Kitzhaber 2011)

The need to sequence or phase the project to fit available funding is likely to result in major changes to the project’s scope, timing and ultimate impacts. More than a year ago, the Independent Review Panel appointed by then-Governor Kulongoski and Governor Gregoire concluded that the project would need to be broken into phases because of the low likelihood of all of the projected funding materializing. The IRP recommended the project be broken into three phases each of 1 to \$1.5 billion (Independent Review Panel 2010, page 186). The IRP is particularly significant because the Directors of the Oregon and Washington Department’s of Transportation both said that they accepted the report and agreed to implement its findings (Garrett and Hammond 2010). The IRP also recommended that phases be constructed to be independent and self-standing, so that the project would be functional regardless of whether funding for subsequent phases was ever realized.

The IRP warned that there may not enough money to complete the whole project and that it ought to be designed so that it could be built in phases, and that if subsequent funding did not become available—which it specifically identified as a possibility—that the project would be functional.

There is a possibility that despite best efforts to assemble funding, the Project Sponsors may encounter a significant shortfall in funding to complete all of CRC as currently envisioned. There is also a possibility that a number of current uncertainties in design and schedule will adversely affect the total cost of the project. Projects of this size and scope are often planned and developed assuming

a phased construction effort. Phasing (as opposed to staging) refers to the completion of some major portion of a total project, with such completion having meaningful value, yet deferring subsequent construction till later, often uncertain, dates when additional funding can be obtained.
Independent Review Panel 2010, Page 185

Because the project will be phased or sequenced, and that phasing plan has not even been presented, much less adopted, Metro Council has no assurance as to what portion of the project will actually be built. Because the project consists of a diverse array of components, some of which increase traffic (new bridge lanes, new intersection capacity), and others which reduce or divert it (light rail transit, tolling), not knowing which phases will actually be built means that Metro has no idea what will be the net environmental, economic and social impacts of this project.

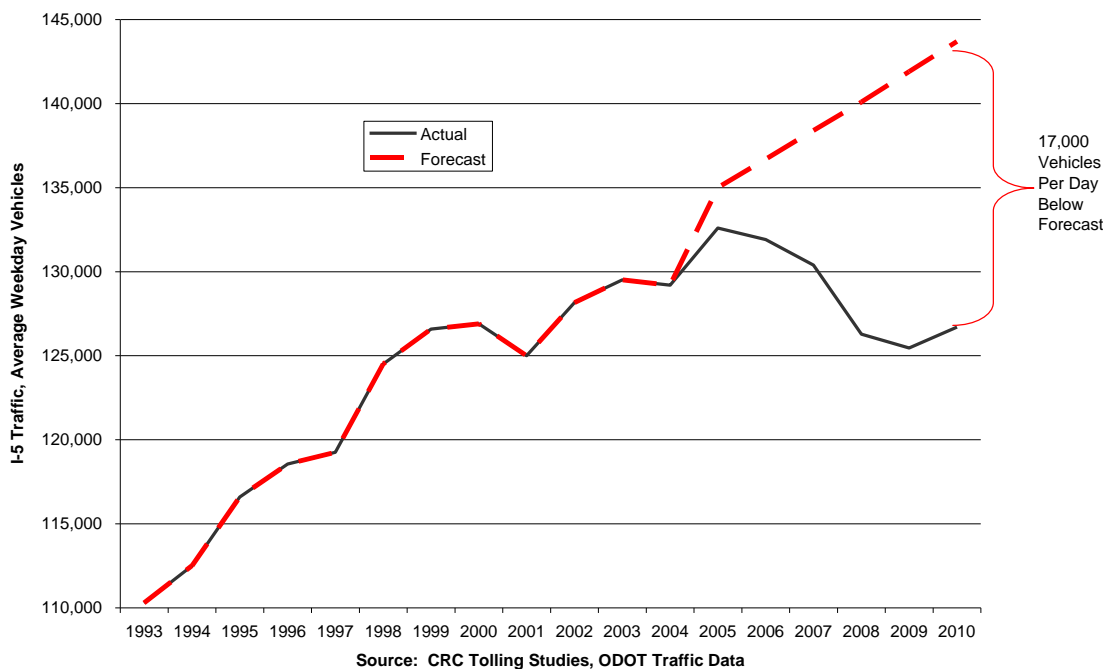
2. CRC traffic and toll revenue forecasts are inaccurate, meaning traffic and traffic related impacts are not accurately assessed.

Assessing the environmental, social and land use impacts of the Columbia River Crossing project depends on accurate estimates of future traffic levels. The FEIS purports to offer very detailed estimates of traffic flows across the I-5 bridge and related roadways, through the year 2030.

The traffic and toll revenue forecasts prepared for the Columbia River Crossing are not accurate. The original forecasts were prepared based on 2005 base year data, and were published in 2007, and incorporated in the May 2008, Draft Environmental Impact Statement. The Columbia River Crossing has not produced new forecasts of travel since that time.

Actual traffic data show that CRC traffic projections are wrong. The CRC projections are that traffic on the I-5 bridges should have reached 143,700 vehicles per day in 2010. Actual traffic levels were 126,700 vehicles per day in 2010, 17,000 vehicles per day below the CRC forecast. These figures are based on our analysis of ODOT's data on traffic levels on I-5, through November 2010.

CRC Forecast v. Actual



In addition, the question is not merely whether traffic is increasing again now, but whether they will recover to the previous levels, and whether they will grow at anything close to the rate CRC projected in the DEIS. The evidence shows the growth rate is much slower than forecast, raising serious questions about the project's financial viability.

The Treasurer's independent review of the traffic forecasts confirmed the flaws in CRC traffic forecasts. In 2011, the Oregon State Treasurer retained Robert Bain of RB Consult to review the CRC finance plan and traffic projections. Bain concluded that:

- Traffic and revenue analyses prepare for the CRC were unsuitable for credit analysis
 - CRC traffic projections were confusing and outdated
 - Authors of the traffic projections failed to examine historical data or verify their models against actual trends
 - Diversion estimates to I-205 were "worrying."
 - Overall, the CRC appears to have overestimated traffic.
 - Toll revenue appears to be over-estimated by 25 percent.
- (Bain 2011)

Both ODOT and CRC consultants have concluded that the models used to estimate CRC traffic do not produce valid, accurate estimates of traffic for tolled facilities.

In February 2009, the Oregon Department of Transportation received a report prepared by Parsons Brinckerhoff, David Evans and Associates Inc., and Stantec Consulting Services Inc. The authors of this report all happen to be contractors for the Columbia River Crossing project. The report is entitled *Tolling White Paper 3: Travel Demand Model Sufficiency*. This document is available on the Internet at the following address: <http://www.oregon.gov/ODOT/TD/TP/docs/LRPU/twp3.pdf>

ODOT's report finds that the current models used to forecast traffic in Oregon, and specifically in the Portland Metropolitan Area, including the Metro model, are inadequate to accurately predict traffic volumes on tolled facilities, such as the proposed Columbia River Crossing. Consider ODOT's summary of this report:

Existing models in Oregon are rated as excellent for the purposes they were designed, and some are internationally recognized. However, Oregon models have not been specifically designed to evaluate toll projects, so **planners are not able to confidently forecast travel patterns for projects that are considering tolling/pricing. Existing models are not able to determine how travelers would change their mode, route, travel time, or destination in response to tolling/pricing.**

Oregon Department of Transportation, Tolling and Travel Demand Model Sufficiency, Highlights of Tolling White Paper 3, March 2009, page 1, http://www.oregon.gov/ODOT/TD/TP/docs/LRPU/Highlight3.pdf#Tolling_White_Paper_3
(Emphasis added)

As the ODOT study shows, the Oregon Department of Transportation and the principal contractors for the Columbia River Crossing concur that the traffic forecasting methods used by the CRC are not accurate or reliable. Accurate estimates of future traffic levels are central to assessing the need for this project, justifying its size, evaluating its environmental impacts, and most crucially, determining the viability of its financial plan.

The recession does not explain the decline in I-5 traffic, and in any case, CRC has not revised its traffic projections or impact analysis to reflect the much slower rate of growth. It has been claimed that the decline in traffic since 2005 is attributable to the economic recession which began in December 2007. The current staff report alludes to this same argument, claiming that the traffic projections and financial documents need to be "recalibrated to reflect stalled economic growth." (Staff report, PDF page 30). Robert Bain, the consultant to the Oregon State Treasurer conclusively disposed of this argument in his report:

Traffic volumes using the I-5 Bridge have flattened-off over the last 15-20 years; well before the current recessionary period. This is highlighted by the red dotted trend line in the chart below which was estimated up to and including the year 2006 (i.e. it omits the recent 2007 – 2010 period characterised by fuel price hikes

and economic recession). The clear inference is that the flattening-off is a long-term traffic trend; not simply a manifestation of recent circumstances.
(Bain 2011, page 3)

And even though CRC financial plans now concede that DEIS projections are wrong, the traffic estimates in the FEIS—which form the basis of the claims about the project’s environmental, social, traffic and economic impacts—have not been revised to reflect this new reality—they are essentially the same traffic figures given in the DEIS.

Most of the impact analysis in the FEIS is based, directly or indirectly, on comparisons of traffic levels between the no-build alternative and the proposed project, and these traffic level estimates are drawn from data that has been shown to be wrong, from models that are not even designed forecast traffic for tolled facilities like the CRC, and which have not been updated to reflect the acknowledged changes that have occurred since the DEIS was published. Consequently, the FEIS does not constitute a fair and reasonable analysis or disclosure of the environmental, social, and economic impacts of the CRC.

3. The FEIS contains no analysis of impacts resulting from CRC funding sources that reduce resources for other regional priorities.

Metro has been appropriately concerned that the Columbia River Crossing will compete for funding that would otherwise come to the region either through federal formula fund allocations or through state funding.

A cornerstone of the CRC finance plan is the claim that \$400 million will be available from the federal government as a result of an earmark or other discretionary funding, over and above funding that would otherwise come to the region, because of the alleged special character of this project. (The latest version of the plan actually assumes a \$500 earmark in some scenarios).

For years, CRC advocates have traded on the idea that the CRC is a special project that will get funding from "a special pot" that wouldn't otherwise be available to the region, and that it wouldn't compete for dollars that could go to other projects, like federal formula funds. For example, earlier this year, Matt Garrett, ODOT director said:

“Federal highway funds are being sought from a category known as Projects of National Significance. Very few projects in the country and no other projects in the region can compete for these funds These sources are unique to the CRC project and do not affect other Oregon projects.”

Notice in particular three things about Mr. Garrett’s statements. First, the passive voice

and indefinite form “funds will be sought.” Second, Mr. Garrett is silent on what would happen if these discretionary funds either aren’t available, or fall short of the amounts being “sought.” And third, Mr. Garrett in no way rules out seeking funding for CRC from other sources.

The just released FEIS Financial Plan, however, opens the door to using funding the CRC using federal formula allocations that are available for a wide range of projects in the region and the state. The financial plan tries to downplay the likelihood that these funds will be used.

"Federal Revenue and Financing Options"

Federal Formula Funds

ODOT, WSDOT, C-TRAN, TriMet, Portland’s Metro Regional Government (Metro), and the Southwest Washington Regional Transportation Council (RTC) receive transportation funding from a variety of federal formula grant programs. In an urban area, the metropolitan planning organizations (MPOs) program these funds to specific eligible uses. In the Portland-Vancouver region, this is accomplished through Metro’s or RTC’s Metropolitan Transportation Improvement Program (MTIP) processes. State and federal funds are also programmed in ODOT’s and WSDOT’s State Transportation Improvement Programs (STIPs). While federal formula funds potentially could be used for the CRC project, many of these funds are currently programmed for other uses, and the finance plan for the CRC project does not anticipate reprogramming of these funds.
(Final Environmental Impact Statement, Finance Plan, Section 4.3.1, page 4-7)

While this wording makes it sound like CRC won't get formula funds, a careful reading shows that it says almost the opposite. While it says "many funds are currently programmed" and CRC "does not anticipate reprogramming **these** funds," like Mr. Garrett it is silent on what happens if an earmark or discretionary funds are not available. The operative words here are “federal formula funds” and “could be used for the CRC project.”

What this statement means is that CRC won't seek to reprogram currently programmed funds, but they could easily ask for future and as yet un-programmed formula funding. The FEIS financial specifically identifies nine categories of formula funds that could be used to pay for the CRC, including:

- National Highway System funds (NHS)
- Surface Transportation Program Funds (STP)
- Interstate Maintenance Funds (IM)
- Fixed Guideway Modernization Funds (Section 5309)
- National Highway Traffic Safety grants (NTSA)
- Congestion Mitigation Air Quality funds (CMAQ)
- Urbanized Area Formula Grants (Section 5307)

- Job Access and Reverse Commute Funds (JARC)
- New Freedom Funds

(Final Environmental Impact Statement, Financial Plan, page 4-5 to 4-6)

And CRC fully anticipates seeking additional funds. The wording of the FEIS Financial Plan makes it clear that everything about the plan is effectively hypothetical, and will change later.

As stated earlier, the financial plan scenarios discussed above are illustrative of the financial tradeoffs between the alternatives. The finance plan will be refined during final design, and the final plan may differ from the scenarios discussed above.

(Final Environmental Impact Statement, Financial Plan, page 4-18)

The current illustrative financial plan scenarios are valid if, and only if, the CRC could obtain a \$400 million to \$500 million earmark or discretionary allocation. That was always at best just a speculation. Recent developments in Washington DC make it clear that it is a virtual impossibility.

As I noted in my August 11 testimony, neither the Senate nor the House draft reauthorization bills contain any category of "projects of national or regional significance." And both drafts ban earmarks. Representative Mica has made it clear he wants to consolidate categories, and give more discretion to the states. Senator Boxer's bill has a so-called national freight provision, but that money is allocated to the states by formula (and wouldn't represent any overall increase in highway funding above current levels). Under either of these bills, formula funds are all this region is likely to get from the federal government for the foreseeable future.

At your hearing on the Land Use Final Order last month, ODOT Director Matt Garrett conceded there was currently no evidence that there would be any such funding available as part of the transportation reauthorization process:

We thought there might be a specific project of national significance. At least with the language we have right now, the discretionary money is not really clear where that's going to present itself.

Matt Garret, Metro LUFO Hearing August 11, 2011

More recently, Peter DeFazio, a key legislator, whose support is vital to any federal funding, has repeatedly expressed his dismay about the size and cost of the CRC. On August 7, DeFazio told the Associated Press that the outlook for funding for the Columbia River Crossing is now "very, very, very, very grim." (Fought and Cooper 2011).

In the Oregonian on August 14, DeFazio said:

"I kept on telling the project to keep the costs down, don't build a gold-plated project," a clearly frustrated DeFazio said. "How can you have a \$4 billion project? They let the engineers loose, told them to solve all the region's infrastructure problems in one fell swoop... They need to get it all straight and come up with a viable project, a viable financing plan that can withstand a vigorous review."

(Manning, Jeff. "Columbia River Crossing could be a casualty of the federal budget crunch", The Oregonian, August 14, 2011).

Later, DeFazio told Oregon Public Broadcasting:

"I said, how can it cost three or four billion bucks to go across the Columbia River? . . . Now with the proposed Republican cuts in transportation . . . they want to cut this [transportation spending] by 35 percent, that means minimally we lose 600,000 to a million jobs and projects like this don't go forward. . . . Right now it's very problematic. . . . The Columbia River Crossing problem was thrown out to engineers, it wasn't overseen: they said solve all the problems in this twelve-mile corridor and they did it in a big engineering way, and not in an appropriate way.

"Think Out Loud," Oregon Public Broadcasting, August 18, 2011.

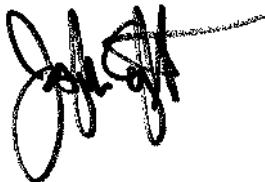
Federal transportation funding faces major cutbacks. There are no earmarks or projects of national significance. As a result, CRC's funding strategy is tantamount to "bait and switch": advocates tell everyone that the federal money for the CRC will come from a "special pot" of earmarks that won't compete with other local projects, and but it should be increasingly clear that when this doesn't materialize, they will seek funding from all of the other sources of funds listed in the FEIS.

When they do, this will reduce the amount of money available for other projects in the region. Because the CRC is such a large project with a high risk of cost overruns, and because it faces revenue shortfalls from other funding sources, it would likely be a drain on the region's transportation financing capacity the next decade. Indeed, the recently released project schedule—which does not include phasing—extends the construction period to 2023. Metro has done nothing to examine the impacts on the region of the diversion of formula funds and other resources to the CRC. Until it examines these impacts, it should not assent to the Final Environmental Impact Statement.

The purpose of the National Environmental Policy Act is to assure citizens that all of the important economic, social, and environmental impacts of investment and policy decisions are carefully assessed and fully disclosed *before* the decisions are made. The version of the Final Environmental Impact Statement before you today falls far short of meeting that standard. Because of acknowledged funding uncertainties, and an abject failure to develop a phasing plan that everyone acknowledges will be needed, you really have no idea what project will actually be built, and therefore no way to assess its impacts. The project's traffic projections—which are utterly central to most of the key claims about the project's environmental, energy, social and traffic effects—are not only simply and demonstrably wrong, they are based on a model that the project's sponsors and consultants have acknowledged is incapable of accurately predicting traffic levels on tolled facilities. And despite acknowledging that their projections are wrong, CRC advocates have made essentially no changes to the traffic figures presented years ago in the DEIS. Finally, it is apparent the prospects for a massive \$400 million to \$500 million earmark for this project, which were always at best speculative, are now virtually impossible. The financial element of the FEIS is not even available in final form, and even then it not really a plan, but rather an “illustrative scenario”—as the project sponsors concede in a candid moment. And when this illustrative scenario of generous federal funding from a new and separate pot evaporates, the CRC will clearly be a major competitor for regional transportation funds from federal formula allocations and other sources, reducing resources available for other badly needed regional priorities—and neither this FEIS nor Metro have considered the considerable impacts of that outcome.

The Columbia River Crossing Final Environmental Impact Statement fails to accurately assess these important impacts and disclose their consequences to the people of the region. Metro Council should reject this resolution, and insist that these issues be addressed.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Joseph Cortright', with a long horizontal line extending to the right from the end of the signature.

Joseph Cortright

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EARL BLUMENAUER
THIRD DISTRICT, OREGON

COMMITTEE ON WAYS AND MEANS

SUBCOMMITTEES:
TRADE
SELECT REVENUE MEASURES

COMMITTEE ON BUDGET



Congress of the United States
House of Representatives
Washington, DC 20515-3703



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website: blumenauer.house.gov

January 7, 2009

Matthew Garrett, Director
Oregon Department of Transportation
355 Capitol Street NE Rm 135
Salem, OR 97301

Dear Director Garrett:

Attached please find correspondence from my constituent, Ms. Sharon Nasset regarding the process for the proposed Columbia River Crossing project. Ms. Nasset is concerned that one option—known as the “port-to-port connector”—was removed from consideration without being subject to a complete NEPA analysis, and leaves the project vulnerable to legal challenges that may result in crippling delays.

Ms. Nasset believes that the CRC project should immediately commence with a supplemental EIS to fully study the “port-to-port connector” option.

As ODOT is one of the agencies leading the efforts on this project, I’m sharing her concerns with you. I would appreciate a response from ODOT or the CRC project addressing how the “port-to-port connector” option was removed from consideration as it relates to the NEPA process.

Thank you for your time and consideration.

Sincerely,

Earl Blumenauer
Member of Congress

Cc: Sharon Nasset

Dear Congressman Earl Blumenauer,

Thank you for this opportunity to bring our concerns to you. It also has been recommended by locally elected officials that federal elected officials take the lead on this because NEPA is a requirement for federal funding and the NEPA process has not been followed. The National Environmental Policy Act was established to guarantee everyone would have a valued part in construction projects within our United States. It is our understanding that all parties should have an equal part in the decision making of a project. We also understand that all data and information used in the decision making process is to be publicly transparent and available. The NEPA process was established to avoid problems with the few with power subjecting their will over the citizens. The hard work that made justice part of the public works project process will only be followed when our elected officials insist the NEPA process be followed. Therefore, I come before you today asking you to use the power the citizens have given you to work on their behalf to impose justice and insure we, are a land ruled by law.

We see two possible outcomes the way this project is being managed:

1. Connect with CRC and have them follow the NEPA laws or
2. Wait until the Environmental Impact Statement is complete and then deal with Law suits.

If we wait we could face the issues that the "Bridge to Nowhere" faced. Our credibility at the Federal level will be lost and we will have to start over.

We are providing a list of those on record who have stated that the Replacement Bridge is the wrong project, the NEPA process has not been followed, Open Meetings Laws have been violated and the process needs to be opened to options that were arbitrarily remove by CRC:

Clark County Commissioners, Bike Transportation Alliance, Coalition for a Livable Future, Oregonians In Action, 1000 Friends of Oregon, Cascade Policy Institute, Evergreen Freedom Foundation, Board of Sustainable Future, Osprey, Audubon Society, EPA, Lars Larson, Onward Oregon, Sensible Transportation Solutions, Economic Transportation Alliance, Local Economists, Environmentalist, Metro Councilors, Port Vancouver Commissioner Jerry Oliver, Senator Benton, Representative Jim Dunn, Representative Chip Shields, Senator Larry George, Senator Gary George, Pearson Airport board members, US Fish & Wildlife hatchery division, Clark College Law Department, Professor Will Macht, CRC Sponsor Agencies and 800 taxpayer signatures. This group of tax payers rarely has the opportunity to speak with one voice.

In conclusion we are asking you to require the Columbia River Crossing Project to immediately perform a Supplemental Environmental Impact Study to thoroughly study the Port-to-Port connection RC-14.

Sincerely,

Sharon Nasset

Economic Transportation Alliance



Washington State Senate

109B Irv Newhouse Building
P.O. Box 40417
Olympia, WA 98504-0417

Senator Don Benton
17th Legislative District

Olympia Ph: (360) 786-7632
District Ph: (360) 576-6059
E-mail: benton.don@leg.wa.gov

February 11, 2009

**Dear Governors' Christine Gregoire and Ted Kulongoski, Sponsor Agencies;
Southwest Washington Regional Transportation Council and CTRAN,**

Attached please find correspondence from Congressman Earl Blumenauer to the Director of the Oregon Department of Transportation, dated January 7, 2009

We would like to thank Congressman Earl Blumenauer for his leadership on the Columbia River Crossing project's need to follow the National Environmental Policy Act (NEPA) requirements, that all alternatives are thoroughly studied. A thorough study of all options to include data is a necessary requirement in the NEPA process. This valuable step in the NEPA process brings the best options to the forefront and creates cooperation between the sponsoring agencies, stakeholders, and taxpayers, and the ability to receive Federal funding for the project.

We are asking that the CRC project immediately commence a Supplemental EIS to fully study the "port-to-port connector" option RC-14.

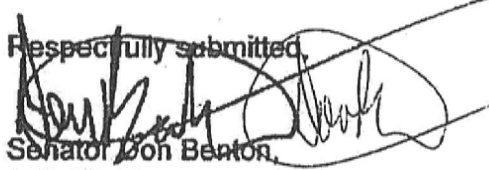
The foci of the Columbia River Crossing are the economy, safety, and the environment. A thorough NEPA process will create comparable data that will answer questions of cost, land use, environmental justice, mobility, congestion relief, regional freight, the distribution of benefits, and impacts.

In summary, adherence to the National Environmental Policy Act is essential for promoting consensus among various stakeholders and for demonstrating transparency. The I-5 international highway system's importance is internationally known. An open and transparent process is needed to build stakeholders consensus that will propel and help develop this project to completion. A project as important and enormous as the Columbia River Crossing must have transparency and must provide credible comparable data on the "port to port connector."

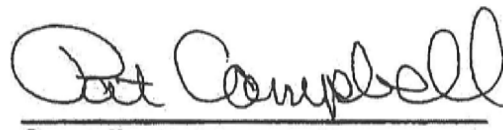
We the undersigned, as elected officials, and with our constituents' best interests at the forefront of our actions, urge Southwest Regional Transportation Council, CTRAN and the Governors of Oregon and Washington, to direct CRC Project to proceed with a full Supplemental EIS on the "port to port connector" RC-14, starting in March 2009.

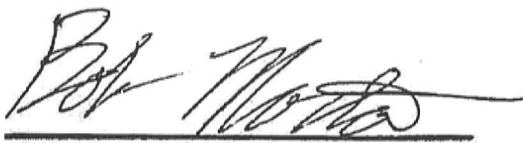
Thank you for your immediate attention to this very urgent matter.

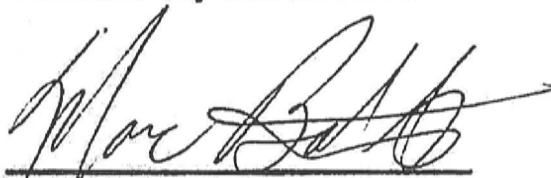
Respectfully submitted,



Senator Don Benton,
17th District
Member of the
Senator's Joint CRC Oversight Committee


Senator Pam Roach
WA State Senator 31st District

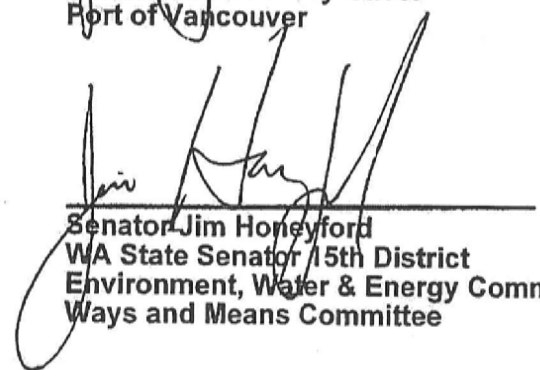

Councilor Pat Campbell
Vancouver City Councilmen #6

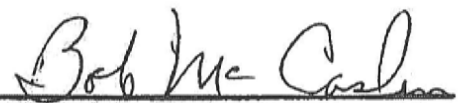

Senator Bob Morton
WA State Senator 7th District
Environment, Water & Energy Committee


Commissioner Marc Bolt
Clark County Commissioner
SW WA Regional Transportation Council

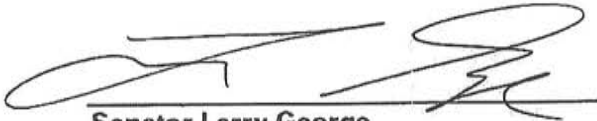

Commissioner Jerry Oliver
Port of Vancouver


Commissioner Tom Mielke
Clark County Commissioner
SW WA Regional Transportation Council
CTRAN Board Member

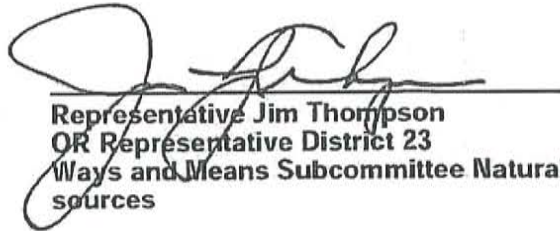

Senator Jim Honeyford
WA State Senator 15th District
Environment, Water & Energy Committee
Ways and Means Committee


Senator Bob Mc Caslin
WA State Senator 4th District
Economic Development Trade and Innovation

In support of Senator Benton's letter to Governors Christine Gregoire and Ted Kulongoski, Sponsor Agencies; Southwest Washington Regional Transportation Council and CTRAN.




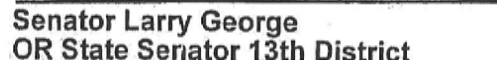
Senator Larry George
OR State Senator 13th District
Senator's Joint CRC Oversight Committee
Business and Transportation Committee

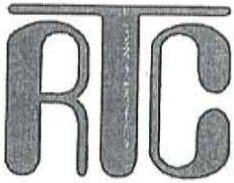


Representative Jim Thompson
OR Representative District 23
Ways and Means Subcommittee Natural Resources

In support of Senator Benton's letter to Governors Christine Gregoire and Ted Kulongoski, Sponsor Agencies; Southwest Washington Regional Transportation Council and CTRAN.


**Representative Bruce Chandler
WA State Representative 15th District
Commerce and Labor Committee
Ways and Means Committee**


**Senator Larry George
OR State Senator 13th District
Senator's Joint CRC Oversight Committee**



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Member Jurisdictions

Clark County
Skamania County
Klickitat County
City of Vancouver
City of Camas
City of Washougal
City of Battle Ground
City of Ridgefield
City of La Center
Town of Yacolt
City of Stevenson
City of North Bonneville
City of White Salmon
City of Bingen
City of Goldendale
C-TRAN
Washington DOT
Port of Vancouver
Port of Camas-Washougal
Port of Ridgefield
Port of Skamania County
Port of Klickitat
Metro
Oregon DOT
15th Legislative District
17th Legislative District
18th Legislative District
49th Legislative District

15
November 22, 2010

Ms. Sharon Nasset
1113 N. Baldwin Street
Portland, OR 97217

Dear Ms. Nasset:

This letter is in follow up to your request about a "third bridge option" being studied and included in CRC's Draft Environmental Impact Study (DEIS). Your specific area of interest is about a project described as a new 6-lane freeway connecting I-5 at Mill Plain, west to the Port of Vancouver, south to Hayden Island, Marine Drive, and connecting with highway 30 near Newberry Hill.

The CRC project references in a March 22, 2006 document, RC-14. RC-14 was a possible transportation alternative in the DEIS. RC-14 modeled a multilane, multimodal bi-state industrial corridor starting near I-5 and Mill Plain crossing next to the current BNSF rail bridge and connecting south to Marine Drive. Traffic analysis of the RC-14 alternative showed that it did not sufficiently relieve traffic congestion to any significant degree on the I-5 Columbian River Bridge and therefore not advanced into the next round of alternatives. In sum, this alternative provided for a new industrial corridor, but did not provide for a major freeway that would adequately address I-5 traffic congestion.

A new freeway corridor alternative corridor was also studied. It was identified as RC-16, a New Western Highway. This alternative functioned as a new freeway bypass to I-5 but did not provide direct freeway access to I-5 via Mill Plain.

It is also worth noting that in 2008 RTC completed a Transportation Corridor Visioning Study (<http://www.rtc.wa.gov/reports/vision/VisioningCorridors.pdf>) that studied new freeway corridors throughout Clark County per a new 50-year growth scenario and given those corridors how a corridor to the east and west might be connected across the Columbia River.

Given your specific concern as stated above, no a "third bridge option" as a new freeway starting at I-5 and Mill Plain was not fully vetted.

Sincerely,

RTC Chair, Washougal Councilperson Molly Coston

cc: RTC Board of Directors



proud past, promising future

CLARK COUNTY
WASHINGTON

CLARK COUNTY COMMISSIONERS

Regional Transportation Council
RECEIVED
AUG 4 2010

July 23, 2010

The Southwest Washington Regional Transportation Council (RTC)
c/o Ms. Molly Coston, Chair
1300 Franklin Street, 4th Floor
Clark County Public Service Center
Vancouver, Washington 98666-1366

RE: Columbia River Crossing (CRC) Environmental Impact Study / Third Bridge Analysis

Dear Chair Coston and Council Members:

This correspondence is in follow up to a repeated request to RTC by concerned citizens about the lack of a "third bridge option" being studied and included in CRC's Draft Environmental Impact Study (DEIS). The specific area these citizens are interested in includes a new 6-lane freeway connecting I-5 at Mill Plain, west to the Port of Vancouver, south to Hayden Island, Marine Dr., and connecting with HWY-30 near Newberry Hill.

The CRC project references in a March 22, 2006, document, RC-14. RC-14 was used to create a possible transportation alternative in the Draft Environmental Impact Study. RC-14 modeled a multilane, multimodal bi-state industrial arterial or corridor starting near I-5 and Mill Plain, crossing next to the BNSF rail bridge and connecting south to Marine Drive. Traffic analysis of the RC-14 alternative showed that it did not sufficiently relieve traffic congestion to any significant degree on the I-5/Columbia River Bridge and therefore was not advanced into the next round of alternatives. In sum, this alternative provided for a new industrial corridor, but did not provide for a major freeway that would adequately address freeway congestion.


A new freeway corridor alternative was also studied. It was identified as RC-16 (New Western Highway). This alternative functioned as a new freeway bypass to I-5, but did not directly connect to I-5 via Mill Plain. The proposed corridor started near Ridgefield and went around the ports.

Given the specific concern, as stated above, the answer is no. A "third bridge option" as a new freeway starting at I-5 and Mill Plain was not fully vetted.

Sincerely,


Steve Stuart, Chair


Tom Mielke


Marc Boldt

cc: Ms. Sharon Nasset
Ms. Tamara McLane

1300 Franklin Street • P.O. Box 5000 • Vancouver, WA 98666-5000 • tel: [360] 397-2232 • fax: [360] 397-6058 • www.clark.wa.gov



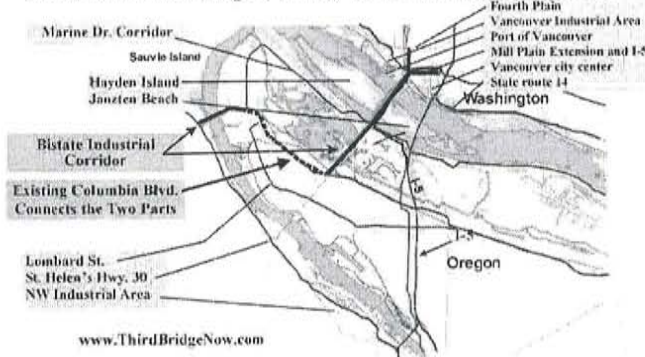
10/5/10 Referenced by Tamara McLane

Package Description	Transportation Prog De						Positions	Full-Time Equivalent (FTE)
	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds		
Package 502 Columbia River Crossing Investment								
LFO Recommendation	This package is provided for the purpose of approving a budget note relating to the Columbia River Crossing project.							
Budget Notes	The Columbia River Crossing (CRC) bridge project is a major initiative to address congestion problems on I-5 between Portland, Oregon and Vancouver, Washington that requires support by not only the Governors of both states but the Legislatures as well. The Oregon Department of Transportation (ODOT) budget includes resources to continue work on solutions that advances the CRC to completion of the required Environmental Impact Statement.							
	ODOT is directed to provide reports to the Senate and House Transportation Committees on the progress made on the CRC project whenever these committees or their interim equivalents meet. Such ODOT reports shall include updated information on cost estimates, proposed alternatives, right-of-way procurement schedule, financing as potential impacts on other Oregon transportation funding, needs and priorities.							
	ODOT is directed to secure and provide an independent investment grade analysis of the project with oversight of the consultant provided by the State Treasurer.							
	Finally, ODOT shall provide a clear and concise feasibility study, and develop a phased master plan for the CRC that allows for legislative oversight and approval at key decision points and report to the Legislature by February 2012, with the first iteration of CRC reports.							

LFO Recommended

New Third Bridge

The new Third Bridge at the railroad crossing is away from neighborhoods:



FAR less impact

Potential impact of new Third Bridge Proposal is outlined

“Primary Area of Potential Impact” for Columbia River Crossing proposed project:

- Historic Ft, Vancouver
- Approximately one hundred homes
- Jantzen Beach businesses and homes
- High bridge “lands” far away from river
- Very Expensive, costs \$2-6 Billion

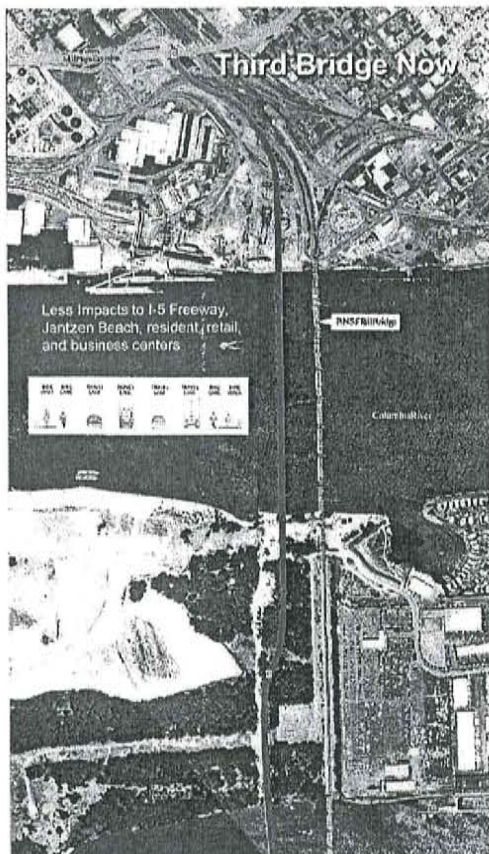
Washington Neighborhoods resortive map



Primary Area of Potential Impact

for Columbia River Crossing proposed project:

Oregon Neighborhoods resortive map



Difference between Third Bridge Now and other alternatives



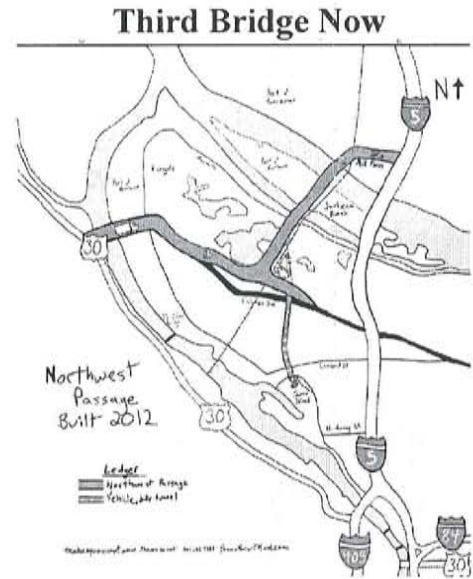
RC-14 map

CRC River Crossing 14 (RC-14) bi-state industrial corridor



Third Bridge Now

also known as
BI-State Industrial Corridor



B



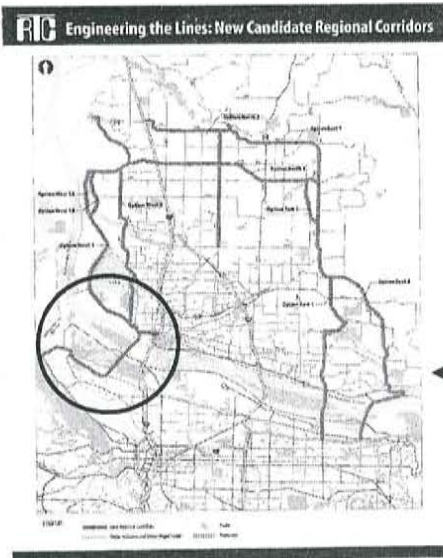
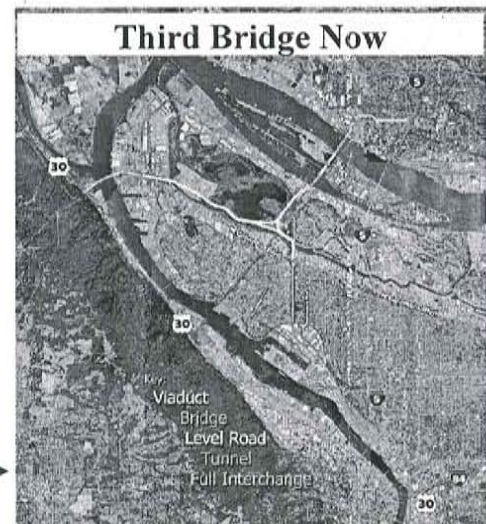
West Option 4

An arterial "parkway" version of the Bi-State Industrial Corridor



Third Bridge Now

also known as
BI-State Industrial Corridor



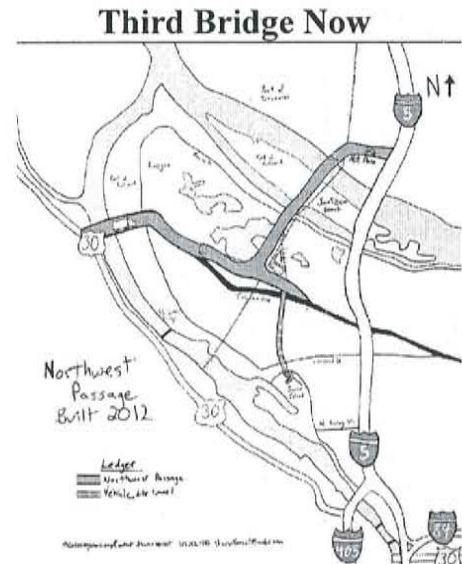
An arterial "parkway" version of the Bi-State Industrial Corridor

Information generated by the I-5/ Columbia River Crossing Draft Environmental Impact Statement was consulted for setting the evaluating the Option West 4 Corridor



Third Bridge Now

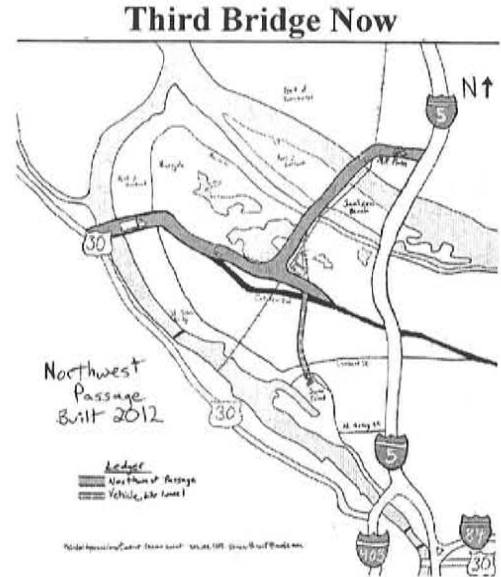
also known as
BI-State Industrial Corridor



Difference between Third Bridge Now and other alternatives

Third Bridge Now, the original BI-State Industrial Corridor

A mini freeway attaching to I-5 freeway and Mill Plain in Vancouver 6-general purpose lanes, 2-center managed lanes (for emergency vehicles and buses) bike, and ped the entire route. New heavy speed rail bridge with commerce and commuter use. The freeway's alignment attaching to I-5 at Mill Plain, west to Port of Vancouver, south following /BNSF rail line and North Portland Rd., west paralleling Columbia Blvd., to Oil Time Rd. and across to HWY-30 near 124th and Newberry Hill. A tunnel to Swan Island for vehicle, bike, ped, and heavy rail. Vehicle capacity 120,000+, Approximately 7 miles of freeway with 10 on/ off ramps at major intersections.



CRC River Crossing 14 (RC-14) bi-state industrial corridor

A 4-lanes arterial, with lifts, and stop lights. Starting at the Port of Vancouver and ending at Marine Dr. No commuter light rail or heavy rail. Approximately 1mile of arterial, vehicle capacity 30,000, was at capacity upon opening, diverted traffic from I-205, and I-8. It was removed from the NEPA EIS by citizen "advisory" CRC Task Force without a thorough study. There are several errors in the CRC study RC-14, concerning alignment and location.

CRC staff used our name yet changed the project significantly.



SW Washington Regional Transportation Council Visioning Corridor Plan in 2008 studied.

An arterial "parkway" version of the Bi-State Industrial Corridor ** It was recommended for further study.

A 4-lane arterial with lifts, and stop signs, that starts at the Port of Vancouver, follows the BNSF rail line south and to HWY-30 near 124th and Newberry Hill. Does not included our tunnel to Swan Island, no heavy rail commerce or commuter. Staff modeled a 4-lane and a 6-lane arterial. The arterioles carried up to 38,000 to 46,000 vehicles and were at capacity upon opening. Removing traffic off of I-5, I-205, I-84, HWY-26, streets adjacent to I-5 and major industrial areas. The alignment helped St. Johns' area. Extra traffic causes capacity issues in downtown Vancouver. **Information generated by the I-5/ Columbia River Crossing Draft Environmental Impact Statement was consulted for setting the evaluating the Option West 4 Corridor

ARC Engineering the Lines: New Candidate Regional Corridors



**“Once you know the truth you can never go back to not knowing”
Rev. Martin Luther King Jr.**

The Third Bridge project next to the BNSF rail bridge has **NO IMPACTS ON RESIDENTIAL, OR BUSINESS ON JANTZEN BEACH, Hayden island!**
NONE !!

The Third Bridge project WAS NOT Study!!!!

Avoiding impacts will come from following the NEPA process and having a range of alternative Thoroughly studied including short-term and long-term impact as required.

The Oregon State Legislators believe alternatives must be Thoroughly studied not only to follow NEPA requirements but to provide comparison to show the right project has been chosen.

Right size, right bridge, right cost, right benefits, right location least amount of negative impacts.

CRC's current Locally Preferred Alternative

Destruction of up to 300 pieces of property many residential properties (homes!)

Shutting 89 current business employing 100's of citizens

10 to 20 Historical Resources destroyed

Taking 1 to 1 1/2 acres of Historic Fort Vancouver National Park

Destruction of structurally sufficient major infrastructure

7 years of construction congestion on I-5

OR

Destruction of less than a dozen properties NO residential

Shutting 6 business with very few employees

No destruction of Historical Resources

No taking of National Park property

Adding to and supporting existing infrastructure

The removal of traffic from the I-5 Freeway

No construction congestion on I-5 or on much of the existing system.

Removes designated freight and hazardous material routes out of several neighborhoods

Provides direct freeway access to our ports and industrial area.

Local concerns have not been met. Reasonable alternative have not been studied. Our residence, business, and Historical Resource must be protected

WE can do so much better and we must.

Thanks

Sharon Nasset

Third Bridge Now.com



WHAT IS AN "EIS"?

(ENVIRONMENTAL IMPACT STATEMENT)

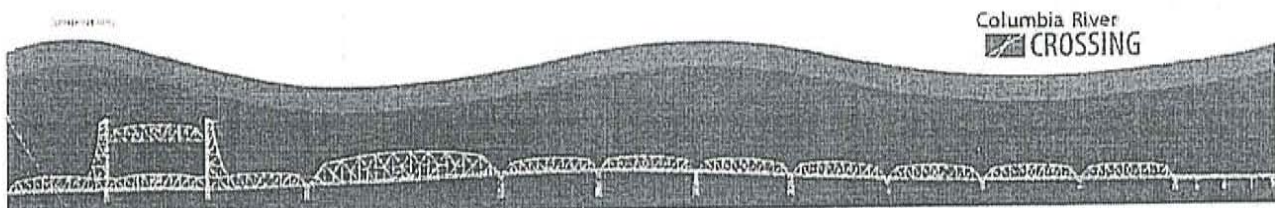
Every project that receives federal funds must follow a step-by-step EIS process to ensure all reasonable options are thoroughly considered. This involves systematic, technical analysis, and public discussion of options and their potential effects.

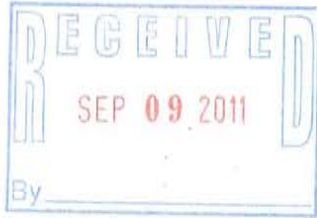
The project will consider:

- Potential transportation solutions based on how well each option addresses the problems in the project area
- Short- and long-term effects of each option (from construction through operation) on natural and community resources.

The analysis includes:

- Traffic and transportation
- Community
- Cultural and historic resources
- Visual resources
- Air quality
- Noise
- Land use
- Environmental justice
- Water quality
- Fish, wildlife, and vegetation
- Geology and soils





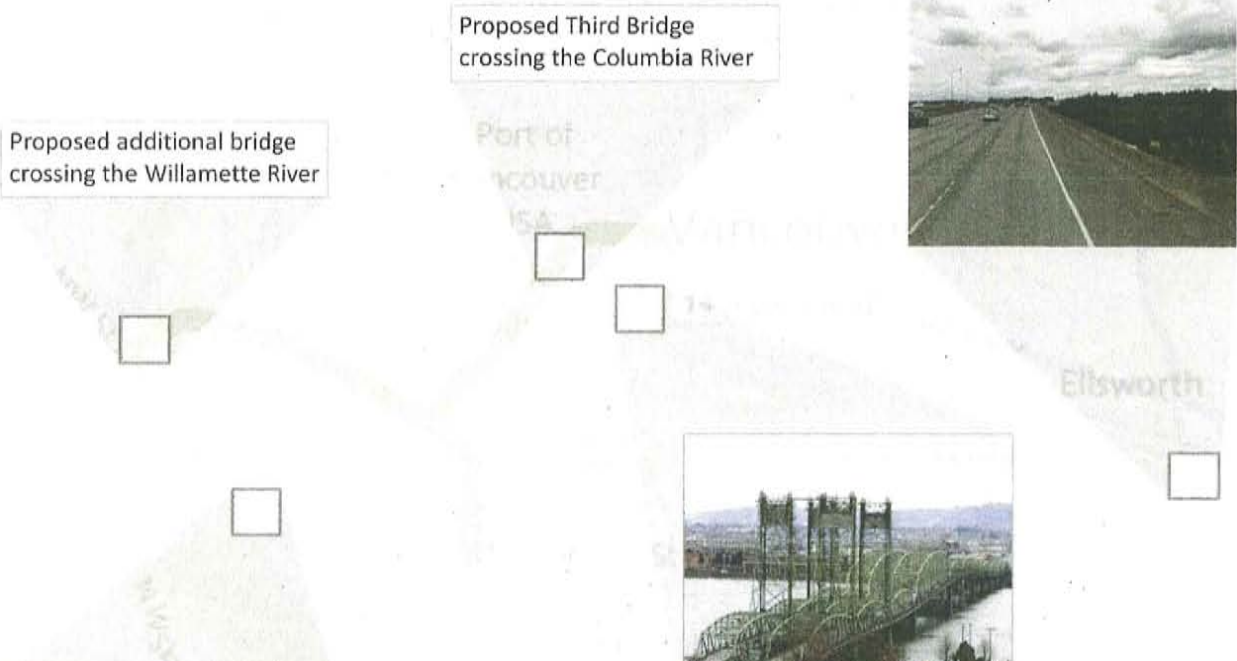
Third Bridge Corridor Preliminary Benefit Analysis March 2011

Glenn L. Jackson Memorial Bridge
Interstate 205 - Columbia River

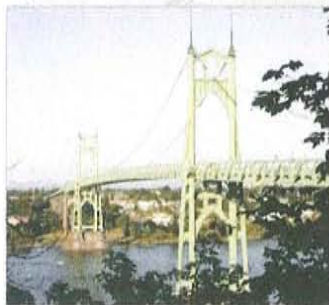


Proposed Third Bridge
crossing the Columbia River

Proposed additional bridge
crossing the Willamette River



Interstate Bridge
Interstate 5 - Columbia River



St Johns Bridge
US 30 Bypass - Willamette River



Third Bridge Corridor

Preliminary Benefit Analysis

Prepared for:

Project: **Third Bridge Corridor**
Prepared for: **Third Bridge Now**
503.278.7495
www.thirdbridgenow.com

Prepared by:

Prepared by: **Shea Carr Jewell**
2102 Carriage Drive SW, Bldg H
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www.shecarrjewell.com

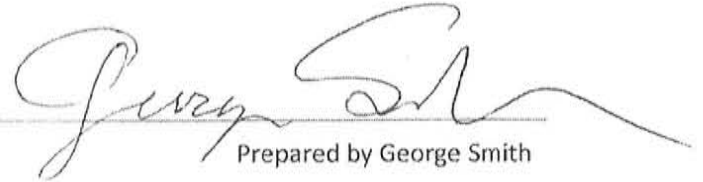
Contact: **Robert E. Jewell, PE, Principal**
George Smith, Senior Transportation Planner

Project Reference: SCJ #1414.01
N:\Projects\1414 Third Bridge Now\1414.01 Third Bridge
Now\Phase 01- Project Feasibility\final report 20110329\R2011.0328 Third
Bridge Now Report.docx

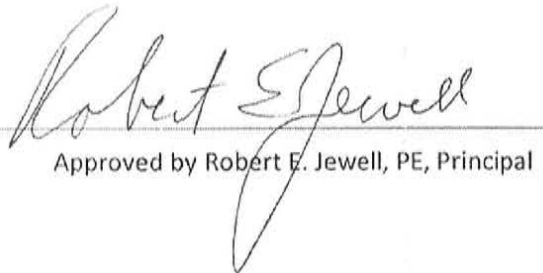
Cover photos:
The Saint Johns Bridge in Portland, Oregon. Source: User:Cacophony - Wikipedia.org
The Interstate Bridge seen from Vancouver, Washington. Source: User:Cacophony - Wikipedia.org
Interstate 205 Glenn L. Jackson Memorial Bridge. Source: Google Earth Street View Photo

CITATION

Third Bridge Corridor
Preliminary Benefit Analysis
Prepared by Shea Carr Jewell, Olympia, Washington
March 2011



Prepared by George Smith



Approved by Robert E. Jewell, PE, Principal

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EXECUTIVE SUMMARY

The Third Bridge Now group has identified a set of solutions, collectively called the Third Bridge Corridor, designed to improve transportation mobility and safety for all modes of travel in the Columbia River Crossing (CRC) area. The Third Bridge Corridor has been dismissed as an option from the CRC EIS without thorough evaluation. This report provides an overview of the area transportation issues and assesses potential benefits of the Third Bridge Corridor proposal.

Traffic Concerns and History

- Interstate 5 is critical to the local, regional, and national economy.
- Existing travel demand exceeds capacity in the I-5 Columbia River crossing. Spillover traffic from I-5 increases local congestion.
- Growing demand and congestion will result in increasing delay, costs, and uncertainty for all businesses that rely on this corridor for freight movement.
- Freight volumes moved by truck are projected to more than double within 25 years, and vehicle hours of delay are projected to increase by more than 90% over the next 20 years.
- The Columbia River Crossing project has moved forward with a focus on improvements to Interstate 5 only.

Third Bridge Corridor Proposal

- This proposal has evolved from previous “west bridge” proposals developed over the last ten years.
- The Third Bridge Now proposal is essentially the same as the original Bi-State Industrial Corridor freeway proposal with the addition of seismic upgrades to the existing I-5 bridge.
- This approach would provide a new freeway connection between downtown Vancouver and US 30 in Oregon by way of a new Columbia River bridge approximately one mile west of the existing I-5 bridge.
- This plan also includes a new heavy speed rail bridge and a tunnel to Swan Island for vehicles, bicycles, pedestrians, and heavy speed rail.
- Interchange access to downtown Vancouver, Hayden Island, Port of Vancouver and Port of Portland properties, and north Portland would be provided.
- This plan has the potential for phased implementation.

Third Bridge Corridor Benefits

- Adds roadway capacity, reduces congestion and maximizes use of existing infrastructure.
- Improves industrial access and separates freight traffic from residential traffic.
- Would have less impact to the built environment, including historical sites.
- Provides an additional freeway route across the Columbia River and a second access to Hayden Island.
- Reduces truck traffic on I-5 within the Bridge Influence Area.
- Reduces cut-through traffic in residential areas.
- Would be constructed in areas where there are currently few existing buildings that would be impacted.
- Provides potential as an alternate route during construction of proposed I-5 bridge widening.
- Better satisfies numerous regional plan goals and policies.

INTRODUCTION

Significant effort has gone into identifying a preferred solution for improving transportation mobility and safety for all modes of travel across the Columbia River between the Portland and Vancouver metro areas. The CRC Project Team was established as a multi-jurisdictional group to undertake an environmental impact study for a new river crossing and potential improvements in the study area. The study was to look at a variety of options including replacement and supplemental bridges for vehicle and transit use, as well as a no-build scenario.

The Third Bridge Now group has been active in the public process of evaluating the most efficient and cost-effective potential solutions. The Third Bridge Now group has identified a set of solutions (collectively referred to as the Third Bridge Corridor) that could provide exceptional benefit for multi-modal mobility in the study area. As of now the Third Bridge Corridor has not yet been accurately analyzed and was dismissed as an option without receiving thorough evaluation in the Environmental Impact Statement.

The following report provides a brief overview of the transportation issues and attendant planning efforts in the area and an assessment of the potential benefits of the Third Bridge Corridor proposal. A summary table listing the major technical and planning documents reviewed for this Preliminary Benefit Analysis is provided in **Appendix A**. The summary table shows an overview of the elements covered in each of the reviewed documents.

PROJECT OVERVIEW

The following overview of the underlying traffic concerns in the area and history of the project is summarized from documentation prepared by the CRC Project Team:

The Portland/Vancouver area's location at the convergence of two major rivers, two transcontinental rail lines, two interstate highways, and one international airport is a unique trade and transportation advantage. This allows businesses to transport goods from ships and planes to trucks and railcars in a low-cost, timely manner. Because of this advantage, Portland ranks first on the West Coast of the United States in terms of the value of wholesale trade per capita. Employment in the transportation and distribution sectors represents a higher share of total employment than it does in most other cities, including Seattle and Los Angeles.

Interstate 5 (I-5) is the only continuous interstate on the West Coast and, as such, is critical to the local, regional, and national economy. The I-5 Columbia River Bridge connects Portland and Vancouver for work, recreation, shopping, and entertainment. The Interstate 205 (I-205) crossing, about five miles east, is the only other highway crossing over the Columbia River within the metropolitan region. The number of crossings is unusually low compared to other metro areas in the country with river barriers and comparable populations.

The existing travel demand exceeds capacity in the I-5 Columbia River crossing and associated interchanges, causing heavy congestion and delay lasting two-to-five hours during both the morning and afternoon peak travel periods. Spillover traffic from I-5 onto parallel arterials increases local congestion.

The region's economy is transportation-dependent for the movement of freight. Increasing congestion will significantly impact the region's ability to maintain and grow business, as well as quality of life. Even with planned transportation improvements, the transportation system will not keep pace with projected increases in freight and general traffic. Congestion is already impacting businesses and hurting their competitiveness. Growing demand and congestion will result in increasing delay, costs, and uncertainty for all businesses that rely on this corridor for freight movement. Freight volumes moved by truck to and from the area are projected to more than double over the next 25 years, and vehicle hours of delay are projected to increase by more than 90% over the next 20 years. Daily traffic demand is projected to increase by 40% within the next 20 years, with stop-and-go conditions increasing to at least to 10 to 12 hours each day if no improvements are made.

In broad terms, the existing and projected traffic congestion on Interstate 5 and associated limitations to freight mobility in the Columbia River crossing area could be addressed by some combination of the following:

- Reducing travel demand in the area
- Improving the capacity of Interstate 5 in the Portland/Vancouver metro area
- Providing additional capacity via new river crossings

The CRC project has moved forward with a focus on improvements to Interstate 5. Other improvement options did not score favorably based on the defined scope of the screening process and narrow definition of the Interstate 5 Bridge Influence Area (BIA) shown later on Figure 1.

A third bridge option in the vicinity of the BNSF railroad bridge, approximately one mile west of I-5, would offer capacity and safety benefits to the metro area in general and Interstate 5 specifically and also offers benefits that Interstate 5-only improvements do not offer. These unique benefits include providing direct freeway access for freight, reduced impact to the built environment (including businesses and historic sites), and an alternate route in case of obstruction to the Interstate 5 bridges. A third bridge could also be considered as an important bypass route to improve traffic flows in the area during construction periods on the Interstate 5 bridges.

COLUMBIA RIVER CROSSING (CRC) PROJECT PURPOSE AND NEED

As study of cross-river mobility in the area progressed, the specific goals of the study were defined to guide the next phase of potential project screening. Drawing on the recommendations of the bi-state task force (adopted in the I-5 Partnership June 2002 Final Strategic Plan) and on community input collected at stakeholder meetings in 2005 and 2006, the CRC Task Force and the project co-lead agencies developed a Purpose and Need statement in advance of the preparation of a Draft Environmental Impact Statement (DEIS). Through this process the scope of the study was refined to specifically address the Interstate 5 crossing. The following excerpts are from Chapter 1 of the CRC DEIS defining the Purpose and Need of the Columbia River Crossing project.

Project Purpose

"The purpose of the proposed action is to improve Interstate 5 corridor mobility by addressing present and future travel demand and mobility needs in the Columbia River Bridge Influence Area (BIA). The BIA extends from approximately Columbia Boulevard in the south to SR 500 in the north. Relative to the No-Build alternative, the proposed action is intended to achieve the following objectives:

- a) improve travel safety and traffic operations on the Interstate 5 crossing's bridges and associated interchanges;*
- b) improve...public transportation modal alternatives in the BIA;*
- c) improve highway freight mobility...in the BIA; and*
- d) improve the Interstate 5 river crossing's structural integrity."*

Project Need

The project need is also defined in Chapter 1 of the CRC DEIS. The following is a listing of the major categories of project need; each of the identified needs is described in more detail in the DEIS.

"The specific needs to be addressed by the proposed action include:

- Growing Travel Demand and Congestion...*
- Impaired freight movement...*
- Limited public transportation operation, connectivity, and reliability...*
- Safety and Vulnerability to Incidents...*
- Substandard bicycle and pedestrian facilities...*
- Seismic vulnerability..."*

In the context of the CRC study, the Interstate 5 "corridor" Bridge Influence Area was defined to include just Interstate 5 and not broader north-south transportation options (existing or proposed) in the vicinity.

THIRD BRIDGE CORRIDOR PROPOSAL

History

The Third Bridge Corridor proposal has evolved from previous "west bridge" proposals that included similar alignment. In 2000 the Northwest Passage was proposed that included a four-lane expressway from the Port of Vancouver to US 30, generally along the BNSF alignment.

In 2003 the Bi-State Industrial Corridor was proposed as a freeway connecting I-5 at Mill Plain Blvd to US 30 near Linnton. The proposal included six general purpose (GP) lanes and two transit-oriented lanes as well as provision for non-motorized use and commuter and freight rail. The Bi-State Industrial Corridor was analyzed by the CRC (listed as option RC-14) as a four-lane surface arterial, not a freeway. The RC-14 project began at the Port of Vancouver and ended at Marine Drive and lacked a direct connection to I-5 or US 30.

The Third Bridge Corridor is essentially the same as the original Bi-State Industrial Corridor freeway proposal with the additional provision of seismic upgrades to the existing I-5 bridges. The following is a more thorough description of the Third Bridge Corridor as it is envisioned. **Figure 1** shows a conceptual layout of the Third Bridge Corridor proposal.

Third Bridge Corridor Proposal Overview

The Third Bridge Corridor proposal would provide a new freeway connection between downtown Vancouver and US 30 in Oregon via a new Columbia River bridge approximately 1 mile west of the existing Interstate 5 bridges. The freeway would include six general purpose lanes, two center managed lanes for emergency vehicles and buses, and bicycle and pedestrian paths along the entire route. A new heavy speed rail bridge and a new two-lane tunnel to Swan Island for vehicles, bicycles, pedestrians, and heavy speed rail are included in the proposal. Interchange access would be provided to downtown Vancouver, Hayden Island, and locations in North Portland. The alignment would extend from I-5 at Mill Plain Boulevard, west to the Port of Vancouver, south following the BNSF rail line and North Portland Road, west paralleling Columbia Blvd to North Time Oil Road and across to US 30 at approximately NW Marina Way.

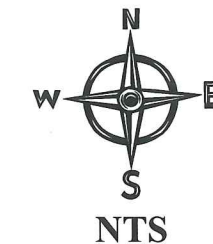
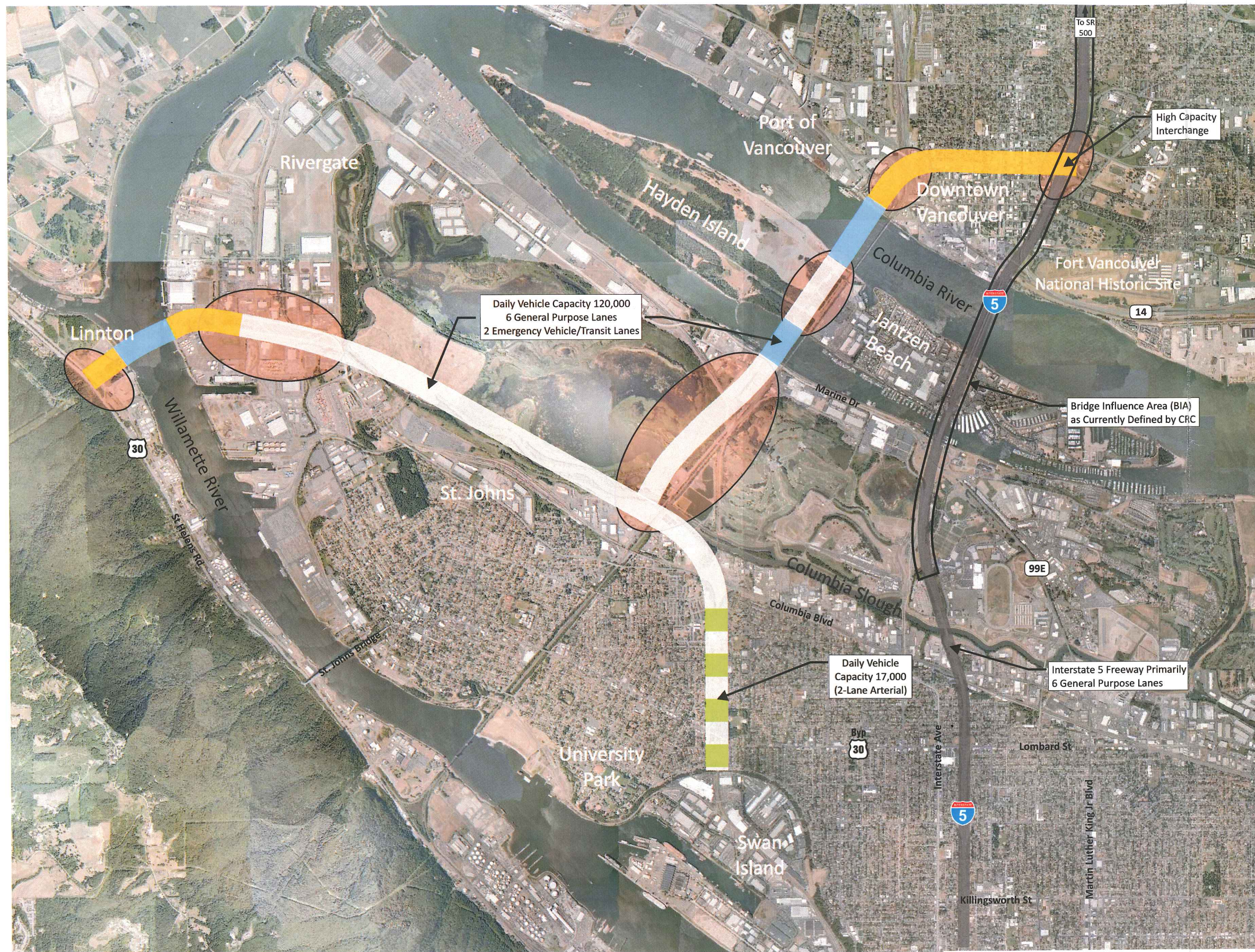
The following is a description of the individual sections and components of the proposal:

I-5 (at Mill Plain Boulevard in Washington) to Columbia River

This would be an elevated freeway section (viaduct) with three GP lanes in each direction and an additional lane in each direction for emergency vehicles and buses. The roadway would connect to Interstate 5 near East Mill Plain Boulevard at a high capacity interchange and would extend east-west along the SR 501 alignment to the vicinity of Lincoln Avenue, where it would turn to north-south near Port Way (and the BNSF rail line). Interchange access to the elevated freeway would be provided at I-5 and in the industrial area near the West 11th Street/Hill Street intersection.

Columbia River Crossing

The proposed roadway would cross the Columbia River and Hayden Island via a new eight-lane bridge (or bridges) near the current BNSF rail bridge. The bridge would provide three GP lanes and one bus/emergency vehicle lane in each direction. The bridge would also provide separated bicycle and pedestrian lanes. An interchange would provide access to Hayden Island. The north span (from Vancouver to Hayden Island) would be constructed at a height to provide adequate full-time clearance for navigation channels on the Columbia River.



Downtown Vancouver

- Improved freight access
- Reduced freight travel on surface streets
- High capacity access to I-5
- High Elevation Bridge - Further from PDX flight path
- Greatly reduced impact to Fort Vancouver National Historic Site

Hayden Island

- Improved freight access
- Separation of industrial traffic from residential/commercial traffic
- Improved non-motorized access to Hayden Island and between Vancouver and Portland
- Greatly reduced impact to commercial sites

St. Johns

- Separation of industrial traffic from residential traffic
- Reduction in industrial traffic on St. Johns Bridge

Swan Island

- Improved freight access to I-5
- Provides second vehicular access

LEGEND




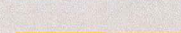
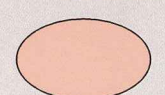
-  Tunnel
-  Freeway
-  Bridge
-  Viaduct
-  Interchange

Figure 1
Third Bridge Corridor Conceptual Layout
Third Bridge Corridor Preliminary Benefit Analysis

North Marine Drive to Columbia Slough

This section would be constructed as an at-grade freeway running north-south parallel to the BNSF tracks between the Columbia River and the Columbia Slough. This section would provide three GP lanes in each direction with an additional bus/emergency lane in each direction. The freeway would continue to the west and interchange access would be provided to North Columbia Boulevard. Interchange access may also be provided directly to Marine Drive.

North Portland Boulevard to US 30

This would continue as an at-grade freeway section along the Columbia Slough to the Willamette River in the vicinity of North Time Oil Drive. The freeway section would provide three GP lanes in each direction with an additional bus/emergency lane in each direction. The new freeway route would cross the Willamette River at a new eight-lane bridge intersecting US 30 near NW Marine Drive. The new freeway would be elevated between approximately North Lombard Street and at the intersection with US 30. In this section, interchange access would be provided to North Lombard Street and US 30.

North Columbia Boulevard to Swan Island

A two lane arterial roadway would be constructed below grade via an expansion or addition to the existing rail tunnel alignment between North Columbia Boulevard and North Willamette Boulevard.

Commuter and Freight Rail

As proposed, the Third Bridge Corridor would include a rail component. The new Columbia River Bridge would include provision for heavy rail crossing to accommodate freight and commuter rail. The project would also include appropriate connections to the existing rail lines to provide optimum access for commuter rail and transcontinental industrial rail lines.

Pedestrian and Bicycle Access

The new bridges would be constructed with sidewalks and bicycle lanes separated from vehicular traffic. The overall project would be designed to provide connections to existing pedestrian and bicycle facilities within the area and would fill in the gaps in service where possible, providing continuous non-motorized connections between downtown Vancouver and US 30 and Swan Island.

Seismic Retrofit to the Interstate 5 Bridges

The Interstate 5 bridges at the Columbia River crossing do not meet current seismic design standards and would be vulnerable in a major seismic event¹. To greatly increase bridge survivability in the event of a major earthquake, the existing I-5 bridges would be seismically retrofitted.

Potential for Phased Implementation

The Third Bridge Corridor is easily defined in four geographic sections:

- Bridge across the Columbia River
- Freeway section from the Columbia River to US 30
- Viaduct from I-5 to the Columbia River
- Tunnel arterial section from Columbia Boulevard to Swan Island

¹ Page 3-29 CRC Draft Components Step A Screening Report, March 2006

Because each section offers immediate benefit to the transportation system independently of the rest, the project lends itself well to phased implementation. Phased construction of the project along these four geographic sections could proceed incrementally as transportation demand increases and funding becomes available.

THIRD BRIDGE CORRIDOR BENEFITS

The following is a brief summary of the benefits that could be expected by construction of the Third Bridge Corridor relative to constructing only improvements to Interstate 5.

- **Added Roadway Capacity/Reduced Congestion**

The Third Bridge Project would add significant new vehicle capacity within the area. The new freeway section would have a daily carrying capacity of approximately 120,000 vehicles². This additional capacity could reduce traffic and improve operations on the surface streets within North Portland and the Port of Vancouver area and would be expected to draw a significant amount of existing and latent traffic demand from Interstate 5.

- **Improved Industrial Access/Separation of Freight Traffic and Residential Traffic**

Truck traffic from the Port of Vancouver and Port of Portland currently uses surface streets in the area to access I-5 and US 30. Portions of North Columbia Boulevard, North Lombard Street, North Going Street and North Greeley Avenue are designated "Priority Truck Streets" in the City of Portland Freight Master Plan, and each of these routes also provides access to residential neighborhoods. Construction of the Third Bridge Corridor would provide a more direct route to I-5 and US 30 from the North Portland Rivergate area and would reduce the volume of truck traffic on those streets. The St Johns Bridge provides the primary access to US 30 from the Rivergate area. Construction of a new Willamette River crossing could greatly reduce the volume of truck trips on the historic bridge.

Commercial, residential, and industrial traffic on Hayden Island currently shares the only access to the island via Interstate 5. The Third Bridge Corridor would provide a second freeway access to Hayden Island adjacent to the primary business center on the Island.

- **Reduced Impact to the Built Environment**

In the Bridge Influence Area, Interstate 5 runs through almost entirely built environment. I-5 widening and interchange improvements will impact many properties, particularly on Hayden Island and the Fort Vancouver National Historic Site. Most of the proposed Third Bridge Corridor alignment is in areas that currently do not have existing buildings and could be less impactful to the built environment. Also, the Third Bridge Corridor would not be expected to adversely impact the Fort Vancouver Historical Site. **Appendix B** contains documentation regarding Section 4(f) of the Department of Transportation Act which deals with rules regarding impacts to historic sites and other sensitive properties.

- **Enhanced Safety**

The Third Bridge Corridor would provide:

- **Route Redundancy**

Currently, there is only one Columbia River crossing in the vicinity, which leaves the area vulnerable to severe mobility disruption in case of temporary closure of all or part of the I-5 bridges. The parallel route of the Third Bridge Corridor would provide an additional freeway route across the Columbia River and a second access to Hayden Island.

² Based on a generalized daily capacity of 20,000 vehicles per lane

- **Reduced Trucks on I-5**

With completion of the Third Bridge Corridor, truck traffic from the Port of Portland could access Interstate 5 to/from the north via the new Columbia River bridge, which would likely result in a reduction in truck traffic on Interstate 5 within the Bridge Influence Area. An incremental reduction in truck traffic on I-5 in the BIA and reduced entering and exiting truck traffic at the interchanges could reduce merge/weave friction and have a positive effect on the crash rates within the study area. Reducing truck traffic on the existing I-5 bridges may also help improve the lifespan of the bridges.
- **Reduced Cut-Through Traffic in Residential Areas**

When faced with congestion along a preferred route, drivers may opt to detour to routes that are longer but are perceived to be quicker and less congested. Anecdotal evidence indicates that currently peak period congestion on Interstate 5 in the BIA results in drivers using neighborhood roads to bypass congestion in travelling to/from Interstate 5.
- **Potential Cost and Speed of Construction**

Much of the Third Bridge Corridor would be constructed along areas where there are currently few existing buildings that would be directly impacted. Also, construction of the proposed new Columbia River bridges would have minimal impact on existing roads serving the area. The relative "openness" of the proposed alignment could translate to reduced construction impacts, increased speed of construction and reduced cost relative to the I-5 bridge construction project.

While portions of the route would be relatively easily constructed, the elevated "viaduct" sections would require more comprehensive review to identify optimum routes and construction staging to minimize impacts to the built environment and to existing traffic flows.

- **Potential as a Construction Detour Route for the Proposed I-5 Bridge Widening**

The Third Bridge concept has been identified in a number of local planning documents for further analysis to alleviate traffic congestion and improve regional freight mobility. It is likely that some form of the project will be constructed in the future. If the Third Bridge Corridor were to be constructed prior to implementation of an Interstate 5 Columbia River crossing project, it would provide tremendous benefit as an alternate route during I-5 bridge construction. The construction staging potential of the Third Bridge Corridor should be evaluated for inclusion as part of an Interstate 5 bridge construction plan.

COMPLIANCE WITH REGIONAL PLANS

Significant planning efforts have been completed and documented regarding transportation, freight mobility, transit, non-motorized access and safety issues within the Portland-Vancouver metro area. We have provided a partial listing of goals and policies described in these planning documents that would be addressed in whole or part by the Third Bridge Corridor. Many of these goals and policies would be better satisfied by the Third Bridge Corridor improvements than by improvements to the existing I-5 bridges alone.

The following table identifies a regional goal or policy and then provides an assessment of how well the I-5 crossing improvements and Third Bridge Corridor improvements address each one. This assessment is for illustrative purposes and is not intended to compare all facets of the two projects. The complete text from the referenced planning documents is provided in **Appendix C**.

<p>Question: How well does the proposed improvement (CRC I-5 bridge or Third Bridge Corridor) address the following regional goal or policy?</p> <p>Possible answers: 0) <i>does not address</i> 1) <i>somewhat addresses</i> 2) <i>significantly addresses</i></p>			
<p>City of Portland Freight Master Plan, May 10, 2006</p>			
	<i>Goal/Policy</i>	<i>Addressed by CRC plan</i>	<i>Addressed by Third Bridge Corridor</i>
	Initiate a North Willamette River Crossing Study to assess the feasibility of a new bridge between Rivergate and US 30	0	2
	Construct a new west Hayden Bridge from Marine Drive to Hayden Island	0	2
<p>City of Portland Comprehensive Plan</p>			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	Goal 5.4 Transportation System; Objective A: Support Multimodal freight transportation improvements	1	2
	Policy 6.9 Objective B. Provide Regional Truckway interchanges that directly serve freight districts	0	2
	Policy 6.29 Multimodal Freight System; Support a well-integrated freight system that includes truck, rail, marine, air, and pipeline modes as vital to a healthy economy	1	1

Clark County Freight Mobility Study, Draft Technical Memorandum 4.B, May 25, 2010			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	Invest in freight mobility to support industrial development goals and job creation	1	2
Strategies for a Sustainable and Prosperous Region, September 2009, Metro			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	Make transportation investments that increase safe, affordable and convenient travel options for everyone and help the region's businesses and industry remain competitive	1	2
	Increase transportation choice, protect air quality, and reduce congestion by accelerating development of transit, biking and walking facilities	2	2
2001 Oregon Rail Plan			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	<i>Economic development</i> Policy 3b: assure effective (rail) transportation linkages for goods and passengers	1	2
	<i>Freight Rail Policy</i> Policy 1: Increase economic opportunities for the state by having a viable and competitive rail system	0	2
	<i>Freight Rail Policy</i> Policy 4: ...Assist in removing constraints to improved railroad operating efficiency within urbanized areas	0	1
St. Johns Truck Strategy, May 2001, City of Portland			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	Reduce through or non-local truck trips in predominantly residential and retail-commercial areas of the North Portland peninsula	0	2

	...Protect the St. Johns residential and commercial hub from through-truck infiltration	0	2
	Identify ways in which truck routing can be improved to and from the St. Johns Bridge, Rivergate and I-5	0	2
	Build a bridge between the Rivergate Industrial District and US-30	0	2
Portland Freight Committee's Strategic Freight Initiative, July 6, 2005			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	Advance i-5 trade corridor projects (highway/rail and relocated BNSF rail bridge span opening)	1	1
	Construct a bridge between US 30 and Rivergate	0	2
Portland/Vancouver I-5 Trade Corridor Study, December 1999			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	Building blocks we recommend for further evaluation should be:		
	Providing new highway and transit capacity across the Columbia River and in the I-5 corridor	2	2
	Improving critical freight arterials in the corridor such as Marine Drive and Columbia Boulevard	1	1
	Improving the freight rail system in the corridor	0	2
Independent Review Panel Final Report, July 27, 2010			
	<i>Goal/Policy</i>	<i>Satisfied by CRC plan</i>	<i>Satisfied by Third Bridge Corridor</i>
	...extending light rail transit from expo center to downtown Vancouver...	2	2

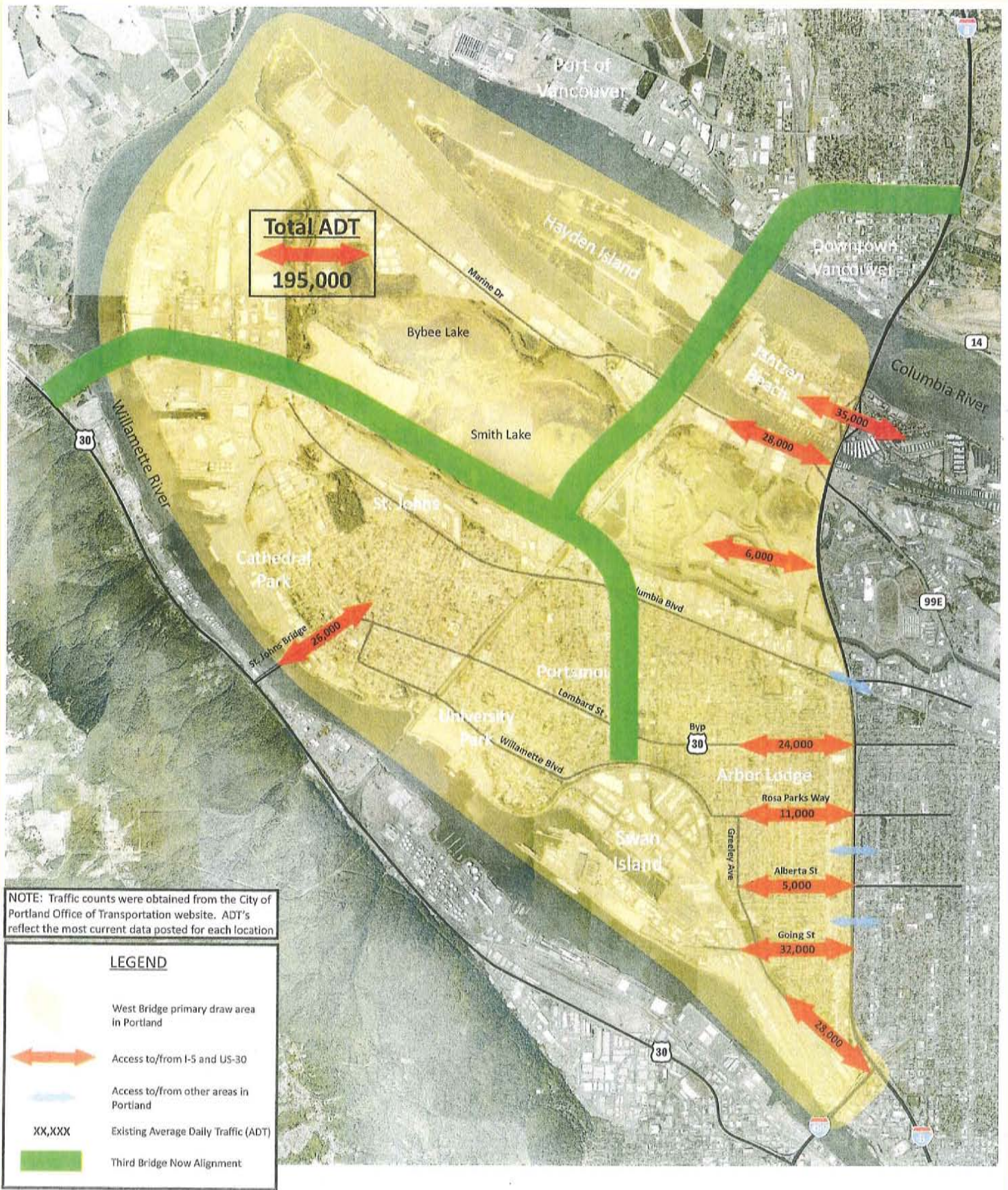


Figure 2
Existing Traffic Flows
Third Bridge Corridor Preliminary Benefit Analysis

COLUMBIA RIVER CROSSING DEIS EVALUATION, INITIAL PRE-SCREENING

The CRC Project Team collected a large number of potential transportation improvement options to be considered for the CRC DEIS. The group went through an initial screening to reduce the number of options to an amount that would be assessed more thoroughly in the DEIS. The CRC Draft Components Step A Screening Report was published dated March 22, 2006, which described the evaluation process.

The potential improvements were grouped into categories or “components” of distinct transportation modes or strategies for evaluation. The categories are listed below:

- 1) Transit
- 2) River Crossings
- 3) Roadways North (of the Columbia River)
- 4) Roadways South (of the Columbia River)
- 5) Freight
- 6) Transportation System/Demand Management (TSM/TDM)
- 7) Bicycles
- 8) Pedestrians

The improvement options were divided into two main categories for review: Transit Components and River Crossing Components. Each of the components was then screened based on the questions in the table below. The questions were formulated to evaluate how each potential improvement addressed the purpose and need of the project.

*Table 2-1. Component Categories and Relevant Step A Questions
(Excerpted from page 2-2 of the Draft Components Step A Screening Report)*

	Transit Components	River Crossing Components
Question: Does the component		
1. Increase vehicular capacity or decrease vehicular demand within the bridge influence area?	X	X
2. Improve transit performance within the bridge influence area?	X	X
3. Improve freight mobility within the bridge influence area?		X
4. Improve safety and decrease vulnerability to incidents within the bridge influence area?	X	X
5. Improve bicycle and pedestrian mobility within the bridge influence area?		X
6. Reduce seismic risk of the I-5 Columbia River crossing?		X

Note: components were only screened against questions indicated by X

Twenty-three different river crossing components were evaluated (identified as RC-1 through RC-23). Components RC-14 through RC-19, RC-21 and RC-22 were identified as “New Corridor” components. Of those, RC-14 and RC-15 were considered new “west” crossings in the vicinity of the existing BNSF rail crossing and most closely represent the Third Bridge Corridor proposal.

The following is a description of RC-14 from the CRC Draft Components Step A Screening Report:

"This component creates a multi-modal bi-state industrial corridor next to the BNSF rail crossing west of the existing I-5 bridges. The north end would start near Mill Plain and Fourth Plain Boulevards in Vancouver and it would travel through Hayden Island connecting to Marine Drive near North Portland road. This crossing would accommodate freight trains, trucks, autos, bus transit, bikes/pedestrians and potentially light rail."

RC-14 was removed from consideration because it was determined that it failed questions 2, 4, 5 and 6. RC-15 is similar to RC-14, except that it would also raise the elevation of a portion of the existing Interstate 5 bridges to eliminate the lift span and add two center turn lanes between the existing I-5 bridges. RC-15 was removed from consideration because it was determined that widening the existing bridges to accommodate additional travel lanes was not feasible, and without that component the results were essentially the same as RC-14.

The following shows the CRC "Rationale for Not Advancing" RC-14 (*in italics* quoted from page 5-15 of the Draft Components Step A Screening Report) with our added discussion of the four questions that RC-14 was determined to not adequately address:

CRC Rationale For Not Advancing

- *This component fails Question #2. It would not improve transit service to the identified I-5 corridor transit markets, nor does it improve the performance of the existing transit system within the Bridge Influence Area.*

RC-14 (and the Third Bridge Corridor) would provide significant transit infrastructure (dedicated bus lanes and a light or commuter rail component) and a reduction in traffic volumes on Interstate 5 relative to the no-build scenario. However, because the new route is outside of the narrowly defined "Bridge Influence Area" (BIA) it is shown to not satisfy Question #2.

Conclusion: It is our assessment that the Third Bridge Corridor option is near enough to Interstate 5 and provides sufficient benefit to the north-south transit movement that it may be functionally equivalent to transit options constructed on or directly adjacent to Interstate 5.

CRC Rationale For Not Advancing

- *This component fails Question #4. Year 2020 I-5 peak traffic demands are projected to increase over 15 percent over 2005 conditions and without added capacity and a re-design of the Bridge Influence Area to meet standards, collisions are expected to increase approximately 40% over 2005 conditions.*

This criterion is not satisfied because, as analyzed, RC-14 did not draw enough traffic away from Interstate 5 to maintain future traffic volumes on I-5 at or below current levels.

Potential Traffic Volume Reduction on Interstate 5

RC-14 was evaluated as a four-lane surface arterial roadway; as such it could be estimated to have a daily capacity of approximately 40,000 vehicles (based on 10,000 Average Daily Traffic (ADT) per lane). Modeling efforts indicate that the RC-14 corridor would carry between 38,000 and 46,000 vehicles per day³ across the Columbia River and would be at capacity at opening.

³ Page 25; Southwest Washington Regional Transportation Council (RTC) Transportation Corridors Visioning Study Summary Report

The original intent of the Bi-State Industrial Corridor, on which RC-14 was based, was for it to provide freeway capacity between I-5 and US 30. It does not appear that RC-14 has been analyzed as a freeway. It is likely that the route would attract much more than 38,000 to 46,000 ADT as a limited access six-lane freeway.

Within the geographic area bounded by the Columbia River to the north, the Willamette River to the west and south, and Interstate 5 to the east (which could be described as the Oregon "traffic-shed" for the Third Bridge Corridor), there are at least eight roadways that provide direct access to I-5 in/out of the area (roadways that provide interchange access to/from the south only were not included), and one roadway that provides access to US 30. **Figure 2** shows the existing ADTs on these roadways, which indicates a total existing "traffic-shed" of 195,000 ADT. This does not include trips beginning and ending within the area or trips that use roads that do not provide direct access to to/from the north on Interstate 5 (for example, ADT on North Columbia Boulevard was not included in the total). A significant portion of this traffic could be expected to use the proposed Third Bridge Corridor.

In addition to the potentially underestimated reduction of traffic volumes on Interstate 5, another factor could influence safety in the I-5 Bridge Influence Area. The Third Bridge Corridor would reduce truck traffic entering and exiting Interstate 5 in the study area, which would improve the traffic merge operation at the interchanges. This would likely result in a reduction in accidents at these locations.

Conclusion: Additional modeling work is warranted to identify the potential traffic volumes that would be drawn to the new route and away from Interstate 5. If the Third Bridge Corridor were predicted to draw sufficient traffic volumes away from Interstate 5, Question #4 would be satisfied.

CRC Rationale For Not Advancing

- *This component fails Question #5. This component would not improve or provide a new multi-use pathway across the Columbia River in the I-5 corridor, nor does it improve bike/pedestrian connections.*

Bicycle and pedestrian connections were a component of the Bi-State Industrial Corridor option and could have been included as part of the RC-14 option.

Conclusion: The Third Bridge Corridor option contains a significant bicycle pedestrian component and would satisfy Question #5.

CRC Rationale For Not Advancing

- *This component fails Question #6. River crossing components that locate new structures outside of the I-5 corridor are not assumed to upgrade the existing bridges and therefore the seismic risk of the I-5 bridges would not be reduced.*

The construction of a new bridge across the Columbia River approximately one mile from Interstate 5 would improve the seismic bridge "health" within the I-5 corridor by providing a parallel route near Interstate 5 constructed to current seismic standards. In addition, the Third Bridge Corridor proposal includes seismically retrofitting the existing Interstate 5 bridges, to the extent that it is feasible.

Conclusion: With a broader description of I-5 corridor as described in previous I-5 corridor studies, and/or with the seismic upgrade to the I-5 bridges, Question #6 would be satisfied.

SUMMARY AND RECOMMENDATIONS

- The Third Bridge Corridor provides most, if not all, of what is required of a preferred CRC project
- The Third Bridge Corridor addresses many goals and policies identified by multiple planning agencies in the area – often better than the CRC I-5 bridge project
- The Third Bridge Corridor provides route redundancy and improves safety in the area in case of temporary disruption to other routes
- The Third Bridge Corridor would provide great benefit as a detour route during construction on I-5
- The Third Bridge Corridor freeway concept has not yet been analyzed and properly vetted. The high potential benefits of the Third Bridge Corridor warrant a more thorough review of the option as a part of the CRC DEIS
- The CRC DEIS Project Team should re-evaluate the RC-14 option based on the Third Bridge Corridor conceptual plan to identify the full benefit of the proposal
- The CRC DEIS Project Team should consider the possibility of implementing all or part of the Third Bridge Now project in conjunction with improvements to the Interstate 5 bridges and freeway

APPENDIX A
MAJOR DOCUMENTS REVIEWED/ELEMENTS COVERED

Appendix A - Major Documents Reviewed/Elements Covered

	Contains I-5 Bridge Improvement Analysis	Contains West Columbia Bridge Analysis As Freeway	Contains West Columbia Bridge Analysis as Arterial	Contains Recommendations for Additional West Bridge Analysis	Contains Traffic Volume Analysis	Contains Economic Analysis	Contains Transit Analysis	Contains Cost Analysis	Contains Traffic Modeling	Contains Freight Analysis	Contains Non-Motorized transportation Analysis	Contains Environmental Analysis
Transportation Corridor Visioning Study - by Southwest Washington Regional Transportation Council (SWRTC): April, 2008	X		X	X	X				X			
Regional Economic Effects of the I-5 Corridor/Columbia River Crossing Transportation Choke Points: April, 2003						X				X		
Draft Strategic Plan Recommendation - by Portland/Vancouver Transportation and Trade Partnership: January, 2002.	X			X			X	X		X		X
Final Draft Review of Regional Freight Plan: August, 2009						X				X		
Metro Draft Discussion Guide: November, 2008			X			X	X	X	X			X
Atlas of Mobility Corridors Draft 1.0: April, 2009					X		X			X		
St. Johns Truck Strategy Report and Recommendations - by City of Portland: May, 2001										X	X	
Portland/Vancouver I-5 Transportation and Trade Partnership Final Strategic Plan: June, 2002	X		X	X		X	X	X		X		X
Impresa Economics Financial Analysis of the Columbia River Crossing: October, 2010					X	X		X				
Preliminary Urban Growth Report: March and May, 2009												
Congestion Management Process Monitoring Report - by SWRTC: 2009					X		X		X		X	
Clark County Freight Mobility Study Draft Tech Memo 4.B: May, 2010										X		
City of Portland Freight Master Plan: May, 2006						X		X		X		
The Cost of Congestion to the Economy of the Portland Region: December, 2005	X				X	X	X	X	X	X		
Portland/Vancouver I-5 Trade Corridor Freight Feasibility and Needs Assessment Final Report: January, 2000	X				X	X	X	X	X	X		
Interstate 5 Columbia River Crossing Traffic Technical Report: January, 2008	X				X		X	X	X	X	X	
CRC Draft Components Step A Screening Report: March 22, 2006	X		X		X		X	X	X	X	X	X

Note: This table represents many of the major studies reviewed for this report, but does not represent a complete listing of all available technical and planning studies.

APPENDIX B
SECTION 4(F) OVERVIEW



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Section 4(f)

Program Overview

Section 4(f) Policy paper

Section 4(f) Programmatic Evaluations

> Section 4(f) Guidance and Legislation

SAFETEA-LU Section 6009 Implementation Study

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Section 4(f) at a Glance

What is Section 4(f)? Section 4(f) refers to the original section within the U.S. Department of Transportation Act of 1966 which established the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites in transportation project development. The law, now codified in 49 U.S.C. §303 and 23 U.S.C. §138, is implemented by the Federal Highway Administration (FHWA) through the regulation 23 CFR 774.

When does Section 4(f) apply? Section 4(f) applies to projects that receive funding from or require approval by an agency of the U.S. Department of Transportation. Section 4(f) is considered by many to be a complex law.

What does Section 4(f) require? Before approving a project that uses Section 4(f) property, FHWA must either (1) determine that the impacts are *de minimis* (see discussion below), or (2) undertake a Section 4(f) Evaluation. If the Section 4(f) Evaluation identifies a feasible and prudent alternative that completely avoids Section 4(f) properties, it must be selected. If there is no feasible and prudent alternative that avoids all Section 4(f) properties, FHWA has some discretion in selecting the alternative that causes the least overall harm (see discussion below). FHWA must also find that all possible planning to minimize harm to the Section 4(f) property has occurred.

What are Section 4(f) properties? Section 4(f) properties include publicly owned public parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the National Register of Historic Places.

What is a use? Use of a Section 4(f) property occurs: (1) when land is permanently incorporated into a transportation facility; or (2) when there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose; or (3) when there is a constructive use (a project's proximity impacts are so severe that the protected activities, features, or attributes of a property are substantially impaired). The regulation lists various exceptions and limitations applicable to this general definition.

What is a *de minimis* impact? For publicly owned public parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that will not adversely affect the activities, features, or attributes of the property. For historic sites, a *de minimis* impact means that FHWA has determined (in accordance with 36 CFR Part 800) that either no historic property is affected by the project or that the project will have "no adverse effect" on the historic property. A *de minimis* impact determination does not require analysis to determine if avoidance alternatives are feasible and prudent, but consideration of avoidance, minimization, mitigation or enhancement measures should occur. There are certain minimum coordination steps that are also necessary.

What is feasible? An alternative is feasible if it can be constructed as a matter of sound engineering. Typically, alternatives that are studied in a draft environmental

impact statement or environmental assessment are feasible; otherwise they would not have been carried forward for detailed study.

What is prudent? An alternative is prudent if it meets the test in 23 CFR 774.17, which includes factors assessing safety or operational problems; how well project purpose and need are met; the severity of social, economic, or environmental impacts; and the severity of impacts to environmental resources protected under other Federal statutes. FHWA's evaluation of these factors begins with a "thumb on the scale" in favor of protecting Section 4(f) property, and takes the relative value of the Section 4(f) property into account.

What is least overall harm? If the analysis of avoidance alternatives concludes that there is no feasible and prudent avoidance alternative, then the FHWA may only approve the alternative that causes the least overall harm to the Section 4(f) property. 23 CFR 774.3(c) includes a list of factors to consider in making this determination of least overall harm. These factors include the ability to mitigate adverse impacts to Section 4(f) property; the relative severity of remaining harm, after mitigation, to Section 4(f) property; and the relative significance of each Section 4(f) property. For instance, will the project alternatives result in edge takes of a park or will they cut through the middle? How will activities, features, or attributes of the 4 (f) property be affected by various alternatives and to what degree? If alternatives are determined to cause "substantially equal" harm to Section 4(f) property, then FHWA may choose any one.

Does Section 106 of the National Historic Preservation Act duplicate Section 4 (f)? Though enacted by Congress on the same day in 1966, they are two different requirements. There is some overlap when historic properties are involved. A key difference is Section 106 is essentially a consultative procedural requirement, while Section 4(f) precludes project approval if the specific findings can not be made.

Who makes the 4(f) decision for highway projects? The FHWA is ultimately responsible for making all decisions related to Section 4(f) compliance. These include whether Section 4(f) applies to a property, whether a use will occur, whether a *de minimis* impact determination may be made, assessment of each alternative's impacts to Section 4(f) properties, and determining whether the law allows the selection of a particular alternative after consulting with the appropriate officials with jurisdiction.

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United States Department of Transportation - Federal Highway Administration

What protection does 4(f) provide?

- 4(f) protected resources
 - Publicly owned parks (Delta Park)
 - Recreation area (Delta Park)
 - Wildlife or waterfowl refuge (Oaks Bottom Wildlife Refuge)
 - Significant historic site (Fort Vancouver, northbound bridge)
- Federal transportation agencies cannot approve the change (or 'use') of a 4(f) resource unless:
 - There is no *feasible* or *prudent* alternative; and
 - The project includes all possible planning to minimize harm

What is feasible and prudent?

- Alternatives are *feasible* if they are possible to engineer, design and build.
- Alternatives are not *prudent* if they exhibit unique problems of an extraordinary magnitude, including:
 - Does not meet the project Purpose and Need
 - Operational or safety problems
 - Social, economic, or environmental impacts
 - Community disruption
 - Additional cost
- Or, an accumulation of these factors that collectively have adverse impacts of an extraordinary magnitude

What factors are we considering to determine "prudence"?

- How would they affect:
 - Traffic performance?
 - Transit performance?
 - Navigation safety and operations?
 - Community and the economy?
 - Natural resources?
- How much do they cost?
- What other considerations? (ownership)
- Prudence is based on performance and impacts relative to the non-avoidance alternatives

APPENDIX C
REFERENCED PLANNING DOCUMENT EXCERPTS

Appendix C
Referenced Planning Document Excerpts

City of Portland Freight Master Plan, May 10, 2006

- Coordinate with the Columbia River Crossing Draft Environmental Impact Statement (DEIS) process on the evaluation of freight mobility issues in this segment of the I-5 Trade Corridor (pg 26).
- Initiate a North Willamette River Crossing Study to assess the feasibility of a new bridge between Rivergate and US 30 (pg 26).
- The following pages identify Portland's freight infrastructure improvements by category...The list of improvements is inclusive of the needs identified to date (pg 30). West Hayden Crossing, N: New Bridge (Figure 14, pg 37). B17 West Hayden Crossing, N: New Bridge – New four-lane bridge from Marine Drive to Hayden Island to serve as the primary access to Marine Terminals on the island (pg B-11).

City of Portland Comprehensive Plan

Policies for Freight Mobility

- Goal 5.4 Transportation System: Promote a multimodal regional transportation system that stimulates and supports long term economic development and business investment.
 - Objective A: Support multimodal freight transportation improvements to provide competitive regional access to global markets and facilitate the efficient movement of goods and services in and out of Portland's major industrial and commercial districts. Ensure access to intermodal terminals and related distribution facilities to facilitate the local, national, and international distribution of goods and services.
- Policy 6.9 Freight Classification Descriptions. Objective B. Regional Truckways:
 - Provide Regional Truckway interchanges that directly serve Freight Districts and connect to Priority Truck Streets and other streets with high levels of truck activity
 - Provide for safe and efficient continuous-flow operation for trucks
- Policy 6.29 Multimodal Freight System: Develop and maintain a multimodal freight transportation system for the safe, reliable, and efficient movement of freight within and through the City.
 - Support a well-integrated freight system that includes truck, rail, marine, air, and pipeline modes as vital to a healthy economy
 - Coordinate with private and public stakeholders to identify improvement and funding strategies for multimodal freight mobility needs
 - Address freight access and mobility needs when conducting multimodal transportation studies or designing transportation facilities.

Clark County Freight Mobility Study, Draft Technical Memorandum 4.B, Heffron Transportation, May 25, 2010

Recommended regional freight strategies:

- Invest in freight mobility to support industrial development goals and job creation (pg 1)

- Support road improvements that benefit freight mobility (but also lists highest priority for freight is Columbia River Crossing to add capacity across the river and address deficiencies at SR 14 and I-5) (pg 4)
- Support rail improvements (pg 5)
- Protect viability of industrial lands (pg 8)
- Manage access to the Port of Vancouver, west Vancouver, the Port of Ridgefield, Port of Camas/Washougal and other industrial areas (pg 8)

Strategies for a Sustainable and Prosperous Region, September 2009, Metro

- Make transportation investments that increase safe, affordable and convenient travel options for everyone and help the region's businesses and industry remain competitive (p 21)
 - Attract and retain businesses and family wage jobs through strategic investments in roads and transit as well as critical air, marine and freight rail facilities
 - Increase transportation choice, protect air quality, and reduce congestion by accelerating development of transit, biking and walking facilities.

2001 Oregon Rail Plan

Economic Development

- Policy 3B: It is the policy of the State of Oregon to assure effective transportation linkages for goods and passengers to attract a larger share of international and interstate trade to the state.
- Policy 3C: It is the policy of the State of Oregon to expand the capacity of Oregon's freight industry by facilitating increased cooperation among the providers of transportation facilities.
- Action 3D.3: Continue to support Portland's role as a major freight hub for goods transported by air, highway, rail, barge and ship and recognize the other metropolitan areas' role as main connectors for the multimodal system.

Freight Rail Policy

- Policy 1: Increase economic opportunities for the State by having a viable and competitive rail system.
 - Promote intermodal centers where freight may be interchanged between rail and other modes by identifying suitable locations with adequate potential volumes and, if necessary, funding rail improvements and providing adequate highway access.
- Policy 4: Integrate rail freight considerations into the State's land use planning process.
 - Work with communities to minimize conflicts between railroad operations and other urban activities.
 - Assist in removing constraints to improved railroad operating efficiency within urbanized areas.

Rail Plan Passenger Advisory Committee Recommendations

- Work with Oregon's congressional delegation to secure a source of capital funds for rail passenger service (p 108)
- Work with Amtrak and Washington State DOT to obtain sufficient and appropriate passenger equipment to handle increases in passenger travel in the corridor (p 109)
- *Portland-Vancouver, WA*: Ridership would be relatively low mainly due to the geographic isolation of the BNSF Railway's tracks from any concentrations of ridership in Clark County and

immediate locations. The cost associated with providing such service would be extremely high since the railroad bridge over the Columbia River was approaching its operating capacity. The railroad system would need additional capacity in order to permit the operation of time sensitive commuter trains.

St. John's Truck Strategy, May 2001, City of Portland

Short term

- Reduce through or non-local truck trips in predominantly residential and retail-commercial areas of the North Portland peninsula
- Address freight movement needs of the North Portland industrial areas and protect the St. Johns residential and commercial hub from through-truck infiltration
- Identify ways in which truck routing can be improved to and from the St. Johns Bridge, Rivergate and I-5
- Consider a new Willamette River bridge between Rivergate and US 30 for truck movement (p 16)

Long-range

- North Willamette Crossing. Build a bridge between the Rivergate Industrial District and US-30. This option has a high potential in terms of capturing the cross-peninsula non-local truck movement on the peninsula. Travel time analysis indicates that this route would provide competitive trip times with possible alternatives. (p 23)

Portland Freight Committee's Strategic Freight Initiative, July 6, 2005

- Accelerate significant needed infrastructure improvements. Advance I-5 Trade Corridor projects (highway/rail and relocated BNSF rail bridge span opening) (pg 7)
- Construct a bridge between US 30 and Rivergate. Provide a new connection for trucks only between US 30 and Rivergate to resolve congestion issues, expand freight capacity, and separate heavy truck volumes from heavy passenger vehicles. (pg 8)

Portland/Vancouver I-5 Trade Corridor Study, December 1999

- The magnitude of the problem requires new freight and passenger capacity across the Columbia River. Addressing congestion in the corridor will require addressing the bottleneck created by the existing Columbia River Bridge. (pg 4)
- Building blocks we recommend for further evaluation should be:
 - Providing new highway and transit capacity across the Columbia River and in the I-5 corridor
 - Improving critical freight arterials in the corridor such as Marine Drive and Columbia Boulevard
 - Improving the freight rail system in the corridor in cooperation with the private operators of the rail system (pg 5)

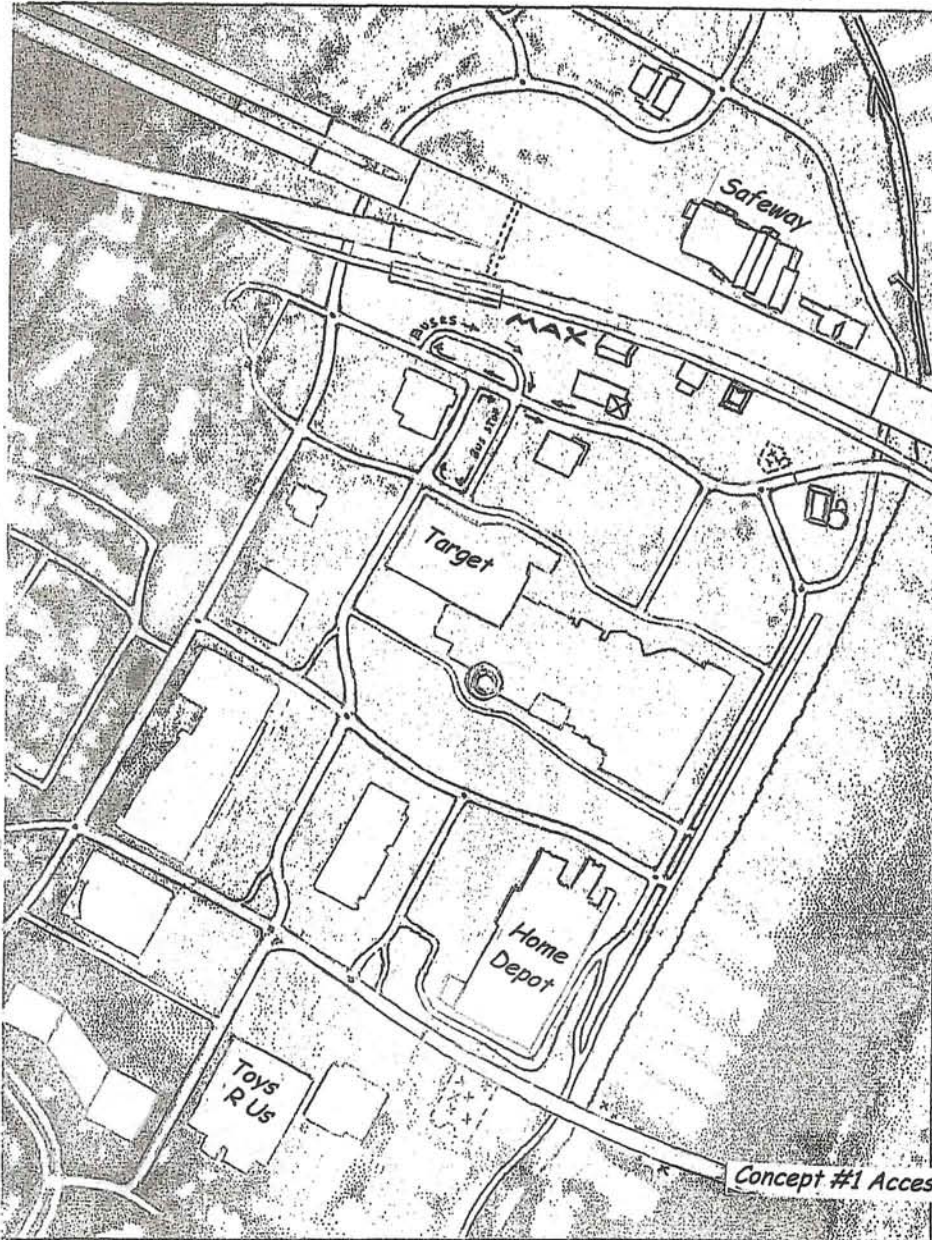
Independent Review Panel Final Report, July 27, 2010

- Light rail transit is essential. The systemic value of extending light rail transit from EXPO center to downtown Vancouver seems obvious to the IRP as it contributes to the long-term mobility needs of the region. (p 13)

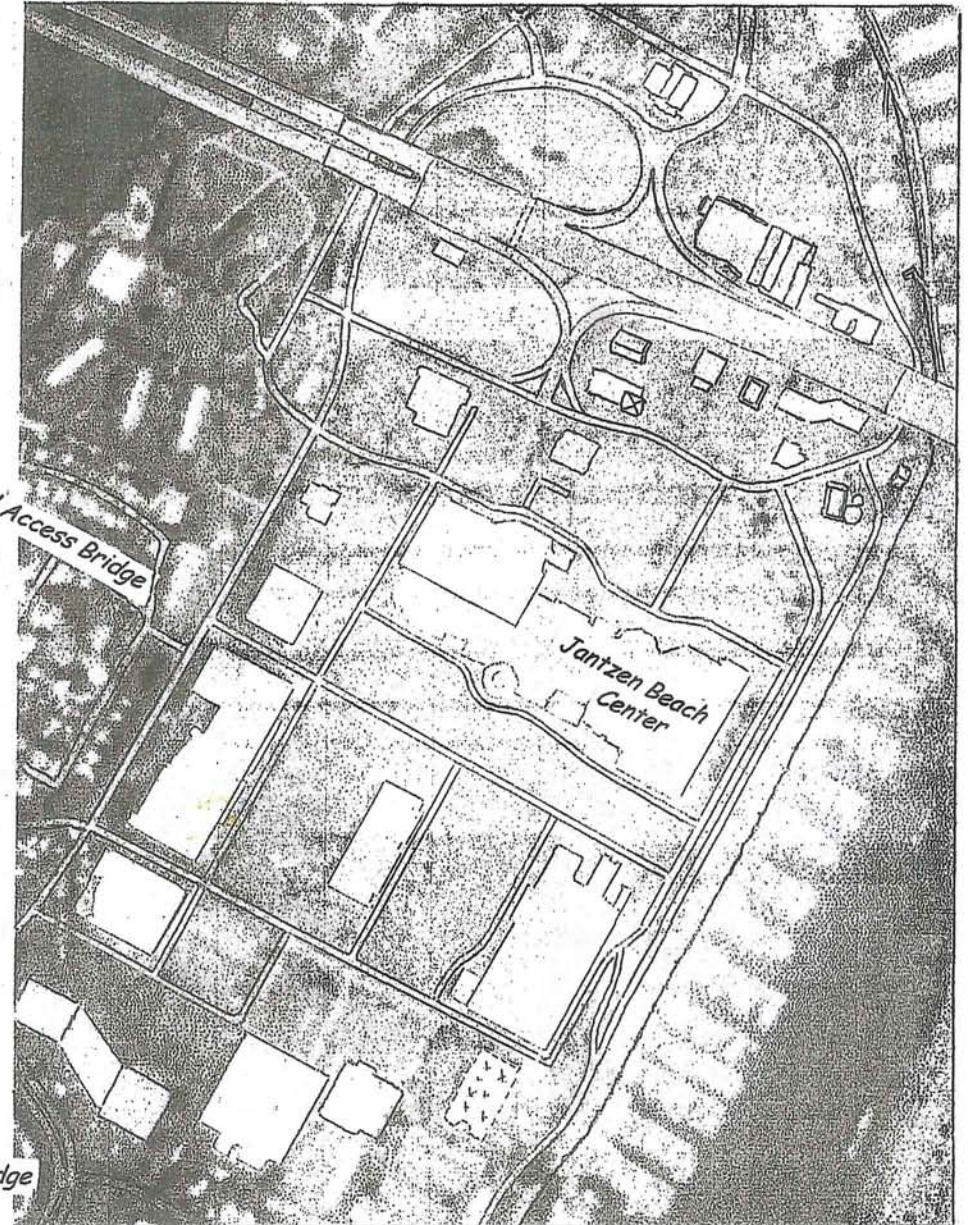
Concept #1 Hayden Island Roadway Network Land-use & Development Proposal

This Hayden Island roadway "preserves" existing land-use. Concept #1 Access Bridge includes sidewalk and pedestrian amenities for its n/s roadway that directs traffic to I-5. A 2nd central n/s roadway is 'curved' rather than 'straight' to "accentuate" the Carousel Showroom. A 3rd n/s roadway (existing) leads to the Local Access & MAX Bridge. The central e/w roadway 'jogs' assuming the Target store is preserved. To the east of I-5, the existing 'curved' roadway is retained as the major thoroughfare. The Island's south-side I-5 underpass is 'secondary' and primarily leads to the Local Access Bridge. A 3rd Central I-5 Underpass is unnecessary. The existing pedestrian underpass is ideally upgraded.

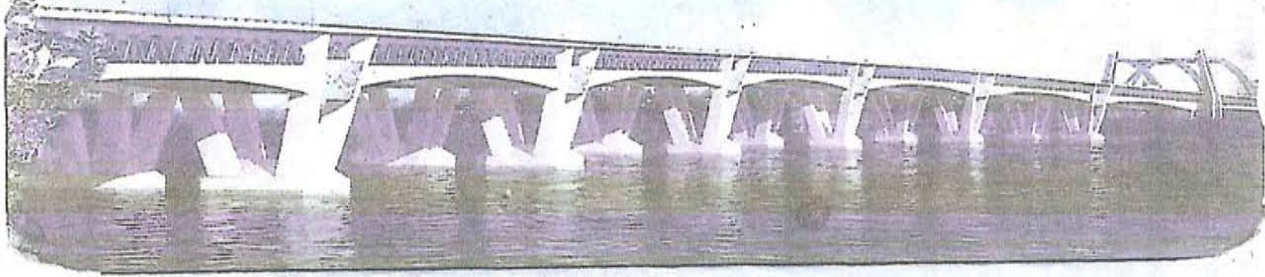
Concept #1 -plus- "1" Southbound I-5 Bridge



Existing roadway network & land-use



LOOKING NORTH



LOOKING SOUTH

