

 **Metro** | *Agenda*

Meeting: Metro Council
Date: Thursday, May 16, 2013
Time: 2 p.m.
Place: Metro, Council Chamber

CALL TO ORDER AND ROLL CALL

- 1. INTRODUCTIONS**
- 2. CITIZEN COMMUNICATION**
- 3. CONSENT AGENDA**
 - 3.1 Consideration of the Minutes for May 9, 2013
 - 3.2 **Resolution No. 13-4425**, For the Purpose of Confirming the Reappointment of Metro Audit Committee Members and Appointment of a New Member.
- 4. ORDINANCES – SECOND READ**
 - 4.1 **Ordinance No. 13-1304**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add the NE 238th Drive: Halsey Street to Glisan Street Freight and Multimodal Improvements; Remove the East Buttes Loop Trail and Beaver Creek Trail Projects; Amend Policies in Chapter 2 and 6. **Mermin**
 - 4.1.2 Public Hearing on Ordinance No. 13-1304.
- 5. RESOLUTIONS**
 - 5.1 **Resolution No. 13-4420**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Change the Terminus of the City of Beaverton’s Crescent Street Multimodal Project from Cedar Hills Boulevard to Westgate Drive. **Mermin**
 - 5.2 **Resolution No. 13-4421**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) and the 2012-15 Metropolitan Transportation Improvement Program (MTIP) to Add the N. Williams Traffic Operations Safety Project. **Mermin**
 - 5.3 **Resolution No. 13-4422**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add Projects that Extend an Existing Auxiliary Lane on Interstate 205 Southbound at Interstate 84, Extend an Existing Acceleration Lane on Interstate 205 Northbound at Powell, and Extend an Existing Auxiliary Lane on Interstate 5 Southbound at Lower Boones Ferry. **Mermin**
 - 5.4 **Resolution No. 13-4423**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) and the 2012-15 Metropolitan Transportation Improvement Program (MTIP) to Add the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Project and Remove the 174th/173rd Undercrossing Project from the Financially Constrained 2035 RTP. **Mermin**
 - 5.5 **Resolution No. 13-4424**, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add Two New Collector Connectivity Projects; Four Roadway Widening Projects and Remove the 174th /173rd Undercrossing Project. **Mermin**

Continued on back...

- 5.6 **Resolution No. 13-4428**, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2040 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 12-1292A in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036. **Uba**
- 5.7 **Resolution No. 13-4430**, For the Purpose of Authorizing the Chief Operating Officer to Grant an Easement to the Burlington Water District. **Brennan-Hunter**
- 5.8 **Resolution No. 13-4433**, For the Purpose of Adopting Technical Amendments to the 2008 South/North Land Use Final Order Amendment in Conformance with Full Funding Grant Agreement Executed by TriMet and the Federal Transit Administration. **Alfred Gertler**
6. **CHIEF OPERATING OFFICER COMMUNICATION**
7. **COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for May 16, 2013 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Thursday, May 16</p>	<p>Portland Channel 30 – Portland Community Media <i>Web site:</i> www.pcmtv.org <i>Ph:</i> 503-288-1515 <i>Date:</i> Sunday, May 19, 7:30 p.m. <i>Date:</i> Monday, May 20, 9 a.m.</p>
<p>Gresham Channel 30 - MCTV <i>Web site:</i> www.metroeast.org <i>Ph:</i> 503-491-7636 <i>Date:</i> Monday, May 20, 2 p.m.</p>	<p>Washington County Channel 30– TVC TV <i>Web site:</i> www.tvctv.org <i>Ph:</i> 503-629-8534 <i>Date:</i> Saturday, May 18, 11 p.m. <i>Date:</i> Sunday, May 19, 11 p.m. <i>Date:</i> Tuesday, May 21, 6 a.m. <i>Date:</i> Wednesday, May 22, 4 p.m.</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. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. 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.

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Agenda Item No. 3.1

Consideration of the Minutes for May 9, 2013

Consent Agenda

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

Agenda Item No. 3.2

Resolution No. 13-4425, For the Purpose of Confirming the
Reappointment of Metro Audit Committee Members and
Appointment of a New Member.

Consent Agenda

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE	)	RESOLUTION NO. 13-4425
REAPPOINTMENT OF METRO AUDIT)	
COMMITTEE MEMBERS AND APPOINTMENT	)	Introduced by Council President Tom Hughes
OF A NEW MEMBER)	
)	

WHEREAS, Metro Code Chapter 2.19.250 establishes the Metro Audit Committee; and

WHEREAS, the Committee enhances the external audit function by monitoring the external auditor's services and activities to ensure that independence is maintained between the external auditor and management; and

WHEREAS, the terms of two citizen Committee members will expire April 28, 2013 and June 1, 2013; and

WHEREAS, a new Metro Council member has been appointed to the Committee; and

WHEREAS, the Council President desires to confirm the reappointments and appointment; now, therefore,

BE IT RESOLVED, that the Metro Council confirms the reappointments and appointment of members of the Metro Audit Committee as set forth in Exhibit "A" attached hereto for the Committee position and terms set forth therein.

ADOPTED by the Metro Council this ____ day of _____ 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Exhibit A to Resolution No. 13-4425

METRO AUDIT COMMITTEE

Committee Member Reappointments

The following person is reappointed to serve a four-year term, from April 28, 2013 to April 28, 2017:

- **Kathryn McLaughlin** Citizen member (voting)

The following person is reappointed to serve a four-year term, from June 1, 2013 to June 1, 2017:

- **Jason Stanley** Citizen member (voting)

The following person is appointed to serve a four-year term:

- **Craig Dirksen** Metro Councilor (voting)

STAFF REPORT

IN CONSIDERATION OF RESOLUTION No. 13-4425 FOR THE PURPOSE OF CONFIRMING THE REAPPOINTMENT OF METRO AUDIT COMMITTEE MEMBERS AND APPOINTMENT OF A NEW MEMBER TO THE AUDIT COMMITTEE

Date: April 16, 2013

Prepared by: Suzanne Flynn
Metro Auditor
503/797-1891

BACKGROUND

The Audit Committee assists the Metro Council in reviewing accounting policies and reporting practices as they relate to the Metro's Comprehensive Annual Financial Report. The Committee provides independent review and oversight of the government's financial reporting processes, internal controls and independent auditors.

The prospective members listed in Exhibit A are current Committee members and serve in a voting capacity. The new member is a Metro Councilor who has been appointed to replace another Council member on the Committee.

ANALYSIS/INFORMATION

1. **Known Opposition:** none

2. **Legal Antecedents:**

Metro Code Chapter 2.19, "Metro Advisory Committees," provides generally applicable rules for the creation of committees providing advice to the Metro Council and appointment of members to such committees.

Metro Ordinance 10-1233 for the Purpose of Establishing an Audit Committee and Amending Metro Code Section 2.15.080 External Audits and Adding a New Metro Code Section 2.19.250 Audit Committee.

3. **Anticipated Effects:**

By approving Resolution No. 13-4425, the Metro Council will reappoint two members to the Committee and appoint one new member.

4. **Budget Impacts:** None

RECOMMENDED ACTION

The Council President recommends adoption of Resolution No. 13-4425.

Agenda Item No. 4.1

Ordinance No. 13-1304, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add the NE 238th Drive: Halsey Street to Glisan Street Freight and Multimodal Improvements; Remove the East Buttes Loop Trail and Beaver Creek Trail Projects; Amend Policies in Chapter 2 and 6.

Ordinances – Second Read

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) ORDINANCE NO. 13-1304
FINANCIALLY CONSTRAINED 2035)
REGIONAL TRANSPORTATION PLAN (RTP)) Introduced by Chief Operating Officer Martha
TO ADD THE NE 238th DRIVE: HALSEY) Bennett in concurrence with Council
STREET TO GLISAN STREET FREIGHT AND) President Tom Hughes
MULTIMODAL IMPROVEMENTS; REMOVE)
THE EAST BUTTES LOOP TRAIL AND)
BEAVER CREEK TRAIL PROJECTS; AMEND)
POLICIES IN CHAPTER 2 AND 6.

WHEREAS, the 2035 Regional Transportation Plan (RTP) is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the RTP and any subsequent amendments to add or remove projects from the RTP; and

WHEREAS, the Metro Council adopted the RTP and related elements by Ordinance No. 10-1241B on June 10, 2010; and

WHEREAS, the NE 238th Drive: Halsey Street to Glisan Street Freight and Multimodal Improvements project was not included in the financially constrained RTP project list; and

WHEREAS; Metro worked with local partners in East Multnomah county to create a vision and develop an implementation strategy known as the East Metro Connection Plan, which prioritizes transportation investments in the area; and which was endorsed by the Metro Council as part of Resolution no. 12-4362 adopted on August 9, 2012; and

WHEREAS, the East Metro Connections Plan partners recommend adding the NE 238th Drive: Halsey to Glisan Freight and Multimodal Improvements project to the RTP financially constrained project list; and

WHEREAS, The East Metro Connections Plan partners recommend removal of the East Buttes Loop Trail (project #11074) and the Beaver Creek Trail (project #10409) projects from the RTP financially constrained project list; and

WHEREAS, an air quality conformity analysis demonstrates that the project will not affect the conformity status of the RTP; and

WHEREAS, the East Metro Connections Plan recommends amending policies in Chapter 2 of the RTP for the Freight Network, Arterial & Throughway Network, Bicycle Network and System Design Classifications, as well as the implementation described within Chapter 6 for Mobility Corridor #15 Gresham/Troutdale/Fairview/Wood Village to Damascus; and

WHEREAS, JPACT and the Metro Policy Advisory Committee (MPAC) both considered the proposed amendments and recommended that the Metro Council adopt the amendments; and

WHEREAS, the Metro Council held public hearings on the proposed amendments on May 2 and May 16, 2013; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The financially constrained RTP project list is hereby amended as shown in Exhibit A, attached and incorporated into this Ordinance.
2. RTP policies in Chapters 2 and 6 are hereby amended as shown in Exhibits B and C, attached and incorporated into this ordinance.
3. The amendments are consistent with applicable provisions of the Regional Transportation Plan and Regional Framework Plan as demonstrated in the staff report dated April 10, 2013 and its two attachments, which are attached as Exhibit D and incorporated into this Ordinance.

ADOPTED by the Metro Council this 16th day of May 2013.

Tom Hughes, Council President

Attest:

Approved as to Form:

Kelsey Newell, Recording Secretary

Alison Kean Campbell, Metro Attorney

Exhibit A to Ordinance No. 13-1304

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the NE 238th Drive Freight and Multimodal Improvements project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11373	Metro	NE 238 th Drive Freight and Multimodal Improvements	Halsey Street	Glisan Street	Major Arterial	Construct southbound travel lane with passing lane and northbound travel lane. Add bike and pedestrian facilities on both northbound and southbound sides.	\$9,000,000	2008-2017	X	Roads/Bridges

Exhibit A to Ordinance No. 13-1304

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to remove the Beaver Creek Trail and East Buttes Loop Trail projects.

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
10409	Multnomah County	Beaver Creek Trail	Mt. Hood Community College	Historic Columbia River Highway	Trail	Construct new trail.	\$1,400,000	2008-2025	✘	Regional Trail
11074	Gresham	East Buttes Loop Trail: From Springwater Trail to Rodlun Road	Springwater Trail	Rodlun Road	Trail	Construct new shared use trail.	\$8,300,000	2008-2017	✘	Regional Trail

What is the regional freight network?

The Regional Transportation Plan (RTP) has two types of freight designations:

- Main roadway routes are the “trunk” of the freight system - higher volume, major connectors with other regions.
- Road connectors have lesser volumes, provide connectivity to industrial/employment land and connect those more significant main roadway routes.

What changes are proposed?

- Remove, from the RTP freight network, Burnside between 181st and 223rd to reflect its actual usage.
- Broaden the RTP freight network to include the following routes as road connectors: 223rd between Glisan and Burnside; 257th/Kane from I-84 to US 26 (Note: projects would not include major improvements that connect Kane to US 26 which might attract more through trips).
- Update the US 26/Hogan connector to be consistent with Springwater Plan.

Why propose changes to the freight network?

Proposed changes to the RTP freight network would bring the use and function of plan area roads more in line and resolve land use conflicts.

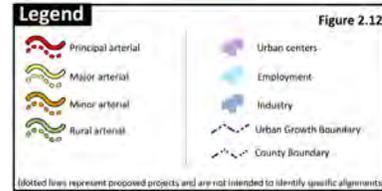
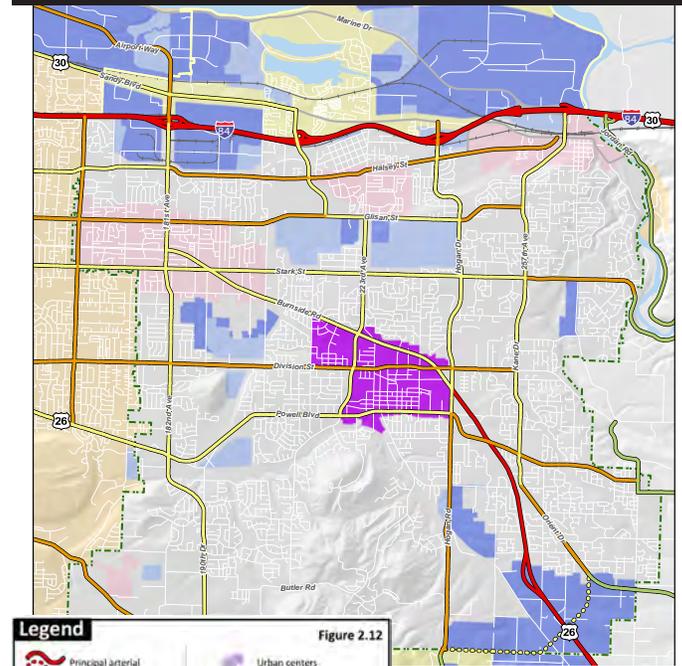
- Proposed freight network roads could see projects that increase their mobility (reducing stops/starts and travel time), that increase safety of other users and projects that accommodate trucks.
- The RTP freight network map (figure 2.20) should be amended to reflect the proposed East Metro Connections Plan “freight grid”, including main roadway routes and road connectors. Projects developed on the “freight grid” will be designed for safe freight movement.

Updates to other RTP road networks

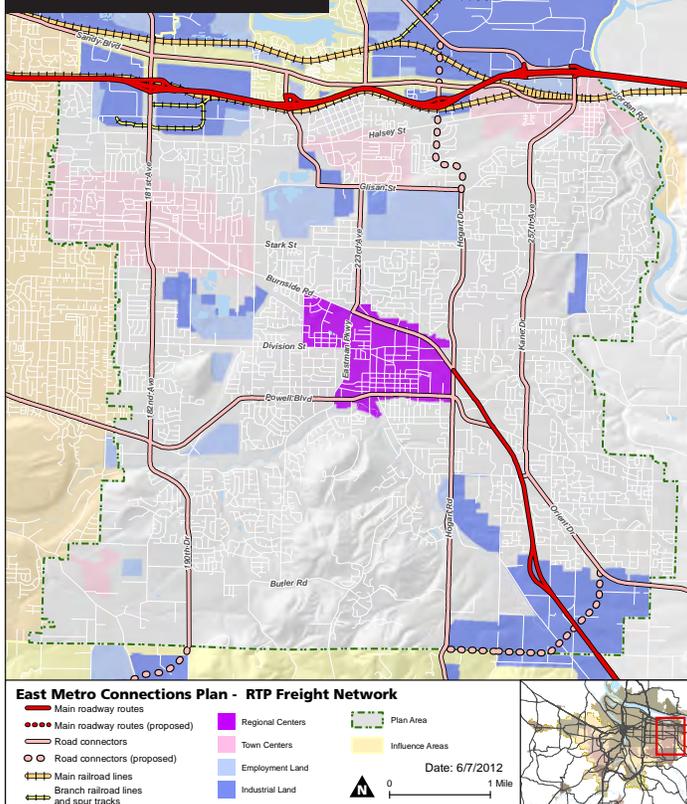
Consistent with the updated Freight Network, updates will also occur to the Arterial and Throughway Network and the System Design Network.

- Update the 238th/242nd link north of Glisan.
- Update the US 26/Hogan connector to be consistent with Springwater Plan (identified as a proposed link on the proposed freight network).

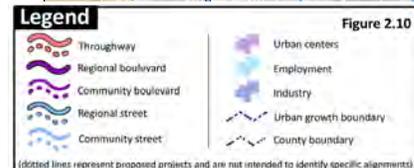
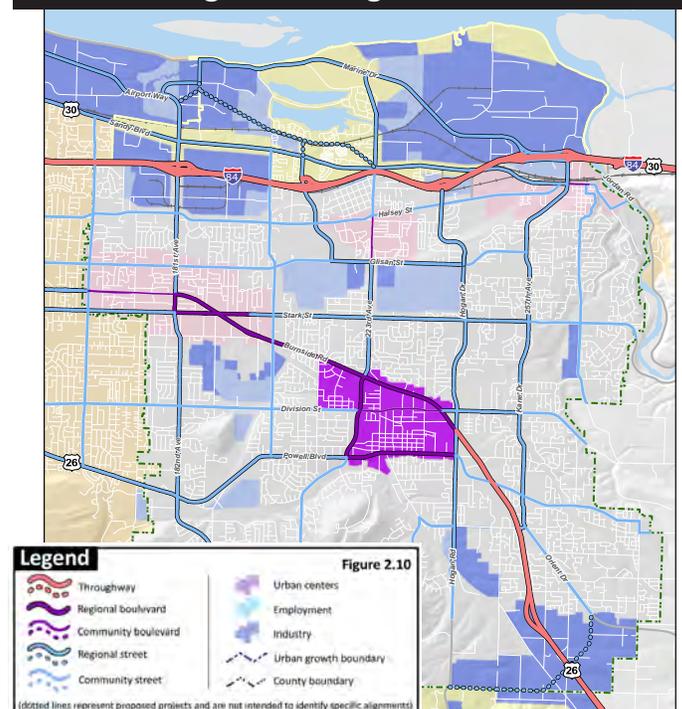
Amended arterial and throughway network



Amended freight network



Amended regional design classifications



6.3.2.4 Gresham/Fairview/Wood Village/Troutdale to Damascus (Mobility Corridor #15)

The East Metro Connections Plan (EMCP) is a “mobility corridor refinement” plan which completed recommendations in June 2012. A mobility corridor refinement plan aims to better integrate land use, community and economic development, environmental and transportation goals when identifying projects along major transportation corridors. EMCP project partners include the cities of Fairview, Gresham, Troutdale and Wood Village, Multnomah County, ODOT, and Metro. Additional participating entities include Damascus, Portland, Clackamas County, the Port of Portland and TriMet.

This two year effort has analyzed present and future transportation needs and opportunities and has prioritized solutions/project for project implementation.

Transportation Projects as Investment Packages

Proposed bundles of projects, or “investment packages” have been grouped by the following three primary themes:

1. **North/south connections** - Proposed projects improve the arterial road network connecting I-84 and US 26 and provide for regional mobility needs as well as access to key destinations in the plan area. Projects developed on designated freight routes will be developed to accommodate freight, and be designed accordingly.
2. **Downtowns and employment areas** - Proposed projects improve way-finding, mobility and access to downtowns and jobs.
3. **Regional mobility** - Proposed projects capitalize on previous investments by making the existing system smarter and more efficient through changes to signal timing, signage, enhanced transit service, and multimodal connections. Consistent with the Regional High Capacity System Plan, EMCP recommends advancing an alternative analysis for the Powell/Division transit corridor. EMCP also recommends the designation of a new regional multimodal connection between the Sandy River and the Springwater Corridor Trail.

The following summarizes the intent and overview of types of projects for each of the corridor segments based on the primary theme that they support.

1. North/south connections

181st/182nd safety corridor: 181st/182nd is an important community street. Projects will provide safety improvements in known areas of high crash rates and improve safe routes to schools in the Centennial School District. Consistent with transit analysis, this includes a recommendation to improve transit consisting of frequent service between Sandy and Powell boulevards and the elimination of the need to transfer between bus routes along this road.

182nd/190th connections to Clackamas County: Pleasant Valley is an important area for future residential and commercial development. Additionally, future population and employment growth in Clackamas County, including Happy Valley and Damascus means that road connections to the south are important connections. Leveraging Clackamas County’s 172nd/190th Corridor Project,

targeted improvements to the road network in Pleasant Valley along Highland/190th will create opportunity for economic and residential development.

Eastman/223rd connections: Projects address future traffic growth with targeted north-south roadway capacity investments along 223rd/Eastman, including at Stark/223rd and Eastman and Powell. This area connects to existing industrial employment sites, including the Port of Portland's Gresham Vista (former LSI site) site. Projects will also address future needs on Glisan between 201st and Fairview Parkway. For example, projects to better coordinate the signal timing at intersections along Eastman/223rd will provide needed capacity improvements.

242nd connections to Clackamas County: Hogan/242nd is an important north/south connection from employment hubs in the Columbia Cascade River District, north central Gresham industrial, the Gresham Regional Center, and Springwater to Clackamas County and central Oregon. Projects along this arterial address future growth with additional roadway capacity, particularly south of Powell, along with opportunities for access and safety enhancements to the existing conditions. This includes intersection improvements at Glisan and Stark, including signal coordination.

Southeast gateway: The triangle of US 26, Burnside and Powell is an important gateway for the City of Gresham, east Multnomah County and the Portland Metropolitan region, providing an essential connection north to I-84, west to I-205, and south and east to Mt. Hood and central Oregon. Projects address several identified needs at the gateway, including 242nd/Hogan/Burnside. Projects address future capacity needs, safety (this area is one of the highest crash areas), way-finding and needed pedestrian improvements (there are sidewalk gaps and challenging crossings in this area, particularly along US 26). Way-finding treatments should be integrated with the adopted Mt Hood Scenic Byway route to bring people into the Gresham Regional Center, a vital commercial area.

257th safety, walking and biking connection: Projects create safe and attractive pedestrian crossings along 257th, particularly along the stretch between Reynolds High School and Mt Hood Community College. They will complete the sidewalk improvements along Stark adjacent to the college.

2. Downtowns and employment areas

Rockwood/181st: Projects include targeted bicycle and pedestrian improvements on 181st between I-84 and Stark, and Stark between 181st and Burnside to improve access to the important commercial areas in Rockwood. Projects improve safety and activate the arterial for businesses and walking.

Gresham Vista Business Park: The Port of Portland's November 2011 purchase of one of the area's largest shovel-ready employment sites is an immediate opportunity to bring jobs and revenue to East Metro communities. Projects increase mobility along the north/south and east/west arterials and improve access to industrial employment land.

Downtown Gresham/Civic: There are important public investments to support the vision of Downtown Gresham. Projects include boulevard treatments along all of Burnside and redevelopment opportunities along this important street. Projects better connect Main City Park, the Springwater Corridor Trail and Johnson Creek to Downtown Gresham. Sidewalk and streetscape projects in Downtown improve walking, window shopping and branding of Downtown Gresham as a unique place. Consider an urban renewal area for Downtown.

Pleasant Valley: Projects develop the necessary public infrastructure for development of Pleasant Valley town center consistent with the Pleasant Valley Community Plan.

Catalyst for Springwater District: Projects help develop the necessary public infrastructure for private investment and jobs in this regionally significant employment area. Projects include a new interchange on US 26 and an extension of Rugg Road to connect US 26 and Hogan, as well as collector street improvements to provide needed access for future jobs and employment.

Edgefield/Halsey main street implementation: Halsey is an important main street that connects the downtowns of Fairview, Wood Village and Troutdale. Projects implement features of the Halsey Street Concept Design Plan (2005), a joint effort of Fairview, Wood Village, Troutdale, and Multnomah County. Projects include realizing Halsey as a 2-lane road with median/turn lane, full bike lanes, sidewalks and pedestrian crossings. Projects support the downtown visions for the three cities and help attract commercial development.

Downtown Troutdale: Projects support future development of the urban renewal area in Downtown Troutdale, creating local road connections to the urban renewal area site and extending the regional trail system along the Sandy River from Troutdale Reynolds Industrial Park into Downtown Troutdale. Projects allow for future private investment and job growth in Downtown.

Downtown Fairview and Wood Village: Projects on Fairview Avenue between I-84 and Arata Road improve access provide needed safety and multi-modal improvements. Projects also improve connections between Arata Road and Halsey.

3. Regional mobility

Sandy River to Springwater multi-modal connection: Projects provide multi-modal connections from Downtown Troutdale to Mt Hood Community College and the Springwater Corridor Trail. Projects connect neighborhoods to commercial areas and Mt Hood Community College. This area is one of the most significant gaps in the 40-mile loop regional trail network, and connections will encourage tourism to areas along the Springwater Corridor Trail and Sandy River.

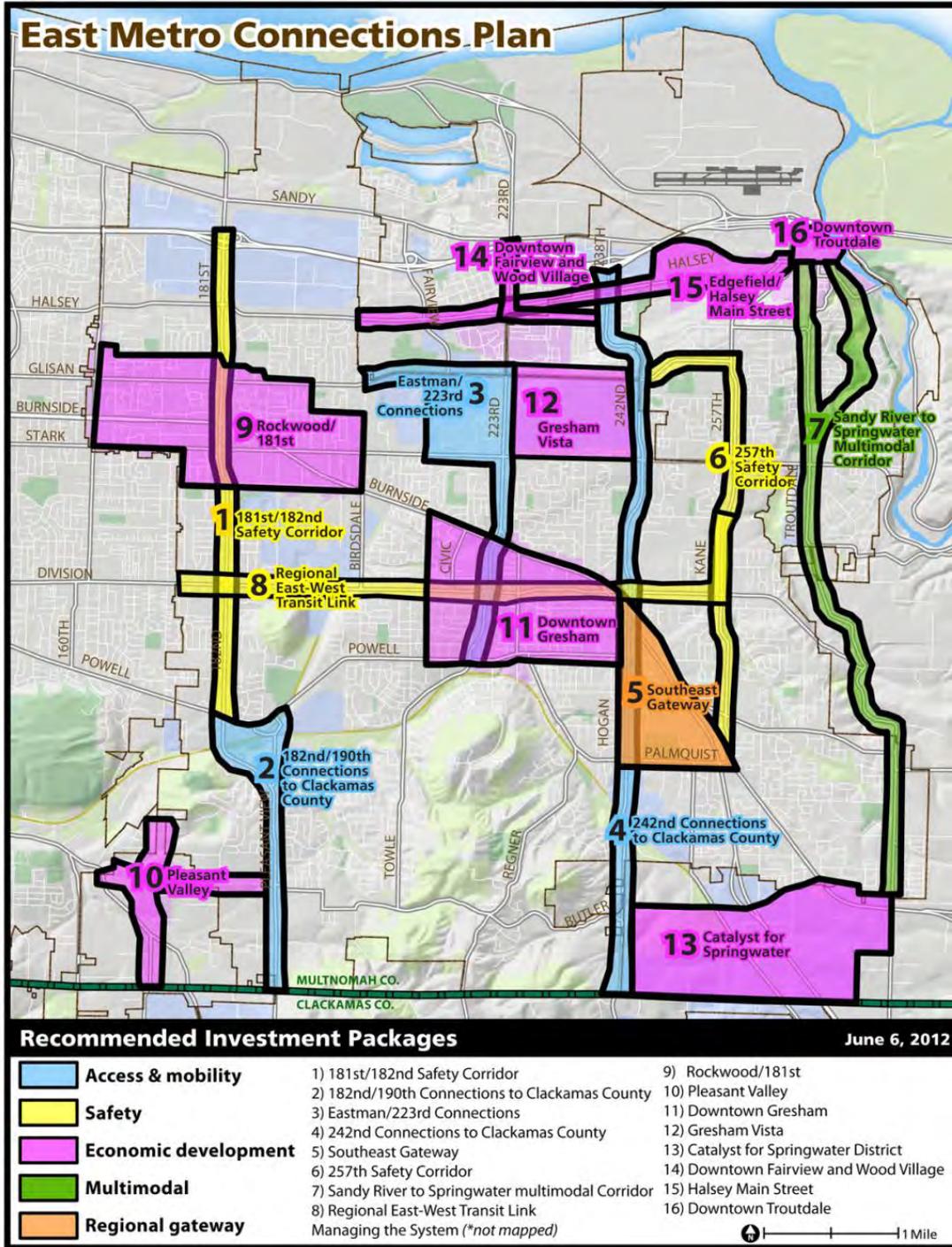
Managing the existing system (Transportation Systems Management and Operations/ Intelligent Transportation System Tools): There are opportunities to improve the current roadway network and enhance the performance of the transportation system using technology that coordinates signal timing and provides “real-time” information. Projects address congestion at intersections through the coordination of signal timing. Improvements to adaptive signal timing along 181st/182nd, Burnside, and Kane Drive. Other projects include signage, messaging and other techniques that improve way-finding and traffic flow. Signal coordination projects can provide as much as a 10% capacity increase to the roadway. Other projects include signage, messaging and other techniques that improve way-finding and traffic flow. Near-term investments include better signage and messaging on US 26 and coordinated signal improvements along all north-south arterials.

Regional east-west transit link: Projects improve east-west transit that connects Mt Hood Community College, Downtown Gresham, Portland and South Waterfront’s Innovation Quadrant. Division is one of the top transit corridors for ridership in the region. Projects include enhanced bus/bus rapid transit and safety, and pedestrian and bike improvements (sidewalks, medians, crossings, access management) to make Division a great street for transit and walking.

Enhancements along this corridor create the potential for even greater ridership demand. Enhanced bus service can provide additional service to Downtown Gresham and the Civic Neighborhood, a vital commercial area. Gresham will continue street improvements for sidewalks and other features to make walking and access to transit easier. The phase I recommendation is to pursue a transit alternative analysis along the Powell/Division Corridor.

Figure 6.3

East Metro Connections Recommended Investments **(as Recommended by the project's Steering Committee)**



~~6.3.1.5 Gresham/Fairview/Wood Village/Troutdale to Damascus (Mobility Corridor #15)~~

~~A need to develop a long-term mobility strategy for the area between I-84 and Highway 26 exists, and has become increasingly critical since the time of the 2004 RTP. The addition of Springwater and Damascus within the UGB has heightened the need for the link. In 2007, the mayors of the east Multnomah County cities—Gresham, Troutdale, Wood Village and Fairview—entered into a MOU that identifies the need to comprehensively analyze I-84/US26 connectivity as their shared top transportation priority.~~

~~A series of interim improvements to Hogan Road are inadequate to meet projected demand through 2035. The modeling shows that Hogan will fail even with these arterial improvements. Since only projects on the financially constrained system are likely to be carried forward, the modeling actually underestimates the extent of the system failure.~~

~~The RTP calls for a series of interim improvements that will better connect Hogan Road to both I-84 on the north, and US 26 to the south. These improvements are needed to ensure continued development of the Gresham regional center and expected freight mobility demands of through traffic. The purpose of the refinement plan is to develop a long-term strategy for the area between 181st/182nd Avenue and 257th Avenue/Kane Road to address regional transportation needs. The refinement plan would consider a full range of transportation solutions that support planned land uses and recommend improvements for the connection between I-84 and US26, including but not limited to: 181st\181st Avenue, Fairview Parkway, 242nd Avenue/Hogan Road and 257th Avenue, per the MOU. The corridor refinement plan is necessary to make informed transportation investment decisions that will facilitate the development the underutilized industrial lands, foster economic growth and maintain and enhance the livability of east Metro communities.~~

~~An improved north/south corridor will also benefit transit-oriented development along the MAX light rail corridor, as it would move freight traffic from its current route along Burnside Street, where it conflicts with development of the Rockwood town center and adjacent station communities. In addition to planned improvements to the Hogan Road corridor and the analysis of alternative routes, a corridor study should address:~~

- ~~• More aggressive access management between Stark Street and Powell Boulevard on 181st, 207th and 257th avenues~~
- ~~• Redesign intersection improvements on Hogan at Stark, Burnside, Division and Powell to streamline through-flow~~
- ~~• Need for a long-term primary freight route in the corridor~~
- ~~• Potential for a new alignment south of Powell Boulevard to US 26~~
- ~~• High capacity transit, including a potential to link Mt. Hood Community College to the light rail system.~~
- ~~• All local street improvements, including locally needed connections to I-84 and US-26.~~

Exhibit D to Resolution No. 13-1304

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO.13-1304, FOR THE PURPOSE OF AMENDING THE FINANCIALLY CONSTRAINED 2035 REGIONAL TRANSPORTATION PLAN (RTP) TO ADD THE NE 238TH DRIVE: HALSEY STREET TO GLISAN STREET FREIGHT AND MULTIMODAL IMPROVEMENT PROJECT; REMOVE THE EAST BUTTES LOOP TRAIL AND BEAVER CREEK TRAIL PROJECTS; AMEND POLICIES IN CHAPTER 2 AND 6.

Date: April 10, 2013

Prepared by: Grace Cho, John Mermin & Brian Monberg

BACKGROUND

The East Metro Connections Plan (EMCP) partners have requested amendments to the 2035 Regional Transportation Plan (RTP). The Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council together have the authority to approve amendments to the RTP.

The EMCP is the first “mobility corridor refinement” plan identified in the 2035 Regional Transportation Plan to be implemented in our region. A mobility corridor refinement plan aims to better integrate land use, community and economic development, environmental and transportation goals when identifying projects along major transportation corridors. EMCP project partners include the cities of Fairview, Gresham, Troutdale and Wood Village, Multnomah County, ODOT, and Metro. Additional participating entities include Damascus, Portland, Clackamas County, the Port of Portland and TriMet. This two year effort analyzed present and future transportation needs and opportunities and prioritized solutions for updates to the Regional Transportation Plan and project implementation. The EMCP was recommended by the steering committee for adoption in June 2012 and subsequently adopted by the Metro Council in August 2012.

Project amendment

Members of the EMCP process propose to include the top priority project, NE 238th Drive: Halsey Street to Glisan Street Freight and Multimodal Improvements to the 2035 RTP financially constrained project list. The project consists of improvements to the curvature of the road and construction of multimodal facilities. Elements include construction of a cross-section that includes a southbound travel lane with a passing lane, and a northbound travel lane, and bike/pedestrian facilities on both the northbound and southbound sides. Members of the EMCP process are proposing to drop: 1) RTP #11074, *East Buttes Loop Trail: From Springwater Trail to Rodlun Road*, a City of Gresham project, and 2) RTP #10409, *Beaver Creek Trail*, a Multnomah County project, from the Financially Constrained list. NE 238th Drive: Halsey Street to Glisan Street Freight and Multimodal Improvements project emerged as the top priority project through the two-year long planning effort. Adding the project to the 2035 financially constrained RTP makes it eligible for federal funding to be allocated in the current 2016-18 Regional Flexible Funding and 2015-18 STIP Enhance allocation processes.

Policy amendments

Consistent with the outcomes based planning framework of the Regional Transportation Plan and the mobility corridor strategy, the East Metro Connections Plan will advance updated policy elements to support project development identified in the plan. The RTP freight network map (RTP figure 2.20) will be amended to reflect the proposed East Metro Connections Plan “freight grid”, including main roadway routes and road connectors. Projects developed on the “freight grid” will be designed for safe freight movement. Updates to the arterial and throughway network map (RTP figure 2.12), regional design classifications map (RTP figure 2.10) and regional bicycle network map (RTP figure 2.22) will be updated for policy consistency with the freight network map.

Exhibit D to Resolution No. 13-1304

The RTP chapter 6, “Implementation”, will reflect that the proposed corridor refinement plan for Mobility Corridor #15 (Gresham/Fairview/Troutdale/Wood Village to Damascus) has now been completed. A summary of EMCP recommendations will be included in section 6.3.2.4. Edits to RTP bike and pedestrian system maps, e.g. a new proposed trail connection from the Sandy River to Mt Hood Community College, Springwater District and Springwater corridor trail, are expected to be made as part of recommendations from the Regional Active Transportation Plan during the next scheduled RTP update.

Consistency with RTP

These amendments are processed pursuant to Sections 6.6.1 and 6.6.2 of the RTP, which provides that *project list* amendments must include a demonstration of consistency with the RTP and that *policy or system map* amendments must include a demonstration of consistency with the Regional Framework Plan. EMCP partners have provided an analysis explaining why the proposed project amendment (NE 238th Ave) is consistent with the solutions hierarchy (Metro Code 3.08.220) of the Regional Transportation Functional Plan, which implements the policies, goals and objectives of the RTP. That analysis is provided in the memorandum included as Attachment 1, which staff concludes is sufficient to demonstrate that the project list amendment is consistent with the policies, goals and objectives of the RTP as required under Section 6.6.2 of the RTP. Additionally, EMCP partners have provided an analysis (p.5-10) in Attachment 1 explaining why the proposed policy and system map amendments are consistent with the Regional Framework Plan. Staff concludes this is sufficient to demonstrate the policy and system map amendments are consistent with the Regional Framework Plan.

Air Quality Conformity

An air quality conformity analysis was completed on the proposed amendment. The results indicate that adding the project to the 2035 financially constrained RTP will not exceed the permitted emissions “budget” and therefore conforms to air quality regulations. A copy of the air quality conformity report findings are included in Attachment 2.

Public Comments

Metro’s Public Involvement Policy for Transportation Planning requires a 30-day public comment period for all major amendments to an RTP or MTIP. Major amendments are defined as those that “involve additions or deletions of projects or a significant change in scope of the project location or function.” Staff determined that the amendments requested by Metro, meet the definition of major amendments.

Additionally, the EMCP also requests several policy amendments which triggered state rules requiring a 45-day public comment period. Therefore all the requested amendments to the RTP underwent a 45-day public comment period.

Metro conducted a 45-day public comment period on the requested amendments from February 22, 2013 to April 8, 2013. The comment period was advertized with a legal notice in The Oregonian on February 21, 2013 and to several other community news papers. The advertisements directed the public to a web page that provided detailed information on the requested amendments. For environmental justice outreach purposes, translation of the proposed RTP amendments were conducted to provide information to limited English proficiency populations. The translation materials of the RTP amendments was tailored to the languages spoken in the areas the projects are located. One comment was received in opposition to the 238th Ave project, which the commenter did not think was a cost-effective solution.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Metro Council Ordinance No. 10-1241B For the Purpose of Amending the 2035

Exhibit D to Resolution No. 13-1304

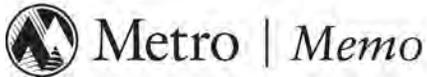
Regional Transportation Plan (Federal Component) and the 2004 Regional Transportation Plan to Comply with Federal and State Law; to add the Regional Transportation System Management and Operations Action Plan, the Regional Freight Plan and the High Capacity Transit System Plan; to Amend the Regional 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 by the Metro Council June 10, 2010.

3. Anticipated Effects None

4. Budget Impacts None

RECOMMENDED ACTION

Metro staff recommends the approval of Ordinance No. 13-1304.



Date: March 19, 2013
To: John Mermin
From: Brian Monberg
Subject: Findings of Consistency

This memo provides findings of consistency for the NE 238th Drive: Halsey Street to Glisan Street Freight and Multimodal Improvements project (“the project”) with the Regional Transportation Functional Plan solutions hierarchy and findings of consistency for updated regional policy maps with the Regional Framework Plan. The project consists of improvements to the curvature of the road and construction of multimodal facilities. Elements include construction of a cross-section that includes a southbound travel lane with a passing lane, and a northbound travel lane, and /bike and pedestrian facilities on both the northbound and southbound sides.

The project emerged as a priority in the East Metro Connections Plan (EMCP), the first “mobility corridor refinement” plan identified in the 2035 Regional Transportation Plan to be implemented in our region. A mobility corridor refinement plan aims to better integrate land use, community and economic development, environmental and transportation goals when identifying projects along major transportation corridors. EMCP project partners include the cities of Fairview, Gresham, Troutdale and Wood Village, Multnomah County, ODOT, and Metro. Additional participating entities include Damascus, Portland, Clackamas County, the Port of Portland and TriMet.

This two year effort analyzed present and future transportation needs and opportunities and has prioritized solutions/project for updates to the Regional Transportation Plan and project implementation. Decisions were conducted over 6 public meetings of a Steering Committee representing elected officials, business, neighborhood, and transportation constituencies. The final recommendation was endorsed by the city councils of Fairview, Gresham, Troutdale, Wood Village, Multnomah County Commission, JPACT, and Metro Council.

Findings of Consistency with Regional Transportation Functional Plan

This section demonstrates the proposed amendments to the Regional Transportation Plan are consistent with the Regional Transportation Functional Plan section 3.08.220 solutions hierarchy.

Section 3.08.220 is as follows:

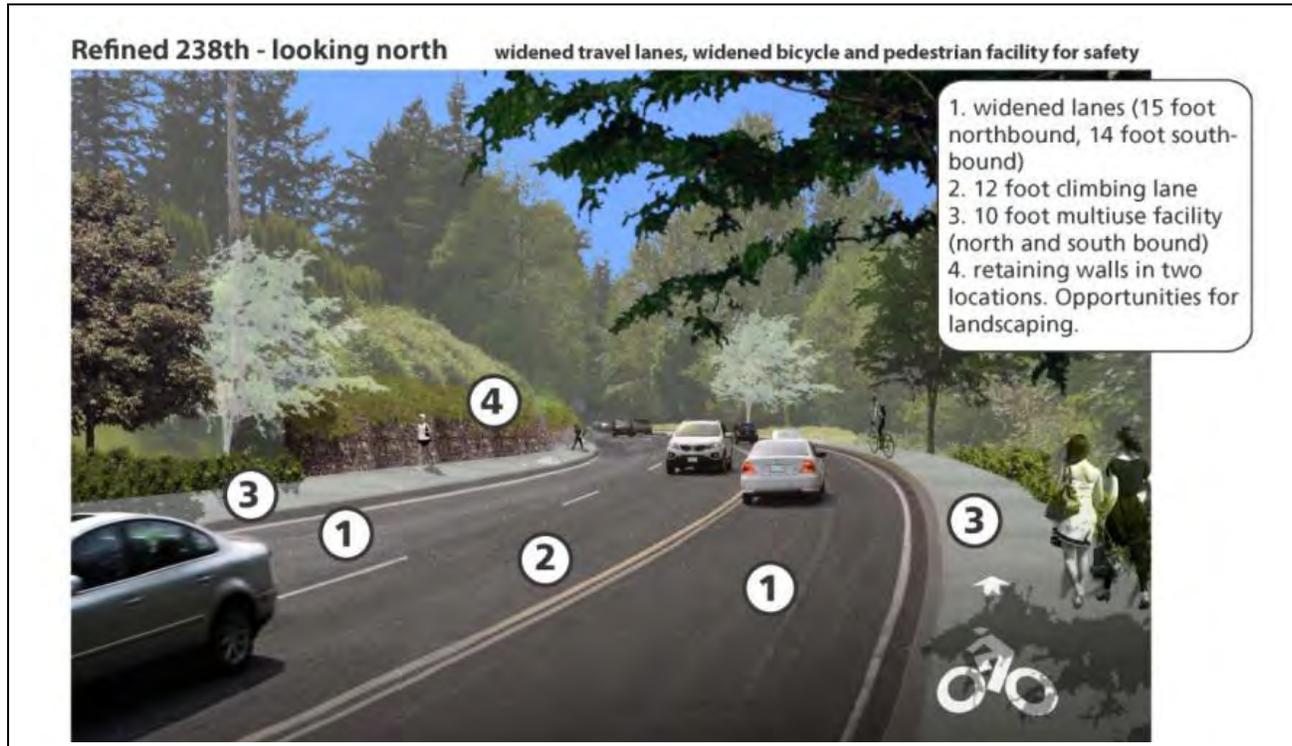
A. Each city and county shall consider the following strategies, in the order listed, to meet the transportation needs determined pursuant to section 3.08.210 and performance targets and standards pursuant to section 3.08.230. The city or county shall explain its choice of one or more of the strategies and why other strategies were not chosen:

1. TSMO strategies, including localized TDM, safety, operational and access management improvements;

The project is part of the East Metro Connections Plan, which has identified and prioritized TSMO strategies, including safety, signalization, and messaging projects. The project allows for 238th to have improved access consistent with the other primary north-south arterials in

East Multnomah County. System management strategies currently exist, and have been identified for future investments on these roadways. “Managing the System” emerged as one of the investment packages prioritized in the East Metro Connections Plan, and identified technologies such as signal timing and messaging to be applied to the arterials within East Multnomah County.

Safety is a key consideration for advancing the project. The project will address safety features for all users of the facility. The project includes safety features, and operational improvements to allow for truck mobility on an arterial where trucks are currently restricted. The project design includes improved drainage and landscaping. The project addresses access, safety, and livability concerns efficiently.

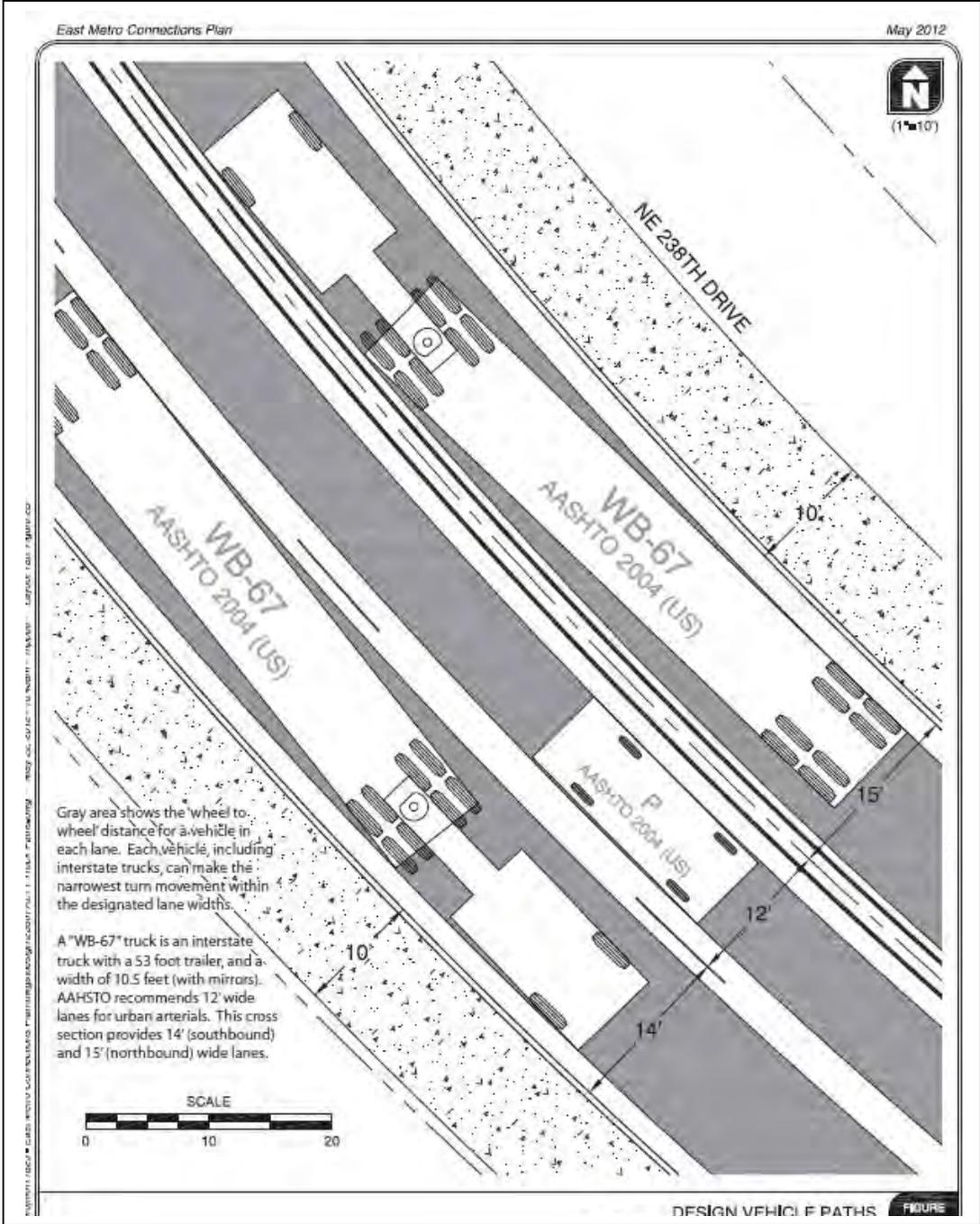


2. Transit, bicycle and pedestrian system improvements;

The current project area lacks sidewalks and bicycle facility on both sides of the roadway. The project specifically addresses this with a widened multiuse facility. There is currently no bus service along 238th/242nd, but the widened lanes would provide for improved bus movement if future transit service is considered. The project transforms a currently inadequate facility into a multimodal corridor. Concept design for the project was informed by, and is consistent with, the Halsey Street Conceptual Design Project, which the project will intersect with on the northern boundary. The project will connect to and support the bicycle and pedestrian improvements along Halsey.

3. Traffic-calming designs and devices;

The project includes designs focused on improving safety, allowing for greater separation between bicyclists, pedestrians and vehicles through a widened multi-use path separate from the roadway. The project will improve curvature of the road and the turning radius for vehicles.



4 . Land use strategies in OAR 660-012-0035(2) to help achieve the thresholds and standards in Tables 3.08-1 and 3.08-2 or alternative thresholds and standards established pursuant to section 3.08.230;

The project is adjacent to Halsey Street (which is a designated 2040 main street), town centers in Troutdale and Wood Village, and Gresham Vista, a regionally significant employment and industrial area. The project is intended to support and enhance existing land use policies currently in place, particularly in support of Troutdale Town Center, and Employment and Industrial lands along 242nd and Hogan. The project will increase access to these locations in a way that is consistent with current plans and policies. By creating a facility that is neighborhood oriented and allows for improved biking and walking, the project will support lane uses in these target areas, while improving access for residents in Wood Village, Troutdale, and Gresham, particularly along Arata Road.

5. Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design classifications in Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking, and access to transit;

This project emerged as a key priority from the East Metro Connections Plan, with the greatest opportunity to improve connectivity on the four primary north-south arterials in East Multnomah County. The project is consistent with Regional Transportation Plan policy as it this project provides for increased vehicle, freight, bicycle, and pedestrian connectivity. Improvements identified in the project will allow for the facility to provide increased access and connectivity, particularly for those walking and biking between Arata Road, Halsey and Glisan. This area has many residences and will improve connectivity to commercial centers on Glisan and Halsey, including downtown Troutdale. The project also improves access to the I-84 interchange.

6. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs.

The East Metro Connections Plan, through technical outreach, community involvement, and public discussion, determined that a major new highway facility is not needed to provide for future transportation needs. The East Metro Connections Plan provided a comprehensive, multimodal, land use based recommendation. The East Metro Connections Plan did not find a need for, or recommend, a major new freeway within East Multnomah County, and directs limited public investments on projects to provide for the highest return on identified 2040 Target Areas. The project is widening existing lanes and improving freight mobility, but is not adding new lanes or increasing vehicle capacity.

Findings of consistency for Regional Framework Plan

This section provides findings of consistency with the Regional Framework Plan. Consistent with the outcomes based planning framework of the Regional Transportation Plan and the mobility corridor strategy, the East Metro Connections Plan is providing updated policy elements to support project development identified in the plan. These include:

- The RTP freight network map (RTP figure 2.20) will be amended to reflect the proposed East Metro Connections Plan “freight grid”, including main roadway routes and road connectors. Projects developed on the “freight grid” will be designed for safe freight movement.
- These changes will include updates to the regional freight network map. Updates to the arterial and through network map and regional design classifications map will be updated for policy consistency with the freight network map.

The policy map changes are adopted to provide consistency to the functional classification of the four primary north-south arterials that connect I-84 to US 26 in East Multnomah County.

The East Metro Connections Plan is a Metro-led corridor refinement plan that identified transportation improvements in East Multnomah County that support the 10 Goals of the Regional Transportation Plan.

Goal 1: Foster Vibrant Communities and Efficient Urban Form

Land use and transportation decisions are linked to optimize public investments and support active transportation options and jobs, schools, shopping, services, recreational opportunities and housing proximity.

RTP Goal 1 calls for land use and transportation decisions to be linked together to provide for proximity to housing and jobs. Objective 1.1 Compact Urban Form and Design calls for transportation investments to reinforce growth in and multi-modal access to 2040 Target Areas and ensure that develop in the 2040 Target Areas is consistent with and support Transportation investments.

The proposed RTP policy map changes were developed as part of the East Metro Connections Plan, a planning process with the stated goals of Access and mobility, Economic Vitality, and supporting local jurisdiction’s vision for land use and visibility. The East Metro Connections Plan is the first “mobility corridor refinement” plan identified in the 2035 Regional Transportation Plan to be implemented in our region. A mobility corridor refinement plan aims to better integrate land use, community and economic development, environmental and transportation goals when identifying projects along major transportation corridors. EMCP project partners include the cities of Fairview, Gresham, Troutdale and Wood Village, Multnomah County, ODOT, and Metro. Additional participating entities include Damascus, Portland, Clackamas County, the Port of Portland and TriMet. Policy map changes and projects were developed in accordance with “investment packages” that link transportation investments to specific land uses. The proposed policy map changes support local jurisdiction plans in the Springwater District, a regionally significant

employment area. The proposed RTP policy map changes will support a system where transportation investments are linked to a grid network to support access to housing and jobs throughout East Multnomah County. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 2: Sustain Economic Competitiveness and Prosperity

Multi-modal transportation infrastructure and services support the region’s well-being and a diverse, innovative, sustainable and growing regional and state economy.

RTP Goal 2 calls for infrastructure and services to be developed to support a strong regional and state economy.

The proposed RTP policy map changes were developed as part of the East Metro Connections Plan, a process with stated goals of Access and mobility and Economic Vitality. Updates to the freight network support a “freight grid” in East Multnomah County that support freight reliability by providing for policies to support freight access. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 3: Expand Transportation Choices

Multi-modal transportation infrastructure and services provide all residents of the region with affordable and equitable options for accessing housing, jobs, services, shopping, educational, cultural and recreational opportunities, and facilitate competitive choices for goods movement for all businesses in the region.

Goal 3 of the RTP calls for the region to provide all residents with affordable and equity options for accessing housing, jobs, services, shopping, and to provide travel choices. The goal calls for the region to support multi-modal freight transportation that facilitate competitive choices for goods movement for businesses.

Investments in the East Metro Connections Plan were evaluated according to seven factors. Factor 1, Access and Mobility, included measures to assess investments based on improvements to transit ridership, pedestrian access and service, bicycle access and service, and freight operational efficiency. The proposed policy changes will support multi-modal freight transportation system through the Freight Network map changes. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 4: Emphasize Effective and Efficient Management of the Transportation System

Existing and future multi-modal transportation infrastructure and services are well-managed to optimize capacity, improve travel conditions and address air quality goals.

Goal 4 of the RTP calls for improved travel conditions through applying technology solutions to actively manage the transportation system, including traveler information, incident and demand management.

“Managing the System” emerged as one of the investment packages prioritized in the East Metro Connections Plan, and identified technologies such as signal timing and messaging to be applied to the arterials within East Multnomah County. The proposed policy updates provides for consistent designations on the primary north-south arterials in East Multnomah County, and system management strategies have been identified for future investments on these roadways. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 5: Enhance Safety and Security

Multi-modal transportation infrastructure and services are safe and secure for the public and goods movement.

Goal 5 of the RTP calls for safe and secure movement of people and goods by reducing crashes, serious injury, crime, and vulnerability to terrorism and natural disasters.

Investments in the East Metro Connections Plan were evaluated according to seven factors. Factor 3, Safety and Security, evaluated projects based on reducing intermodal conflict, addressing high crash corridors, and increasing safe travel near schools, commercial areas, and vital services. The proposed changes to the policy elements provides consistent policy designations on the four primary north-south arterials in East Multnomah County. This transportation grid is consistent with the Regional Mobility Corridor concept, and the Regional Arterial and Throughway Network Concept (Figure 2.11) and ensures that future investments benefits and burdens will be distributed across the network and not focus on a single roadway facility. Investments identified will specifically provide improved safety on roadways. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 6: Promote Environmental Stewardship

Promote responsible stewardship of the region’s natural, community, and cultural resources.

Goal 6 of the RTP calls for responsible stewardship of the regions resources by avoiding or minimizing undesirable impacts on habitat areas, wildlife corridors, open spaces, and to reduce vehicle emissions , energy and land consumption in order to protect the region’s air and water quality.

Investments in the East Metro Connections Plan were evaluated according to seven factors. Factor 4, Natural Environment, included measures to assess whether an investment increases or improves integrity of parklands, natural areas, wetlands; improves storm water drainage and water quality; improves wildlife habitat and fish passage; and protects species identified in the Oregon Conservation Strategy. The proposed policy changes will direct future investments in areas with existing transportation infrastructure, and does not direct investments into areas with sensitive water quality or habitat concerns. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 7: Enhance Human Health

Multi-modal transportation infrastructure and services provide safe, comfortable and convenient options that support active living and physical activity, and minimize transportation-related pollution that negatively impacts human health.

Goal 7 of the RTP calls for transportation infrastructure and services to provide safe, comfortable, and convenient options that support active living and to minimize pollution impacts that provide negative health effects.

Investments in the East Metro Connections Plan were evaluated according to seven factors. Factor 4, Healthy Communities, included measures to evaluate investments based on network connections to food, walking, biking, and access to transit. Future investments have been identified for existing road facilities, reducing potential future adverse pollution impacts. The proposed changes to the policy elements provide consistent policy designations on the four primary north-south arterials. The proposed amendments do not find a need or recommend a major new freeway within East Multnomah County. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 8: Ensure Equity

The benefits and adverse impacts of regional transportation planning, programs and investment decisions are equitably distributed among population demographics and geography, considering different parts of the region and census block groups with different incomes, races and ethnicities.

Goal 8 of the RTP calls for benefits and impacts of transportation decisions be equitably distributed among population demographics and geography. The goal includes objectives on environmental justice and ensuring that investments provide a range of options for people with low income, elders, and people with disabilities.

The proposed changes to the policy elements provides consistent policy designations on the four primary north-south arterials in East Multnomah County. This transportation grid is consistent with the Regional Mobility Corridor concept, and the Regional Arterial and Throughway Network Concept (Figure 2.11) and ensures that future investments benefits and burdens will be distributed across the network and not focus on a single roadway facility.

Investments in the East Metro Connections Plan were evaluated according to seven factors. Factor 5, Equity, included objectives and measures that assessed demographics and geography, particularly income, race, and ethnicity by census block groups within the project area. Decision-makers were informed by community engagement, including early outreach to minority groups and people limited English proficiency to identify challenges and opportunities. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 9: Ensure Fiscal Stewardship

Regional transportation planning and investment decisions ensure the best return on public investments in infrastructure and programs.

Goal 9 of the RTP calls for decision making that provides for the best return on public investment through asset management, using public resources effectively and efficiently, and securing stable and innovative funding.

The policy items for inclusion in the amended RTP provide for consistency to the functional classification of the four primary north-south arterials that connect I-84 to US 26 in East Multnomah County. As such, future investments are directed towards maintaining existing transportation facilities, and maximizing return on public investment through the prioritization of future investments. The proposed amendments do not find a need or recommend a major new freeway within East Multnomah County, and direct limited public investments on projects to provide for the highest return on identified 2040 Target Areas. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Goal 10: Deliver Accountability

The region's government, business, institutional and community leaders work together in an open and transparent manner so the public has meaningful opportunities for input on transportation decisions and experiences an integrated, comprehensive system of transportation facilities and services that bridge governance, institutional and fiscal barriers.

Goal 10 of the RTP calls for meaningful opportunities for input on decisions affecting transportation facilities and services. The goal calls for opportunities during plan development and review for interested and affected stakeholders, including people who have traditionally been underrepresented, and that representation is equitable among affected jurisdictions and stakeholders.

The policy items for inclusion in the amended RTP were the result of a The East Metro Connections Plan, a two year deliberative process. The Steering Committee charged with providing a recommendation comprised elected officials, business, neighborhood, community, resource and transportation constituencies. Meetings were advertised, open to the public, and included public testimony. Public comment on key decisions were solicited by web comment and public discussion, and provided to the steering committee prior to meetings. As detailed in the Public Process below, the project was developed to provide meaningful opportunities for input from the public, and to provide equitable representation for decision-making. Accordingly, the proposed RTP amendments are consistent with this RTP policy.

Public Process

The East Metro Connections Plan is the first "mobility corridor refinement" plan identified in the 2035 Regional Transportation Plan to be implemented in our region. A mobility corridor refinement plan aims to better integrate land use, community and economic development, environmental and transportation goals when identifying projects along major transportation corridors. EMCP project partners include the cities of Fairview, Gresham, Troutdale and Wood

Village, Multnomah County, ODOT, and Metro. Additional participating entities include Damascus, Portland, Clackamas County, the Port of Portland and TriMet.

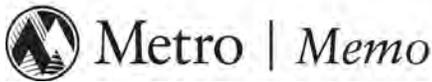
The two year effort analyzed present and future transportation needs and opportunities and is has prioritized solutions/project for updates to the Regional Transportation Plan and project implementation. Decisions were made incrementally over 6 public meetings of a Steering Committee made up of elected officials, business and neighborhood members, and transportation constituencies. Decision-makers were informed by community engagement, including early outreach to minority groups and people limited English proficiency to identify challenges and opportunities. This input, along with other community surveys were provided to the Steering Committee in advance of each decision-making milestone. The final recommendation was endorsed by the city councils of Fairview, Gresham, Troutdale, Wood Village, Multnomah County Commission, JPACT, and Metro Council.

There has been extensive public outreach for this project. The following outlines primary outreach:

- 2011 -2012: 8 visits to Gresham neighborhood associations, 2 visits to the Coalition of Gresham Neighborhoods and one neighborhood information fair
- Summer and Fall 2011: Co-created and administered joint EMCP/Gresham TSP online survey about travel challenges; published summary of responses (December steering committee materials)
- 2010 – 2012: 4 articles in Neighborhood Connections, Gresham’s e-newsletter
- 2010 - 2012: Engagement of experts including school districts, parks and natural environment, freight, and equity
- March, 2012: Project update presentation to Gresham City Council; presentations to Planning Commission and City Council, May – July, 2012
- Spring, 2012: Presentations and discussions with community and business groups including Gresham Area Chamber of Commerce (April 17, 2012), East Metro Economic Alliance (March 8, 2012), Mt Hood Community College (April 11, 2012)
- 2011 – 2012: Joint outreach with Gresham’s Healthy Eating Active Living program, including open houses
- February – March 2012: Presentations to Fairview, Gresham, Troutdale, Wood Village City Councils. Presentation to Gresham and Troutdale Planning Commissions.
- March 2012: EMCP Open House
- 2011 – 2012: Regular updates to East Multnomah County Transportation Committee (EMCTC) by Metro Councilor Shirley Craddick and Metro staff
- 2010 -2012: Regular email updates to interested parties list
- Sept. 2011 and April 2012: Oregonian coverage (Sept 2011 and April 2012)

Overall Conclusion

All relevant regional policies included in the 2035 Regional Transportation Plan have been examined in these findings concerning the proposed RTP policy amendments. Application of the regional goals, as documented above, demonstrates that the proposed changes are also consistent with the Regional Framework Plan.



Date: March 1, 2013
 To: TPAC and Interested Parties
 From: Tom Kloster, Transportation Planning Manager
 Grace Cho, Assistant Transportation Planner
 Subject: Pre-Conformity Plan and Draft 2035 RTP Air Quality Conformity Determination

Introduction

To comply with federal mandates, Metro is required to conduct an air quality impact analysis with each update of Metro’s Regional Transportation Plan (RTP) and development of a new Metropolitan Transportation Improvement Program (MTIP). As part of the conducting the analysis, Metro consults and solicits feedback from our local and regional partners about the analysis. TPAC has been identified as the forum of local and regional partners for consultation and soliciting feedback. Metro staff seeks comments from TPAC regarding the Draft 2035 RTP Air Quality Conformity Determination.

Background

Prior to the scheduled update of Metro’s 2035 Regional Transportation Plan (RTP), several project sponsors requested RTP project amendments due to project delivery schedules and are unable to wait until the next scheduled update. As a result, Metro solicited RTP amendments at the end of 2012 where a total of 13 projects were submitted. In review of the proposed amendments, all but one were deemed regionally significant projects as defined federal transportation conformity rules (40 CFR 93.101). Therefore a new air quality conformity determination must be made on Metro’s 2035 RTP in complying with federal regulations.

In anticipation of conducting a new conformity determination, Metro staff consulted with federal partners (FHWA, FTA, EPA) as well as regional and state partners (DEQ, ODOT, TriMet) to about the approach and methodology to the air quality conformity analysis. The federal, state, and regional partners all came to agreement on the approach and methodology to the analysis. Metro conducted the analysis in February 2013. Metro staff developed and released a draft 2035 RTP Air Quality Conformity Determination on February 22, 2013 for public comment.

Air Quality Analysis and Results

To demonstrate conformity, the projected emissions must be less than or equal to the motor vehicle emissions budget(s) established for each analysis year (OAR 340-252-0190(b)(A)). In addition, the regional emissions analysis must be performed for the last year of the transportation plan's forecast period. The results for each analysis year can be found below.

2035 Regional Transportation Plan (Federal Component) Regional Air Quality Assessment

Year	Carbon Monoxide Motor Vehicle Emission Budgets (Budgets are Maximum Allowed Emissions) (pounds/ winter day)	Forecast Carbon Monoxide Motor Vehicle Emissions (pounds/ winter day)
2010	1,033,578	877,841
2017	1,181,341	708,286
2025	1,181,341	830,714

2035	1,181,341	835,142
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Per the results, the projected emissions is less than the approved motor vehicle emissions budgets for each analysis year. Therefore the 2035 RTP with the proposed amendments conforms to air quality rules. The full report with details of the analysis can be found on Metro's website.

Request

Metro staff requests the feedback of TPAC members on the draft 2035 RTP air quality conformity determination report prior to the end of the public comment period. The public comment period for the 2035 RTP air quality conformity determination is scheduled to close on April 8, 2013.

Next Steps

Metro will summarize and incorporate any public comments on the draft 2035 RTP air quality conformity determination following the close of the public comment period. Metro will return to TPAC in April and ask for recommendation to forward the revised draft of the 2035 RTP air quality conformity determination to JPACT. Once recommended, Metro staff will ask for JPACT and Metro Council approval of the conformity determination at the May meetings.

Agenda Item No. 5.1

Resolution No. 13-4420, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Change the Terminus of the City of Beaverton's Crescent Street Multimodal Project from Cedar Hills Boulevard to Westgate Drive.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE	)	RESOLUTION NO. 13-4420
FINANCIALLY CONSTRAINED 2035)	
REGIONAL TRANSPORTATION PLAN (RTP)	)	Introduced by Chief Operating Officer Martha
TO CHANGE THE TERMINUS OF THE CITY	)	Bennett in concurrence with Council
OF BEAVERTON’S CRESCENT STREET	)	President Tom Hughes
MULTIMODAL PROJECT FROM CEDAR)	
HILLS BOULEVARD TO WESTGATE DRIVE)	

WHEREAS, the 2035 Regional Transportation Plan (RTP) is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the RTP and any subsequent amendments to add or remove projects from the RTP; and

WHEREAS, the Metro Council adopted the RTP and related elements by Ordinance No. 10-1241B on June 10, 2010; and

WHEREAS, the City of Beaverton’s Crescent Street Multimodal project was included in the 2035 financially constrained RTP (project # 10619); and

WHEREAS, the scope of the Crescent Street Multimodal project is to make multimodal improvements from Rose Biggi Avenue to Cedar Hills Boulevard; and

WHEREAS, the City of Beaverton has requested to amend the scope of the Crescent Street Multimodal project to extend the project from Cedar Hills Boulevard to Westgate Drive; and

WHEREAS, an air quality conformity analysis demonstrates that the project will not affect the conformity status of the RTP; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to:

1. Amend the financially constrained RTP project list as shown in Exhibit A attached and incorporated into this Resolution.
2. Adopt as findings the staff report dated April 10, 2013 and its Attachment 1, which are attached as Exhibit B and incorporated into this Resolution, and which explain how the amendments are consistent with the Regional Transportation Plan.

ADOPTED by the Metro Council this 16th day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Exhibit A to Resolution No. 13-4420

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project Crescent Street Multimodal project to end at Westgate Drive.

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
10619	Beaverton	Crescent Street Multimodal Extension to Cedar Hills Boulevard	Rose Biggi Avenue	Cedar Hills Boulevard <u>Westgate Drive</u>	Major Arterial	Extend 2 lane Crescent from Cedar Hills to Rose Biggi Avenue.	\$3,500,000	2008-2017	X	Roads/Bridges

Exhibit B to Resolution No. 13-4420

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.13-4420, FOR THE PURPOSE OF AMENDING THE FINANCIALLY CONSTRAINED 2035 REGIONAL TRANSPORTATION PLAN (RTP) TO CHANGE THE TERMINUS OF THE CRESCENT STREET MULTIMODAL PROJECT FROM CEDAR HILLS ROAD TO WESTGATE DRIVE

Date: April 10, 2013

Prepared by: Grace Cho & John Mermin

BACKGROUND

The City of Beaverton has requested amendments to the 2035 Regional Transportation Plan (RTP). The Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council together have the authority to approve amendments to the RTP.

The City of Beaverton has requested to amend project #10619, Crescent St multimodal extension from Rose Biggi Avenue to Cedar Hills Boulevard on the 2035 RTP financially constrained list. The amendment proposes extending the terminus to Westgate Drive, instead of Cedar Hills Boulevard. The new terminus supports redevelopment potential in the Beaverton Regional Center and has been included in the City's application for ODOT Enhance funding through its STIP process.

Consistency with RTP

These amendments are processed pursuant to Section 6.6.2 of the RTP, which provides that project list amendments must include a demonstration of consistency with the RTP. Beaverton staff has provided an analysis explaining why the proposed project amendment is consistent with the solutions hierarchy (Metro Code 3.08.220) of the Regional Transportation Functional Plan, which implements the policies, goals and objectives of the RTP. That analysis is provided in the memorandum included as Attachment 1, which staff concludes is sufficient to demonstrate that the project list amendment is consistent with the RTP as required under Section 6.6.2 of the RTP.

Air Quality Conformity

An air quality conformity analysis was completed on the proposed amendments. The results indicate that adding the projects to the 2035 financially constrained RTP will not exceed the permitted emissions "budget" and therefore conforms to air quality regulations. A copy of the air quality conformity report findings are included in Attachment 2.

Public Comments

Metro's Public Involvement Policy for Transportation Planning requires a 30-day public comment period for all major amendments to an RTP or MTIP. Major amendments are defined as those that "involve additions or deletions of projects or a significant change in scope of the project location or function." Staff determined that the amendment requested by the City of Beaverton meet the definition of major amendments.

Metro conducted a 30-day public comment period on the requested amendments from February 22, 2013 to April 8, 2013. The comment period was advertized with a legal notice in The Oregonian on February 21, 2013 and to several other community news papers. The advertisements directed the public to a web page that provided detailed information on the requested amendments. For environmental justice outreach purposes, translation of the proposed RTP amendments was conducted to provide information to limited English proficiency populations. The translated materials was tailored to the languages spoken in the areas the projects are located. Two comments were received relating to the Crescent St project. The comment in opposition felt that central Beaverton had already received enough transportation investment.

Exhibit B to Resolution No. 13-4420

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Metro Council Ordinance No. 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 System 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 by the Metro Council June 10, 2010.

Metro Council Resolution No.10-4186 For the Purpose of Approving the 2010-13 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area adopted by the Metro Council September 16, 2010

3. **Anticipated Effects** None

4. **Budget Impacts** None

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 13-4420

MEMORANDUM

Community & Economic Development

To: John Mermin, Metro
Brenda Perez, FHWA

From: Luke Pelz, Associate Transportation Planner

Date: 2/26/13

Subject: Regional Transportation Functional Plan Solutions Hierarchy
RTP Amendment: Crescent Street Extension Realignment

The City of Beaverton has requested a minor amendment to the RTP in order to realign the end location of the Crescent Street Extension from Cedar Hills Boulevard to SW Westgate Drive. You have asked that we provide supplemental documentation that addresses the Regional Transportation Functional Plan Solutions Hierarchy. This memo serves as our response to your request.

Response to Transportation Solutions Hierarchy

Metro Code Chapter 3.08 Regional Transportation Functional Plan, Section 3.08.220 Transportation Solutions

A. Each city and county shall consider the following strategies, in the order listed, to meet the transportation needs determined pursuant to section 3.08.210 and performance targets and standards pursuant to section 3.08.230. The city or county shall explain its choice of one or more of the strategies and why other strategies were not chosen:

1. TSMO strategies, including localized TDM, safety, operational and access management improvements;

Response: The existing alignment of the Crescent Street Extension ends at Cedar Hills Boulevard near TriMet's MAX Blue Line, while the proposed realignment ends at SW Westgate Drive. The realignment improves safety by removing any potential conflicts with vehicle turn movements and the MAX Blue Line, and by using a local street design to reduce traffic speeds (Crescent Street is classified as a collector). Furthermore, the realignment reduces the number of access points along Cedar Hills Boulevard (classified as an arterial), which provides for improved traffic operation.

2. Transit, bicycle and pedestrian system improvements;

Response: The proposed realignment is located adjacent to the Round Transit Oriented Development within the Beaverton Regional Center. The realignment will improve mobility for people traveling between the Beaverton Central MAX Station and employment and shopping areas. Furthermore, the proposed street design includes pedestrian walkways and adequate right of way to accommodate bicycles in the shared travel lane.

3. Traffic-calming designs and devices;

Response: In order to reduce traffic speeds the proposed street design includes two twelve foot wide travel lanes; curb extensions located at the intersections of Crescent Street and Rose Biggi Avenue, and Crescent Street and Westgate Drive; an approximate ninety degree turn; and on-street parking in a few locations.

4. Land use strategies in OAR 660-012-0035(2) to help achieve the thresholds and standards in Tables 3.08-1 and 3.08-2 or alternative thresholds and standards established pursuant to section 3.08.230;

Response: The proposed realignment allows the undeveloped site located south of the project to achieve complete high-density development build out. The Crescent Street Extension realignment is located within the RC-TO (Regional Center – Transit Oriented) zone, which has a minimum required floor-to-area ratio of 0.60. To help achieve the non-drive alone modal target of 45-55% as shown in Table 3.08-1 of the Metro Code, the City of Beaverton has adopted parking minimum and maximum ratios for the RC-TO zone consistent with subsection 3.08.410A, which are included in Section 60.30 of the Beaverton Development Code.

5. Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design classifications in Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking and access to transit; and

Response: The proposed realignment is located adjacent to the Round Transit Oriented Development within the Beaverton Regional Center. The realignment will improve mobility for people traveling between the Beaverton Central MAX Station and employment and shopping areas. Additionally, the proposed street design includes pedestrian walkways and adequate right of way to accommodate bicycles in the shared travel lane.

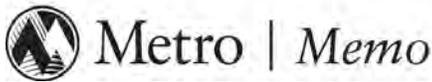
6. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs.

Response: The proposed Crescent Street Extension realignment does not change the existing classification of the street or add capacity to the transportation system.

Public Process

The Crescent Street Extension project is included in the City of Beaverton's Transportation System Plan, the Metro Regional Transportation Plan Financially Constrained Project List (Project#:10619), and the City of Beaverton's Capital Improvements Plan (Project#: 5080). The most recent update to the Beaverton TSP was adopted by ordinance in 2009, and included opportunities for written and oral testimony during public hearings.

The City of Beaverton is requesting a minor realignment to the end location of the Crescent Street Extension from Cedar Hills Boulevard (as shown in the TSP and RTP) to SW Westgate Drive. The local adoption process has been formally initiated for Planning Commission and City Council review however, as of the date of this memo the minor realignment has yet to be adopted within Beaverton's TSP.



Date: March 1, 2013
 To: TPAC and Interested Parties
 From: Tom Kloster, Transportation Planning Manager
 Grace Cho, Assistant Transportation Planner
 Subject: Pre-Conformity Plan and Draft 2035 RTP Air Quality Conformity Determination

Introduction

To comply with federal mandates, Metro is required to conduct an air quality impact analysis with each update of Metro’s Regional Transportation Plan (RTP) and development of a new Metropolitan Transportation Improvement Program (MTIP). As part of the conducting the analysis, Metro consults and solicits feedback from our local and regional partners about the analysis. TPAC has been identified as the forum of local and regional partners for consultation and soliciting feedback. Metro staff seeks comments from TPAC regarding the Draft 2035 RTP Air Quality Conformity Determination.

Background

Prior to the scheduled update of Metro’s 2035 Regional Transportation Plan (RTP), several project sponsors requested RTP project amendments due to project delivery schedules and are unable to wait until the next scheduled update. As a result, Metro solicited RTP amendments at the end of 2012 where a total of 13 projects were submitted. In review of the proposed amendments, all but one were deemed regionally significant projects as defined federal transportation conformity rules (40 CFR 93.101). Therefore a new air quality conformity determination must be made on Metro’s 2035 RTP in complying with federal regulations.

In anticipation of conducting a new conformity determination, Metro staff consulted with federal partners (FHWA, FTA, EPA) as well as regional and state partners (DEQ, ODOT, TriMet) to about the approach and methodology to the air quality conformity analysis. The federal, state, and regional partners all came to agreement on the approach and methodology to the analysis. Metro conducted the analysis in February 2013. Metro staff developed and released a draft 2035 RTP Air Quality Conformity Determination on February 22, 2013 for public comment.

Air Quality Analysis and Results

To demonstrate conformity, the projected emissions must be less than or equal to the motor vehicle emissions budget(s) established for each analysis year (OAR 340-252-0190(b)(A)). In addition, the regional emissions analysis must be performed for the last year of the transportation plan's forecast period. The results for each analysis year can be found below.

2035 Regional Transportation Plan (Federal Component) Regional Air Quality Assessment

Year	Carbon Monoxide Motor Vehicle Emission Budgets (Budgets are Maximum Allowed Emissions) (pounds/ winter day)	Forecast Carbon Monoxide Motor Vehicle Emissions (pounds/ winter day)
2010	1,033,578	877,841
2017	1,181,341	708,286
2025	1,181,341	830,714

2035	1,181,341	835,142
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Per the results, the projected emissions is less than the approved motor vehicle emissions budgets for each analysis year. Therefore the 2035 RTP with the proposed amendments conforms to air quality rules. The full report with details of the analysis can be found on Metro's website.

Request

Metro staff requests the feedback of TPAC members on the draft 2035 RTP air quality conformity determination report prior to the end of the public comment period. The public comment period for the 2035 RTP air quality conformity determination is scheduled to close on April 8, 2013.

Next Steps

Metro will summarize and incorporate any public comments on the draft 2035 RTP air quality conformity determination following the close of the public comment period. Metro will return to TPAC in April and ask for recommendation to forward the revised draft of the 2035 RTP air quality conformity determination to JPACT. Once recommended, Metro staff will ask for JPACT and Metro Council approval of the conformity determination at the May meetings.

Agenda Item No. 5.2

Resolution No. 13-4421, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) and the 2012-15 Metropolitan Transportation Improvement Program (MTIP) to Add the N. Williams Traffic Operations Safety Project.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE	)	RESOLUTION NO. 13-4421
FINANCIALLY CONSTRAINED 2035)	
REGIONAL TRANSPORTATION PLAN (RTP)	)	Introduced by Chief Operating Officer Martha
AND THE 2012-15 METROPOLITAN	)	Bennett in concurrence with Council
TRANSPORTATION IMPROVEMENT	)	President Tom Hughes
PROGRAM (MTIP) TO ADD THE N. WILLIAMS)	
TRAFFIC OPERATIONS SAFETY PROJECT)	
)	

WHEREAS, the Regional Transportation Plan (RTP) is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the RTP and any subsequent amendments to add or remove projects from the RTP; and

WHEREAS, JPACT and the Metro Council must approve the MTIP and any subsequent amendments to add or remove projects to the MTIP per federal regulation 23 CFR 450.324; and

WHEREAS, the Metro Council adopted the RTP and related elements by Ordinance No. 10-1241B on June 10, 2010; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved by Resolution the 2012-15 MTIP on March 15, 2012; and

WHEREAS, the City of Portland N. Williams Traffic Safety Operations project was not included in the RTP financially constrained project list or 2012-2015 MTIP; and

WHEREAS, the City of Portland was recently awarded an Oregon State Department of Transportation (ODOT) Transportation Enhancement grant for the N. Williams Traffic Safety Operations project; and

WHEREAS, the City of Portland requests that the RTP and 2012-15 MTIP be amended to include the N. Williams Traffic Operations Safety project; and

WHEREAS, an air quality conformity analysis demonstrates that the project will not affect the conformity status of the 2035 RTP and the 2012-15 MTIP; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to:

1. Amend the financially constrained RTP project list to include the N. Williams Traffic Safety Operations project as shown in Exhibit A, attached and incorporated into this Resolution.
2. Amend the 2012-15 MTIP to include the N. Williams Traffic Safety Operations project as shown in Exhibit B, attached and incorporated into this Resolution.

3. Adopt as findings the staff report dated April 10, 2013 and its Attachment 1, which are attached as Exhibit C and incorporated into this Resolution, and which explain how the amendments are consistent with the Regional Transportation Plan.

ADOPTED by the Metro Council this 16th day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Exhibit A to Resolution No. 13-4421

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the N. Williams Traffic Safety Operations project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11372	Portland	N. Williams Traffic Safety Operations	N. Winning Way	N. Killingsworth Street	Collector	Enhanced crossings, buffered bike lanes, traffic calming, new traffic signal, and modifications at existing signals.	\$1,640,000	2008-2017	X	Roads/Bridges

Exhibit B to Resolution No. 13-4421

2012-2015 Metropolitan Transportation Improvement Program Table 3.1.1 amendment

Action: Amend the 2012-2015 Metropolitan Transportation Improvement Program to add the N. Williams Traffic Safety Operations project.

Amended Programming

Project/Program Name	ODOT Key #	Lead Agency	Estimated Total Project Cost (all phases, all years)	Project Phase	Fund Type	Program Year	Federal Funding	Minimum Local Match	Other Funds	Total Funding
N. Williams Traffic Safety Operations		Portland	\$1,503,000	PE	State Bike/Ped	2013			\$450,000	\$450,000
				Construction	State Bike/Ped	2014		\$157,000	\$896,000	\$1,053,000

Exhibit C to Resolution No. 13-4421

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.13-4421, FOR THE PURPOSE OF AMENDING THE FINANCIALLY CONSTRAINED 2035 REGIONAL TRANSPORTATION PLAN (RTP) AND THE 2012-2015 METROPOLITAN IMPROVEMENT PROGRAM (MTIP) TO ADD THE N. WILLIAMS TRAFFIC SAFETY OPERATIONS PROJECT

Date: April 10, 2013

Prepared by: Grace Cho & John Mermin

BACKGROUND

The City of Portland has requested an amendment to the 2035 Regional Transportation Plan (RTP). The Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council together have the authority to approve amendments to the RTP.

The City of Portland has requested an amendment for the N. Williams Traffic Safety operations project, (N Winning Way to N Killingsworth Street): Pedestrian and bicycle traffic safety and operational improvements, including enhanced crossings, buffered bike lane, traffic calming, a new traffic signal and modifications at existing signals on N Williams and neighborhood greenway improvements on NE Rodney. The project was the outcome of an extensive public outreach process that lasted 16 months and included a 26 member stakeholder advisory committee with a broad, diverse representation of community stakeholders. The stakeholder advisory committee evaluated many different engineering solutions and painstakingly developed the N Williams Traffic Safety and Operations Plan to address both the local community's wishes to shape the corridor's future and the City's need to improve safety and mobility for multiple modes.

Because this project has been award funding through the ODOT Transportation Enhancement program process, the project will be incorporated into the 2012-2015 MTIP. However, the project is currently not included in the 2035 RTP and it needs to be added to the 2035 financially constrained RTP for federal funding eligibility.

Consistency with RTP

These amendments are processed pursuant to Section 6.6.2 of the RTP, which provides that project list amendments must include a demonstration of consistency with the RTP. Portland staff has provided an analysis explaining why the proposed project amendment is consistent with the solutions hierarchy (Metro Code 3.08.220) of the Regional Transportation Functional Plan, which implements the policies, goals and objectives of the RTP. That analysis is provided in the memorandum included as Attachment 1, which staff concludes is sufficient to demonstrate that the project list amendment is consistent with the RTP as required under Section 6.6.2 of the RTP.

Air Quality Conformity

An air quality conformity analysis was completed on the proposed amendments. The results indicate that adding the projects to the 2035 financially constrained RTP will not exceed the permitted emissions "budget" and therefore conforms air quality regulations. A copy of the air quality conformity report findings are included in Attachment 2.

Public Comments

Metro's Public Involvement Policy for Transportation Planning requires a 30-day public comment period for all major amendments to an RTP or MTIP. Major amendments are defined as those that "involve additions or deletions of projects or a significant change in scope of the project location or function."

Exhibit C to Resolution No. 13-4421

Staff determined that the amendment requested by the City of Portland meet the definition of major amendments.

Metro conducted a 30-day public comment period on the requested amendments from February 22, 2013 to April 8, 2013. The comment period was advertized with a legal notice in The Oregonian on February 21, 2013 and to several other community news papers. The advertisement directed the public to a web page that provided detailed information on the requested amendments. For environmental justice outreach purposes, translation of the proposed RTP amendments was conducted to provide information to limited English proficiency populations. The translated materials was tailored to the languages spoken in the areas the projects are located. Four comments were received relating to the N.Williams project – one in support and three in opposition. Of the three opposed, one commenter disagreed with a design decision (left-side bike lane), one preferred that spending occur in outer SE Portland rather than in inner N.Portland, and one did not provide a reason.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Metro Council Ordinance No. 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 System 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 by the Metro Council June 10, 2010.

Metro Council Resolution No.10-4186 For the Purpose of Approving the 2010-13 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area adopted by the Metro Council September 16, 2010

3. **Anticipated Effects** None
4. **Budget Impacts** None

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 13-4421.



Charlie
Hales
Mayor

John
Widmer
Interim
Director

Memorandum

March 1, 2013

TO: John Mermin, Metro

FROM: April Bertelsen, City of Portland Bureau of Transportation

SUBJECT: Proposed RTP Amendment Additional Information for **N Williams Traffic Safety and Operations Project**

The purpose of this memorandum is to demonstrate that the City of Portland Bureau of Transportation has met the Regional Transportation Functional Plan Solutions hierarchy (3.08.220) requirements for our requested RTP amendment to add the *N Williams Traffic Safety and Operations Project* to the 2035 RTP Financially Constrained Project List.

Public Process

The *N Williams Traffic Safety and Operations Project* was the outcome of an extensive public outreach planning process led by the Portland Bureau of Transportation (PBOT). This project planning process lasted a year and a half and included a 26 member stakeholder advisory committee with a broad, diverse representation of community stakeholders. This committee met 17 times to help develop the final recommendations. In addition, two formal public open houses were hosted by PBOT, along with several other meetings in the community.

The process was originally focused on the N Williams bikeway project #8325 in the Bicycle Plan for 2030. During that process, a number of alternative solutions were considered. With assistance from City of Portland traffic engineers and project managers, the stakeholder advisory committee evaluated many different engineering solutions and painstakingly developed the *N Williams Traffic Safety and Operations Plan* to address both the local community's wishes to shape the corridor's future and the City's need to improve safety and mobility for multiple modes.

The public involvement process for this plan was extended in duration and expanded in scope given the related issues associated with race and gentrification, and a poor history of community involvement through prior large scale projects that has had significant impacts on the neighborhood (I-5 freeway, Emanuel Hospital). The project received extensive media coverage and generated a much broader community wide discussion about neighborhood change and public involvement.

1120 SW Fifth Avenue, Suite 800 • Portland, OR 97204 • 503-823-5185
FAX 503-823-7576 • TTY 503-823-6868 • www.portlandoregon.gov/transportation

The *N Williams Traffic Safety and Operations Project* was developed based on the *N Williams Traffic Safety and Operations Plan* to respond to the above issues and concerns raised during the public involvement process. Because of the issues raised during the plan development phase required an in-depth discussion with the community, and the resulting process and recommendations have helped forge a new, stronger relationship with the local community, PBOT feels it is very important that we demonstrate that we have listened, learned and are willing to change the negative history by completing construction of the project as soon as possible. Therefore, PBOT submitted this project for a grant from the State Transportation Enhancement (TE) – OBPAC combined grant program. These grant funds are available as soon as July 2013. Given the priority of this project, the RTP amendment is requested so that construction can proceed as soon as possible.

The following sections explain the considerations and outcomes for each step in the Regional Transportation Functional Plan Solutions hierarchy (3.08.220).

1. TSMO strategies, including TDM, safety, operational and access management improvements.

North Williams Ave is a major multi-modal link and rapidly developing retail and residential corridor in North Portland. The corridor is asked to satisfy many demands and different travel modes and its current configuration is not safely or efficiently meeting all of the demands. N Williams is a one-way, north-bound couplet with N Vancouver Ave and the project includes a two-mile section of the corridor.

Foremost, safety is a key concern for all modes, particularly pedestrian crossings, bicycle-bus conflicts, and auto traffic speeds. The influx of new retail and residential development is bringing more pedestrians and bicyclists to the corridor; however 31-52% of vehicles are exceeding the speed limit. Enhanced crossings and slower traffic speeds are vital to protect the increasing number of pedestrians crossing N Williams Ave and cyclists traveling the corridor.

In addition, N Williams Ave has one of the highest bicycle volumes in the City and capacity is a key concern for bicycle traffic. The current bike lane includes substandard widths in certain sections and the increasing number of bicyclists and buses using the right side of the street has created stressful and unsafe conditions. The high crash intersection at N Cook St. and N Williams Ave., where freeway off-ramp traffic connects to local streets, is creating safety issues for all modes.

This project will increase safety for all users, increase multi-modal capacity, spur greater economic development, and create a corridor that meets all transportation demands more efficiently. This project includes several multi-modal safety and operational improvements.

The main emphasis of the project is to:

- 1) improve capacity and safety for bicycling,
- 2) improve pedestrian crossing safety, and
- 3) provide traffic calming.

The project accomplishes this through 5 main elements:

- a) road diet, through the elimination of one travel lane to provide additional capacity and buffering for the bicycle lane, as well as traffic calming
- b) shifting the bicycle facility to the left side of the roadway to eliminate bus/bike conflicts,
- c) curb extensions at various locations to improve pedestrian crossing safety,
- d) a new traffic signal at N Cook St to address safety issues related to traffic coming off the Fremont Bridge at this intersection.; and
- e) signal timing and transit signal priority that will improve multimodal performance.

This project will increase motor vehicle capacity by adding pedestrian push buttons at select locations on the corridor to reduce unnecessary delays for all travelers on the corridor. There was extensive Synchro traffic modeling done for the entire corridor. We have also spent time retiming the traffic signals and would continue that work as a part of this effort, to manage speeds on the corridor and preserve person movement capacity and performance. The project will provide increased person movement capacity by enhancing transit, pedestrian and bicycle travel.

The N Williams Traffic Safety and Operations project meets AASHTO standards in all elements. The traffic signal in the plan is warranted under the Manual on Uniform Traffic Control Devices for the traffic volumes and crashes experienced at N Cook St. and N Williams Ave.

2. Transit, bicycle and pedestrian system improvements.

See response above for relevant transit, bicycle and pedestrian system improvements.

The main design elements on N Williams Ave include a left-side buffered bicycle facility, 11 curb extensions at eight different locations, a traffic signal at N Williams and N Cook St, and a public art component that honors N Williams Avenue's importance in local African-American history. Other construction elements of the project include left turn boxes for bicycles at 3 locations and a traffic signal queue jump for transit vehicles at one location. Between N Cook St. and N Skidmore St., the project includes four additional traffic calming elements as part of the bicycle facility.

The project efficiently and inexpensively addresses safety, capacity, and livability concerns. The project is specifically designed to provide needed additional bicycle capacity by significantly increasing the width of the bicycle facility on N Williams Ave, as well as, developing a lower speed, more family-friendly parallel bikeway on NE Rodney. The additional space enhances safety by buffering cyclists from on-street parking doors and adjacent traffic, while the left-hand bicycle facility eliminates the vast majority of bicycle-bus conflicts.

The neighborhood greenway improvements to adjacent NE Rodney Ave will include “sharrow” pavement markings, speed bumps, bikeway destination signage and crossing improvements at up to seven locations. The NE Rodney element of the project will have an additional planning phase to refine the design of the crossing improvements.

The project transforms a inadequate facility into a true multi-modal corridor. N Williams has seen a dramatic increase in the number of cyclists over the past ten years. N Williams is one of the highest volume bikeways in the city, but the street’s five- to six-foot bike lanes overflow with 4,000 daily bike trips. Three transit lines use the project corridor, including one of the highest bus ridership lines in the system. Removing the bicycle-bus conflict zone will enhance transit riders’ experience both while riding and while boarding and exiting the bus.

The rapid retail and residential development along N Williams has brought more and more pedestrians to N Williams sidewalks and crossings. Curb extensions will enhance the walking environment and provide critical safety improvements for people crossing the street.

The project also removes one auto travel lane, which provides benefits to all modes through increased space for bikes and pedestrians, and traffic calming. By bringing the travel and parking lanes up to American Association of State and Highway Transportation Officials (AASHTO) standards, motorists will experience a more predictable, comfortable, and safer streetscape without negative congestion impacts.

The plan also meets National Association of City Transportation Officials (NACTO) Urban Bikeway Design guidelines for the bicycle facilities on N Williams Ave. and NE Rodney St.

3. Traffic - calming designs and devices.

This project includes traffic calming design and devices focused on improving safety. It includes 11 curb extensions at eight different locations. By selectively removing a travel lane where motor vehicle volumes allow, the available space provides for the buffered bicycle lane. The project also achieves its traffic calming objective of slowing traffic speeds and improving pedestrian crossing safety through modifying traffic signal timing and making the intersections more responsive to users along the corridor. The new traffic signal will help mitigate a high crash intersection in the corridor.

4. Land use strategies in OAR 660 - 012 - 0035(2) to help achieve the thresholds and standards in Tables 3.08 - 1 and 3.08 - 2 or alternative thresholds and standards established pursuant to section 3.08.230.

This project does not include any land use strategies. Instead, the project is intended to support and enhance the existing land use policies and implementation strategies currently in place. By creating a more neighborhood oriented, walking, transit and bicycle street, the project supports the business district’s on-going revitalization efforts.

5. Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design

classification in Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking and access to transit.

The project is specifically designed to provide needed additional bicycle capacity by significantly increasing the width of the bicycle facility on N Williams, as well as, developing a lower speed, more family-friendly parallel bikeway on NE Rodney.

The neighborhood greenway improvements to adjacent NE Rodney Ave will include “sharrow” pavement markings, speed bumps, bikeway destination signage and crossing improvements at up to seven locations. The NE Rodney element of the project will have an additional planning phase to refine the design of the crossing improvements.

Curb extensions will enhance the walking environment and provide critical safety improvements for people crossing the street and accessing transit along N Williams.

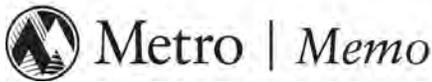
6. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs.

This project will selectively remove a travel lane where motor vehicle volumes allow. The available space provides for the buffered bicycle lane. N Williams will continue to operate above acceptable level of service with the completion of this project. It will accommodate forecasted traffic volumes. There was extensive Synchro traffic modeling done for the entire corridor. This project will increase motor vehicle capacity by adding pedestrian push buttons at select locations on the corridor to reduce unnecessary delays for all travelers on the corridor. We have also spent time retiming the traffic signals and would continue that work as a part of this effort, to manage speeds on the corridor and preserve person movement capacity and performance. The project will provide increased person movement capacity by enhancing transit, pedestrian and bicycle travel.

The *N Williams Traffic Safety and Operations Project* will enable N Williams to better meet all of these modal designations consistent with local and regional policy.

In the Portland Transportation System Plan (TSP), N Williams is designated at Neighborhood Collector for traffic, a Transit Access Street, a City walkway and is located within a Pedestrian District south of N Fremont. While currently designated a City Bikeway in the TSP, N Williams Ave is identified as a 'Major City Bikeway' in the City's Bicycle Plan for 2030.

N Williams is designated a Regional Bikeway in the Regional Transportation System Plan (RTP). N Williams is not designated on the RTP Arterial and Throughway Network map, Regional Design Classification map, Regional Freight Network map or Regional Pedestrian Network map.



Date: March 1, 2013
 To: TPAC and Interested Parties
 From: Tom Kloster, Transportation Planning Manager
 Grace Cho, Assistant Transportation Planner
 Subject: Pre-Conformity Plan and Draft 2035 RTP Air Quality Conformity Determination

Introduction

To comply with federal mandates, Metro is required to conduct an air quality impact analysis with each update of Metro’s Regional Transportation Plan (RTP) and development of a new Metropolitan Transportation Improvement Program (MTIP). As part of the conducting the analysis, Metro consults and solicits feedback from our local and regional partners about the analysis. TPAC has been identified as the forum of local and regional partners for consultation and soliciting feedback. Metro staff seeks comments from TPAC regarding the Draft 2035 RTP Air Quality Conformity Determination.

Background

Prior to the scheduled update of Metro’s 2035 Regional Transportation Plan (RTP), several project sponsors requested RTP project amendments due to project delivery schedules and are unable to wait until the next scheduled update. As a result, Metro solicited RTP amendments at the end of 2012 where a total of 13 projects were submitted. In review of the proposed amendments, all but one were deemed regionally significant projects as defined federal transportation conformity rules (40 CFR 93.101). Therefore a new air quality conformity determination must be made on Metro’s 2035 RTP in complying with federal regulations.

In anticipation of conducting a new conformity determination, Metro staff consulted with federal partners (FHWA, FTA, EPA) as well as regional and state partners (DEQ, ODOT, TriMet) to about the approach and methodology to the air quality conformity analysis. The federal, state, and regional partners all came to agreement on the approach and methodology to the analysis. Metro conducted the analysis in February 2013. Metro staff developed and released a draft 2035 RTP Air Quality Conformity Determination on February 22, 2013 for public comment.

Air Quality Analysis and Results

To demonstrate conformity, the projected emissions must be less than or equal to the motor vehicle emissions budget(s) established for each analysis year (OAR 340-252-0190(b)(A)). In addition, the regional emissions analysis must be performed for the last year of the transportation plan's forecast period. The results for each analysis year can be found below.

2035 Regional Transportation Plan (Federal Component) Regional Air Quality Assessment

Year	Carbon Monoxide Motor Vehicle Emission Budgets (Budgets are Maximum Allowed Emissions) (pounds/ winter day)	Forecast Carbon Monoxide Motor Vehicle Emissions (pounds/ winter day)
2010	1,033,578	877,841
2017	1,181,341	708,286
2025	1,181,341	830,714

2035	1,181,341	835,142
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Per the results, the projected emissions is less than the approved motor vehicle emissions budgets for each analysis year. Therefore the 2035 RTP with the proposed amendments conforms to air quality rules. The full report with details of the analysis can be found on Metro's website.

Request

Metro staff requests the feedback of TPAC members on the draft 2035 RTP air quality conformity determination report prior to the end of the public comment period. The public comment period for the 2035 RTP air quality conformity determination is scheduled to close on April 8, 2013.

Next Steps

Metro will summarize and incorporate any public comments on the draft 2035 RTP air quality conformity determination following the close of the public comment period. Metro will return to TPAC in April and ask for recommendation to forward the revised draft of the 2035 RTP air quality conformity determination to JPACT. Once recommended, Metro staff will ask for JPACT and Metro Council approval of the conformity determination at the May meetings.

Resolution No. 13-4422, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add Projects that Extend an Existing Auxiliary Lane on Interstate 205 Southbound at Interstate 84, Extend an Existing Acceleration Lane on Interstate 205 Northbound at Powell, and Extend an Existing Auxiliary Lane on Interstate 5 Southbound at Lower Boones Ferry.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE	)	RESOLUTION NO. 13-4422
FINANCIALLY CONSTRAINED 2035)	
REGIONAL TRANSPORTATION PLAN (RTP)	)	Introduced by Chief Operating Officer Martha
TO ADD PROJECTS THAT EXTEND AN	)	Bennett in concurrence with Council
EXISTING AUXILLARY LANE ON	)	President Tom Hughes
INTERSTATE 205 SOUTHBOUND AT)	
INTERSTATE 84, EXTEND AN EXSTING)	
ACCELERATION LANE ON INTERSTATE 205)	
NORTHBOUND AT POWELL, AND EXTEND)	
AN EXISTING AUXILLARY LANE ON)	
INTERSTATE 5 SOUTHBOUND AT LOWER)	
BOONES FERRY)	

WHEREAS, the 2035 Regional Transportation Plan (RTP) is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the RTP and any subsequent amendments to add or remove projects from the RTP; and

WHEREAS, JPACT and the Metro Council must approve the MTIP and any subsequent amendments to add or remove projects to the MTIP per federal regulation 23 CFR 450.324; and

WHEREAS, the Metro Council adopted the RTP and related elements by Ordinance No. 10-1241B on June 10, 2010; and

WHEREAS, initial recommendations from the ODOT Corridor Bottleneck Operations Study recommends to extend the auxiliary lane on Interstate 205 southbound from Interstate 84 and on Interstate 5 from Lower Boones Ferry road which were not included in the RTP financially constrained project list; and

WHEREAS, initial recommendation from the ODOT Corridor Bottleneck Operations Study recommends to extend an acceleration lane on Interstate 205 northbound from Powell which was not included in the RTP financially constrained project list; and

WHEREAS, the Oregon Department of Transportation requests that the RTP be amended to include the three new projects; and

WHEREAS, an air quality conformity analysis demonstrates that the project will not affect the conformity status of the RTP; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to:

1. Amend the financially constrained RTP project list to include the three auxiliary and acceleration lane extension projects as shown in Exhibit A, attached and incorporated into this Resolution.

2. Adopt as findings the staff report dated April 10, 2013 and its Attachment 1, which are attached as Exhibit B and incorporated into this Resolution, and which explain how the amendments are consistent with the Regional Transportation Plan.

ADOPTED by the Metro Council this 16TH day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Exhibit A to Resolution No. 13-4422

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Interstate 205 Southbound Auxiliary Lane project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11369	ODOT	Interstate 205 Southbound Auxiliary Lane	Interstate 84 Eastbound Entrance Ramp	Stark/Washington Street	Principal Arterial	Extend existing auxiliary lane.	\$8,500,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4422

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Interstate 205 Northbound Acceleration Lane project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11370	ODOT	Interstate 205 Northbound Acceleration Lane	Powell Entrance Ramp	Stark/Washington Street	Principal Arterial	Extend existing acceleration lane.	\$7,500,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4422

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Interstate 5 Lower Boones Ferry Auxiliary Lane project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11371	ODOT	Interstate 5 Lower Boones Ferry Auxiliary Lane	Lower Boones Ferry Exit Ramp	Lower Boones Ferry Entrance Ramp	Principal Arterial	Extend existing auxiliary lane.	\$8,500,000	2008-2017	X	Roads/Bridges

Exhibit B to Resolution No. 13-4422

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.13-4422, FOR THE PURPOSE OF AMENDING THE FINANCIALLY CONSTRAINED 2035 REGIONAL TRANSPORTATION PLAN (RTP) TO ADD PROJECTS THAT EXTEND AN EXISTING AUXILLARY LANE ON INTERSTATE 205 SOUTHBOUND AT INTERSTATE 84, EXTEND AN EXSTING ACCELERATION LANE ON INTERSTATE 205 NORTHBOUND AT POWELL, AND EXTEND AN EXISTING AUXILLARY LANE ON INTERSTATE 5 SOUTHBOUND AT LOWER BOONES FERRY

Date: April 10, 2013

Prepared by: Grace Cho & John Mermin

BACKGROUND

The Oregon State Department of Transportation (ODOT) has requested amendments to the 2035 Regional Transportation Plan (RTP). The Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council together have the authority to approve amendments to the RTP.

ODOT requested to have added three new projects to the 2035 RTP financially constrained project list. These three projects emerged as initial recommendations from ODOT's Corridor Bottleneck Operational Study (CBOS). CBOS was initiated in 2009 to identify, rank and provide conceptual solutions for the worst bottlenecks on I-5 south of the Marquam Bridge, I-205, I-84, I-405 and US 26 in the Portland Metro Region. The three projects proposed to be amended into the RTP were selected as providing the best value of benefits and cost and are intended to enhance safety by reducing the weaves and merging that happens near freeway on and off ramps. The three new projects include:

- Extending an existing auxiliary lane on I-205 southbound from I-84 eastbound entrance-ramp to Stark/Washington Street.
- Extending an existing acceleration-lane on I-205 northbound from Powell entrance ramp to match with existing auxiliary lane from Division Street entrance ramp to Stark/Washington Street exit ramp, and provide two lane exit at Stark/Washington.
- Extending an I-5 southbound auxiliary lane from Lower Boones Ferry exit-ramp to Lower Boones Ferry entrance-ramp.

Consistency with RTP

These amendments are processed pursuant to Section 6.6.2 of the RTP, which provides that project list amendments must include a demonstration of consistency with the RTP. ODOT staff has provided an analysis explaining why the proposed project amendments are consistent with the solutions hierarchy (Metro Code 3.08.220) of the Regional Transportation Functional Plan, which implements the policies, goals and objectives of the RTP. That analysis is provided in the memorandum included as Attachment 1, which staff concludes is sufficient to demonstrate that the project list amendments are consistent with the RTP as required under Section 6.6.2 of the RTP.

Air Quality Conformity

An air quality conformity analysis was completed on the proposed amendments. The results indicate that adding the projects to the 2035 financially constrained RTP will not exceed the permitted emissions "budget" and therefore conforms air quality regulations. A copy of the air quality conformity report findings are included in Attachment 2.

Exhibit B to Resolution No. 13-4422

Public Comments

Metro's Public Involvement Policy for Transportation Planning requires a 30-day public comment period for all major amendments to an RTP or MTIP. Major amendments are defined as those that "involve additions or deletions of projects or a significant change in scope of the project location or function." Staff determined that the amendments requested by the ODOT meet the definition of major amendments.

Metro conducted a 30-day public comment period on the requested amendments from February 22, 2013 to April 8, 2013. The comment period was advertised with a legal notice in The Oregonian on February 21, 2013 and to several other community news papers. The advertisements directed the public to a web page that provided detailed information on the requested amendments. For environmental justice outreach purposes, translation of the proposed RTP amendments was conducted to provide information to limited English proficiency populations. The translated materials was tailored to the languages spoken in the areas the projects are located.

Two letters supporting the ODOT I-5 SB project were received: one joint letter from the Mayors of Tualatin, Lake Oswego, Wilsonville, Tigard and the Washington County Chair; and one letter from the Tualatin Chamber of Commerce.

Online comments received included:

- One supportive and one opposed to the I-5 SB project (The commenter did not see it as a high priority compared to Hwy 217).
- Two opposed to the I-205 SB project. (One commenter did not see it as a high priority compared to 217. The other commenter felt that funds would be better spent improving low-traffic bicycle boulevard routes than freeways.)

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.

2. **Legal Antecedents** Metro Council Ordinance No. 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 System 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 by the Metro Council June 10, 2010.

Metro Council Resolution No.10-4186 For the Purpose of Approving the 2010-13 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area adopted by the Metro Council September 16, 2010

3. **Anticipated Effects** None

4. **Budget Impacts** None

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 13-4422.



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Region 1

123 NW Flanders Street

Portland OR 97209-4037

(503)731-8200

FAX# (503)731-8259

February 28, 2013

TO: John Mermin, Metro

FROM: Rian Windsheimer, ODOT

SUBJECT: Proposed RTP Amendments

This memo provides additional information regarding the projects that ODOT has requested to be amended into the RTP. As noted in our letter of request (attached), these projects originated from a Region 1 study intended to identify and rank bottleneck problems and develop cost-effective, operational improvements to address these problems on I-5 south of the Marquam Bridge, I-205, I-84, I-405, and US 26.

The study consisted of three steps:

- Corridor-level reconnaissance
This step consisted of corridor-level reconnaissance to provide the foundation for specific investigation to identify and validate bottleneck activity and causes.
- Bottleneck analysis, evaluation, screening and selection of solutions
This step focused primarily on design and operations. Bottlenecks were analyzed and potential solutions were developed, evaluated and screened by an expert multidisciplinary design panel.
- Refinement of solutions
The final step conducted a more thorough operations and design evaluation of potential solutions deemed feasible by the screening panel. The detailed evaluation and refinement included traffic modeling to assess various performance measures, then assessment of project feasibility.

Projects were selected as providing the best value of benefits and cost. The proposed projects will alleviate congestion at identified bottlenecks, particularly on the peak commute shoulders, and enhance safety by improving the weaves and merges that occur at interchanges.

The intent and outcome of the study was to provide transportation solutions in a manner consistent with Regional Transportation Functional Plan (RTFP) Section 3.08.220 and with Oregon Highway Policy 1G¹. Section 3.08.220 requires consideration of a list of strategies in a certain order. The first strategy listed is transportation system management and operations (TSMO). The RTP definition of TSMO includes two components. The first “includes strategies

¹ It is the policy of the State of Oregon to maintain highway performance and improve safety by improving system efficiency and management before adding capacity.

that focus on making the infrastructure better serve the users by improving efficiency, safety and capacity of the system.” Since the solutions that came out of this study and the projects that we are requesting for inclusion in the financially constrained list of the RTP are consistent with this definition, the projects meet this requirement of the RTP.

cc: Andy Johnson
Kelly Brooks
Kirsten Pennington
Lainie Smith
Tim Wilson



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Region 1

123 NW Flanders Street

Portland OR 97209-4037

(503)731-8200

FAX# (503)731-8259

March 25, 2013

TO: John Mermin, Metro

FROM: Lainie Smith, ODOT

SUBJECT: Proposed RTP Amendments

This memo provides information regarding the public process addressing the four projects that ODOT has requested to be amended into the RTP. This public participation and outreach is in addition to the RTP amendment comment period, MTAC, MPAC, TPAC, JPACT and Metro approvals for amendments and supplements a letter of request for the RTP amendments from Andrew Johnson, ODOT Region 1, and a February 28, 2013 memo from Rian Windsheimer.

Public Process

The four projects were first identified in a generalized manner as #11304 and #11305 in the aspirational “state” list of the adopted 2010 RTP. As such, the generalized projects were subject to the public process associated with that RTP update.

Subsequently, ODOT embarked on a study—the Corridor Bottleneck Operations Study (CBOS)—to identify the specific projects that would address the need identified in the state RTP list. ODOT then submitted the four projects that are the subject of the RTP amendment request for inclusion in the 2015-18 STIP. The STIP project selection process has been subject to a thorough and ongoing public outreach process. To date, this has included:

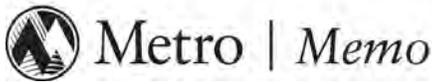
1. Publication on ODOT’s website of a description of the projects along with a location map. The website provides a link for the public to use to submit comments and another link where those interested can sign up to receive email updates regarding the process.
2. Review, along with all the project requests, by a Project Selection Committee made up of local elected officials, regional agency officials, and citizens. The members of this committee were appointed by the Oregon Transportation Commission and charged with prioritizing the requested projects. Committee members were also charged with soliciting input as needed from community groups, JPACT, and others before making independent recommendations for a list of projects that totaled approximately 150% of the funding available.
3. The committee met on December 19th, 2012 for an initial review of the 94 project applications. It met for a second time on February 26th and agreed on a narrowed “150% list.” Three of the four request projects were included on the 150% list. (I-205 NB

Powell/Division to Stark/Washington was not.) Both of these meetings were open to the public.

4. A period of outreach regarding the narrowed list of projects has now commenced. This will include consultation with the Oregon Bicycle and Pedestrian Committee, the Oregon Freight Advisory Committee, county coordinating committees, and JPACT.

In addition to the public process for the 2015-18 STIP, ODOT Region 1 gave a presentation to TPAC on March 1, 2013 regarding these projects. Region 1 staff has also consulted with DEQ and officials from the cities of Tigard, Tualatin, and Wilsonville regarding the I-5 SB Lower Boones Ferry to Nyberg project.

cc: Rian Windsheimer
Andy Johnson



Date: March 1, 2013
 To: TPAC and Interested Parties
 From: Tom Kloster, Transportation Planning Manager
 Grace Cho, Assistant Transportation Planner
 Subject: Pre-Conformity Plan and Draft 2035 RTP Air Quality Conformity Determination

Introduction

To comply with federal mandates, Metro is required to conduct an air quality impact analysis with each update of Metro’s Regional Transportation Plan (RTP) and development of a new Metropolitan Transportation Improvement Program (MTIP). As part of the conducting the analysis, Metro consults and solicits feedback from our local and regional partners about the analysis. TPAC has been identified as the forum of local and regional partners for consultation and soliciting feedback. Metro staff seeks comments from TPAC regarding the Draft 2035 RTP Air Quality Conformity Determination.

Background

Prior to the scheduled update of Metro’s 2035 Regional Transportation Plan (RTP), several project sponsors requested RTP project amendments due to project delivery schedules and are unable to wait until the next scheduled update. As a result, Metro solicited RTP amendments at the end of 2012 where a total of 13 projects were submitted. In review of the proposed amendments, all but one were deemed regionally significant projects as defined federal transportation conformity rules (40 CFR 93.101). Therefore a new air quality conformity determination must be made on Metro’s 2035 RTP in complying with federal regulations.

In anticipation of conducting a new conformity determination, Metro staff consulted with federal partners (FHWA, FTA, EPA) as well as regional and state partners (DEQ, ODOT, TriMet) to about the approach and methodology to the air quality conformity analysis. The federal, state, and regional partners all came to agreement on the approach and methodology to the analysis. Metro conducted the analysis in February 2013. Metro staff developed and released a draft 2035 RTP Air Quality Conformity Determination on February 22, 2013 for public comment.

Air Quality Analysis and Results

To demonstrate conformity, the projected emissions must be less than or equal to the motor vehicle emissions budget(s) established for each analysis year (OAR 340-252-0190(b)(A)). In addition, the regional emissions analysis must be performed for the last year of the transportation plan's forecast period. The results for each analysis year can be found below.

2035 Regional Transportation Plan (Federal Component) Regional Air Quality Assessment

Year	Carbon Monoxide Motor Vehicle Emission Budgets (Budgets are Maximum Allowed Emissions) (pounds/ winter day)	Forecast Carbon Monoxide Motor Vehicle Emissions (pounds/ winter day)
2010	1,033,578	877,841
2017	1,181,341	708,286
2025	1,181,341	830,714

2035	1,181,341	835,142
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Per the results, the projected emissions is less than the approved motor vehicle emissions budgets for each analysis year. Therefore the 2035 RTP with the proposed amendments conforms to air quality rules. The full report with details of the analysis can be found on Metro's website.

Request

Metro staff requests the feedback of TPAC members on the draft 2035 RTP air quality conformity determination report prior to the end of the public comment period. The public comment period for the 2035 RTP air quality conformity determination is scheduled to close on April 8, 2013.

Next Steps

Metro will summarize and incorporate any public comments on the draft 2035 RTP air quality conformity determination following the close of the public comment period. Metro will return to TPAC in April and ask for recommendation to forward the revised draft of the 2035 RTP air quality conformity determination to JPACT. Once recommended, Metro staff will ask for JPACT and Metro Council approval of the conformity determination at the May meetings.

Agenda Item No. 5.4

Resolution No. 13-4423, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) and the 2012-15 Metropolitan Transportation Improvement Program (MTIP) to Add the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Project and Remove the 174th /173rd Undercrossing Project from the Financially Constrained 2035 RTP.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) RESOLUTION NO. 13-4423
FINANCIALLY CONSTRAINED 2035)
REGIONAL TRANSPORTATION PLAN (RTP)) Introduced by Chief Operating Officer Martha
AND THE 2012-15 METROPOLITAN) Bennett in concurrence with Council
TRANSPORTATION IMPROVEMENT) President Tom Hughes
PROGRAM (MTIP) TO ADD THE SCHOLLS)
FERRY ROAD: ROY ROGERS ROAD TO TEAL)
BOULEVARD PROJECT AND REMOVE THE)
174TH/173RD UNDERCROSSING PROJECT)
FROM THE FINANCIALLY CONSTRAINED)
2035 RTP)

WHEREAS, the 2035 Regional Transportation Plan (RTP) is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the RTP and any subsequent amendments to add or remove projects from the RTP; and

WHEREAS, JPACT and the Metro Council must approve the MTIP and any subsequent amendments to add or remove projects to the MTIP per federal regulation 23 CFR 450.324; and

WHEREAS, the Metro Council adopted the RTP and related elements by Ordinance No. 10-1241B on June 10, 2010; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved by Resolution the 2012-15 MTIP on March 15, 2012; and

WHEREAS, the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard project was not included in the financially constrained RTP or 2012-2015 MTIP; and

WHEREAS, Washington County requests that the RTP and 2012-15 MTIP be amended to include the Scholls Ferry Road: Roy Rogers to Teal Boulevard project; and

WHEREAS, Washington County requests that the 174th/173rd Undercrossing at U.S. Highway 26 (project # 10547) be removed from the financially constrained RTP project list; and

WHEREAS, an air quality conformity analysis demonstrates that the project will not affect the conformity status of the RTP and the 2012-15 MTIP; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to:

1. Amend the financially constrained RTP project list to include the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard project as shown in Exhibit A, attached and incorporated into this Resolution.
2. Amend the 2010-13 MTIP to include the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Project as shown in Exhibit B, attached and incorporated into this Resolution.

3. Amend the financially constrained RTP project list to remove the 174th/173rd Undercrossing U.S. Highway 26 project (project # 10547) as shown in Exhibit A, attached and incorporated into this Resolution.
4. Adopt as findings the staff report dated April 10, 2013 and its Attachment 1, which are attached as Exhibit C and incorporated into this Resolution, and which explain how the amendments are consistent with the Regional Transportation Plan.

ADOPTED by the Metro Council this 16TH day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Exhibit A to Resolution No. 13-4423

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Widening project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11362	Washington County	Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Widening	Roy Rogers Road	Teal Boulevard	Major Arterial	Add eastbound and westbound through lanes and a continuous center turn lane.	\$12,000,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4423

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to remove the 173rd/174th Undercrossing Improvement project.

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
10547	Washington County	173 rd /174 th Undercrossing Project	Cornell Road	Bronson Road	Minor Arterial	Construct three-lane undercrossing of Highway 26 with bike lanes and sidewalks.	\$58,641,000	2008-2025	✘	Roads/Bridges

Exhibit B to Resolution No. 13-4423

2012-2015 Metropolitan Transportation Improvement Program Table 3.1.1 amendment

Action: Amend the 2012-2015 Metropolitan Transportation Improvement Program to include the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Widening project.

Amended Programming

Project/Program Name	ODOT Key #	Lead Agency	Estimated Total Project Cost (all phases, all years)	Project Phase	Fund Type	Program Year	Federal Funding	Minimum Local Match	Other Funds	Total Funding
Scholls Ferry Road: Roy Rogers Road to Teal Boulevard Widening		Washington County	12,200,000	PE	Local - MSTIP	2013	N/A	N/A	10,000,000	10,000,000
				Construction	Local - MSTIP	2013			1,600,000	1,600,000
				Right-of-Way	Local - MSTIP	2013			\$600,000	\$600,000

Exhibit C to Resolution No. 13-4423

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.13-4423, FOR THE PURPOSE OF AMENDING THE FINANCIALLY CONSTRAINED 2035 REGIONAL TRANSPORTATION PLAN (RTP) AND THE 2012-2015 METROPOLITAN IMPROVEMENT PROGRAM (MTIP) TO ADD SCHOLLS FERRY ROAD FROM ROY ROGERS ROAD TO TEAL BOULEVARD WIDENING PROJECT AND REMOVE THE 173RD/174TH UNDERCROSSING IMPROVEMENT PROJECT

Date: April 10, 2013

Prepared by: Grace Cho & John Mermin

BACKGROUND

Washington County has requested amendments to the 2035 Regional Transportation Plan (RTP). The Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council together have the authority to approve amendments to the RTP.

Washington County requested to add the Scholls Ferry Road: Roy Rogers Road to Teal Boulevard project to the 2035 RTP financially constrained project list and remove project # 10547, a proposed 174th/173rd undercrossing of US 26. The Scholls Ferry Road project would add eastbound and westbound through lanes and a continuous center turn lane.

Because this project will be funded locally, the project will be incorporated into the 2012-2015 MTIP. However, the project is currently not included in the 2035 RTP and it needs to be added to the 2035 financially constrained RTP for federal funding eligibility.

Consistency with RTP

These amendments are processed pursuant to Section 6.6.2 of the RTP, which provides that project list amendments must include a demonstration of consistency with the RTP. Washington County staff has provided an analysis explaining why the proposed project amendment is consistent with the solutions hierarchy (Metro Code 3.08.220) of the Regional Transportation Functional Plan, which implements the policies, goals and objectives of the RTP. That analysis is provided in the memorandum included as Attachment 1, which staff concludes is sufficient to demonstrate that the project list amendment is consistent with RTP as required under Section 6.6.2 of the RTP.

Air Quality Conformity

An air quality conformity analysis was completed on the proposed amendments. The results indicate that adding the projects to the 2035 financially constrained RTP will not exceed the permitted emissions "budget" and therefore conforms air quality regulations. A copy of the air quality conformity report findings are included in Attachment 2.

Public Comments

Metro's Public Involvement Policy for Transportation Planning requires a 30-day public comment period for all major amendments to an RTP or MTIP. Major amendments are defined as those that "involve additions or deletions of projects or a significant change in scope of the project location or function." Staff determined that the amendments requested by Washington County meet the definition of major amendments.

Metro conducted a 30-day public comment period on the requested amendments from February 22, 2013 to April 8, 2013. The comment period was advertised with a legal notice in The Oregonian on February 21, 2013 and to several other community news papers. The advertisements directed the public to a web

Exhibit C to Resolution No. 13-4423

page that provided detailed information on the requested amendments. For environmental justice outreach purposes, translation of the proposed RTP amendments was conducted to provide information to limited English proficiency populations. The translated materials was tailored to the languages spoken in the areas the projects are located. Three comments (all supportive) were received relating to the Scholls Ferry Rd project.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Metro Council Ordinance No. 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 System 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 by the Metro Council June 10, 2010.

Metro Council Resolution No.10-4186 For the Purpose of Approving the 2010-13 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area adopted by the Metro Council September 16, 2010

3. **Anticipated Effects** None
4. **Budget Impacts** None

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 13-4423.



WASHINGTON COUNTY OREGON

March 27, 2013

John Mermin, Senior Planner
Metro Planning & Development
600 NE Grand Ave.
Portland, OR 97232-2736

RE: Scholls Ferry Road RTP Amendment

Dear Mr. Mermin:

The following analysis is intended to demonstrate compliance with the Regional Transportation Functional Plan (RTFP) solutions hierarchy section 3.08.220 for Washington County's Scholls Ferry: Roy Rogers Rd. to Teal Blvd. improvement project. This project will consist of adding 11.5 to 12 foot-wide eastbound and westbound through-lanes, a 13 foot-wide continuous center turn lane, four foot-wide planter strips, five foot-wide bike lanes with two foot-wide buffer striping, five foot-wide sidewalks and dark sky friendly lighting. A contract award for construction is anticipated in May or June 2013 with construction expected to be completed by December 2014.

Public Process

The public outreach processes followed in the plans and studies pertaining to Scholls Ferry Road were as follows:

Beaverton 2035 Transportation System Plan Update -

The Beaverton Traffic Commission served as the forum for public involvement throughout the development of the 2035 TSP. The public was invited to attend, participate, and provide comment at each meeting. Between December 2008 and July 2009 there were three of these forums, each preceded by an open house with an additional open house held in October 2009. Prior to the Traffic Commission Public Forum in December 2008. Meeting schedules and draft products were continually posted throughout the development of the draft TSP update on the city's web site.

A joint Planning Commission and City Council Study Session on the 2009 Draft 2035 Transportation System Plan Update was held on October 12, 2009. Comments were taken and a subsequent Planning Commission work session and public hearing were held on December 9, 2009. Comments were collected, and a revised December 2009 draft of the 2035 TSP was reviewed at the February 10, 2010, Planning Commission public hearing. This public hearing was continued to May 26th and once again continued to July 19, 2010. At the July 19, 2010, public hearing, the Planning Commission approved CPA 2009-0014 Comprehensive Plan Amendment 2035 Transportation System Plan and the Staff Report dated July 9, 2010, that replaced the existing Comprehensive Plan Transportation Element with an updated element, adopted the December 2009 Draft 2035 TSP with the recommended changes and corrections and authorized staff to make any final changes based on comments received at that hearing.

**Department of Land Use & Transportation · Planning and Development Services
Long Range Planning**

155 N First Avenue, Ste. 350 MS 14 · Hillsboro, OR 97124-3072
phone: (503) 846-3519 · fax: (503) 846-4412 · TTY: (503) 846-4598 · www.co.washington.or.us

West Bull Mountain Concept Plan

Lead by Washington County, public involvement activities for the West Bull Mountain Concept Plan included formation of a 12-member stakeholder working group consisting of property owners, residents, developers and institutional stakeholders. This group met 14 times leading up to adoption of the concept plan. Additional outreach was achieved through nine neighborhood coffee klatches, three open houses and presentations to citizen participation organizations 4B and 4K. Supplemental outreach methods included a project web site, web-based surveys, newsletters and media releases.

SW Scholls Ferry Road Traffic Analysis and Design Report

As a part of the technical analysis intended to feed into the larger project development effort for the Scholls Ferry Road project, this report had no public outreach component. Public outreach for the project, however, was conducted within the larger scope of the Washington County 2020 Transportation Plan (2002) process that supported widening Scholls Ferry to five lanes in this area. The 2020 plan included an extensive public outreach effort consisting of a 23-member citizen advisory committee, 11 public open houses, five public hearings before the planning commission and eight public hearings in front of the board of commissioners. Copies of the proposed ordinance were provided to all citizen participation organizations, interested individuals and groups. Individual notices were mailed to 914 people who requested them, 14 days prior to the first public hearing. Display ads for the ordinance were published in the Hillsboro Argus, and the Oregonian, West Metro Edition at least 14 days prior to the first hearing.

Design is currently underway for the Scholls Ferry Road project, and a public open house was held in October to review background information on the project, including analysis from the previously mentioned traffic analysis and design report. Project information has been posted on the county's web site, including a schedule of events, project timeline and contact information for commenting on or asking questions about the project.

South Cooper Mountain Prospectus

The intent of this project was to explore multiple alternatives for creating a complete community that would address Beaverton's need for additional land to provide a balanced housing supply. One of the project's main purposes was to help determine the potential for annexation of this area into Beaverton and to help gauge the city's willingness to undertake a more comprehensive concept and community planning effort for the area.

For these reasons, the amount of public outreach to date has been minimal. With the start of the comprehensive concept and community planning effort in March 2013, however, a full set of public involvement activities including formation of a citizen advisory committee, community outreach meetings to neighborhood groups, open houses, a visioning workshop, project videos, online surveys and creation of a project web site are now underway.

Regional Transportation Functional Plan Solutions (RTFP) Hierarchy Compliance

Compliance with section 3.08.220 of the RTFP is demonstrated through a variety of studies and plans, including the Transportation System Solutions Report of the adopted Beaverton 2035 Transportation System Plan Update (DKS and Associates, June 2009), the West Bull Mountain area concept planning effort (Washington County, otak, DKS and Associates et al, 2010), the SW Scholls Ferry Road Traffic Analysis and Design Report (Kittelson & Associates, Sept. 2012), the South Cooper Mountain Prospectus (City of Beaverton, Fregonese Assoc., Lancaster Engineering and JPR Engineering, June 2011) and modeling by Washington County staff using the 2035 regional travel model. For each of the six solutions hierarchy steps below, compliance with 3.08.220 is demonstrated through the following explanation of the choice of strategies and why other strategies were not chosen.

1. *TSMO strategies, including localized TDM, safety, operational and access management improvements;*

Potential transportation system management (TSM) measures, which could include improved access spacing and adaptive signal timing, were considered in Beaverton's Transportation System Solutions Report (page 49). Such improvements were projected to improve v/c ratios by 0.1 to 0.2, however, while these improvements were projected to more than offset the increase in volume that would be likely to shift to the facility with improved flow, they did not provide sufficient congestion relief to eliminate the need to include a project to widen Scholls Ferry to five lanes between Teal and 175th/Roy Rogers in the transportation system plan (see Chapter Six: Transportation Element, page VI-35, TSP project ID #232). To more specifically determine the impact of TSM improvements Washington County staff ran a traffic assignment using the 2035 Financially Constrained network. Consistent with the traditionally assumed maximum potential benefit of improved access management (Beaverton 2035 Transportation System Plan Update, Transportation System Solutions Report, DKS and Assoc., Sept. 2009, page 14), model lane capacities were increased by 20 percent. The results of this modeling exercise showed v/c ratios of 0.98 to 1.05 for the p.m. peak period in the eastbound direction and 1.43 to 1.06 westbound along the project length. Both sets of v/c ratios exceed Washington County's maximum v/c standard of 0.99.

2. *Transit, bicycle and pedestrian system improvements;*

No current bus routes serve the entire length of the proposed project. The closest bus service is the route #62, which serves Murray Road and loops through Teal Road with 30 minute headways and weekday service from 4:57 a.m. to 11:00 p.m. TriMet's ongoing Westside Service Enhancements study process has considered the possibility of extending transit service along Scholls Ferry Rd. west to Roy Rogers Road, this work has not been completed, and given TriMet's current financial

predicament it is unlikely that bus service will be extended to the Scholls Ferry: Teal to Roy Rogers area anytime in the foreseeable future.

Intermittent bicycle and pedestrian facilities exist along the subject project length of Scholls Ferry Road, and are generally limited to those locations fronting on recently constructed commercial and residential developments. Adding bike lanes from Murray to 175th/Roy Rogers and adding sidewalks from Roy Rogers to Barrows (west end) were determined to be low priorities based upon their proximity to various activity generators including transit stops, parks and schools (Transportation Systems Solutions Report, page 51, Table 18, projects #196 and #521). The West Bull Mountain Planning Area Concept Plan went a step further by recommending a multi-use trail on the south side of Scholls Ferry Road between 175th Ave. and the west end of Barrows Road, with two additional north-south trails connecting to future neighborhoods south of Scholls Ferry (West Bull Mountain Concept Plan, Parks, Trails & Open Space Framework map, Oct. 2010). While these improvements would undoubtedly reduce the need to widen Scholls Ferry by some unquantifiable but probably minor degree, they were not sufficient to eliminate the need to retain a five-lane road widening project (also proposed to include sidewalks and buffered bike lanes) on Scholls Ferry Road.

3. *Traffic-calming designs and devices;*

Scholls Ferry Road has a functional classification designation of Arterial Road in Washington County's current transportation plan (Washington County 2020 Transportation Plan, Oct. 2002, Figure 4E). Given that the primary function of arterial roads is to move traffic, traffic calming devices are not permitted on county roads other than those with a functional classification of Neighborhood Route or Local Road. Therefore, traffic calming is not a solution that can be considered along Scholls Ferry Road.

4. *Land use strategies in OAR 660-012-0035(2) to help achieve the thresholds and standards in Tables 3.08-1 and 3.08-2 or alternative thresholds and standards established pursuant to section 3.08.230;*

To summarize, the land use strategies to be considered from the OAR above include the following: increasing densities in residential, new office and retail developments in community centers; designating lands for neighborhood shopping within convenient walking and cycling distance of residential areas; designating land uses to provide a better balance between jobs and housing considering the total number of jobs and housing units; and the availability of affordable housing and provision of housing opportunities in close proximity to employment areas. The discussion below mainly focuses on describing the planned densities, neighborhood retail and employment opportunities. Access between these areas is discussed in the item #5 dealing with connectivity.

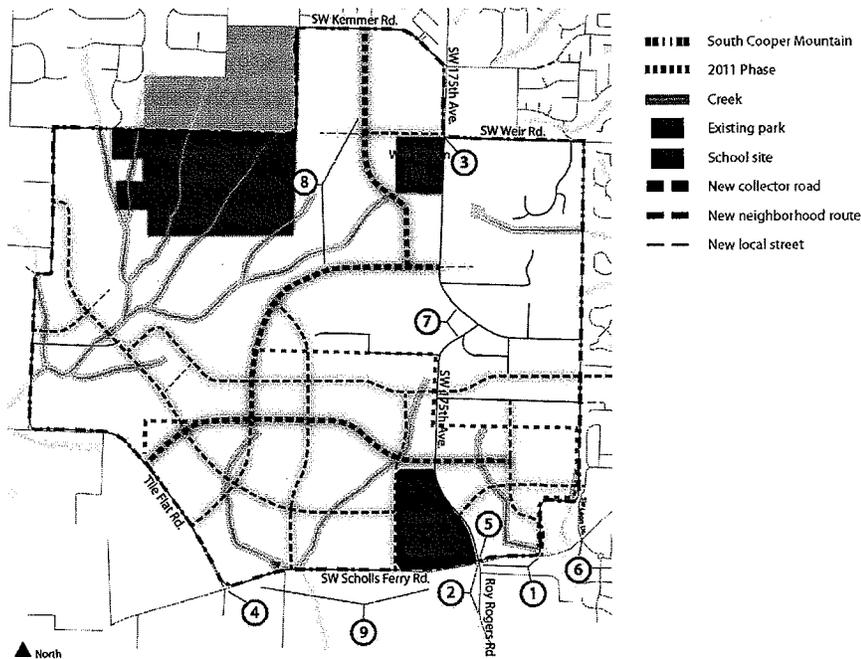
Two land use planning efforts, one for the South Cooper Mountain area and the other for West Bull Mountain best exemplify the above OAR land use strategies. The South Cooper Mountain area consists of 1776 acres brought into the UGB during the 2010-11 Urban & Rural Reserves process. In 2012, Beaverton annexed 543 of these acres into the city, and has started a concept planning process for the entire Urban Reserve area. This effort is expected to conclude in late 2014. To help meet Beaverton's projected need for 13,555 new housing units by 2035, several housing scenarios are being examined for the 1776 acre area. These scenarios range from adding 8,996 to 12,342 new housing units at densities ranging from 12.8 to 17.7 units per net residential acre. Scenarios include a varying mix of single-family, compact single-family, clustered housing, townhome and multi-family housing types as well as an average of 166,000 gross square feet of Neighborhood Retail, most of this in the form of small format Main Street mixed-use buildings intended *not* to compete with the larger Murray-Scholls Town Center to the east. In addition to these uses, 40 acres at the northwest corner of Scholls Ferry and 175th Ave. is the site of a potential new high school in Beaverton. Zoning in the Murray-Scholls Town Center, centered on the area between Scholls Ferry and Barrows Road, is mostly intended for Office/Commercial, Neighborhood Service Center and Community Service types of uses.

On the south side of Scholls Ferry Road, the West Bull Mountain Concept Plan includes 714 gross acres (327 net buildable acres) of urban and rural land that is being designed to accommodate 3,766 housing units at a density of 11.5 units per acre. West Bull Mountain is primarily a residential community that contains urban and rural lands. Located in a 2040-designated Outer Neighborhood, planned residential densities of 10.7 units per net residential acre comply with the Title 11 required minimum residential density of 10.7 units per net residential acre. A range of densities is planned for West Bull Mountain, with the highest densities planned along future transit corridors and near commercial centers to promote future transit service and support affordable housing. Title 11 also requires that new communities contain commercial uses to meet the needs of the area. The West Bull Mountain Concept Plan includes two neighborhood retail mixed-use centers. The northern center is located approximately 1000-1500 feet north of existing Bull Mountain Road and east of Roy Rogers Road. It will be the primary retail anchor for the community and will be designed as a mixed-use development with retail uses on the ground floor and office or "live-work" residential units above the retail. It is estimated that this area will support from 12,000 to 25,000 square feet of retail use without competing with or adversely affecting existing and future commercial uses outside of West Bull Mountain.

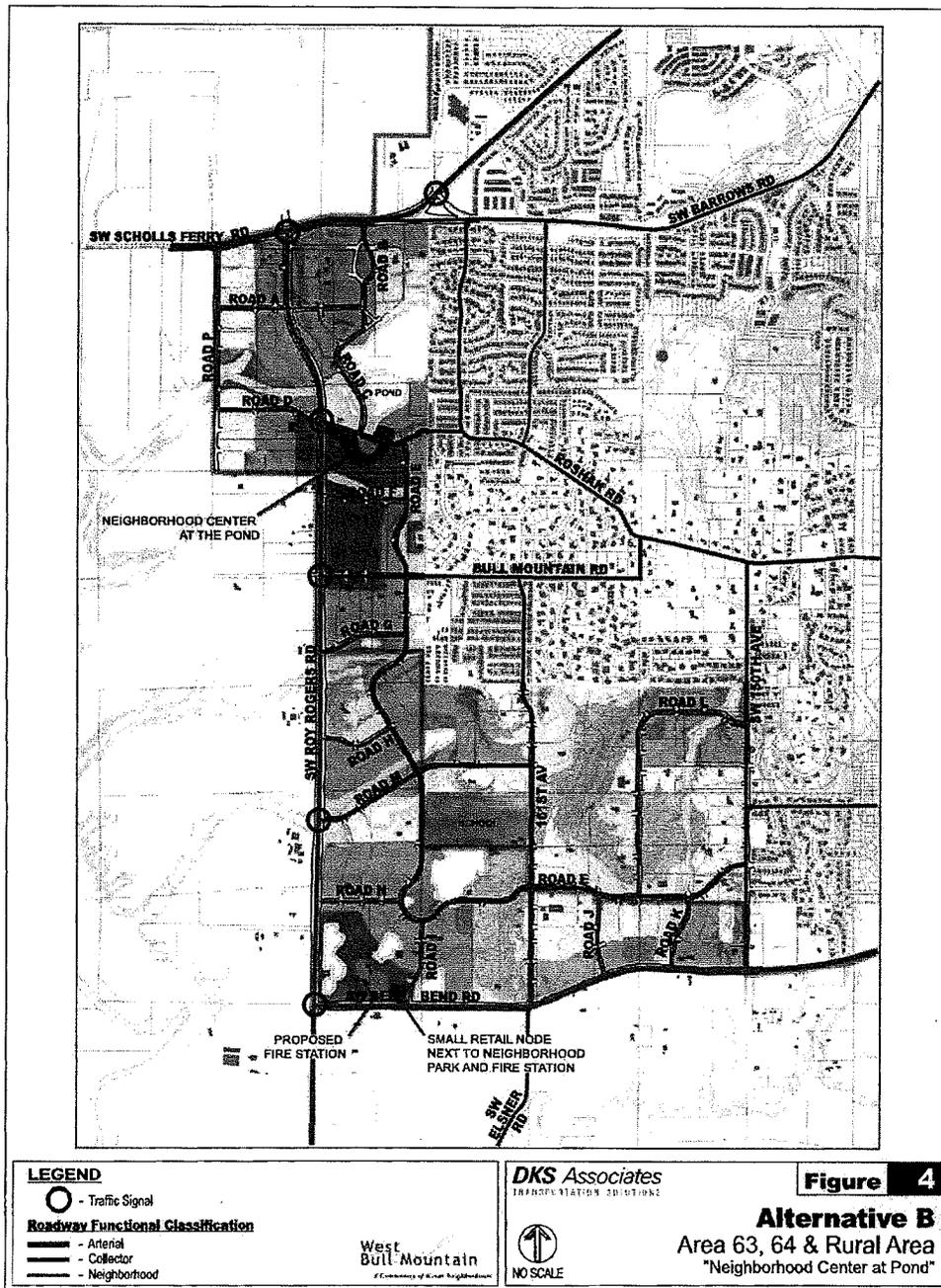
5. *Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design classifications in*

Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking and access to transit; and

Travel demand modeling for the South Cooper Mountain area shows that 50 percent of the future trips will be to and from the east on facilities north of Scholls Ferry Road. The majority of these trips will use Weir Road, a Collector road, located on the northern boundary of the study area, and Beard Road, an Arterial road, located north of the study area. To access these east-west roads, a new north-south collector street is planned from north of the proposed future high school site to Kemmer Road. Another new collector street is planned, running parallel to Scholls Ferry Rd. and north of the proposed high school site. New Neighborhood Route and Local roads are also planned; however, despite these new roads, analysis still indicates a need to widen Scholls Ferry to five lanes from Loon Drive to Teal.



To conserve capacity on Scholls Ferry Road, several new east-west collector streets and numerous local roadway connections are included in the West Bull Mountain Concept Plan. In addition to these new collector streets, the West Bull Mountain Concept Plan ensures a maximum degree of Neighborhood Route and Local Road connectivity through a requirement that all existing Bull Mountain streets as well as those designated to be connected in the concept plan (except where impractical due to wetlands) will be extended. Despite such improvements, however, background traffic growth is projected to be sufficient to warrant the widening of Scholls Ferry Road to five lanes by 2035.



6. *Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs.*

As background, Scholls Ferry Road is a designated Arterial road in the Washington County 2020 Transportation Plan and as a Major Arterial road in the 2035 RTP. It connects to Hwy. 219 on its west end and to Hwy. 217, Beaverton-Hillsdale Hwy., and U.S. 26 to the east. Between these endpoints it links to other arterial roads such as Roy Rogers Road, Murray Boulevard and 125th Avenue. Average daily 2012 traffic volumes on Scholls Ferry between Barrows Road and Roy Rogers Road were 16,730. Further to the east, just west of Hwy. 217, volumes increased to a high of 37,916. Scholls Ferry Road is also an important freight route in Washington County. It is designated as a Road Connector on the RTP Regional Freight Network (Figure 2.20) with 7.4 percent or 1238 of its total average daily traffic volume being trucks 2012.

The proposed project design is consistent with the RTP arterial and throughway network concept. It meets the definition of a "complete street" by providing improved facilities for all modes of travel, including bicyclists, pedestrians, future transit vehicles and trucks. West of the Murray/Scholls Town Center, Scholls Ferry has a Regional Design Classification of Regional Street intended to serve industrial and employment areas, corridors and intermodal facilities. The proposed design of this road is consistent with the Regional Street design template Table 2.6, which calls for no more than four through-travel lanes, a turn lane, a bikeway and a sidewalk separated by a landscape buffer.

As demonstrated in the discussion under item 5 above, plans for the South Cooper Mountain and the West Bull Mountain Concept Plan call for improved local and collector road connectivity within the areas adjacent to Scholls Ferry Road.

As indicated by the Traffic Analysis and Design Report for SW Scholls Ferry Road (Kittelsohn & Assoc., Sept. 2012, page 20) all intersections currently meet Washington County performance standards with v/c ratios less than 0.99. Therefore, management strategies have not been implemented. Looking at the 2035 No-Build capacity analysis, however, indicates that three signalized intersections (Scholls Ferry at Roy Rogers, Barrows and Teal) and three unsignalized intersections (Scholls Ferry at 155th, Sagehen and 147th) are projected to have v/c ratios greater than 1.0 in the morning peak. Several of these intersections are also projected to exceed a v/c of 1.0 in the afternoon peak. This analysis concluded that a five-lane section is needed to keep all intersection v/c ratios below 1.0 along Scholls Ferry Road. Additional analysis from Beaverton's 2035 TSP and Washington County staff discussed in #1 above both concluded that traffic management strategies alone would

not provide the additional needed capacity to serve projected growth in this area.

If you have any questions or need additional information, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Clark F. Berry". The signature is written in a cursive style with a large, prominent "C" and "B".

Clark F. Berry
Senior Planner

Cc: Chris Deffebach, Policy Analyst



Metro | Memo

Date: March 1, 2013
To: TPAC and Interested Parties
From: Tom Kloster, Transportation Planning Manager
Grace Cho, Assistant Transportation Planner
Subject: Pre-Conformity Plan and Draft 2035 RTP Air Quality Conformity Determination

Introduction

To comply with federal mandates, Metro is required to conduct an air quality impact analysis with each update of Metro's Regional Transportation Plan (RTP) and development of a new Metropolitan Transportation Improvement Program (MTIP). As part of the conducting the analysis, Metro consults and solicits feedback from our local and regional partners about the analysis. TPAC has been identified as the forum of local and regional partners for consultation and soliciting feedback. Metro staff seeks comments from TPAC regarding the Draft 2035 RTP Air Quality Conformity Determination.

Background

Prior to the scheduled update of Metro's 2035 Regional Transportation Plan (RTP), several project sponsors requested RTP project amendments due to project delivery schedules and are unable to wait until the next scheduled update. As a result, Metro solicited RTP amendments at the end of 2012 where a total of 13 projects were submitted. In review of the proposed amendments, all but one were deemed regionally significant projects as defined federal transportation conformity rules (40 CFR 93.101). Therefore a new air quality conformity determination must be made on Metro's 2035 RTP in complying with federal regulations.

In anticipation of conducting a new conformity determination, Metro staff consulted with federal partners (FHWA, FTA, EPA) as well as regional and state partners (DEQ, ODOT, TriMet) to about the approach and methodology to the air quality conformity analysis. The federal, state, and regional partners all came to agreement on the approach and methodology to the analysis. Metro conducted the analysis in February 2013. Metro staff developed and released a draft 2035 RTP Air Quality Conformity Determination on February 22, 2013 for public comment.

Air Quality Analysis and Results

To demonstrate conformity, the projected emissions must be less than or equal to the motor vehicle emissions budget(s) established for each analysis year (OAR 340-252-0190(b)(A)). In addition, the regional emissions analysis must be performed for the last year of the transportation plan's forecast period. The results for each analysis year can be found below.

2035 Regional Transportation Plan (Federal Component) Regional Air Quality Assessment

Year	Carbon Monoxide Motor Vehicle Emission Budgets (Budgets are Maximum Allowed Emissions) (pounds/ winter day)	Forecast Carbon Monoxide Motor Vehicle Emissions (pounds/ winter day)
2010	1,033,578	877,841
2017	1,181,341	708,286
2025	1,181,341	830,714

2035	1,181,341	835,142
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Per the results, the projected emissions is less than the approved motor vehicle emissions budgets for each analysis year. Therefore the 2035 RTP with the proposed amendments conforms to air quality rules. The full report with details of the analysis can be found on Metro's website.

Request

Metro staff requests the feedback of TPAC members on the draft 2035 RTP air quality conformity determination report prior to the end of the public comment period. The public comment period for the 2035 RTP air quality conformity determination is scheduled to close on April 8, 2013.

Next Steps

Metro will summarize and incorporate any public comments on the draft 2035 RTP air quality conformity determination following the close of the public comment period. Metro will return to TPAC in April and ask for recommendation to forward the revised draft of the 2035 RTP air quality conformity determination to JPACT. Once recommended, Metro staff will ask for JPACT and Metro Council approval of the conformity determination at the May meetings.

Agenda Item No. 5.5

Resolution No. 13-4424, For the Purpose of Amending the Financially Constrained 2035 Regional Transportation Plan (RTP) to Add Two New Collector Connectivity Projects; Four Roadway Widening Projects and Remove the 174th /173rd Undercrossing Project.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) RESOLUTION NO. 13-4424
FINANCIALLY CONSTRAINED 2035)
REGIONAL TRANSPORTATION PLAN (RTP)) Introduced by Chief Operating Officer Martha
TO ADD TWO NEW COLLECTOR) Bennett in concurrence with Council
CONNECTIVITY PROJECTS; FOUR) President Tom Hughes
ROADWAY WIDENING PROJECTS AND)
REMOVE THE 174TH/173RD UNDERCROSSING)
PROJECT)

WHEREAS, the 2035 Regional Transportation Plan (RTP) is a central tool for implementing the Region 2040 Growth Concept, and constitutes a policy component of the Metro Regional Framework Plan; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council must approve the RTP and any subsequent amendments to add or remove projects from the RTP; and

WHEREAS, the Metro Council adopted the RTP and related elements by Ordinance No. 10-1241B on June 10, 2010; and

WHEREAS, the City of Hillsboro has two new 3-lane collector roadway construction projects at Gibbs Drive and at 253rd which were not included in the RTP financially constrained project list; and

WHEREAS, the City of Hillsboro has four widening of existing roadways at Brookwood Parkway, Butler Drive, Cornelius Pass Road, and U.S. Highway 26 westbound off-ramp at Cornelius Pass Road which were not included in the 2035 RTP financially constrained project list; and

WHEREAS, the City of Hillsboro requests that the RTP be amended to include the six new projects; and

WHEREAS, the Regional Safety Plan guides safe integration of all modes and the Regional Active Transportation Plan is expected to further provide guidance for multimodal designs on high-traffic and high-speed arterial streets such as Cornelius Pass Road and Brookwood Parkway; and

WHEREAS, the City of Hillsboro requests that the 174th/173rd Undercrossing at U.S. Highway 26 (project # 10547) be removed from the financially constrained RTP project list; and

WHEREAS, an air quality conformity analysis demonstrates that the projects to be added will not affect the conformity status of the RTP; and

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT to:

1. Amend the financially constrained RTP project list to include the six projects as shown in Exhibit A, attached and incorporated into this Resolution.
2. Amend the financially constrained RTP project list to remove the 174th/173rd Undercrossing U.S. Highway 26 project (project # 10547) as shown in Exhibit A, attached and incorporated into this Resolution.
3. Adopt as findings the staff report dated April 10, 2013 and its Attachment 1, which are attached as Exhibit B and incorporated into this Resolution, and which explain how the amendments are consistent with the Regional Transportation Plan.

ADOPTED by the Metro Council this 16th day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Exhibit A to Resolution No. 13-4424

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Gibbs Drive project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11363	Hillsboro	Gibbs Drive	Stucki Road	Walker Road	Collector	New three lane street with cycle tracks and sidewalks.	\$2,000,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4424

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the 253rd project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11364	Hillsboro	253rd	Huffman Road	Meek Road	Collector	New three lane street with bike lanes and sidewalks.	\$4,000,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4424

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Brookwood Parkway project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11365	Hillsboro	Brookwood Parkway	Evergreen Road	US 26	Major Arterial	Widen from five lanes to seven lanes with buffered bike lanes and sidewalks.	\$9,000,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4424

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Butler Drive project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11366	Hillsboro	Butler Drive	229 th Avenue	Cornell Road	Minor Arterial	Widen from three lanes to five lanes with bike lanes and sidewalks.	\$2,000,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4424

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Cornelius Pass Road project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11367	Hillsboro	Cornelius Pass Road	Cornell Road	US 26	Major Arterial	Widen from five lanes to seven lanes with buffered bike lanes and sidewalks.	\$8,600,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4424

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to add the Cornelius Pass Road project.

New RTP Project

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
11368	Hillsboro	US 26 Westbound Off Ramp	Cornelius Pass Road	US 26	Major Arterial	Add second lane on westbound loop off ramp and third southbound approach lane.	\$5,000,000	2008-2017	X	Roads/Bridges

Exhibit A to Resolution No. 13-4424

2035 Regional Transportation Plan Appendix 1.1 project list amendment

Action: Amend the 2035 RTP financially constrained project list to remove the 173rd/174th Undercrossing Improvement project.

Metro Project ID	Facility Owner/Operator	Project/Program Name	Project Start Location	Project End Location	Local Functional Class	Description	Estimated Cost	Time Period	Federal FC Project	Primary Mode
10547	Washington County	173 rd /174 th Undercrossing Project	Cornell Road	Bronson Road	Minor Arterial	Construct three-lane undercrossing of Highway 26 with bike lanes and sidewalks.	\$58,641,000	2008-2025	✘	Roads/Bridges

Exhibit B to Resolution No. 13-4424

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4424, FOR THE PURPOSE OF AMENDING THE FINANCIALLY CONSTRAINED 2035 REGIONAL TRANSPORTATION PLAN (RTP) TO ADD TWO NEW COLLECTOR CONNECTIVITY PROJECTS; FOUR ROADWAY WIDENING PROJECTS AND REMOVE THE 174TH/173RD UNDERCROSSING PROJECT

Date: April 10, 2013

Prepared by: Grace Cho & John Mermin

BACKGROUND

The City of Hillsboro has requested amendments to the 2035 Regional Transportation Plan (RTP). The Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council together have the authority to approve amendments to the RTP.

The City of Hillsboro requested to have added six new projects to the 2035 RTP financially constrained project list and remove project # 10547, a proposed 174th/173rd undercrossing of US 26. The six new projects include:

- The Gibbs Drive project adds a new 3-lane collector street with cycle tracks and sidewalks in Amber Glen Regional Center. Gibbs Drive will provide the needed connectivity in order to support the type of intense, mixed-land use and multi-modal transportation environment envisioned in the Amber Glen Community Plan.
- The 253rd Ave project adds a new 3-lane street with bike lanes and sidewalks near the US 26/Brookwood Parkway area. It was identified as part of the US 26/Brookwood Interchange Area Management Plan (IAMP) process. Current development opportunities have surface which is contingent upon the opening of 253rd by summer 2014.
- Road widenings in the US 26/Brookwood Parkway area to support recent and planned Intel expansions on the Ronler acres campus and on adjacent industrial green field sites:
 - Brookwood Parkway project would widen an existing 5-lane road to 7-lanes with buffered bike lanes and sidewalks.
 - Butler Drive project would widen an existing 3-lane road to 5-lanes with bike lanes and sidewalks.
 - Cornelius Pass Road would widen an existing 5-lane project to 7-lanes with buffered bike lanes and sidewalks.
 - US 26 westbound off-ramp at Cornelius Pass Road project would add a second lane on westbound off-ramp and third southbound approach lane on Cornelius Pass Road.

Consistency with RTP

These amendments are processed pursuant to Section 6.6.2 of the RTP, which provides that project list amendments must include a demonstration of consistency with the RTP. Hillsboro staff has provided an analysis explaining why the proposed project amendments are consistent with the solutions hierarchy (Metro Code 3.08.220) of the Regional Transportation Functional Plan, which implements the policies, goals and objectives of the RTP. That analysis is provided in the memorandum included as Attachment 1, which staff concludes is sufficient to demonstrate that the project list amendments are consistent with the RTP as required under Section 6.6.2 of the RTP.

The proposed bicycle lanes for Brookwood and Cornelius Pass are consistent with policies from the current RTP, but the final design of the projects will be informed by recommendations from the recent Regional Safety Plan and the Regional Active Transportation Plan (expected adoption in June 2013).

Exhibit B to Resolution No. 13-4424

Newer, more protected types of bikeway designs, including buffered bicycle lanes and cycle tracks have been piloted in a few places across the region, including other parts of Washington County, such as Tualatin-Sherwood Road. The County's Bicycle Facility Design Toolkit supports these types of designs for high speed or high volume roadways, and these designs that offer increased protection for cyclists would be essential on a facility with 7 lanes.

Air Quality Conformity

An air quality conformity analysis was completed on the proposed amendments. The results indicate that adding the projects to the 2035 financially constrained RTP will not exceed the permitted emissions "budget" and therefore conforms to air quality regulations. A copy of the air quality conformity report findings are included in Attachment 2.

Public Comments

Metro's Public Involvement Policy for Transportation Planning requires a 30-day public comment period for all major amendments to an RTP or MTIP. Major amendments are defined as those that "involve additions or deletions of projects or a significant change in scope of the project location or function." Staff determined that the amendments requested by the City of Hillsboro meet the definition of major amendments.

Metro conducted a 30-day public comment period on the requested amendments from February 22, 2013 to April 8, 2013. The comment period was advertized with a legal notice in The Oregonian on February 21, 2013 and to several other community news papers. The advertisements directed the public to a web page that provided detailed information on the requested amendments. For environmental justice outreach purposes, translation of the proposed RTP amendments was conducted to provide information to limited English proficiency populations. The translated materials were tailored to the languages spoken in the areas the projects are located.

Three letters were received in support of all of the Hillsboro projects (especially the US 26 interchange, Brookwood and Cornelius Pass projects) from the Hillsboro Area Chamber of Commerce, the Westside Economic Analysis and the Oregon Chapter of the National Commercial Real Estate Development Association. Online comments received include the following:

- Brookwood Parkway – 2 supportive, 2 opposed (One felt that wider roads are less safe for bicycles, pedestrians, and assisted mobility devices and negatively impacts nearby farming; The other did not express a reason for opposition)
- Cornelius Pass Rd – 2 supportive, 1 opposed (the respondent expressed that wider roads are less safe for bicycles, pedestrians, and assisted mobility devices and negatively impacts nearby farming)
- Butler Dr - 2 supportive, 1 opposed (the respondent felt that widening the road would worsen speeding problems).
- 253rd Ave – 1 supporting comment received.
- Gibbs Dr – 2 supportive comments received.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.

2. **Legal Antecedents** Metro Council Ordinance No. 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 System 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

Exhibit B to Resolution No. 13-4424

by the Metro Council June 10, 2010.

Metro Council Resolution No.10-4186 For the Purpose of Approving the 2010-13 Metropolitan Transportation Improvement Program for the Portland Metropolitan Area adopted by the Metro Council September 16, 2010

3. Anticipated Effects None

4. Budget Impacts None

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 13-4424.

MEMORANDUM

DATE: April 9, 2013

TO: Mr. John Mermin, Metro
Ms. Brenda Perez, FHWA

FROM: Brad Choi, City of Hillsboro

SUBJECT: Proposed RTP Amendment Additional Information Request:
Brookwood Pkwy and Cornelius Pass Rd Seven-Lane Widening

The City of Hillsboro recently submitted a request to Metro for the consideration of amending several projects into the Regional Transportation Plan (RTP). In particular, Brookwood Pkwy and Cornelius Pass Rd are proposed to be widened to seven lanes (three lanes in each direction with center turn lane) from Evergreen Pkwy to US 26 (for Brookwood Pkwy) and from Cornell Rd to US 26 (for Cornelius Pass Rd). The City of Hillsboro recognizes that seven-lane arterials exceed what the regional arterial streets design concepts typically call for; as such, this memorandum is intended to: 1) demonstrate the need for the seven-lane projects and why other solutions are not adequate to meet the growing traffic demand; and 2) document the public involvement process taken to arrive at the decisions of adding capacity.

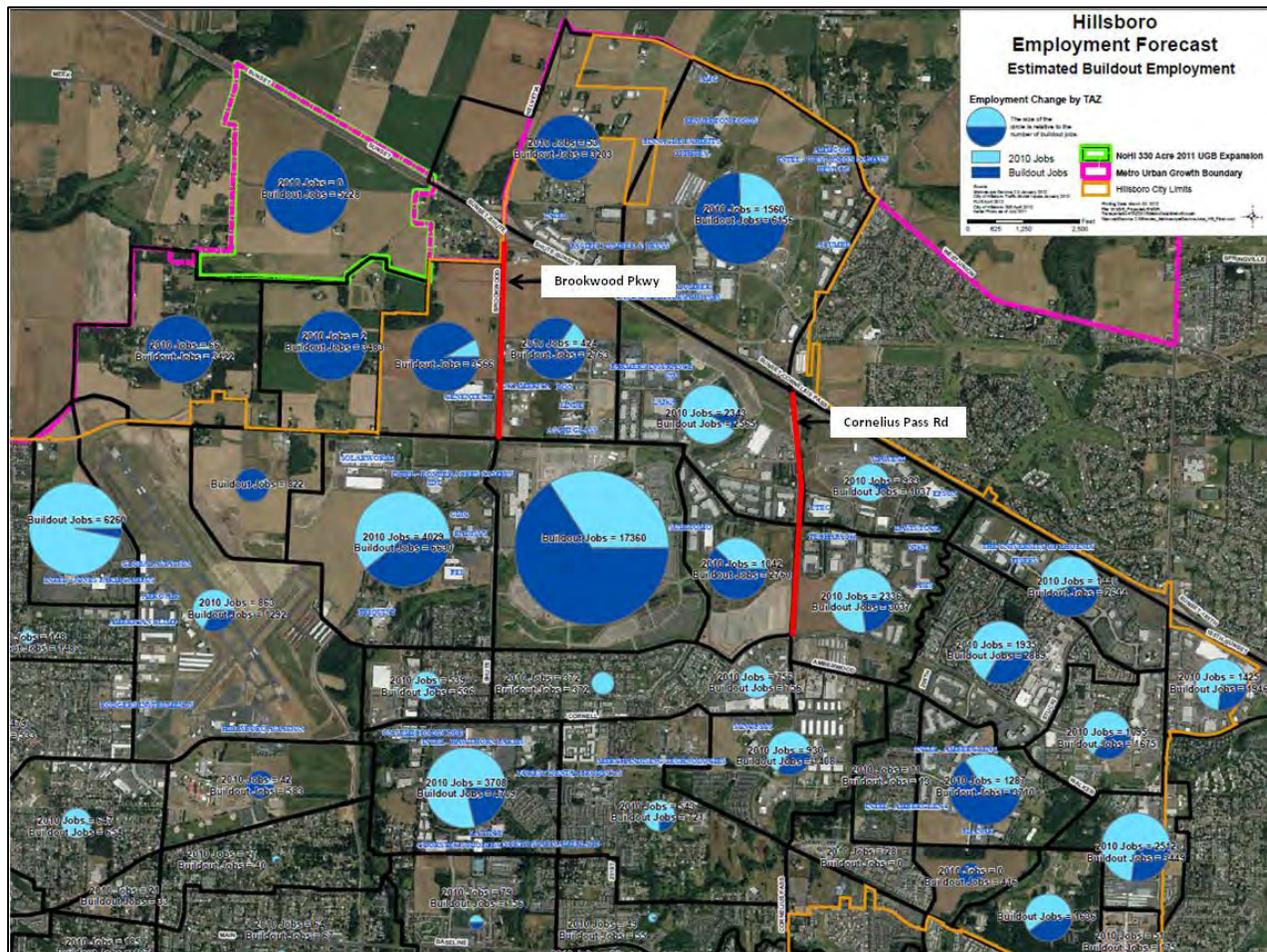
Background

Brookwood Pkwy and Cornelius Pass Rd are the two main arterials for traffic to access the North Hillsboro industrial area from US 26 and areas north and northeast of US 26 which house a significant share of the Silicon Forest workforce. As an example, at over 400 acres, the Intel Ronler Acres campus is one of the largest industrial campuses in the vicinity of the two roads and relies on both for workers access and freight mobility. The Ronler Acres campus currently has a sustaining work force (Intel plus contract employees) of about 10,000. Since 2010, Intel began investing \$6 billion to expand the Ronler Acres campus, which is expected to house an additional 8,400 workers by full occupancy. In the meantime, the construction of the expansion will bring up to 8,200 contractors and construction workers to the campus during peak construction.

While much of the current urgency is driven by the expansion of Intel Ronler Acres campus, it should be noted that Intel is not the only source of future traffic demand; there are other industrial employers in the area in addition to a large amount of undeveloped industrial "green fields". South of the industrial area, construction is underway at the nationally acclaimed Orenco Station community to add over 1,200 high density apartment units next to the MAX light rail station. While a significant share of trips is expected to be served by light rail, these new residents will also add significant demand to Brookwood Pkwy and Cornelius Pass Rd for access to US 26.

The following figure illustrates the capacity for future employment growth in the North Hillsboro industrial area. The number of jobs in 2010 and additional jobs expected at buildout are represented by

the light and dark blue colors in each circle respectively. The size of each circle is relative to the number of jobs anticipated at buildout.



Regional Transportation Functional Plan (RTFP) Solutions Hierarchy

The following explains the consideration and steps taken in accordance with the RTFP (RTFP) 3.08.220 Transportation Solution Hierarchy:

- TSMO strategies, including TDM, safety, operational and access management improvements**
 - (TSMO) Adaptive signal timing is deployed on Cornell Road and funded for Cornelius Pass Road. Adaptive signal timing systems adjust signal timing in response to changing traffic patterns and are more efficient when compared to conventional coordinated signal timing systems.
 - (TDM) Intel Ronler Acres campus peak hour trip generation rate is currently at about 65% of ITE General Office Building rate (e.g. Intel 0.30 trip/employee vs. ITE 0.46

trip/employee in P.M. peak hour) due to aggressive flexible work hours, compressed work weeks, and telecommuting practices.

- (Safety) The proposed additional lanes on Brookwood Pkwy and Cornelius Pass Road are intended to serve as auxiliary lanes to and from the US 26 on- and off-ramps. Without the additional lanes, southbound morning commute traffic will back up from the signalized intersections on the arterial through the off-ramps and onto westbound US 26 mainline. In the afternoon rush hour, traffic trying to get on to US 26 eastbound which is metered at its freeway approach currently already backs up all northbound lanes on both arterials for close to a mile (20-minute delays). The third lane allows traffic headed north of US 26 to travel across the interchange without impedence from the ramp meter storage deficiencies.

2. Transit, bicycle and pedestrian system improvements

- (Bicycle, pedestrian) The City has completed a substantial amount of the bicycle and pedestrian network in the North Hillsboro industrial area. Missing bike lanes and sidewalk along Brookwood Pkwy and Cornelius Pass Road will be filled in as part of the proposed widening. In some instances, including Cornelius Pass Road and sections of Brookwood Pkwy, the City, along with Washington County, is pursuing opportunities to acquire additional right-of-way to build separated multi-use path instead of (or in addition to) on-street bike lanes. The final design will be informed by recommendations from the recent Regional Safety Plan and the Regional Active Transportation Plan. Newer, more protected types of bikeway designs, including buffered bicycle lanes and cycle tracks, have been piloted in a few places across the region, including other parts of Washington County such as Tualatin-Sherwood Road. Washington County's Bicycle Facility Design Toolkit supports these types of designs on high speed or high volume roadways. The City is also actively working with the County to look at the broader scale bicycle and pedestrian connectivity for the area which reaches beyond simply the industrial area.
- It should be noted that given the homogenous industrial land use surrounding the project area and being close to the edge of the Urban Growth Boundary, this is not an area that attracts a significant amount of walk or bicycle trips.
- TriMet currently has three routes (46, 47, and 48) in addition to the MAX Blue line serving the project area. Intel runs its own shuttles to transport employees to and from the Orenco Station MAX station. TriMet has future plans to enhance the westside service area by providing better connections between housing and employment; however, its deployment is dependent on labor contracts and future revenue.

3. Traffic-calming designs and devices

- Brookwood Pkwy and Cornelius Pass Rd are arterial roadways surrounded by industrial land uses. Typical traffic calming practices such as speed humps, roundabouts, raised

intersections, and bulb-outs are generally not suitable on arterials due to adverse effects on trucks operations, traffic safety, and emergency services.

4. Land use strategies in OAR 660-012-0035(2) to help achieve the thresholds and standards in Tables 3.08-1 and 3.08-2 or alternative thresholds and standards established pursuant to section 3.08.230

- The surrounding land use is entirely industrial in nature.
- The City is actively working to bring high density residential and mixed-use development closer to the employment areas. Examples include Orenco Station (ongoing), and the planned AmberGlen and South Hillsboro communities.

5. Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design classification in Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking and access to transit

- The planned Century Blvd overcrossing across US 26 (RTP project # 10831) will be located approximately halfway between Brookwood Pkwy and Cornelius Pass Road. Once completed, it will provide a much needed direct north-south connection from Intel Ronler Acres to the north side of US 26 that will help relieve the traffic burden on Brookwood Pkwy and Cornelius Pass Road. However, it is not viable as an immediate solution due to the extensive lead time, cost and effort required for this project.
- Traffic demand modeling conducted with the buildout of the UGB land use shows that in addition to the Century overpass, the seven lanes on Brookwood Pkwy and Cornelius Pass Road, and enhanced transit will all be needed to handle future traffic demand.
- The third lanes in each direction are a direct result of the limited number of connections linking this employment area to US 26. The sheer volume of workforce traffic results in the need for the added lanes to avoid incoming queues onto US 26 and the resulting gridlock.

6. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs

- The widening of Brookwood Pkwy and Cornelius Pass Road are necessary in conjunction with all the other strategies to address the future traffic demand in the North Hillsboro industrial area.

Public Involvement Process

Because the amendment of the project into the City's Transportation system Plan constituted a "major plan amendment", it required the City to establish and conduct a citizen involvement program with the

advice and assistance of a Citizen Involvement Advisory Committee (CIAC). City staff met with the CIAC in July, 2012 to establish the citizen involvement program. It was determined that public involvement process of the Interchange Area Management Plan (IAMP) developed by ODOT in support of the Brookwood interchange project that occurred between May, 2011, and June, 2012 met the requirement for public involvement for the Brookwood Pkwy widening project. A separate public involvement program was undertaken for the Cornelius Pass Rd widening project. The two public involvement programs are described below.

Brookwood Pkwy:

The widening of Brookwood Pkwy is a supporting improvement as part of the US 26/Brookwood-Helvetia interchange improvement project funded by the Jobs and Transportation Act (JTA) enacted by the 2009 Oregon Legislature. The 2012 Legislature approved additional funding for this interchange through SB 1543. ODOT, in partnership with the city of Hillsboro and Washington County, developed the Interchange Area Management Plan (IAMP) in order to support the interchange project and related planning, land use, and economic development efforts, as well as recommend transportation system improvements in the vicinity of the interchange in order to protect the future function of the interchange and accommodate traded sector employment growth on over 1,180 acres of adjacent industrial land within the existing Urban Growth Boundary. At buildout, this area will accommodate up to 65,000 jobs, up from the current 31,000.

The priorities of the IAMP include the following:

- Maintain or improve safety and operations at the interchange and other facilities in the vicinity of the interchange area;
- Identify and address the interchange operation needs associated with current and future industrial land designated in the existing adopted comprehensive plan and recently expanded Urban Growth Boundary, to the extent feasible;
- Develop a local street network that provides for local connectivity and helps minimize the need for local travel using or traveling through the interchange;
- Identify facilities for adequate bicycle and pedestrian circulation in the area.

Project committees guided the process and provided important policy, community, and technical feedback through the project. Interviews, public meetings and briefings were held with neighbors, business interests, and local community organizations. Informational materials including newsletters, the project website, and a press release provided project updates to the general public.

The decision process involved three groups, one of which was the Project Advisory Committee (PAC) which included one representative each from the Helvetia Community Association, Meek Neighborhood, Hillsboro Chamber of Commerce, Brookwood area bicyclists, Jacobson Road, City of Hillsboro, Washington County, and the ODOT project manager. Project team members and members of the public also attended the PAC meetings. The PAC held four meetings between May, 2011 and June, 2012.

Public outreach was conducted through the project website and newsletters. The project website served as the central location for project information and resources. Two newsletters were mailed out to approximately 3,100 addresses covering the area extending between Jackson School Rd, Cornelius Pass Rd, West Union Rd, and Evergreen Rd with project updates and invitation to the two project open

houses. In addition, e-mail notifications were sent to approximately 200 individuals who had expressed interest in the project. The two public open houses were held on January 17, 2012 and June 25, 2012. Invitations to the two project open houses were provided via the project website, newsletters, and area media.

Public hearings were held before the Hillsboro Planning Commission, The Washington County Board of County Commissioners, and the Hillsboro City Council on the resulting roadway and related transportation improvements to consider their adoption into the County and City Transportation System Plans (TSP). Of the public testimony received, none was in opposition to the seven-lane widening of Brookwood Pkwy. Both County and City adopted the seven lane designation into their respective TSPs in September and October, 2012, respectively.

Cornelius Pass Road:

The widening of Cornelius Pass Rd and related improvements on Imbrie Dr and Evergreen Pkwy (not part of the RTP amendments) resulted from a series of transportation analyses conducted by Intel's traffic consultant along with a City of Hillsboro transportation study completed concurrent with the Brookwood interchange IAMP. Studies were completed in coordination with City, ODOT, Washington County, the Hillsboro Chamber of Commerce, and local neighboring businesses. Through the course of the analyses, various solutions such as operational and access improvements; transit, bicycle, and pedestrian facilities; traffic calming designs; and future connectivity opportunities were identified and recommended in addition to the capacity improvement on Cornelius Pass Rd. It was determined that future transit service improvements being planned (although uncertain as to when they could be deployed) would not be enough to meet the increasing demand on Cornelius Pass Road.

A public open house was held on August 16, 2012 at Quatama Elementary School to provide information and receive feedback for the proposed widening of Cornelius Pass Rd and other related improvements. Public notices for the open house were mailed to approximately 7,400 property owners located in the project vicinity and also published in the Hillsboro Argus newspaper and on the City's website. About 30 people attended the open house and provided feedback on the project. Additional comments were received through emails and phone calls from residents who were not able to attend the open house. A significant majority of testimony received supported the need for the seven lane designation and recommended the corridor improvement include enhanced landscape treatment and provide off-street bicycle solutions utilizing the adjacent abandoned railroad right of way.

The City's Planning Commission held a public hearing on September 26, 2012 to consider amendment of the City Transportation System Plan including all elements of the IAMP (including both the Brookwood Pkwy seven-lane widening) plus the seven-lane Cornelius Pass Rd designation. Public notice was published in the Hillsboro Argus newspaper on September 4, 2012



MEMORANDUM

DATE: April 16, 2013

TO: Mr. John Mermin, Metro
Ms. Brenda Perez, FHWA

FROM: Brad Choi, City of Hillsboro

SUBJECT: Proposed RTP Amendment Additional Information

This memorandum is provided to Metro as a supplement to the April 9, 2013 memorandum "Proposed RTP Amendment Additional Information Request". This memorandum explains the RTFP Transportation Solutions strategies hierarchy and public involvement process for the proposed projects of NW 253rd Avenue, Gibbs Drive, Butler Drive, and the US 26 westbound off-ramp at Cornelius Pass Road.

NW 253rd Avenue

The need for NW 253rd Avenue was identified as part of the US 26/Brookwood Interchange Area Management Plan (IAMP) process. In addition, NW 253rd Avenue was recently recommended for inclusion in the Regional Economic Opportunity Fund (REOF) portion of the Regional Flexible Fund to construct this roadway from Evergreen Road to Meek Road. NW 253rd Avenue is currently a gravel road extending approximately 2,700 feet north from Evergreen Rd. The construction of 253rd Ave from Evergreen Rd to Huffman extension as a three-lane roadway with bike lanes and sidewalks is already in the RTP as project # 10822. This current RTP amendment request is to add the portion from Huffman extension to Meek Road. Current development opportunities have surfaced which is contingent upon the opening of NW 253rd Avenue by summer 2014.

The area in the vicinity of NW 253rd Avenue (generally bounded by US 26 to the north, Brookwood Parkway to the east, Evergreen Road to the south, and Sewell road to the west) roadways encompasses approximately 700 acres of industrial land, with an estimated net buildable acreage of 623 acres. The different pieces that make up this industrial area were added to the Urban Growth Boundary (UGB) over the last ten or so years. There are currently no roadways that provide internal access to this area other than a gravel road (NW 253rd Avenue) that extends about a half-mile into the area from Evergreen Road. The proposed construction of NW 253rd Avenue will create the needed access in order to "unlock" the industrial area for investment and future employment.

Given that this 700-acre area is generally undeveloped and lacks any real roadway infrastructure, it is difficult to apply the Regional Transportation Functional Plan (RTFP) 3.08.220 Transportation Solutions strategies "hierarchy". The construction of NW 253rd Avenue, along with future roadways in this area, will provide the roadway capacity and connectivity for motor vehicles, transit, bicycle, pedestrian, and other transportation management strategies in the future.

Similar to the Brookwood Parkway widening project, the construction of NW 253rd Avenue is also a supporting improvement as part of the US 26/Brookwood-Helvetia Interchange Improvement project.

Therefore, it went through the same public involvement process as the Brookwood Parkway widening project. Please refer to pages 5 and 6 in the March 8, 2013 memorandum "Proposed RTP Amendment Additional Information Request" for the details on the public involvement process.

Gibbs Drive

Gibbs Drive is a planned collector road in the adopted AmberGlen Community Plan. It will provide the needed connectivity in order to support the type of intense, mixed-land use and multi-modal transportation environment envisioned in the AmberGlen Community Plan. Current development interests in the area prompted the urgency to amend this road to the RTP.

The AmberGlen Community Plan is a guiding document for transforming an approximately 606-acre suburban development area in southeast Hillsboro into an urban, high-density, mixed-use community where transit, walking, cycling will be primary modes of transportation. An extensive planning effort has gone into this project; the detail can be found at:

<http://www.ci.hillsboro.or.us/Planning/OHSUAmberGlen.aspx?g1dd=8&g2dd=5>.

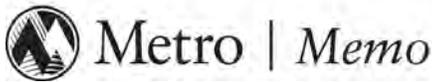
Excerpts from the AmberGlen Community Plan which details the public involvement process is provided an attachment to the memorandum.

Butler Drive and US 26/Cornelius Pass Road Westbound Off-Ramp

The widening of Butler Drive to five lanes (two through lanes in each direction plus center turn lane) and adding a second lane at the US 26/Cornelius Pass Road westbound loop off-ramp are both part of the needed roadway improvements identified through the development review process conducted in late 2012 and early 2013 as part of the Intel Ronler Acres campus expansion.

The development review process for the Intel Ronler Acres expansion included a detailed transportation study which analyzed the impact of the increase of employment at Intel Ronler Acres campus over the coming years. The transportation review process looks at different solutions and issues such as network connectivity, bicycle and pedestrian facilities, transit, intelligent transportation systems, safety, operations, and mobility. The widening of Butler Drive between 229th Avenue and Cornell Road was identified as a needed improvement to handle the anticipated increase in traffic that will be entering and exiting in the southeast part of the Ronler Acres campus. Butler Drive is currently a three-lane roadway with one through lane in each direction and one center turn-lane. It should be noted that the length of this improvement is approximately 850 feet from intersection to intersection (229th Avenue to Cornell Road). The addition of a second lane to the US 26/Cornelius Pass Road westbound loop off-ramp is needed from a safety and capacity standpoint. Without this improvement, future morning peak hour traffic is projected to back up onto US 26 mainline in the westbound direction, thereby creating a significant safety concern.

The City's development review process is a Type II administrative review process with public notice. This particular project has gone through review by partner agencies. As part of the development review process, the City sent out a public notice to surrounding property owners on October 30, 2012 for public comments. In addition, Intel held its own neighborhood meetings independent from the City to address transportation issues and improvements related to its campus expansions.



Date: March 1, 2013
 To: TPAC and Interested Parties
 From: Tom Kloster, Transportation Planning Manager
 Grace Cho, Assistant Transportation Planner
 Subject: Pre-Conformity Plan and Draft 2035 RTP Air Quality Conformity Determination

Introduction

To comply with federal mandates, Metro is required to conduct an air quality impact analysis with each update of Metro’s Regional Transportation Plan (RTP) and development of a new Metropolitan Transportation Improvement Program (MTIP). As part of the conducting the analysis, Metro consults and solicits feedback from our local and regional partners about the analysis. TPAC has been identified as the forum of local and regional partners for consultation and soliciting feedback. Metro staff seeks comments from TPAC regarding the Draft 2035 RTP Air Quality Conformity Determination.

Background

Prior to the scheduled update of Metro’s 2035 Regional Transportation Plan (RTP), several project sponsors requested RTP project amendments due to project delivery schedules and are unable to wait until the next scheduled update. As a result, Metro solicited RTP amendments at the end of 2012 where a total of 13 projects were submitted. In review of the proposed amendments, all but one were deemed regionally significant projects as defined federal transportation conformity rules (40 CFR 93.101). Therefore a new air quality conformity determination must be made on Metro’s 2035 RTP in complying with federal regulations.

In anticipation of conducting a new conformity determination, Metro staff consulted with federal partners (FHWA, FTA, EPA) as well as regional and state partners (DEQ, ODOT, TriMet) to about the approach and methodology to the air quality conformity analysis. The federal, state, and regional partners all came to agreement on the approach and methodology to the analysis. Metro conducted the analysis in February 2013. Metro staff developed and released a draft 2035 RTP Air Quality Conformity Determination on February 22, 2013 for public comment.

Air Quality Analysis and Results

To demonstrate conformity, the projected emissions must be less than or equal to the motor vehicle emissions budget(s) established for each analysis year (OAR 340-252-0190(b)(A)). In addition, the regional emissions analysis must be performed for the last year of the transportation plan's forecast period. The results for each analysis year can be found below.

2035 Regional Transportation Plan (Federal Component) Regional Air Quality Assessment

Year	Carbon Monoxide Motor Vehicle Emission Budgets (Budgets are Maximum Allowed Emissions) (pounds/ winter day)	Forecast Carbon Monoxide Motor Vehicle Emissions (pounds/ winter day)
2010	1,033,578	877,841
2017	1,181,341	708,286
2025	1,181,341	830,714

2035	1,181,341	835,142
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Per the results, the projected emissions is less than the approved motor vehicle emissions budgets for each analysis year. Therefore the 2035 RTP with the proposed amendments conforms to air quality rules. The full report with details of the analysis can be found on Metro's website.

Request

Metro staff requests the feedback of TPAC members on the draft 2035 RTP air quality conformity determination report prior to the end of the public comment period. The public comment period for the 2035 RTP air quality conformity determination is scheduled to close on April 8, 2013.

Next Steps

Metro will summarize and incorporate any public comments on the draft 2035 RTP air quality conformity determination following the close of the public comment period. Metro will return to TPAC in April and ask for recommendation to forward the revised draft of the 2035 RTP air quality conformity determination to JPACT. Once recommended, Metro staff will ask for JPACT and Metro Council approval of the conformity determination at the May meetings.

Agenda Item No. 5.6

Resolution No. 13-4428, For the Purpose of Adopting the Distribution of the Population and Employment Growth to Year 2040 to Traffic Analysis Zones in the Region Consistent with the Forecast Adopted by Ordinance No. 12-1292A in Fulfillment of Metro's Population Coordination Responsibility Under ORS 195.036.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE) RESOLUTION NO. 13-4428
DISTRIBUTION OF THE POPULATION)
AND EMPLOYMENT GROWTH TO YEAR) Introduced by Councilor Kathryn
2040 TO TRAFFIC ANALYSIS ZONES IN) Harrington
THE REGION CONSISTENT WITH THE)
FORECAST ADOPTED BY ORDINANCE)
NO. 12-1292A IN FULFILLMENT OF)
METRO'S POPULATION COORDINATION)
RESPONSIBILITY UNDER ORS 195.036)

WHEREAS, ORS 195.025 designates Metro as the local government responsible for coordination of planning activities within the Metro district; and

WHEREAS, ORS 195.036 requires the designated local government responsible for coordination of planning activities in a region to establish and maintain a population forecast for the area within its boundary, and to coordinate the forecast with the other local governments within the boundary; and

WHEREAS, the Metro Council adopted a population and employment forecast for the region by Ordinance No. 11-1264B ("For the Purpose of Expanding the Urban Growth Boundary to Provide Capacity for Housing and Employment to the year 2030 and Amending the Metro Code to Conform") on October 20, 2011; and

WHEREAS, the distribution of forecasted population and employment accepted by this resolution reflects prior policy decisions made by the Metro Council to: (1) use land inside the UGB more efficiently in Ordinance No. 10-1244B, and (2) add land to the UGB in Ordinance No. 11-1264B; and

WHEREAS, Metro began the process of distribution of the forecasted population and employment in October 2010, by coordinating the distribution with the 25 cities and three counties portions of which lie within the Metro district; in the course of 24 months, Metro held 15 coordination meetings with local governments, by county; more than 25 meetings with individual cities and counties; and four meetings with the city of Vancouver and Clark County to share the results of preliminary distributions and to seek comments and suggestions to improve the accuracy of the distributions; and

WHEREAS, Metro made presentations to its advisory committees (MTAC, TPAC, JPACT and MPAC) on October 17, October 26, November 8 and November 14, 2012 respectively; and

WHEREAS, Metro incorporated many of the comments and suggestions to refine the distribution and provided a final 2035 distribution; and

WHEREAS, the Metro Council adopted a population and employment forecast for the year 2035 by Ordinance No. 12-1292A on November 29, 2012; and

WHEREAS, in consultation with local governments, Metro extrapolated the 2035 forecast distribution to the year 2040 for the purpose of ensuring an adequate horizon year for the 2014 Regional Transportation Plan update; and

WHEREAS, Metro incorporated the comments of local governments in the refinement of the 2040 distribution; now, therefore,

The Metro Council resolves that

1. The 2040 forecast distribution made to traffic analysis zones described in Exhibits A and B to this resolution and in the Staff Report dated April 30, 2013, shall serve as the basis for the 2014 Regional Transportation Plan update and associated demonstration of compliance with the Federal Clean Air Act.
2. The Chief Operating Officer shall make the distribution of population and employment available to each city and county in the district.

ADOPTED by the Metro Council this _____ day of May, 2013.

Tom Hughes, Council President

Approved as to form:

Alison Kean Campbell, Metro Attorney

Exhibit A (Resolution No. 13-4428)
2040 Household Forecast Distribution (Reviewed by Local Jurisdictions)
(MetroScope "Gamma" TAZ Forecast)

Draft: April 2013

(source: Scen #1221)

Note: Jurisdiction geographies are approximate, and based on TAZ's.

Urban Reserves are tabulated outside the UGB.

	Household Estimates			2010-40		Population Estimates			2010-40		Household Size	
	2010	2035	2040	Change	% A.P.R.	2010	2035	2040	Change	%change	2010	2040
Inside UGB:												
Beaverton	40,081	50,517	51,586	11,505	0.8%	89,803	112,608	114,991	25,188	28%	2.41	2.23
Cornelius	3,518	5,513	5,804	2,286	1.7%	11,869	18,102	19,057	7,188	61%	3.55	3.28
Damascus	3,527	11,916	13,249	9,722	4.5%	10,539	34,570	38,437	27,898	265%	2.91	2.90
Durham	558	586	590	32	0.2%	1,351	1,436	1,446	95	7%	2.48	2.45
Fairview	3,631	4,003	4,030	399	0.3%	8,920	9,207	9,269	349	4%	2.52	2.30
Forest Grove	7,492	10,379	11,069	3,577	1.3%	21,083	27,370	29,189	8,106	38%	2.85	2.64
Gladstone	4,187	4,876	5,030	843	0.6%	11,497	12,308	12,697	1,200	10%	2.53	2.52
Gresham	38,024	51,051	53,426	15,402	1.1%	105,594	126,716	132,612	27,018	26%	2.73	2.48
Happy Valley	4,435	10,410	11,180	6,745	3.1%	13,903	32,727	35,148	21,245	153%	3.15	3.14
Hillsboro	32,826	44,973	47,151	14,325	1.2%	91,611	114,323	119,859	28,248	31%	2.75	2.54
Johnson City	268	268	268	0	0.0%	566	564	564	-2	0%	2.11	2.10
King City	1,755	1,769	1,770	15	0.0%	3,111	3,172	3,174	63	2%	1.79	1.79
Lake Oswego	16,067	19,291	20,474	4,407	0.8%	36,619	44,305	47,021	10,402	28%	2.30	2.30
Maywood Park	300	306	300	0	0.0%	752	767	752	0	0%	2.51	2.51
Milwaukie	8,241	9,740	10,326	2,085	0.8%	20,291	22,729	24,097	3,806	19%	2.34	2.33
Oregon City	11,974	17,047	17,534	5,560	1.3%	31,859	45,214	46,505	14,646	46%	2.66	2.65
Portland	248,416	369,398	389,524	141,108	1.5%	583,776	789,370	832,378	248,602	43%	2.35	2.14
Rivergrove	123	124	124	1	0.0%	289	290	290	1	0%	2.35	2.34
Sherwood	6,476	7,269	7,321	845	0.4%	18,194	19,342	19,480	1,286	7%	2.88	2.66
Tigard	18,667	25,997	27,118	8,451	1.3%	48,035	60,213	62,809	14,774	31%	2.51	2.32
Troutdale	5,787	6,632	7,065	1,278	0.7%	15,962	16,983	18,092	2,130	13%	2.81	2.56
Tualatin	10,238	11,170	11,292	1,054	0.3%	26,054	28,484	28,795	2,741	11%	2.61	2.55
West Linn	10,252	11,988	12,342	2,090	0.6%	25,109	31,506	32,436	7,327	29%	2.64	2.63
Wilsonville	7,980	11,508	11,766	3,786	1.3%	19,509	28,475	29,113	9,604	49%	2.48	2.47
Wood Village	1,539	1,609	1,681	142	0.3%	3,878	4,630	4,838	960	25%	3.16	2.88
Uninc. Clackamas Co.*	34,597	43,919	45,485	10,888	0.9%	86,805	112,506	113,531	26,726	31%	2.50	2.50
Uninc. Multnomah Co.*	2,029	4,107	4,501	2,472	2.7%	5,991	11,033	12,091	6,100	102%	2.95	2.69
Uninc. Washington Co.*	71,170	100,069	102,461	31,291	1.2%	188,148	245,766	253,013	64,865	34%	2.67	2.47
TOTAL INSIDE UGB	594,158	836,436	874,467	280,309	1.3%	1,481,118	1,954,716	2,041,684	560,566	38%	2.49	2.33
Outside UGB:												
Clackamas Co. (part)**	44,951	66,392	71,812	26,861	1.6%	119,006	192,269	207,965	88,959	75%	2.65	2.90
Multnomah Co. (part)	3,873	4,365	6,464	2,591	1.7%	10,461	11,932	17,670	7,209	69%	2.70	2.73
Washington Co. (part)**	11,360	32,770	38,993	27,633	4.2%	30,451	80,686	96,008	65,557	215%	2.68	2.46
TOTAL OUTSIDE UGB	218,294	331,919	350,261	131,967	1.6%	585,281	892,835	941,836	356,555	61%	2.68	2.69
Tri-County Total	654,342	939,963	991,736	337,394	1.4%	1,641,036	2,239,603	2,363,327	722,291	44%	2.51	2.38

Population estimates extrapolated from the "2035 Reviewed TAZ Forecast Distribution" (MetroScope GAMMA HH Forecast)

(* Note: derived as proportional estimate from the total county unincorporated)

(** Note: urban reserves are tabulated with unincorp. county figures outside the UGB)

Exhibit B (Resolution No. 13-4428)
2040 Employment Forecast Distribution (Reviewed by Local Jurisdictions)
(MetroScope "Gamma" TAZ Forecast)

Draft: April 2013

Note: Jurisdiction geographies are approximate, and based on TAZ's.
Urban Reserves are tabulated outside the UGB.

(source: Scen #1221)

	2010 Employment Geocode				2035 Jurisdiction Review				2040 Jurisdiction Review			
	Retail	Service	Other	Total	Retail	Service	Other	Total	Retail	Service	Other	Total
Inside UGB:												
Beaverton	11,041	19,261	21,539	51,841	14,254	33,282	27,822	75,358	14,640	36,377	28,634	79,651
Cornelius	693	711	1,680	3,084	1,611	1,880	4,440	7,931	1,767	2,086	4,958	8,811
Damascus	260	357	908	1,525	902	1,613	1,894	4,409	1,378	2,252	3,107	6,737
Durham	1	213	318	532	1	307	458	766	1	327	484	812
Fairview	236	497	1,878	2,611	558	3,293	3,724	7,575	613	3,655	4,045	8,313
Forest Grove	882	2,018	2,617	5,517	1,747	3,455	5,343	10,545	1,900	3,729	5,823	11,452
Gladstone	702	546	883	2,131	903	1,040	1,092	3,035	927	1,119	1,134	3,180
Gresham	7,353	8,871	16,408	32,632	12,334	20,154	26,079	58,567	13,134	21,734	27,326	62,194
Happy Valley	241	256	621	1,118	789	1,842	1,616	4,247	918	2,164	1,982	5,064
Hillsboro	9,584	14,449	34,227	58,260	12,152	25,518	55,733	93,403	12,725	27,459	64,852	105,036
Johnson City	0	0	8	8	0	0	8	8	0	0	8	8
King City	137	269	64	470	173	511	137	821	175	555	152	882
Lake Oswego	2,553	7,024	8,670	18,247	2,323	11,584	8,879	22,786	2,240	12,417	9,183	23,840
Maywood Park	0	5	23	28	0	5	23	28	0	5	23	28
Milwaukie	1,403	3,527	6,658	11,588	1,944	5,751	7,712	15,407	2,031	6,336	7,746	16,113
Oregon City	3,081	3,727	7,580	14,388	5,418	6,990	10,077	22,485	5,754	7,481	10,429	23,664
Portland	65,150	139,111	170,053	374,314	76,134	218,142	214,176	508,453	78,595	230,220	222,394	531,209
Rivergrove	0	0	6	6	0	0	6	6	0	0	6	6
Sherwood	1,103	1,206	1,907	4,216	1,643	2,604	5,005	9,252	1,864	2,896	5,547	10,307
Tigard	9,072	11,901	16,196	37,169	10,764	23,818	19,650	54,232	10,910	25,929	20,115	56,954
Troutdale	1,272	493	2,361	4,126	2,039	2,357	5,615	10,011	2,161	2,643	6,179	10,983
Tualatin	4,372	6,140	12,460	22,972	5,066	8,868	21,305	35,239	5,405	9,412	22,777	37,594
West Linn	966	1,593	1,693	4,252	1,517	2,683	2,331	6,531	1,623	2,835	2,455	6,913
Wilsonville	2,480	4,839	9,754	17,073	3,536	9,733	14,150	27,419	3,853	10,673	14,901	29,427
Wood Village	1,261	242	531	2,034	1,783	1,158	1,489	4,430	1,870	1,298	1,607	4,775
Uninc. Clackamas Co.	11,506	13,302	20,330	45,138	15,519	26,628	25,761	67,908	16,236	28,473	26,586	71,295
Uninc. Multnomah Co.	109	377	396	882	749	1,658	2,367	4,774	869	1,861	2,559	5,289
Uninc. Washington Co.	5,929	13,844	17,097	36,870	8,659	23,012	31,142	62,813	9,331	25,297	34,828	69,456
TOTAL INSIDE UGB	141,387	254,779	356,866	753,032	182,518	437,886	498,034	1,118,439	190,920	469,233	529,840	1,189,993
Outside UGB:												
Clackamas County	4,803	5,218	15,348	25,369	8,182	11,295	22,359	41,836	9,378	13,090	24,964	47,432
Multnomah County	361	479	1,513	2,353	384	876	1,945	3,205	470	1,072	2,091	3,633
Washington County	854	1,640	5,881	8,375	2,363	6,659	18,084	27,106	2,874	8,025	24,515	35,414
TOTAL OUTSIDE UGB	31,393	49,398	82,573	163,364	51,793	99,793	142,581	294,167	56,065	110,010	157,815	323,890
Tri-County Total	172,780	304,177	439,439	916,396	234,311	537,679	640,615	1,412,606	246,985	579,243	687,655	1,513,883

Employment estimates extrapolated from the "2035 Reviewed TAZ Forecast Distribution" (MetroScope GAMMA HH Forecast)

(* Note: derived as proportional estimate from the total county unincorporated)

(** Note: urban reserves are tabulated with unincorp. county figures outside the UGB)

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4428, FOR THE PURPOSE OF ADOPTING THE DISTRIBUTION OF THE POPULATION AND EMPLOYMENT GROWTH TO YEAR 2040 TO TRAFFIC ANALYSIS ZONES IN THE REGION CONSISTENT WITH THE FORECAST ADOPTED BY ORDINANCE NO. 11-1264B IN FULFILLMENT OF METRO'S POPULATION COORDINATION RESPONSIBILITY UNDER ORS 195.036

Date: April 30, 2013

Prepared by: Gerry Uba, x1737

BACKGROUND

Oregon land use law (ORS 195.036; 195.025) requires Metro to coordinate its regional population forecasts with local governments inside the urban growth boundary for use in updating their comprehensive plans, land use regulations and other related policies. In 2009, Metro created a population and employment growth forecast for the seven-county region¹ for the next 50 years. One of the ways Metro coordinates the population and employment forecast is to conduct a localized distribution of the 2009 forecast after an urban growth boundary decision cycle is completed.

On November 29, 2012, Metro Council adopted the Distribution of the Population and Employment Growth to Year 2035 to the traffic analysis zones in the region (Ordinance No. 12-1292A). The distribution information is essential for local and regional planning, such as updating local comprehensive plans (through periodic review), local transportation system plans, and the Regional Transportation Plan (RTP). The information is used by Metro for corridor planning, regional transportation planning, and the urban growth report for informing the urban growth boundary decision. Although there is no legal requirement for school districts and special districts to coordinate their forecast with Metro, the distribution information will be useful to school districts for enrolment forecasting and facility planning, and to special districts in the region, such as water, sewer and fire districts, in updating their facility plans and emergency preparedness plans. The information is also helpful to TriMet in forecasting future ridership and mapping travel patterns, enabling the agency to better plan for frequency of MAX and bus service and future routes.

The proposed Resolution No. 13-4428 will adopt the Distribution of the Population and Employment forecast to year 2040 to the traffic analysis zones in the region. Metro's adoption of the 2040 forecast distribution will serve as the basis for RTP update and associated demonstration of compliance with the Federal Clean Air Act. The RTP will be updated in 2014. Public hearing is not required for the adoption of the resolution.

Methodology of the growth forecast distribution

The growth forecast distribution is based on policy and investment decisions and assumptions that local elected leaders and the Metro Council have already approved and adopted, including the seven-county

¹ Clark, Clackamas, Columbia, Multnomah, Skamania, Washington, and Yamhill counties

forecast, existing zoning, adopted plans, the Regional Transportation Plan adopted on June 10, 2010, and urban and rural reserves.

The first stage of the coordination process involves Metro and local government staff working together to refine the buildable land inventory (BLI) methodology to ensure the accuracy of zoning and growth capacity assumptions. Attachment 1 contains names of local jurisdiction staff involved in the population and employment coordination. The methodology takes into account land that cannot be built on due to environmental constraints and right of way, as well as capacity from vacant buildable lands, new urban areas², prospective urban growth boundary expansions into designated urban reserves, redevelopment and infill. As a result of this exercise, the region now has an updated 30-year capacity estimate that reflects the input and review from local government staff.

The geography used for this analysis is the Traffic Analysis Zone (TAZ). To provide more detail than the previous growth distribution, the number of TAZs used was increased from 2,013 to 2,162. The TAZ is the geographic unit that serves as the building block of Metro's primary forecasting tools (the travel demand model and MetroScope). By dividing the region into 2,162 TAZs, the accuracy of the travel demand model as well as all other aspects of transportation planning are improved. The TAZ-level data also assist land use planners in updating comprehensive plans and zoning, and conducting other types of land use analysis, including neighborhood level analysis.

In the second stage of the distribution coordination process, land use and transportation models are used to match demand (the seven-county forecast) with supply (the BLI). After extensive review of Metro's initial distributions with local governments' staff, the final product is the 2035 and 2040 distributions of forecast households and jobs to TAZs, cities and unincorporated areas in the region.

Further analyses of both the 2035 and 2040 distribution data reveal future trends that regional and local planners should bring to the attention of their decision makers.

Involvement of local governments and Metro advisory committees

As stated earlier, staff representatives of all local governments in the region were involved during the entire duration of the project, by assisting to refine land supply calculation methods, and review and comment on the capacity estimates and distribution of the population and employment forecast to years 2035 and 2040. In addition, the Transportation Policy Alternatives Committee (TPAC), Metro Technical Advisory Committee (MTAC), Metro Policy Advisory Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) reviewed and provided comments on the land supply/capacity estimates and the matching of the capacity estimates with population and employment forecast that resulted in the TAZ level and local government level distribution of the population and employment forecast before it was adopted by the Metro Council.

ANALYSIS/INFORMATION

1. Known Opposition

Washington County and the City of Beaverton provided written comments emphasizing the need for a better understanding of residential housing demand and preferences and redevelopment. In

² Areas added to the urban growth boundary that does not yet have urban zoning.

response, Metro staff identified additional research possibilities. Depending on funding availability, this research could inform the next Urban Growth Report and forecast distribution.

2. Legal Antecedents

The distribution of the growth forecast to year 2040 satisfies Metro's obligations under the Federal Clean Air Act and the state coordination requirement -- ORS 195.025 and 195.036. Local governments are encouraged to use the coordinated forecast distribution as part of their Transportation System Plans, otherwise they are expected to present their alternate local forecast and methodology to the Transportation Policy Alternatives Committee for review and comment.

3. Anticipated Effects

Adoption of the distribution of population and employment forecast at a localized-level will encourage local governments to use distribution information to conform their land use and transportation plans to recent regional policies adopted by the Metro Council.

4. Budget Impacts

The FY 2012/2013 budget included resources for staff in the Research Center and the Planning and Development Department to work on this project.

RECOMMENDED ACTION

Staff recommends that the Metro Council accept and adopt the distribution of the 2009 population and employment forecast to year 2040 (included in Resolution No. 13-4428 as Exhibits A and B) as fulfillment of Metro's responsibilities to use the information as the basis of its air quality conformity determination for updating the Regional Transportation Plan in 2014.

**ATTACHMENT 1 (Staff Report to Resolution No. 13-4428)
LOCAL GOVERNMENT AND AGENCY STAFF INVOLVED IN
THE 2035 AND 2040 FORECAST DISTRIBUTION PROCESS**

Cities	Staff
City of Beaverton	Laura Kelly, Robert McCracken, Jeff Salvon, Steven Sparks, Doug Taylor
City of Cornelius	Dick Reynolds
City of Damascus	Steve Gaschler, John Morgan, Erika Palmer, Bob Short
City of Durham	
City of Fairview	Lindsey Nesbitt
City of Forest Grove	Jon Holan, Dan Riordan
City of Gladstone	Larry Conrad
City of Gresham	Erin Aigner, Jonathan Harker, Brian Martin, Ann Pytynia
City of Happy Valley	Jason Tuck, Michael Walter
City of Hillsboro	Colin Cooper, Doug Miller, Don Odermott, Dan Rutzick
City of Johnson City	
City of King City	Keith Liden
City of Lake Oswego	Denny Egner, Erica Rooney, Sarah Selden
City of Maywood Park	
City of Milwaukie	Li Alligood, Kenny Asher, Katie Mangle
City of Oregon City	Tony Konkol, Christina Roberts-Gardner, Laura Terway
City of Portland	Tom Armstrong
City of Rivergrove	
City of Sherwood	Julia Hajduk, Michelle Miller
City of Tigard	Darren Wyss
City of Troutdale	Rich Faith, Elizabeth McCallum
City of Tualatin	Colin Cortes, Cindy Hahn, Aquilla Hurd-Ravich, Alice Rouyer
City of West Linn	Sara Javronok, Chris Kerr, John Sonnen
City of Wilsonville	Chris Neamtzu, Stephan Lashbrook, Daniel Pauly, Dan Stark
City of Wood Village	Bill Peterson
Counties	Staff
Clackamas County	Sarah Abbott, Larry Conrad, Martha Fritzie, Shari Gilevich, Clay Glasgow, Cindy Hagen, Scott Hoelscher, Diedre Landon, Mike McAllister, Simone Rede, Michael D. Walden
Multnomah County	Chuck Beasley
Washington County	Andy Back, Steve D. Kelley
Agencies	Staff
Oregon Employment Dept.	Lynn Wallis
Dept. of Land Conservation & Development	Anne Debbaut, Jennifer Donnelly, Darren Nichols, Lynn Wallis
Oregon Dept. of Transportation	Mai Chi, Kirsten Pennington, Lidwien Rahman, Lainie Smith
Port of Portland	John Boren, Tom Bouillion
Metro	Roger Alfred, Sonny Conder, Jim Cser, Chris Deffebach, Mike Hogle, Robin McArthur, Cindy Pederson, Ted Reid, Maribeth Todd, Gerry Uba, John Williams, Dennis Yee
Neighboring Cities¹	
Canby	Bryan Brown, Matilda Deas
Sandy	Tracy Brown

¹ Consultation / information exchange with SW Washington Regional Transportation Council, City of Vancouver and Clark County, Washington.

Agenda Item No. 5.7

Resolution No. 13-4430, For the Purpose of Authorizing the Chief
Operating Officer to Grant an Easement to the Burlington Water
District.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE) RESOLUTION NO. 13-4430
CHIEF OPERATING OFFICER TO GRANT)
AN EASMENT TO THE BURLINGTON) Introduced by Kathleen Brennan-Hunter
WATER DISTRICT)

WHEREAS, pursuant to the Metro Open Spaces, Parks and Streams 1995 Ballot Measure 26-26 (“Metro Open Spaces Bond Measure”) on January 20, 2000, Metro purchased approximately 332 acres of real property in the Forest Park Connections Target Area; and

WHEREAS, the property, now referred to as Burlington Creek Forest, has panoramic views of Burlington Bottom, Multnomah Channel, Sauvie Island and the Willamette River, protects fish bearing streams, and someday may serve as a critical link in a trail running from Portland to the Oregon Coast; and

WHEREAS, for nearly a century, the Burlington Water District (the “District”) has operated and maintained a 200,000 gallon concrete tank for the storage of potable water on property that is now surrounded by Metro ownership; and

WHEREAS, the tank is in poor condition, is smaller than needed and must be replaced with a 350,000 gallon tank within the next year to provide safe, potable drinking water within and adjacent to the District, in accord with state rules and regulations; and

WHEREAS, access to the Burlington Water District tank by the District for maintenance and inspections has historically been over Metro property without a formal agreement; and

WHEREAS, the existing property owned by the Burlington Water District is not large enough to provide for the construction and maintenance of the new, larger tank; and

WHEREAS, the Burlington Water District requests permanent easements to access, construct, and maintain the new tank; and

WHEREAS, the Metro Sustainability Center has determined that this easement request meets the criteria in Resolution No. 97-2539B, “For the Purpose of Approving General Policies Related to the Review of Easements, Right of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department,” adopted by Metro Council on November 6, 1997 (the “Easement Policy”), as further set forth in Attachment 1 to the Staff Report to this Resolution, and can be accommodated with minimal impact to natural resources, cultural resources, recreational resources, recreational facilities, recreational opportunities and their operation and management, and therefore recommends approval; and

WHEREAS, as a small local government entity with limited resources, the Burlington Water District requests that the Metro Council waive the requirement that the Burlington Water District pay for Metro’s staff time to process the easement request, obtain an appraisal and pay fair market value for the easements, and

WHEREAS, the Metro Council wishes to grant Burlington Water District a waiver of said requirements; and

WHEREAS, the Easement Policy requires review of all easement requests by the Metro Council, now therefore

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to grant access, construction and maintenance easement to the Burlington Water District in the locations described on the attached Exhibit A, on terms satisfying the Easement Policy and approved by the Office of Metro Attorney, and to waive the requirements for reimbursement for Metro staff time, appraisal and payment of fair market value for the easements.

ADOPTED by the Metro Council this _____ day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

EASEMENT DESCRIPTION – BURLINGTON RESERVOIR SITE AND ACCESS

In the Northwest 1/4 of Section 20, T.2.N., R.1.W., W.M., Multnomah County, Oregon:

EASEMENT I

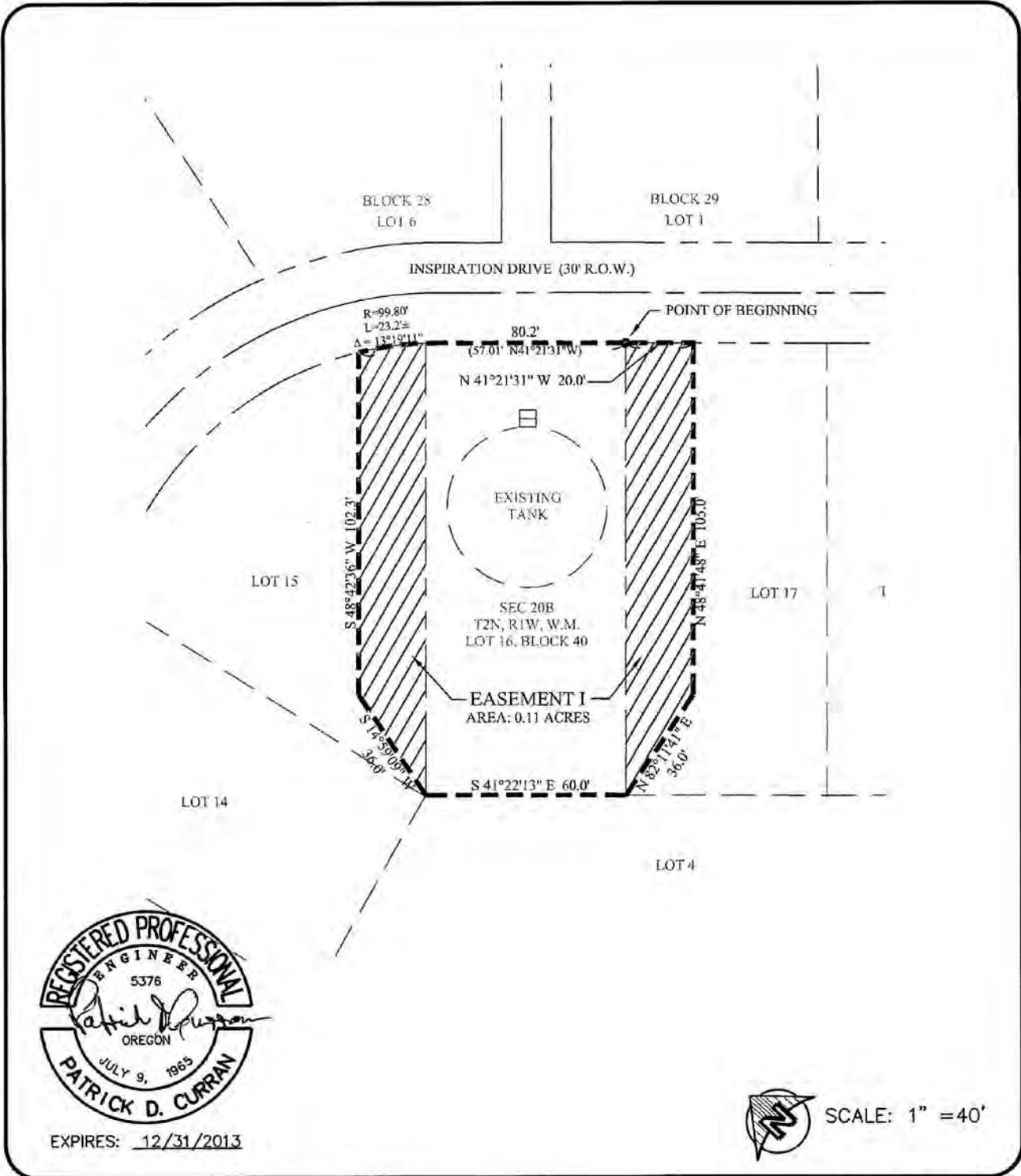
Beginning at the most easterly corner of Lot 16, Block 40, Burlington Plat; thence Northerly along the west right-of-way of Inspiration Drive, a distance of 80.2 feet to a point on said right-of-way; thence, S 48° 42' 36" W, parallel with and 20 feet from the most northerly boundary of said Lot 16, a distance of 102.3 feet to a point; thence S 14° 59' 09" W, a distance of 36.0 feet to the most westerly corner of said Lot 16; thence, S 41° 22' 13" E, a distance of 60.0 feet to the most southerly corner of said Lot 16; thence N 82° 11' 41" E, a distance of 36.0 feet to a point; thence, N 48° 41' 48" E, parallel with and 20 feet from the most southerly boundary of said Lot 16, a distance of 105 feet more or less to a point on the westerly right-of-way of NW Inspiration Drive; thence, N 41° 21' 31" W, a distance of 20 feet to the Point of Beginning; and excluding Lot 16, Block 40, Burlington Plat.

The area encompassed within Easement I is 0.11 acres.

EASEMENT II

Beginning at the most easterly corner of Lot 16, Block 40, Burlington Plat; thence S 48° 41' 48" W, a distance of 76.5 feet to a point on the south line of said lot 16; said point being the True Point of Beginning of the centerline of a 16-foot Roadway Easement for access / egress from said lot 16. Thence S 41° 22' 13" E, a distance of 30 feet to a point of curve right; radius of 160.0 feet, intersecting angle 49° 43' 47" and length of 138.87 feet to a point; thence N 72° 17' 49" E, a distance of 45.21 feet to a point of curve left; radius of 90.0 feet, intersecting angle of 60° 23' 49" and a distance of 95 feet more or less to the west right-of-way line of NW Inspiration Drive; and excepting the area within the right-of-way of NW Inspiration Drive.

The area encompassed within Easement II is 0.08 acres.

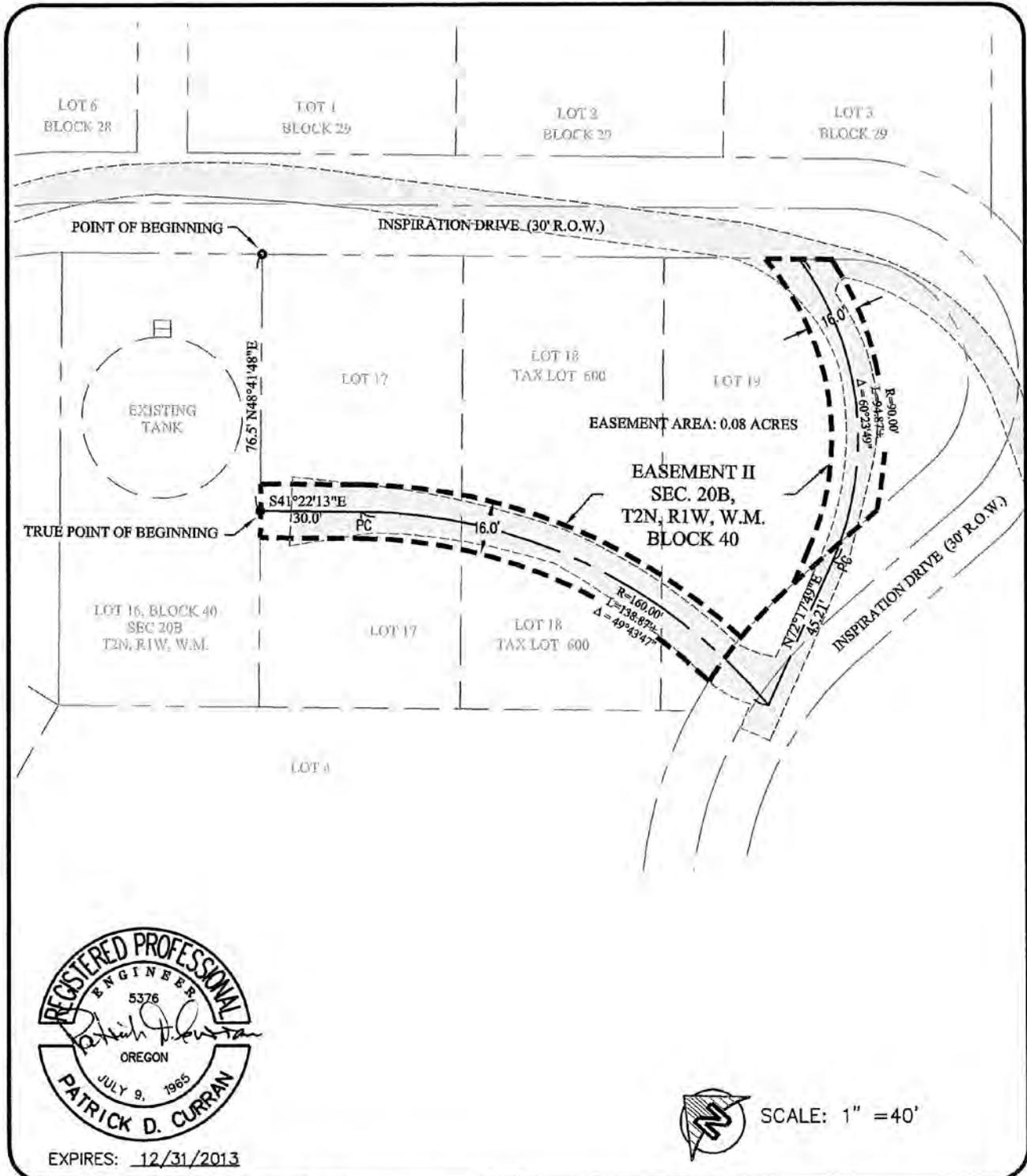


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BURLINGTON WATER DISTRICT
RESERVOIR EASEMENT I
 SEC. 20 B, T2N, R1W, W.M.
 BLOCK 40
 MULTNOMAH COUNTY, OREGON

CURRAN-McLEOD, INC.
 CONSULTING ENGINEERS

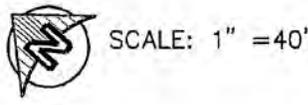
6655 SW. HAMPTON ST., SUITE 210
 PORTLAND, OREGON 97223
 PHONE (503) 684-3478



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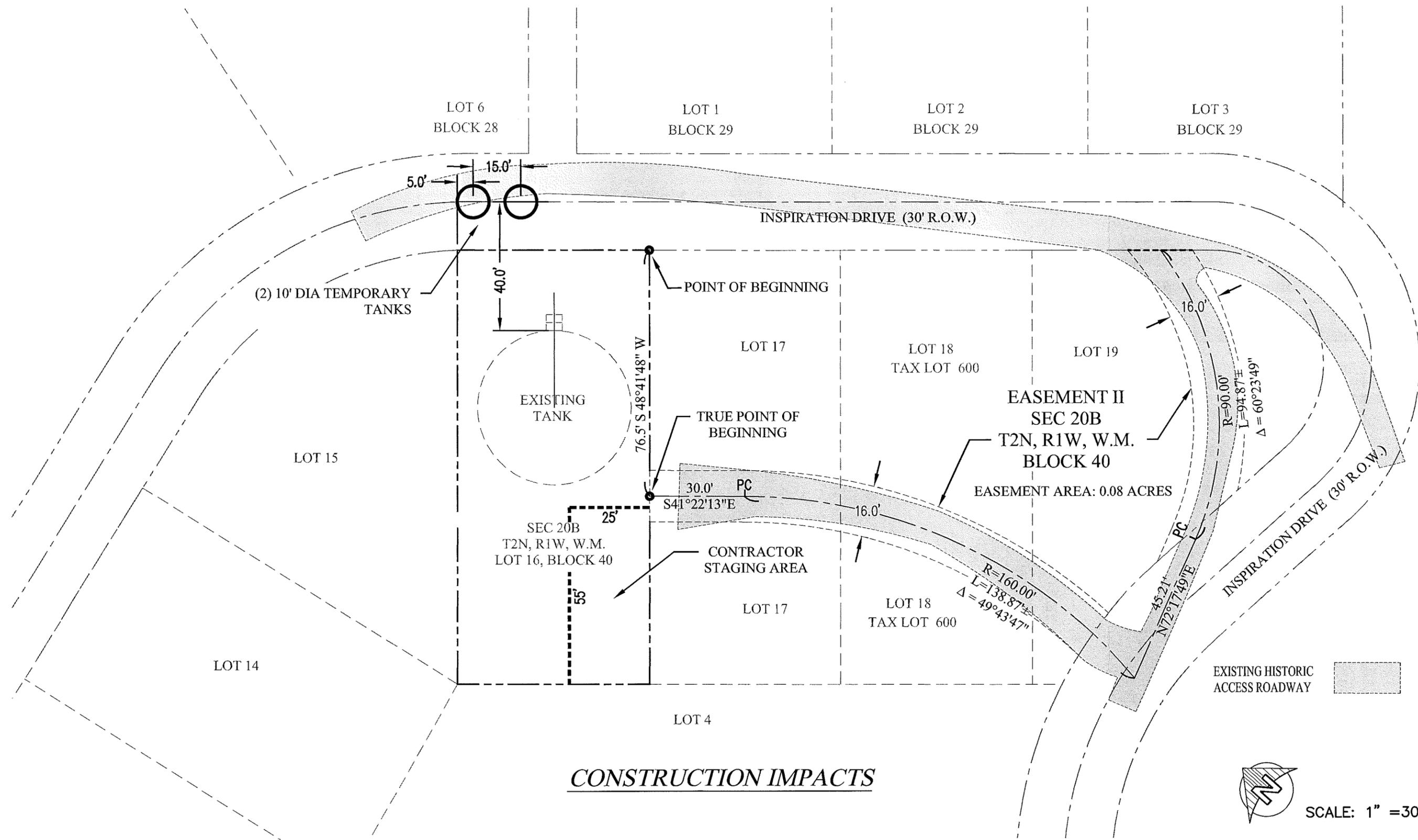


EXPIRES: 12/31/2013



BURLINGTON WATER DISTRICT
RESERVOIR EASEMENT II
 SEC. 20 B, T2N, R1W, W.M.
 BLOCK 40
 MULTNOMAH COUNTY, OREGON

CURRAN-McLEOD, INC.
 CONSULTING ENGINEERS
 6655 SW. HAMPTON ST., SUITE 210
 PORTLAND, OREGON 97223
 PHONE (503) 684-3476



CONSTRUCTION IMPACTS

EXISTING HISTORIC ACCESS ROADWAY



SCALE: 1" = 30'

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REV.	DESCRIPTION	REVISED BY	DATE

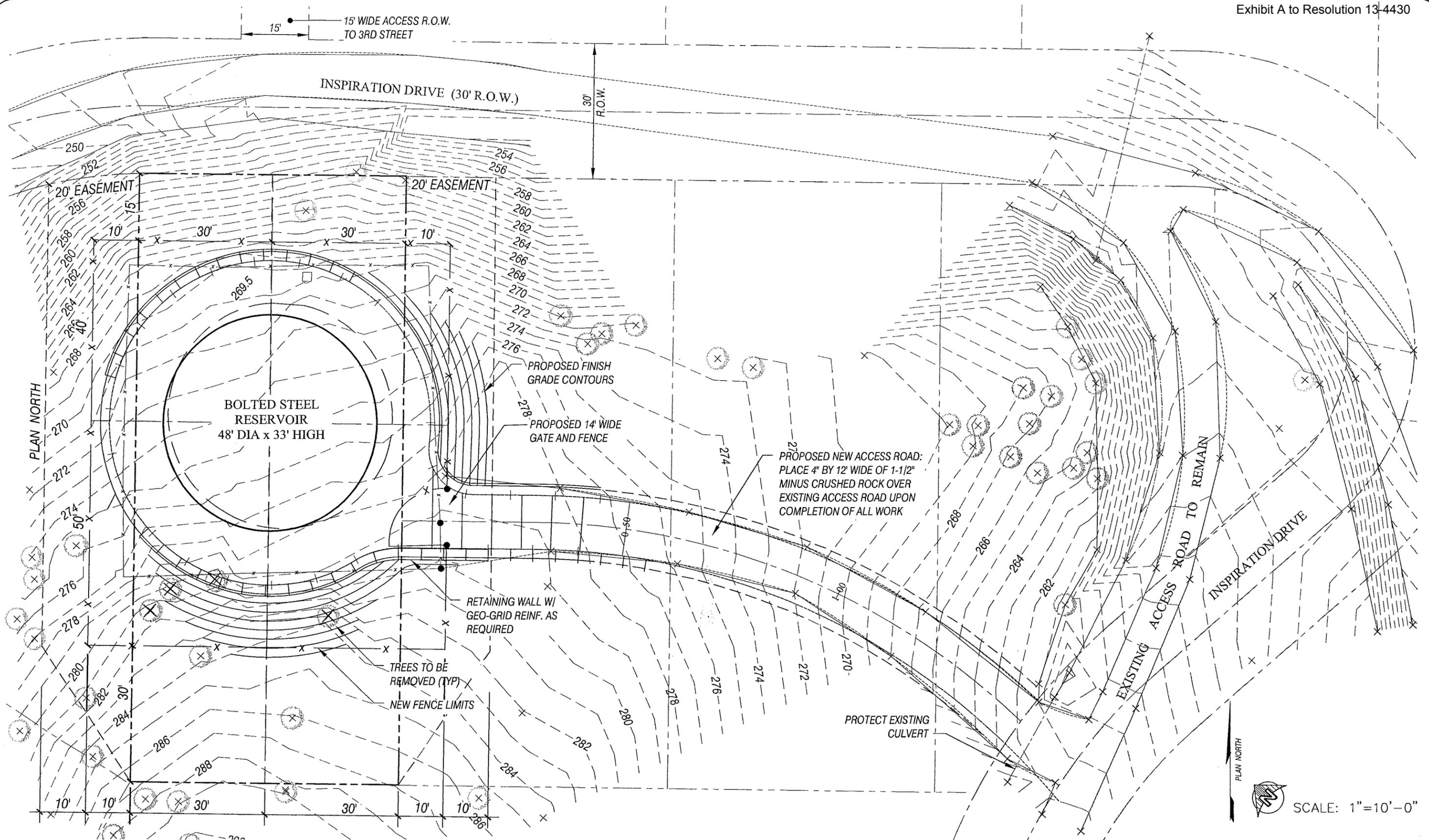
REVISIONS



CURRAN-McLEOD, INC.
CONSULTING ENGINEERS
6655 SW HAMPTON ST, SUITE 210
PORTLAND, OREGON 97223
PHONE (503) 684-3478

BURLINGTON WATER DISTRICT
RESERVOIR SITE
WATER RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	JAN 2013	1 OF 1
PN	1554	
DR	PDH	
DS	JMF	
CD	B-EASEMENT II	



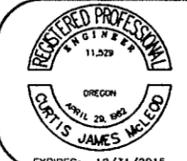
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1 STEEL RESERVOIR GRADING PLAN
 #/# SCALE: 1"=10'-0"

BAR IS ONE INCH ON ORIGINAL DRAWING.
 ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

REVISIONS

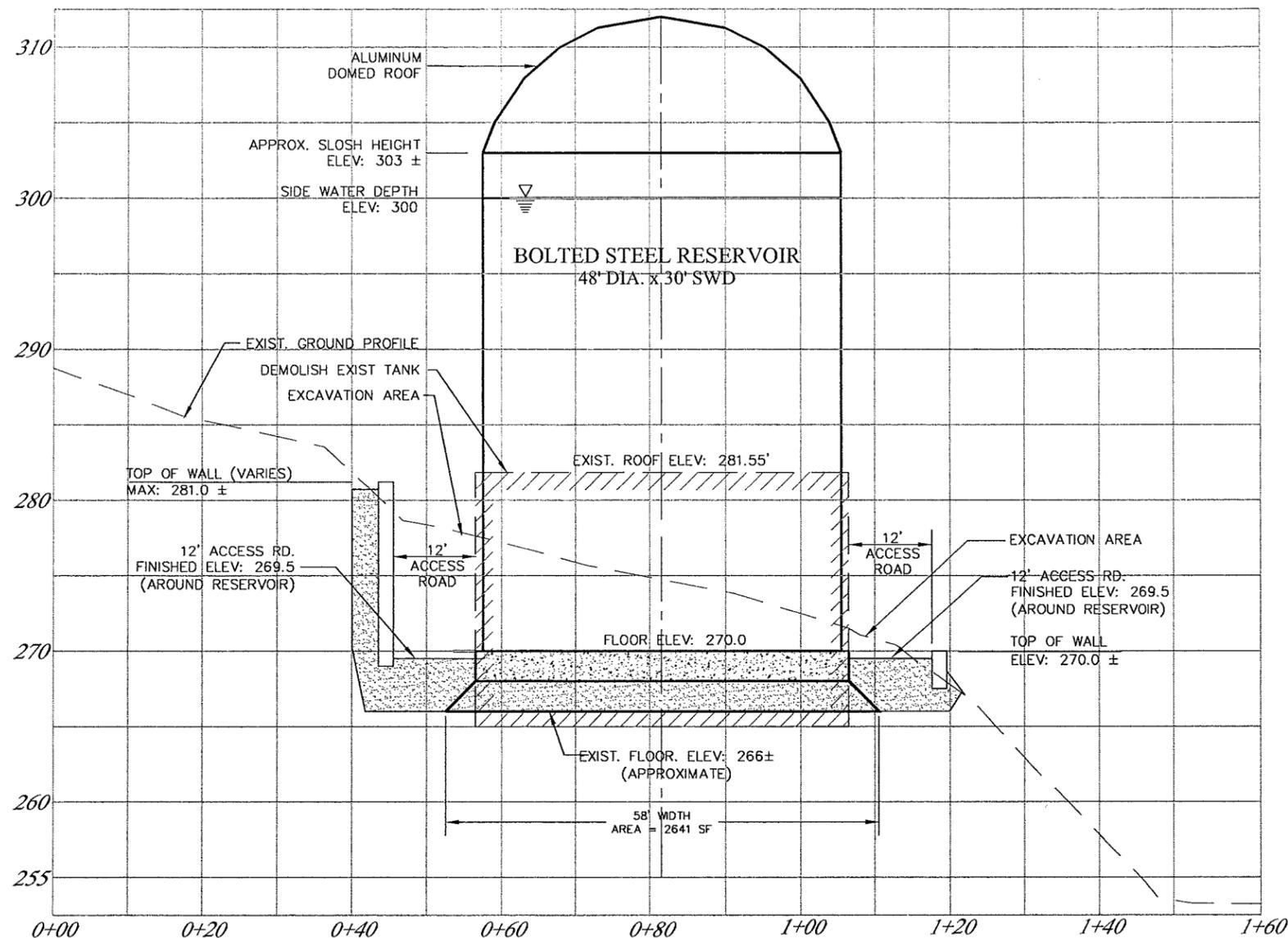


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 CONSULTING ENGINEERS
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 PORTLAND, OREGON 97223
 PHONE (503) 684-3478

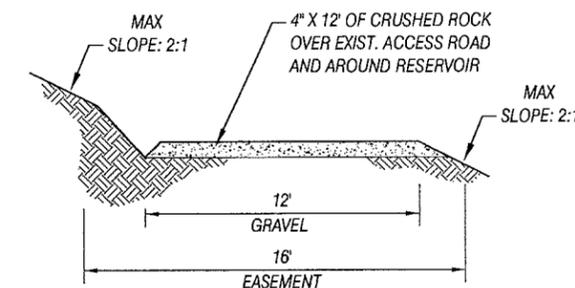
BURLINGTON WATER DISTRICT
STEEL RESERVOIR OPTION
SITE GRADING PLAN
 2013 RESERVOIR IMPROVEMENTS
 MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
BY	1554
CHK	CJM
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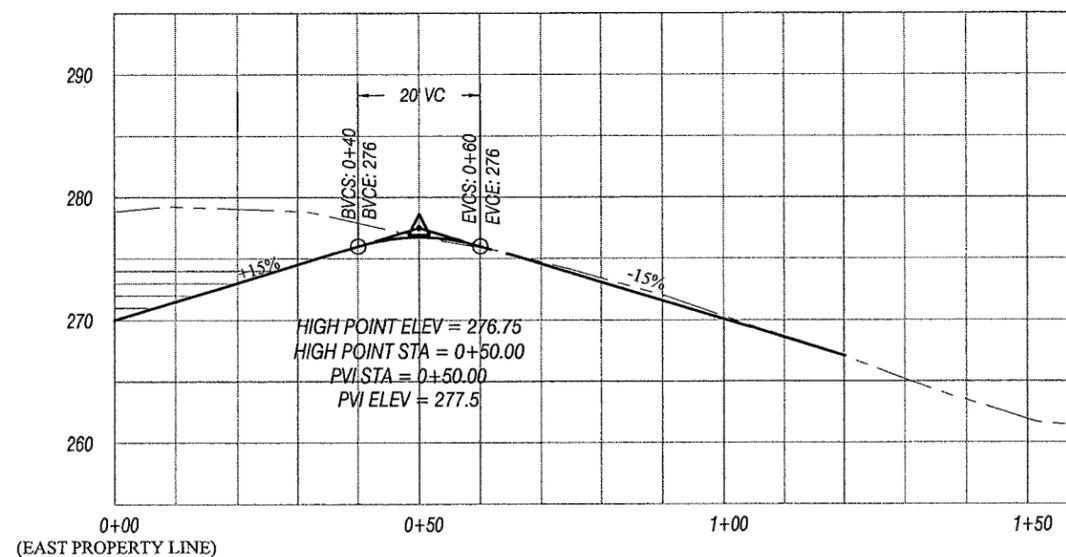
SCALE: 1"=10'-0"



1 STEEL RESEVOIR OPTION CROSS SECTION
SCALE: VERT 1"=10'-0"
HORZ 1"=20'-0"



2 ACCESS ROAD: TYPICAL SECTION
SCALE: N.T.S.

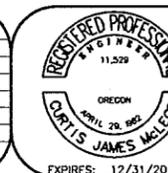


3 ACCESS ROAD PROFILE
SCALE: VERT 1"=15'
HORZ 1"=30'

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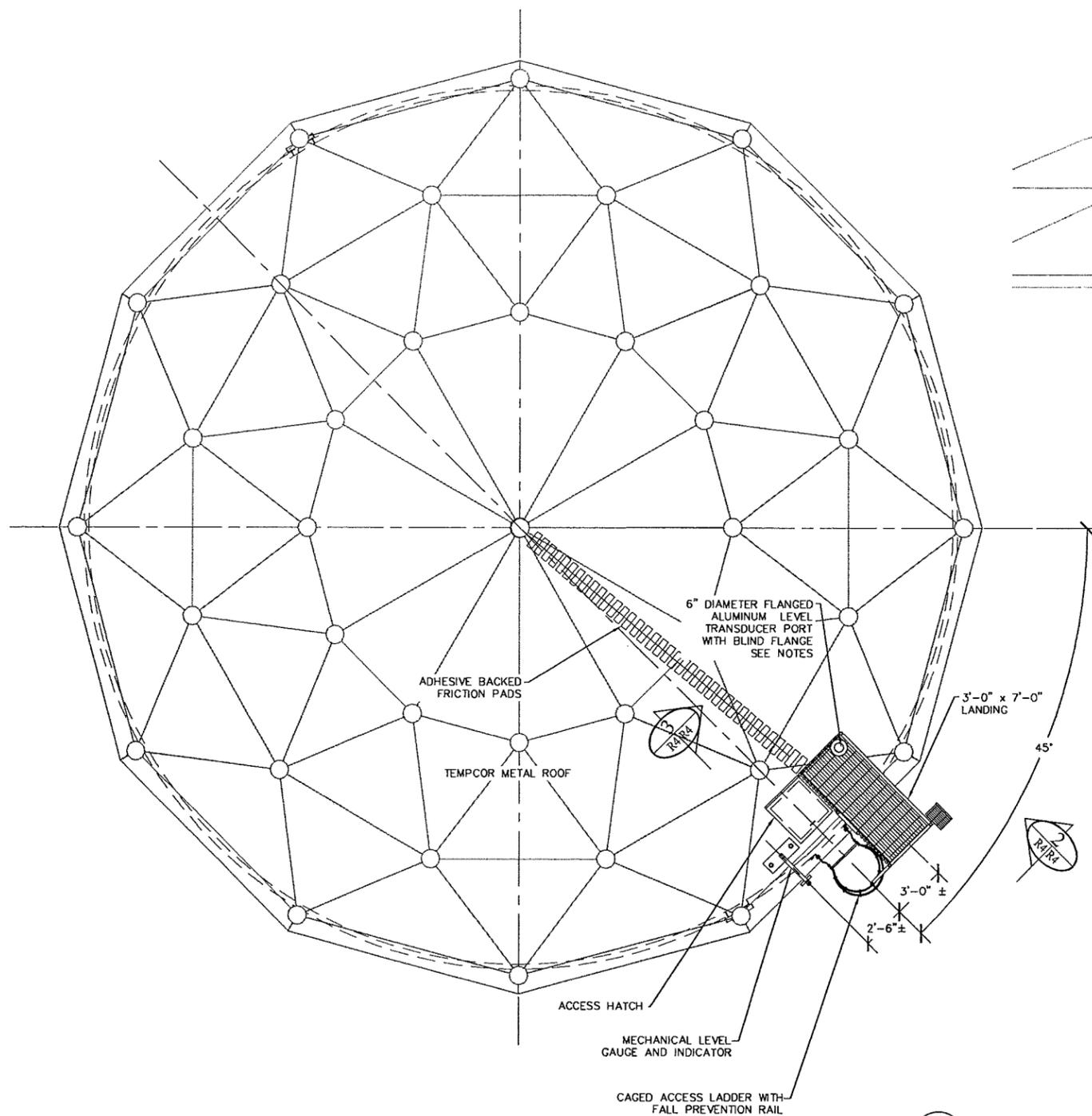
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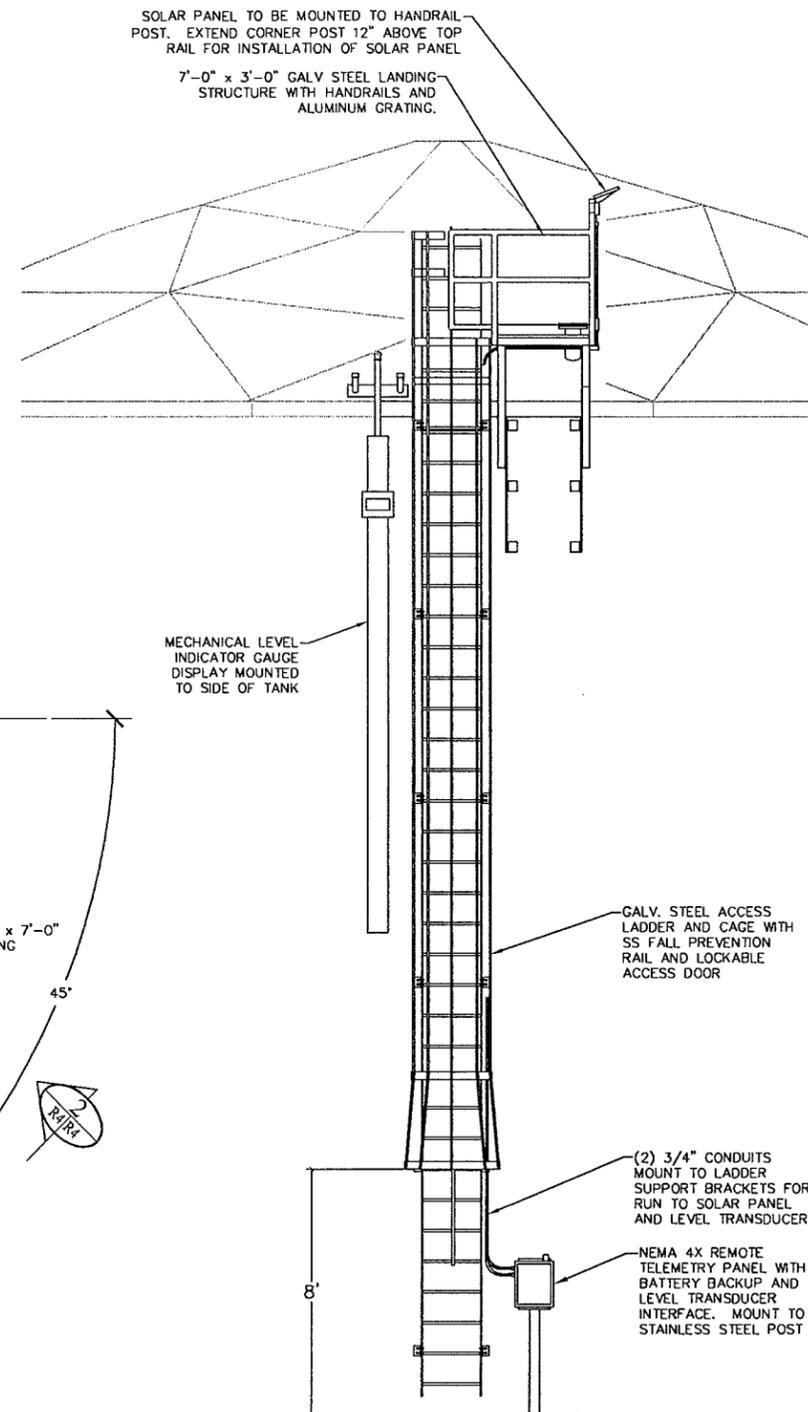
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BURLINGTON WATER DISTRICT
STEEL RESERVOIR OPTION SECTION
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

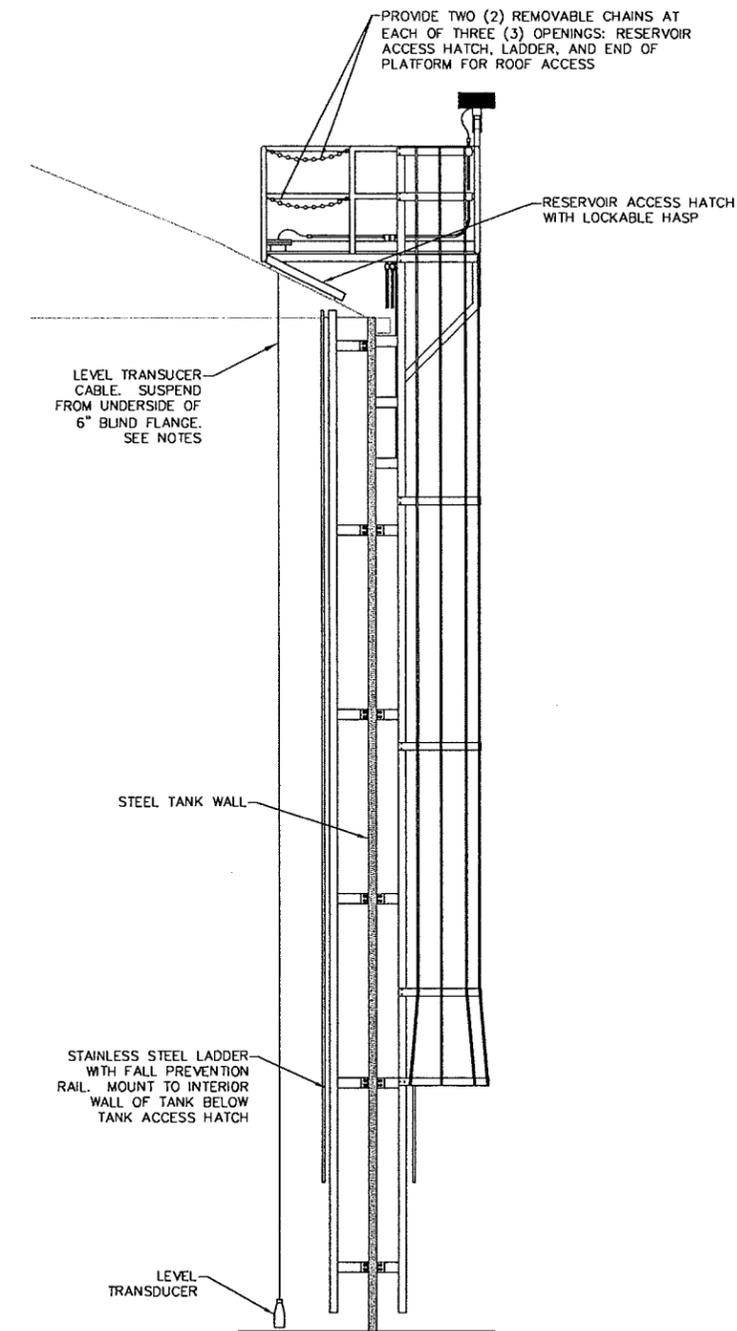
DATE	MAR. 2013
BY	1554
CHK	CJM
APP	DCA



1 STEEL TANK ROOF PLAN VIEW
SCALE: 1"=4' (STEEL RESERVOIR OPTION)



2 ELEVATION VIEW
SCALE 1" = 6'



3 ELEVATION VIEW
SCALE 1" = 6'

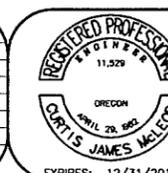
1. DRILL THROUGH BLIND FLANGE. TAP FLANGE FOR 1" DIAMETER NPT THREADS. HOLE TO BE CENTERED IN FLANGE.

DRILL AND TAP UNDERSIDE OF FLANGE FOR 3/8"-16 THREADS AND INSTALL 3/8" SS EYE BOLT WITH STAINLESS STEEL SPRING CLEAVES FOR INSTALLATION OF LEVEL TRANSDUCER CABLE SUPPORT. OFFSET TAP TO ONE SIDE OF FLANGE.

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

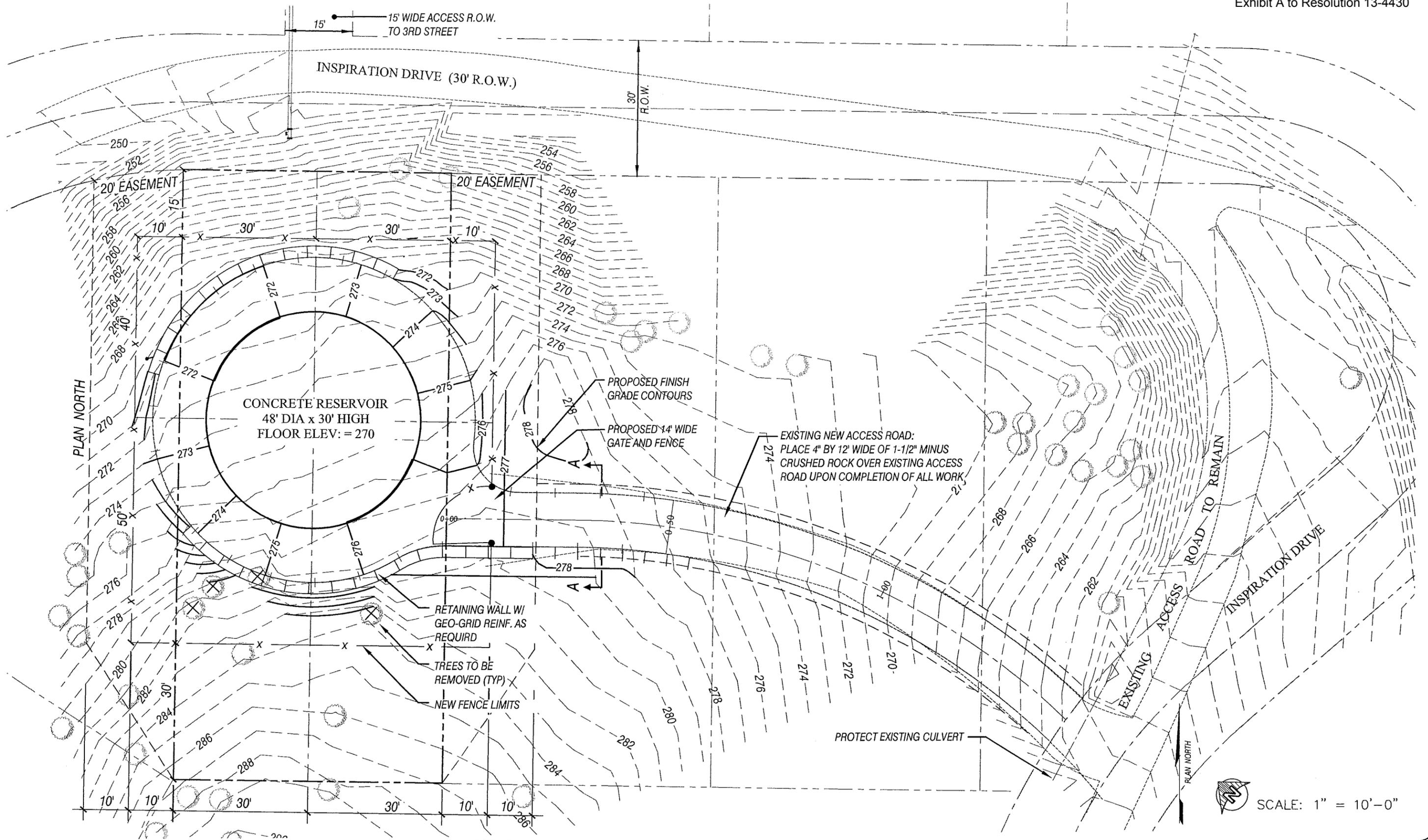
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BURLINGTON WATER DISTRICT
APPURTENANCE PLANS
STEEL TANK OPTIONS
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
DRAWN	1554
CHECKED	CJM
DESIGNED	DCA
CADW	



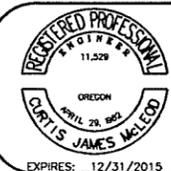
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CONCRETE RESERVOIR GRADING PLAN
SCALE: 1" = 10'-0"

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

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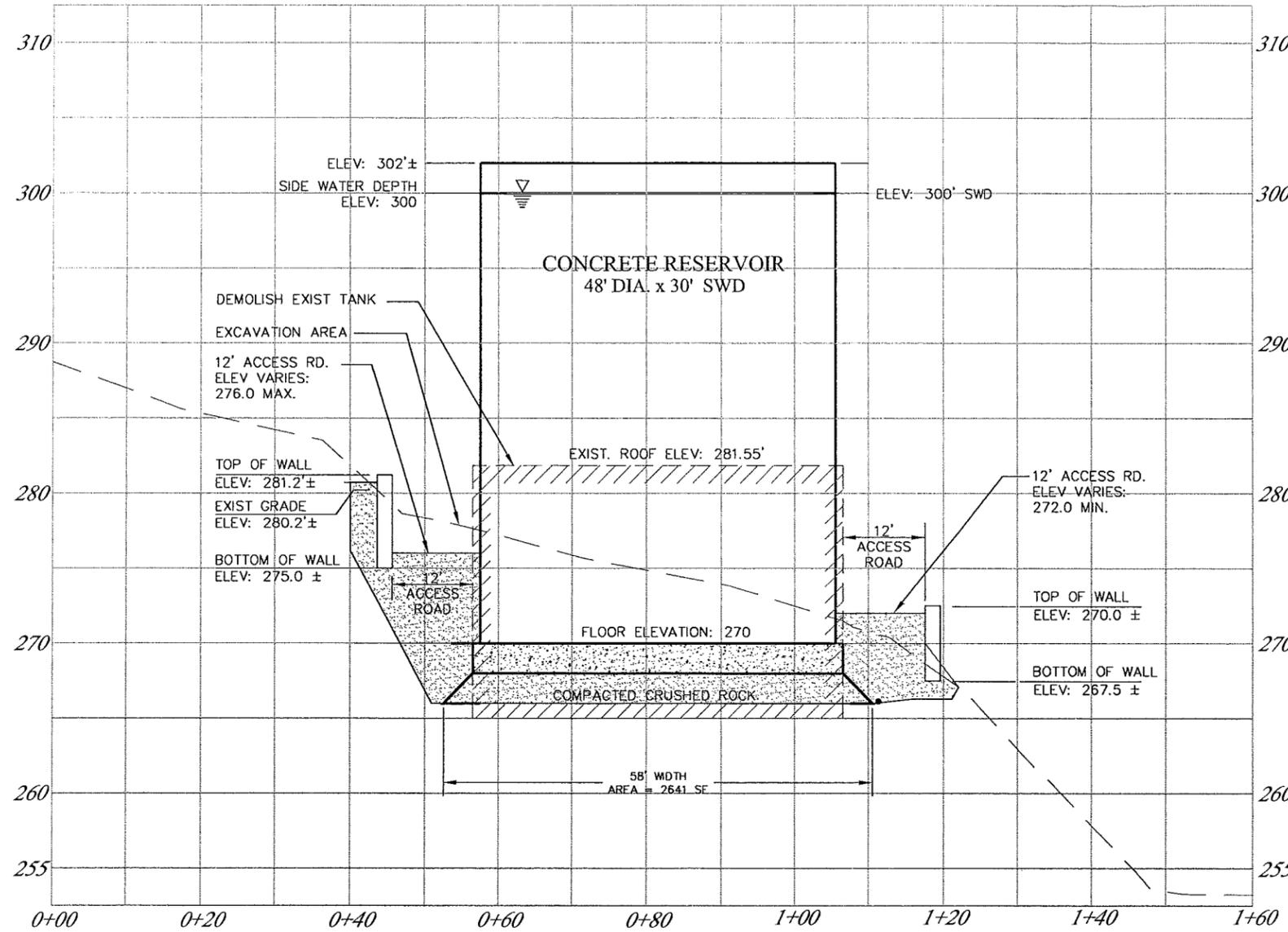
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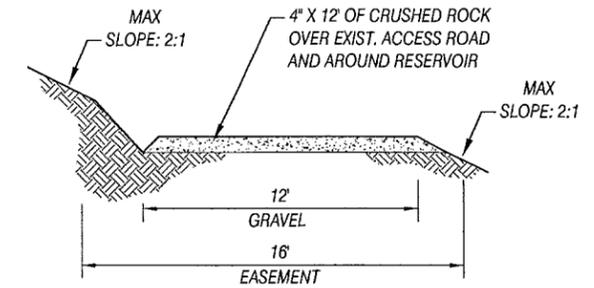
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PHONE (503) 684-3478

BURLINGTON WATER DISTRICT
CONCRETE RESERVOIR OPTION
SITE GRADING PLAN
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

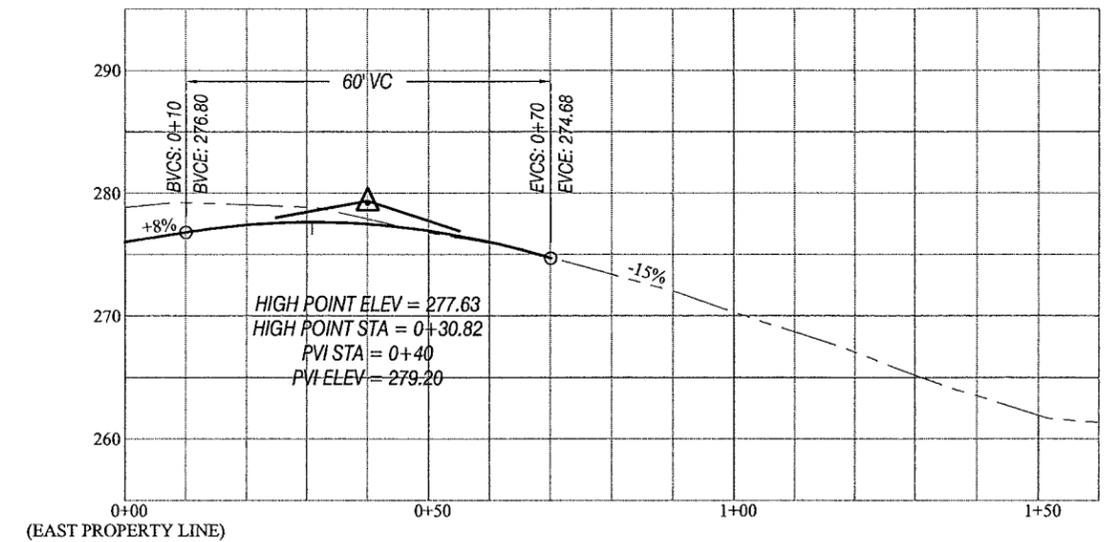
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1
CONCRETE RESEVOIR OPTION CROSS SECTION
SCALE: VERT 1"=10'-0"
HORZ 1"=20'-0"



2
ACCESS ROAD: TYPICAL SECTION
SCALE: N.T.S.



3
ACCESS ROAD PROFILE
SCALE: VERT 1"=15'
HORZ 1"=30'

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BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

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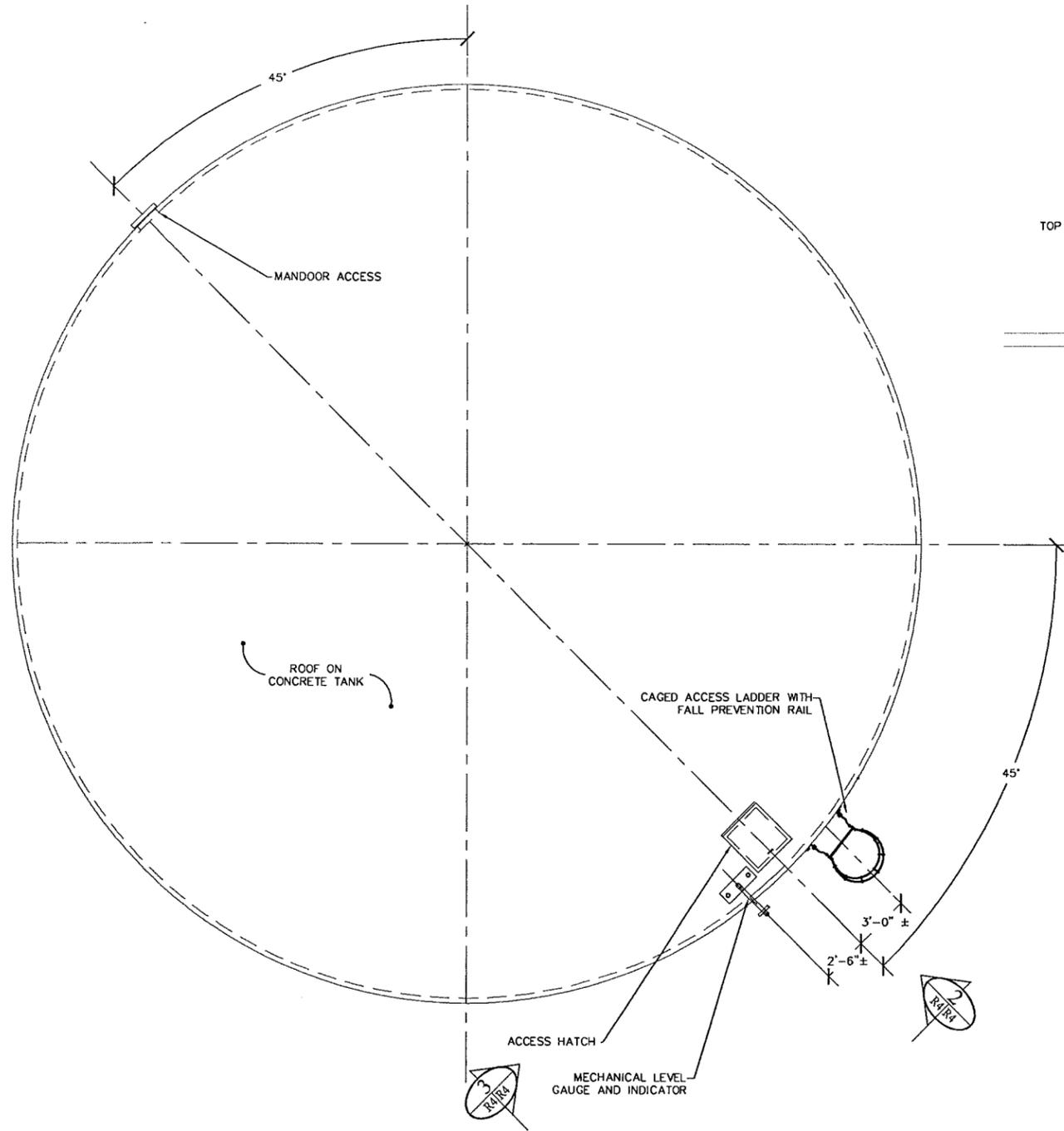


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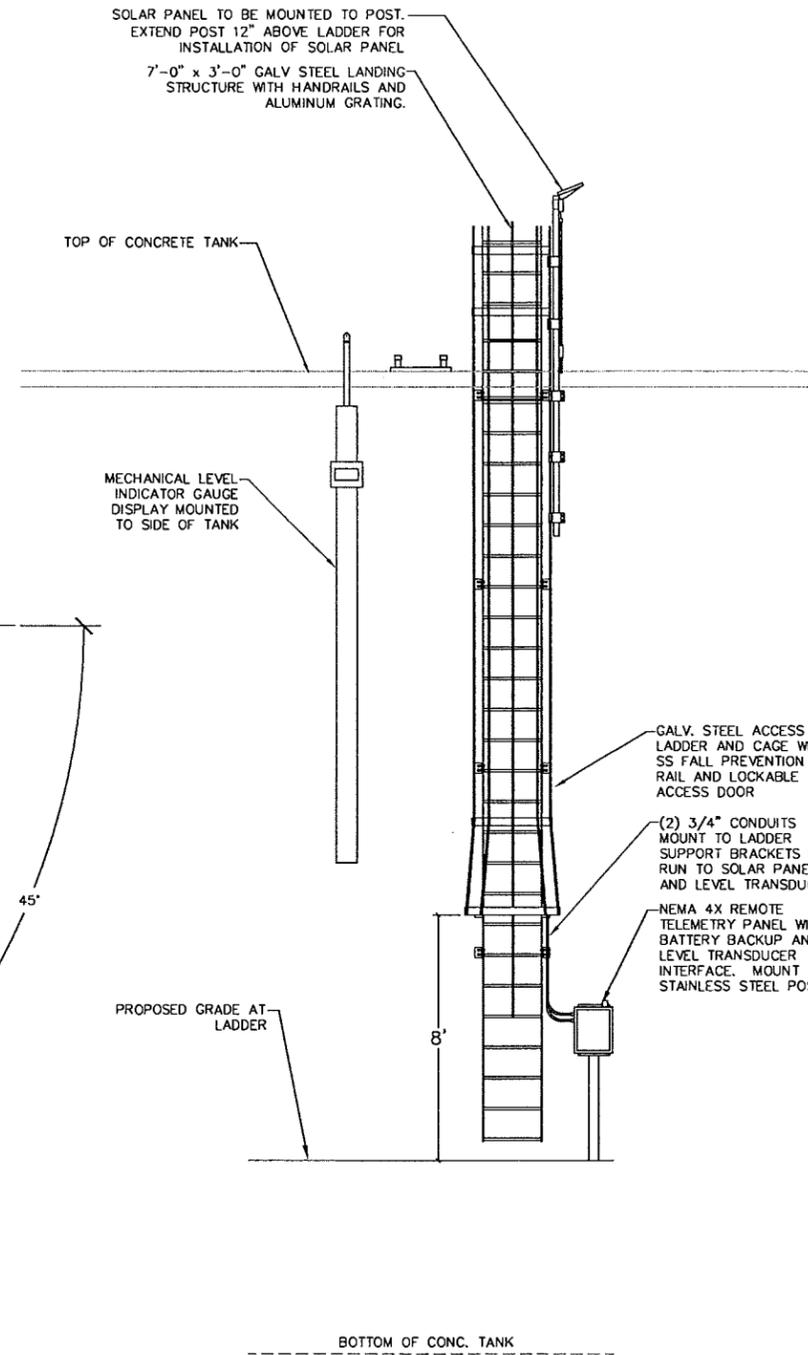
6655 SW HAMPTON ST, SUITE 210
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BURLINGTON WATER DISTRICT
CONCRETE RESERVOIR OPTION
CROSS SECTION
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

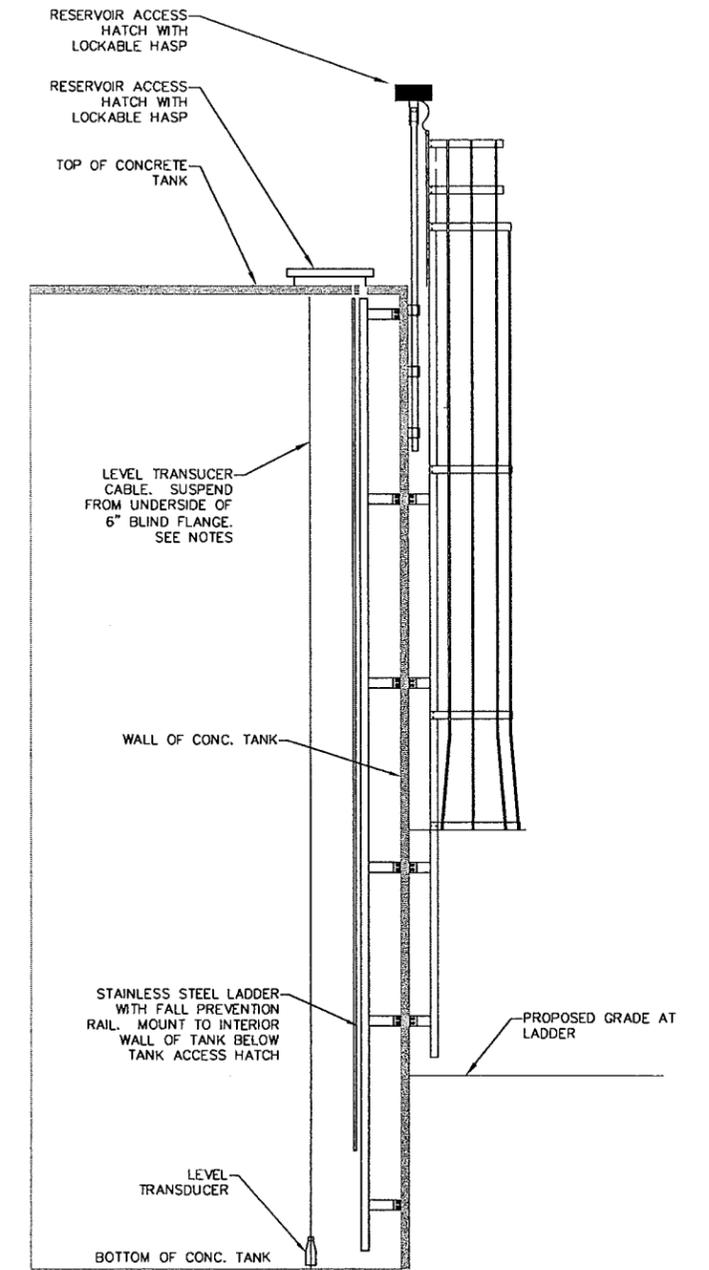
DATE	MAR. 2013
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DCA	DCA
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1 STEEL TANK ROOF PLAN VIEW
SCALE: 1"=4' (CONCRETE RESERVOIR OPTION)



2 ELEVATION VIEW
SCALE 1" = 6'



3 ELEVATION VIEW
SCALE 1" = 6'

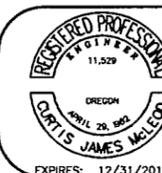
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REV.	DESCRIPTION	REVISED BY	DATE

REVISIONS



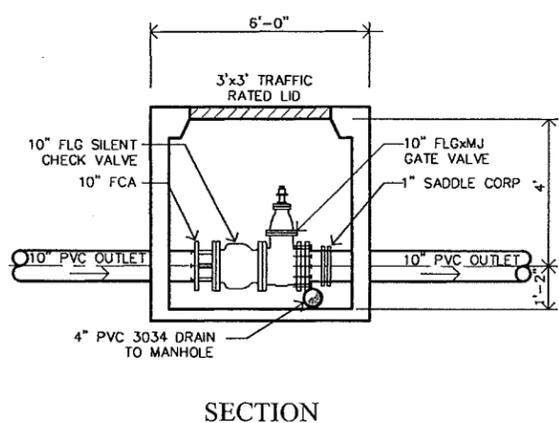
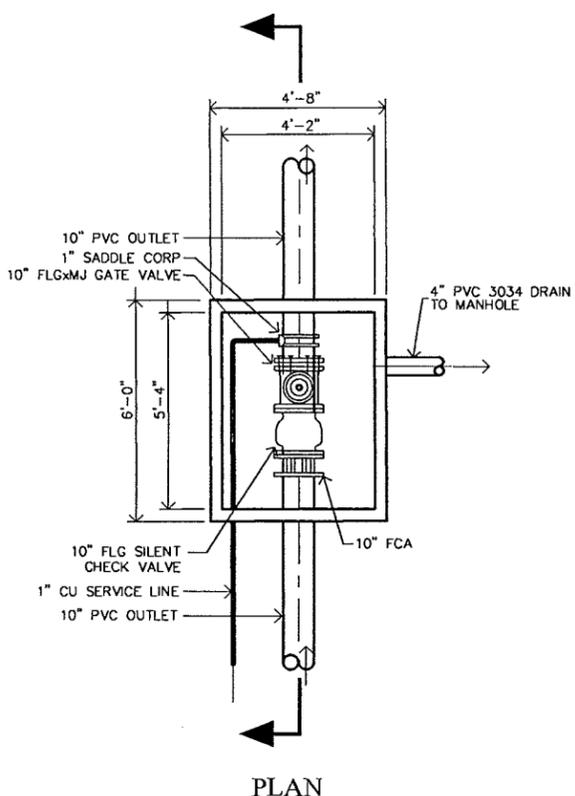
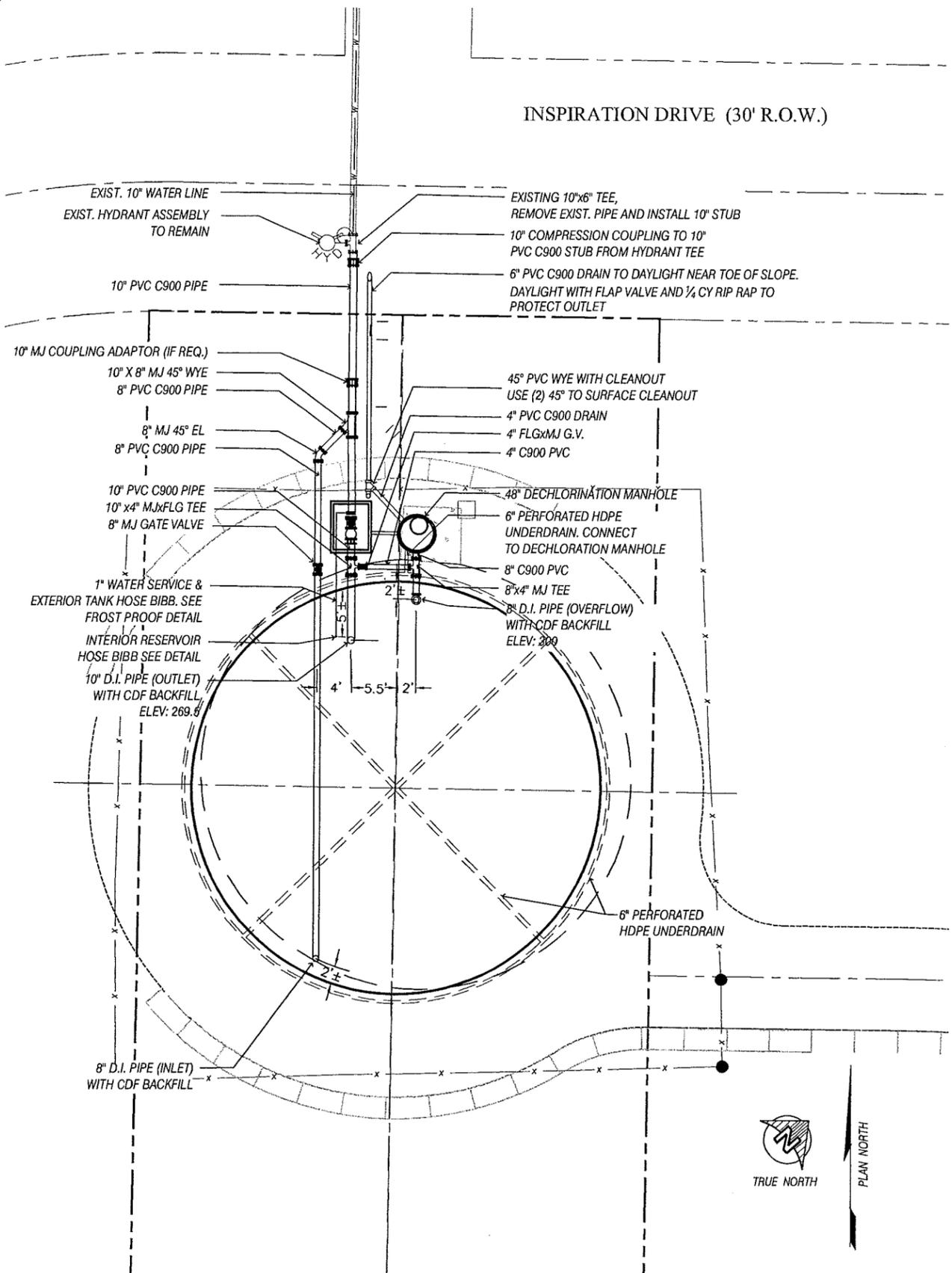
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BURLINGTON WATER DISTRICT
APPURTENANCE PLANS
CONCRETE TANK OPTION
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

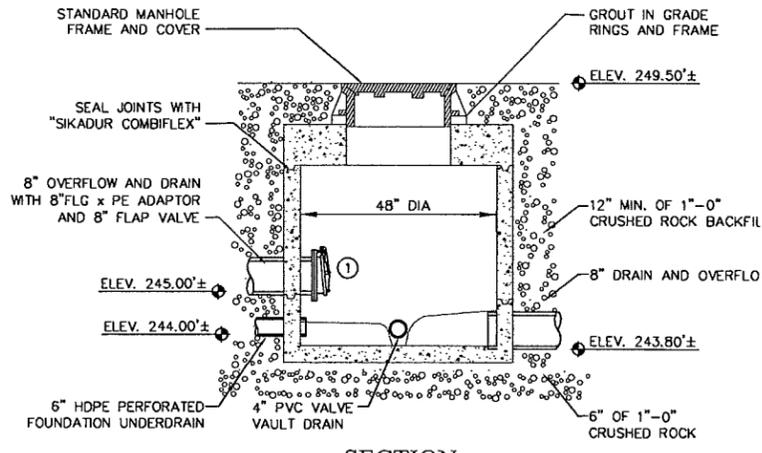
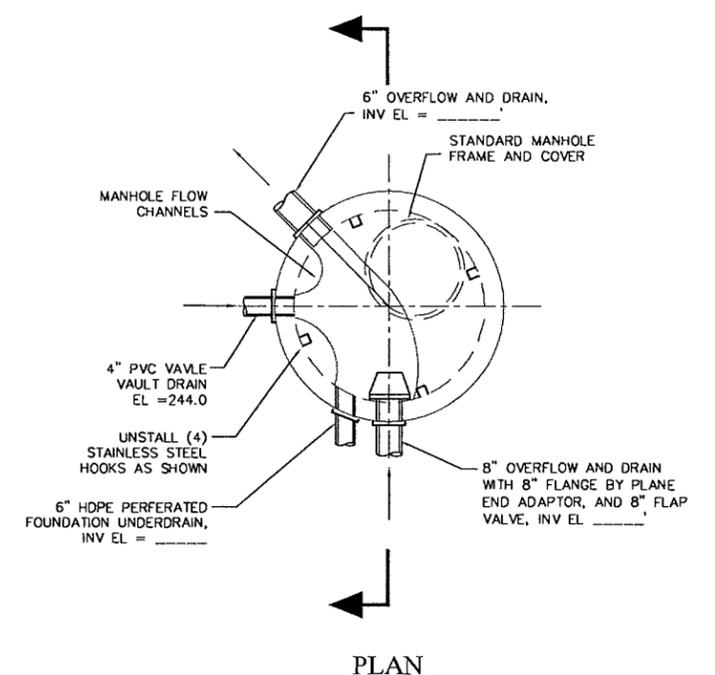
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INSPIRATION DRIVE (30' R.O.W.)



2 VALVE VAULT DETAIL N.T.S.



3 DECHLORINATION MANHOLE N.T.S.

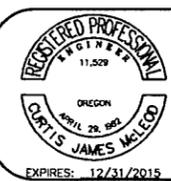
NOTE: MANHOLE BASES, BARREL SECTIONS, AND GRADE RINGS SHALL BE CONSTRUCTED OF PRECAST REINFORCED CONCRETE.

1 RESERVOIR PIPING PLAN SCALE: 1"=8'

BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALE AS SHOWN ACCORDINGLY.

REV	DESCRIPTION	REVISED BY	DATE

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BURLINGTON WATER DISTRICT

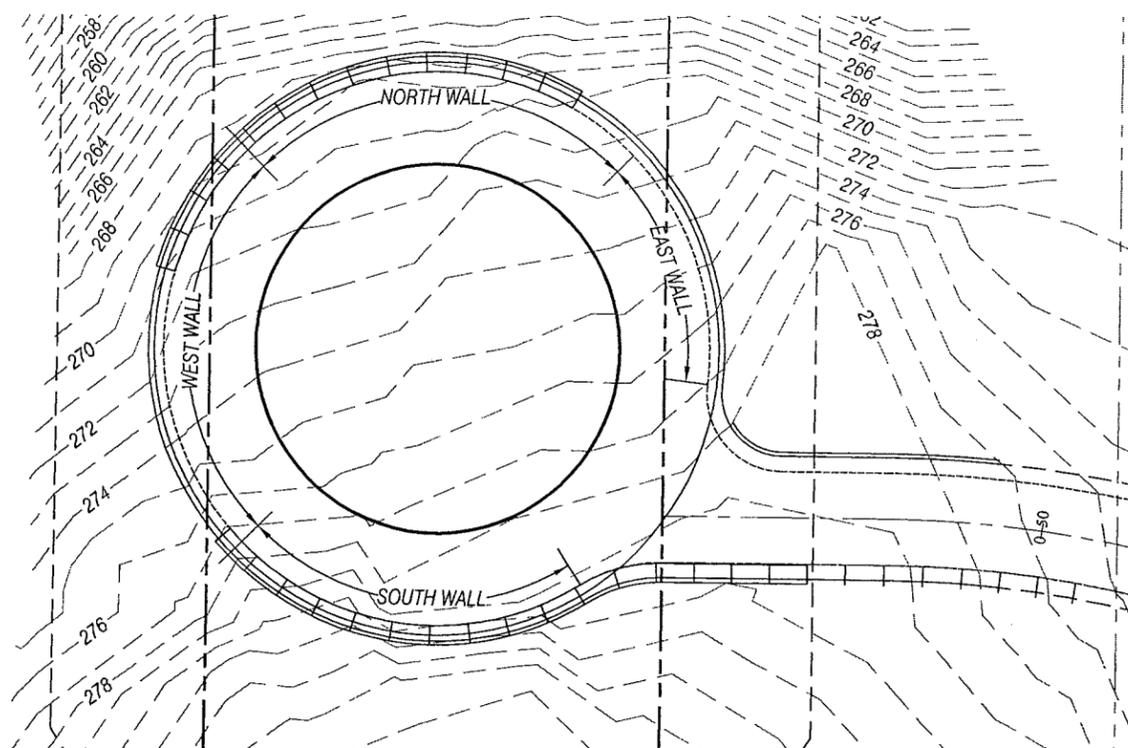
PIPING PLAN

2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

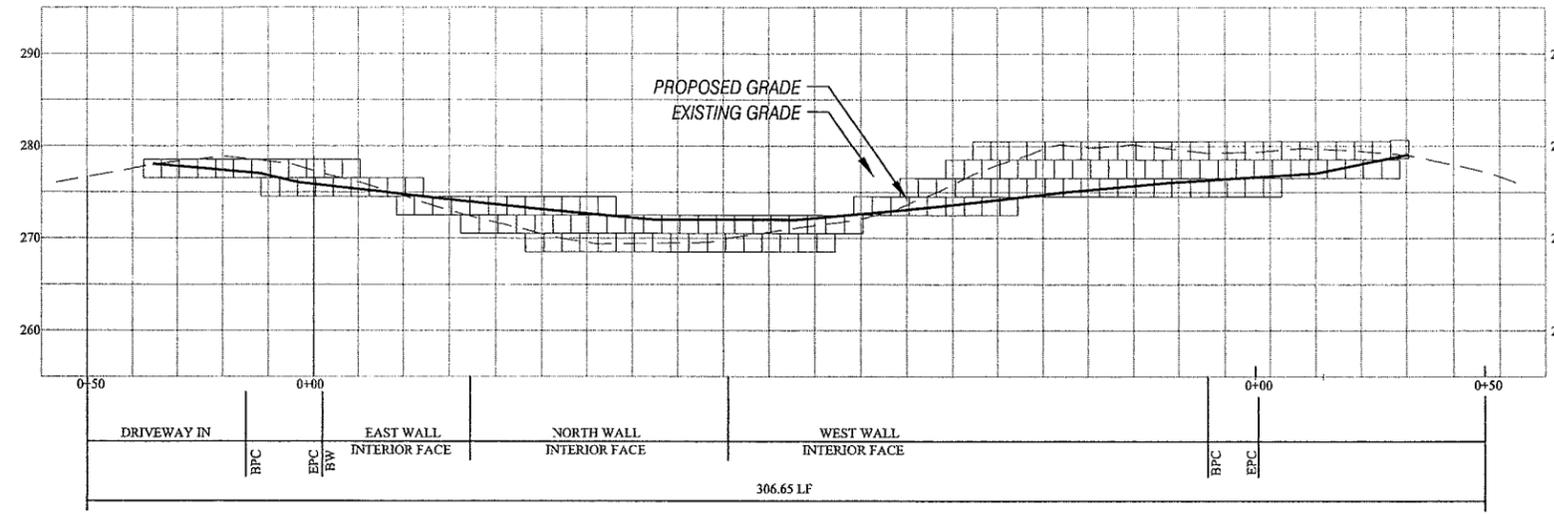
DATE	MAR. 2013
DESIGNER	CJM
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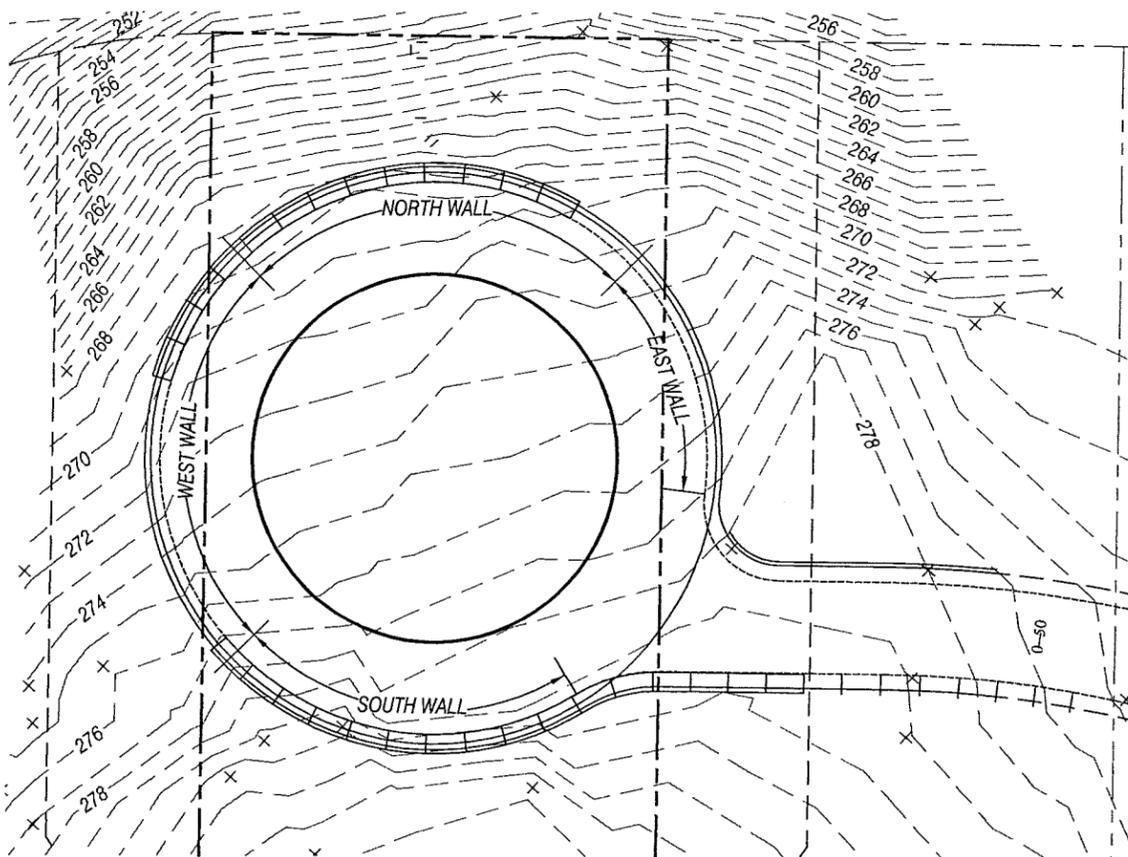
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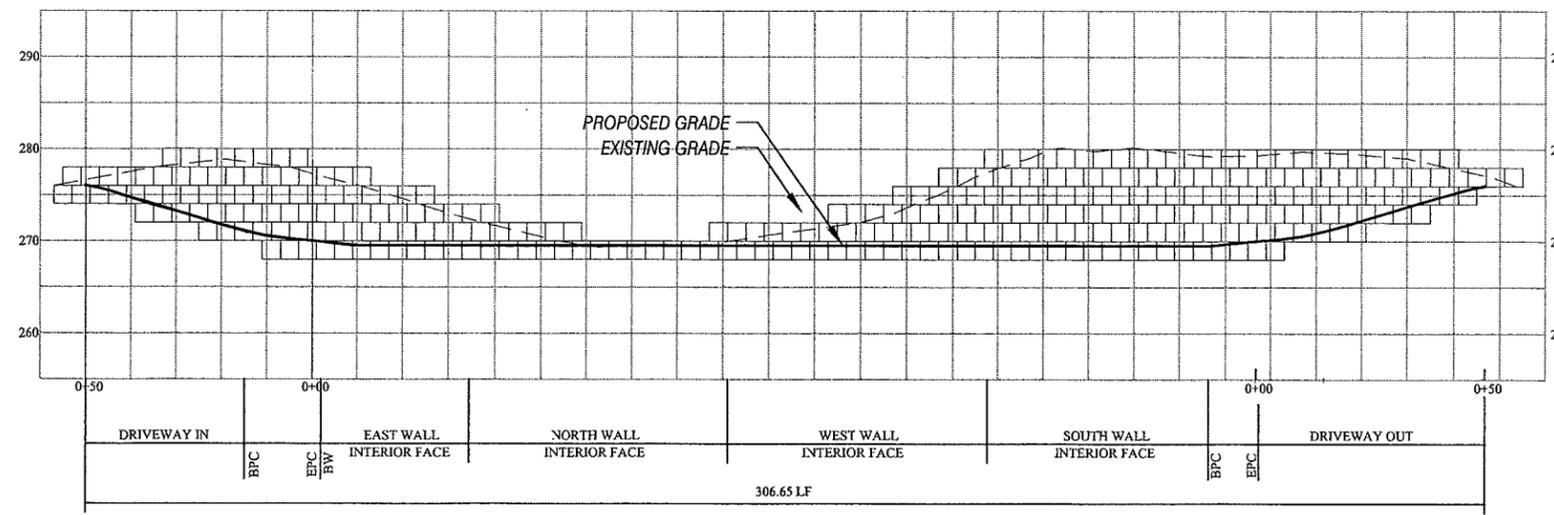
1 GRADING PLAN: CONCRETE OPTION
SCALE: 1"=12'



1 ECOLOGY BLOCK PROFILE: CONCRETE OPTION
INSIDE FACE OF WALL
SCALE: HORIZ 1"=20'-0"
VERT 1"=10'-0"



1 GRADING PLAN: STEEL OPTION
SCALE: 1"=12'

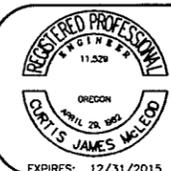


2 ECOLOGY BLOCK PROFILE: STEEL OPTION
INSIDE FACE OF WALL
SCALE: HORIZ 1"=20'-0"
VERT 1"=10'-0"

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ADJUST SCALE AS SHOWN ACCORDINGLY.

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REVISIONS			

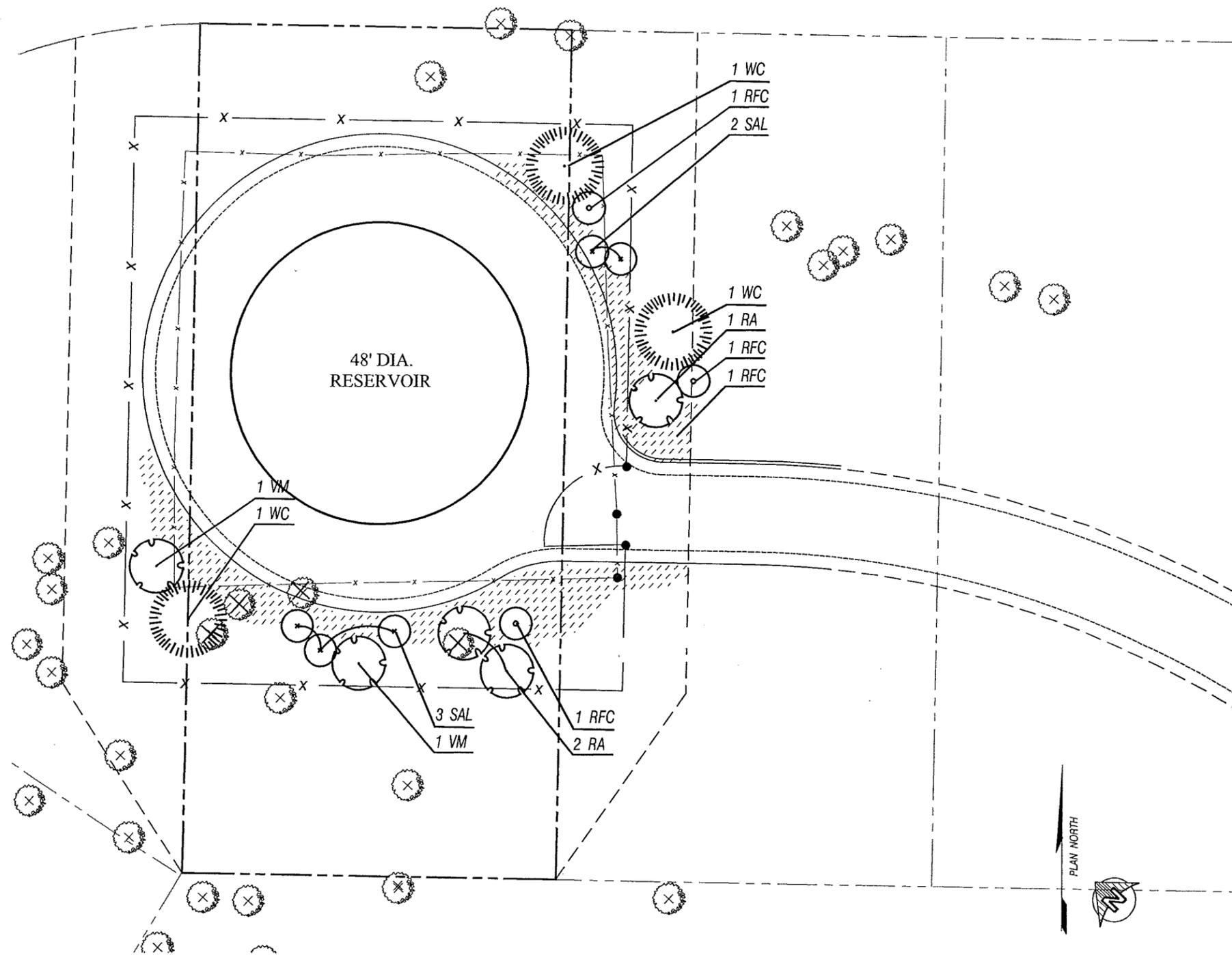


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PORTLAND, OREGON 97223
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BURLINGTON WATER DISTRICT
ECOLOGY BLOCK PROFILE
CONCRETE & STEEL OPTIONS
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
PN	1554
DR	CJM
DES	DCA
CAD	

INSPIRATION DRIVE (30' R.O.W.)



PLANT LEGEND

TREES			
	Existing Trees		
	(4) Existing Trees to be Removed		
	WC (3) 3-4'	<i>Thuja plicata</i>	Western Red Cedar
	RA (3) #1 Container	<i>Alnus rubra</i>	Red Alder
	VM (2) 5 gal.	<i>Acer circinatum</i>	Vine Maple
SHRUBS			
	SAL (5) 1 gal.	<i>Galthera shallon</i>	Salal
	RFC (3) 1 gal.	<i>Ribes sanguinum</i>	Red Flowering Currant
GROUND COVER			
	Seed remaining disturbed areas with Hobbs & Hopkins ProTime 705 PDX Ecoogy Mix. Seed at a rate of (1.5-2 lbs/1000 s.f.)		

Notes:

1. Clear and remove all blackberries within the construction area.
2. Remove and save existing ferns from the construction area for transplant throughout the revegetation area shown on this plan.

PLANTING PLAN
SCALE: 1"=10'

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

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BURLINGTON WATER DISTRICT
RESERVOIR PLANTING PLAN

2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
P/N	1554
D/R	CJM
D/S	DCA
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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4430, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT AN EASMENT TO THE BURLINGTON WATER DISTRICT

Date: May 16, 2013

Prepared by: Kathleen Brennan-Hunter
503-797-1948

BACKGROUND

Metro's Sustainability Center receives requests for easements, leases and right-of-ways through natural area properties. These requests are reviewed and analyzed per guidance and policy established via Resolution 97-2539B, "For The Purpose Of Approving General Policies Related To The Review Of Easements, Right-Of-Ways and Leases For Non-Park Uses Through Properties Managed By Regional Parks and Greenspaces Department" adopted by the Metro Council on November 6, 1997. Metro received an easement application from the Burlington Water District and it has been reviewed by staff in accordance with this policy. As set forth in the findings in Attachment 1 as required by the policy, staff recommends approval of the easement request.

Metro acquired 332 acres of property in the Forest Park Connections Target Area with funds from the 1995 Open Spaces, Parks and Streams bond measure (the "Burlington Property"). The site, consisting primarily of timbered slopes, includes scenic vistas, water quality protection and habitat values. For the past century, the Burlington Water District (the "District") has operated and maintained a 200,000 gallon water storage tank on an inholding at the site. Surrounded on three sides by Metro's Burlington Property, the existing tank is in poor condition and is smaller than needed. There is no existing access agreement for maintenance, replacement and repair the tank. It must be replaced with a 350,000 gallon tank within the next year to provide safe storage for potable water within and adjacent to the District in accord with state rules and regulations.

The Burlington Water District requests a permanent access easement from Inspiration Drive 150 ft. to the District's water tank and two 2,040 sq. ft permanent easements on either side of the District's property to use for the replacement of the existing water reservoir for future maintenance and repair. The area of the proposed access easement from Inspiration Drive is an existing gravel road that is utilized by Metro for site maintenance and by power utility companies to inspect and maintain their lines and towers. The use of the easement areas adjacent to the existing tank and property lines will have minimal impact on native vegetation and the Burlington Water District will be required to restore the site after construction per Metro specifications.

Metro staff recorded time and costs spent on this application and informed the applicant that the policy requires reimbursement. The applicant, a small, local water district with limited resources, requests that the Metro Council waive this requirement. Additionally, if the Metro Council elects to approve the easements, the applicant would be required to obtain an appraisal to determine the fair market value of the proposed temporary and permanent easements and compensate Metro accordingly. The applicant requests that the Metro Council waive the requirement to obtain an appraisal and pay fair market value for the easements. The area impacted is minimal and the cost of an appraisal is likely to be greater than the value of the easements.

ANALYSIS/INFORMATION

1. Known Opposition

None

2. Legal Antecedents

1995 Metro Open Spaces Bond Measure approved by voters on May 16, 1995;

Metro Code Section 2.04.026(a)(2), which requires Metro Council authorization for the Chief Operator to transfer interests in real property; and

Metro Council Resolution No. 97-2539B "For the Purpose of Approving General Policies Related to the Review of Easements, Right-Of-Ways, and Leases for Non-Park Uses through Properties Managed by the Regional Parks and Greenspaces Department," adopted November 6, 1997.

3. Anticipated Effects

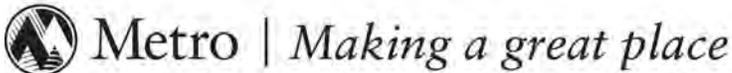
Adoption of the easement will allow the Burlington Water District to develop, construct and maintain a new water tank that will provide potable water to residents and businesses within and adjacent to the District.

4. Budget Impacts

None

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Resolution 13-4430.



METRO EASEMENT POLICY CRITERIA AND STAFF FINDINGS ON BURLINGTON WATER DISTRICTS APPLICATION FOR A PERMANENT EASEMENT IN BURLINGTON CREEK FOREST

- 1) Provide for formal review of all proposed easements, rights of ways, and leases for non-park uses by the Regional Parks and Greenspaces Advisory Committee, the Regional Facilities Committee and the full Council. Notwithstanding satisfaction of the criteria set forth herein, the final determination of whether to approve a proposed easement, right of way, or lease is still subject to the review and approval by the full Metro Council.**

Staff finding: Metro natural areas staff reviewed the easement application materials in light of the criteria outlined in the Metro easement policy. The information that was provided by the applicant to Metro staff indicates that the activities proposed in this easement support a pre-existing water utility use and would not significantly damage the natural resources at the site. Criterion has not been satisfied; a resolution is on the May 16, 2013 Metro Council agenda.

- 2) Prohibit the development of utilities, transportation projects and other non-park uses within corridors or on sites which are located inside of Metro owned or managed regional parks, natural areas, and recreational facilities except as provided herein.**

Staff finding: The applicant requests a permanent access easement from Inspiration Drive 150 ft. to the District's water tank and two 2,040 sq. ft easements on either side of their property to use for the replacement of the existing water reservoir and appurtenances and the required maintenance of the reservoir. The proposed access easement from Inspiration Drive is currently a gravel road that is utilized by Metro for site maintenance and power utility companies to inspect and maintain their lines and towers. The easement areas adjacent to the existing tank and property lines will have minimal impact on native vegetation

- 3) Reject proposals for utility easements, transportation right of ways and leases for non-park uses which would result in significant, unavoidable impacts to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management.**

Staff finding: There will be no significant, unavoidable impacts to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management to the site by the requested easement due to the fact that the access easement will be over an existing gravel road through Metro property that has been used for ingress and egress. The impacts to the easement areas adjacent to the water tank will be minimal and any impacts to plants or habitat will be restored by the applicant.

- 4) **Accommodate utility easements, transportation right of ways or other non-park uses when the Regional Parks and Greenspaces Department (the Department) determines that a proposed easement, right of way, or non-park use can be accommodated without significant impact to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management; and that the impacts can be minimized and mitigated.**

Staff finding: There is not a master or management plan for the site, but the road and tank are existing uses and will have to be accommodated in future planning regardless of these easements. Any natural resource impacts to the site would be minimal and can be mitigated.

- 5) **Require full mitigation and related maintenance, as determined by the Department, of all unavoidable impacts to natural resources, recreational facilities, recreational opportunities or their operation and management associated with the granting of easements, right of ways, or leases to use Metro owned or managed regional parks, natural areas or recreational facilities for non-park uses.**

Staff finding: The applicant proposes to mitigate impacts to the site's natural resources by re-grading to existing contours when possible and replanting with native trees, shrubs and groundcover.

- 6) **Limit rights conveyed by easements, right of ways, and leases for non-park uses to the minimum necessary to accomplish the objectives of any proposal.**

Staff finding: The applicant indicates that the access easement 16' x 160' (approx. 2,560 sq. ft.) and the 20' x 102' (approx. 232,500 sq. ft.), 67' x 10' (approx. 670 sq. ft.), 20' x 105' (approx. 2,100 sq. ft.) and 10' x 67' (approx. 670 sq. ft.) permanent easements being requested are the minimum required for the project. Maintenance of this area in perpetuity after the construction will be necessary for the applicant to maintain the fence line and to protect the integrity of the tank.

- 7) **Limit the term of easements, right of ways and leases to the minimum necessary to accomplish the objectives of any proposal.**

Staff finding: The applicant indicates that permanent easement space limitations are the minimum needed to accomplish and maintain the project. The permanent easement would typically require regular inspection visits, which could be monthly or more frequent as needed.

- 8) **Require reversion, non-transferable, and removal and restoration clauses in all easements, rights of ways, and leases.**

Staff finding: If the Metro Council approved an easement, the easement will include these terms.

- 9) **Fully recover all direct costs (including staff time) associated with processing, reviewing, analyzing, negotiating, approving, conveying, or assuring compliance with the terms of any easement, right of way, or lease for non-park use.**

Staff finding: Metro staff documented time and costs spent on this application and informed the applicant of the policy requiring reimbursement. Execution of the easement is subject to satisfaction of all expenses. The applicant, a small, local water district, requests that the Council waive this requirement.

- 10) **Receive no less than fair market value compensation for all easements, right of ways, or leases for non-park uses. Compensation may include, at the discretion of the Department, periodic fees or considerations other than money.**

Staff finding: If the Metro Council elects to approve the easements, the applicant would be required to obtain an appraisal to determine the fair market value of proposed temporary and permanent easements and compensate Metro accordingly. The cost of obtaining an appraisal of the easement area may exceed the value of the easement area. The applicant, a local water district, requests that the Council waive the requirement to pay fair market value for the easement supporting the renewal and replacement of this pre-existing facility.

- 11) **Require full indemnification from the easement, right of way or leaseholder for all costs, damages, expenses, fines, or losses related to the use of the easement, right of way, or lease. Metro may also require insurance coverage and/or environmental assurances if deemed necessary by the Office of General Counsel.**

Staff finding: If the Metro Council elected to approve the easements, the easement document would include indemnification and insurance provisions.

- 12) **Limit the exceptions to this policy to: grave sales, utilities or transportation projects which are included in approved master/management plans for Metro regional parks, natural areas and recreational facilities; projects designed specifically for the benefit of a Metro regional park, natural area, or recreational facility; or interim use leases as noted in the Open Spaces Implementation Work Plan.**

Staff finding: There is no master or management plan nor noted leases in the implementation work plan for the site.

- 13) **Provide for the timely review and analysis of proposals for non-park uses by adhering to the following process:**
- A. **The applicant shall submit a detailed proposal to the Department which includes all relevant information including but not limited to: purpose, size, components, location, existing conditions, proposed project schedule and phasing, and an analysis of other alternatives which avoid the Metro owned or managed regional park, natural area or recreational facility which are considered infeasible by the applicant. Cost alone shall not constitute unfeasibility.**

Staff finding: The applicant submitted a detailed proposal that included all necessary information. The alternatives analysis indicates that other sites for the project do not exist.

- B. Upon receipt of the detailed proposal, the Department shall determine if additional information or a Master Plan is required prior to further review and analysis of the proposal. For those facilities, which have master plans, require that all proposed uses are consistent with the master plan. Where no master plan exists all proposed uses shall be consistent with the Greenspaces Master Plan. Deficiencies shall be conveyed to the applicant for correction.**

Staff finding: No additional information is needed.

- C. Upon determination that the necessary information is complete, the Department shall review and analyze all available and relevant material and determine if alternative alignments or sites located outside of the Metro owned or managed regional park, natural area, or recreational facility are feasible.**

Staff finding: Staff has determined no reasonable alternative exists.

- D. If outside alternatives are not feasible, the Department shall determine if the proposal can be accommodated without significant impact to park resources, facilities or their operation and management. Proposals which cannot be accommodated without significant impacts shall be rejected. If the Department determines that a proposal could be accommodated without significant impacts, staff shall initiate negotiations with the applicant to resolve all issues related to exact location, legal requirements, terms of the agreement, mitigation requirements, fair market value, site restoration, cultural resources, and any other issue relevant to a specific proposal or park, natural area or recreational facility. The Department shall endeavor to complete negotiations in a timely and business-like fashion.**

Staff finding: Staff has determined no significant impacts will occur to natural resources or the operations and management of Metro property.

- E. Upon completion of negotiations, the proposed agreement, in the appropriate format, shall be forwarded for review and approval. In no event shall construction of a project commence prior to formal approval of a proposal.**

Staff finding: Construction is contingent on the approval of the Metro Council.

- F. Upon completion of all Metro tasks and responsibilities or at intervals determined by the Department, and regardless of Metro Council action related to a proposed easement, right of way, or lease for a non-park use, the applicant shall be invoiced for all expenses or the outstanding balance on expenses incurred by Metro.**

Staff finding: The applicant requests that the Metro Council waive the requirement to pay for expenses incurred by Metro. Staff determined that is reasonable to waive the costs associated with this easement request. Waiving the expenses is contingent on the approval of the Metro Council.

- G. Permission from Metro for an easement or right-of-way shall not preclude review under applicable federal, state, or local jurisdiction requirements.**

Staff finding: Criterion satisfied

Agenda Item No. 5.8

Resolution No. 13-4433, For the Purpose of Adopting Technical Amendments to the 2008 South/North Land Use Final Order Amendment in Conformance with Full Funding Grant Agreement Executed by TriMet and the Federal Transit Administration.

Metro Council Meeting
Thursday, May 16, 2013
Metro, Council Chamber



May 1, 2013

Tom Hughes, President
Metro Council
600 NE Grand Avenue
Portland, Oregon 97232

Re: Reminder to Initiate Amendment to Portland to Milwaukie Land Use Final Order
to be Consistent with the Full Funding Grant Agreement

Dear President Hughes:

The purpose of this letter is to respectfully remind the Council of its statutory obligation to amend the 2008 Land Use Final Order (LUFO) to make it consistent with the Full Funding Grant Agreement (FFGA).

On May 22, 2012, TriMet and the Federal Transit Administration executed a FFGA for the Portland to Milwaukie segment of the South/North Light Rail Project. Under Oregon Laws 1996 (Special Session), Chapter 12, Section 12, upon execution of a FFGA, the Metro Council "shall amend the land use final order to be consistent with the terms and conditions of the Full Funding Grant Agreement." This law further provides that such amendments "shall be considered technical and environmental and shall not be subject to judicial or administrative review."

Because the FFGA included some substantive changes to the LUFO for the Portland to Milwaukie project that the Council adopted on July 24, 2008 (Resolution No. 08-3964), it is now timely for Council to amend the LUFO. Because TriMet is moving forward with permitting and construction of this project, and issues of LUFO consistency with the FFGA may arise, TriMet asks that the Council carry out this action at its earliest convenience. TriMet will be happy to assist Metro staff in identifying the changes necessary to make the LUFO consistent with the FFGA.

Sincerely,

A handwritten signature in green ink, appearing to read "Neil McFarlane".

Neil McFarlane
General Manager

Enclosures

CC: Martha Bennett, Metro COO
Dan Blocher

Jana Toran
Dave Unsworth

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING	)	RESOLUTION NO. 13-4433
TECHNICAL AMENDMENTS TO THE 2008)	
SOUTH/NORTH LAND USE FINAL ORDER)	
AMENDMENT IN CONFORMANCE WITH THE	)	Introduced by Chief Operating Officer Martha
FULL FUNDING GRANT AGREEMENT	)	Bennett, with the concurrence of Council
EXECUTED BY TRIMET AND THE FEDERAL	)	President Tom Hughes
TRANSIT ADMINISTRATION)	

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

WHEREAS, on July 24, 2008, the Metro Council adopted Resolution No. 08-3964, adopting a LUFO amendment establishing the light rail alignment, light rail stations, lots and maintenance facilities, and the highway improvements for the Portland to Milwaukie segment of the South/North Light Rail Project (the “2008 LUFO”); and

WHEREAS, on May 22, 2012, TriMet and the Federal Transit Administration executed a Full Funding Grant Agreement (“FFGA”) for the Portland-Milwaukie light rail transit project, which awards federal financial assistance to TriMet for the project, and which is not entirely consistent with the 2008 LUFO regarding the specific locations of certain stations, park and ride lots, and other facilities; and

WHEREAS, Section 12 of the Act requires that upon execution of the FFGA, the Metro Council shall amend the LUFO to be consistent with the terms and conditions of the FFGA, and that such amendment shall be considered technical and environmental and shall not be subject to judicial or administrative review; and

WHEREAS, the Metro Council is obligated under Section 12 of the Act to amend the 2008 LUFO to be consistent with the FFGA;

BE IT RESOLVED:

1. That the Metro Council finds that the amendments to the 2008 LUFO described in the supplemental findings, attached as Exhibit A and incorporated into this Resolution, are necessary in order to make the 2008 LUFO consistent with the executed FFGA as required under the Act.
2. That the Metro Council hereby adopts the amended 2008 LUFO attached as Exhibit B and incorporated into this Resolution, which includes all of the amendments described in Exhibit A.
3. That the Metro Council finds that these amendments to the 2008 LUFO are consistent with Metro Council policies and regulations including the latest adopted versions of the *Regional Framework Plan, Urban Growth Management Functional Plan, 2035 Regional Transportation Plan* and the *2008-2011 Metropolitan Transportation Improvement Plan*.

ADOPTED by the Metro Council this 16th day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

Supplemental Findings of Fact and Conclusions of Law

Amendments to 2008 Land Use Final Order To Conform to Full Funding Grant Agreement

Portland to Milwaukie Project

Oregon Laws 1996 (Special Session), Chapter 12, Section 12, provides that upon execution of a Full Funding Grant Agreement (FFGA), the Metro Council “shall amend the land use final order to be consistent with the terms and conditions of the Full Funding Grant Agreement.”¹ Section 12 further provides that an amendment to ensure consistency with an executed FFGA “shall be considered technical and environmental and shall not be subject to judicial or administrative review.”

On July 24, 2008, the Metro Council adopted Resolution No. 08-3964, adopting a Land Use Final Order (LUFO) establishing the light rail alignment, light rail stations, lots and maintenance facilities, and the highway improvements for the Portland to Milwaukie segment of the South/North Light Rail Project (“the 2008 LUFO”). On May 22, 2012, TriMet and the Federal Transit Administration executed a FFGA for that Project.

The Council finds that the 2008 LUFO is not consistent with the FFGA in several regards. To conform the LUFO to the FFGA, the Council hereby approves the following text and map amendments to the 2008 LUFO:

1. Show the station platform between SW 4th Avenue and SW Naito Parkway as a combined platform.
2. Delete the Harbor Drive station.
3. Show a single station platform between SE Haig Street and SE Rhine Street.
4. Show a single station platform at the SE Holgate station.
5. Identify the Harold Street station as a future station.
6. Delete the downtown Milwaukie park-and-ride lot near SE Lake Road.
7. Identify Ruby Junction Maintenance Facility expansion as being constructed in two phases.

To the extent the findings adopted in support of Resolution No. 08-3964: (1) provide for a Harbor Drive Station and address impacts associated with that station; (2) provide for a

¹ Section 1(11) of Oregon Laws 1996, Chapter 12 defines Full Funding Grant Agreement to mean a contractual agreement entered into between the federal government and the local grant recipient establishing the maximum federal financing contribution for construction of the South/North Light Rail Project and setting forth terms, conditions and limitations for federal financing of the project.

downtown Milwaukie park-and-ride lot in the vicinity of SE McLoughlin Boulevard and SE Washington Street and address impacts association with that park-and-ride lot; (3) fail to identify the Harold Street station as a future station to be built at a later time; and (4) fail to identify the Ruby Junction Maintenance Facility improvements as being funded in two phases, these 2013 findings supersede those 2008 findings for the Portland to Milwaukie Project.

The Council also finds that the 2008 Findings, at page 59, describe the Tacoma Park-and-Ride Lot as a parking structure of two to four floors accommodating 600 to 1,000 spaces, and describe the Park Avenue Park-and-Ride Lot as a five-floor parking structure accommodating about 1,000 spaces. The Council finds that these findings are not consistent with the FFGA. To make them consistent with the FFGA, those findings must be modified to (1) delete the references to the numbers of floors and parking spaces at these park-and-ride lots, and (2) delete the identification of the Tacoma park-and-ride lot as a parking structure. The Council further finds that the 2008 findings addressing impacts associated with these park-and-ride lots may be outdated since they will have smaller capacities. In these regards, these 2013 findings supersede the 2008 findings for the Portland to Milwaukie Project.

With these amendments, the council finds that the 2008 LUFO conforms with the FFGA for the Portland to Milwaukie Project.

2008 South/North Land Use Final Order Amendment

**South Corridor Project
Portland-Milwaukie Segment**

Adopted by the Metro Council

July 24, 2008

**Amended May 16, 2013 to Conform to the
Full Funding Grant Agreement**

On July 24, 2008, the Metro Council adopted Resolution No. 08-3964, adopting a Land Use Final Order (LUFO) for the Portland-Milwaukie Segment of the South/North Light Rail Project. On May 22, 2012, the Federal Transit Administration and TriMet executed a Full Funding Grant Agreement (FFGA) for this Project.

Oregon Laws 1996 (Special Session), Chapter 12, Section 12, provides that upon execution of a FFGA, the Metro Council “shall amend the land use final order to be consistent with the terms and conditions of the Full Funding Grant Agreement.” Section 12 further provides that an amendment to ensure consistency with an executed FFGA “shall be considered technical and environmental and shall not be subject to judicial or administrative review.”

The Metro Council hereby adopts this 2013 South/North LUFO Amendment for the Portland-Milwaukie Project by Resolution No. 13-4433. The Metro Council adopts this amendment solely for the purpose of conforming the 2008 LUFO to the 2012 FFGA. The 2008 LUFO is set out in full below, including all conforming amendments to the text, maps, and figures.

1. Introduction

This document constitutes a Land Use Final Order (LUFO) for the South/North Light Rail Project (South/North Project), in accordance with Oregon Laws 1996, Chapter 12 (House Bill 3478). The 2008 South/North LUFO Amendment is the fourth in a series of LUFOs adopted by the Metro Council that established or amended the light rail route, stations, park-and-ride lots and maintenance facilities, and the highway improvements for the South/North Project, including their locations. The three previously adopted LUFOs are as follows:

- On July 23, 1998, the Metro Council adopted Resolution No. 98-2673 (the 1998 LUFO), establishing the initial light rail route, stations, lots and maintenance facilities and the highway improvements, including their locations, for the South/North Project.
- On October 28, 1999, the Metro Council adopted Resolution No. 99-2853A (the 1999 LUFO), amending the 1998 LUFO to reflect revisions for that portion of the South/North Project extending from the Steel Bridge northward to the Exposition Center (Expo Center), primarily along Interstate Avenue. The 1999 LUFO modified the northern light rail alignment; established, relocated or expanded light rail station locations along that alignment; and authorized park-and-ride lots at Portland International Raceway (PIR) and the Expo Center along the light rail route.
- On January 15, 2004, the Metro Council adopted Resolution No. 03-3372 (the 2004 LUFO), further amending the previous South/North LUFO resolutions to (1) establish the light rail route, stations and park-and-ride lots, including their locations, along the Interstate-205 right-of-way from the Gateway Transit Center

to Clackamas Regional Center; (2) modify the route along the downtown Portland Transit Mall to extend light rail transit (LRT) to Portland State University (PSU) and establish, adjust or relocate station locations; (3) modify the original LUFO for the segment from Portland to Milwaukie by revising the alignment and adding study areas; (4) remove the 1998 LUFO designations from Milwaukie to Clackamas Regional Center; and (5) complete technical amendments to the 1999 LUFO alignment to reflect the final built configuration at certain stations consistent with the Full Funding Grant Agreement approved by the Federal Transit Administration.

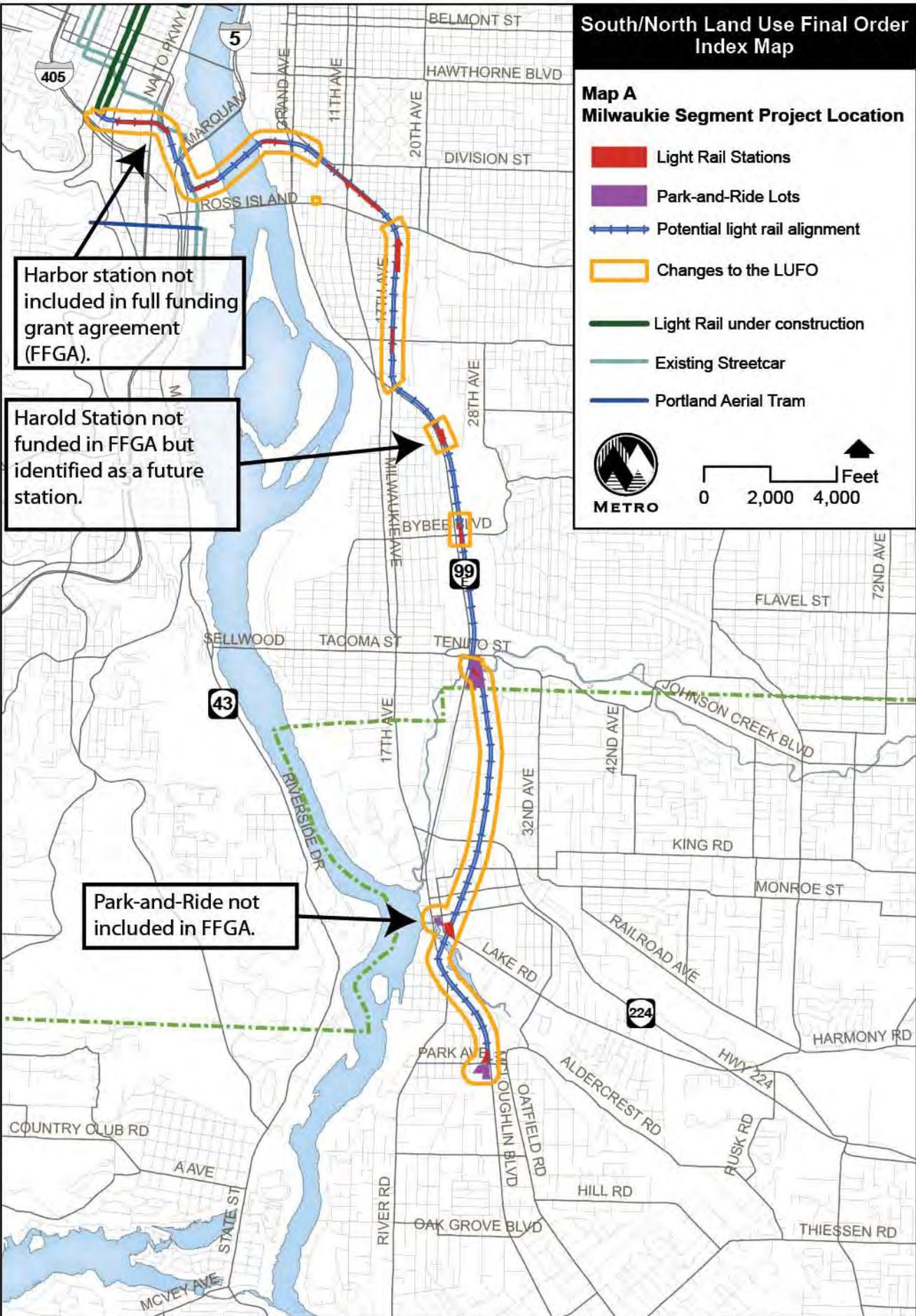
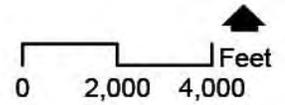
This 2008 South/North LUFO Amendment amends the 1998 and 2004 LUFOs as they relate to the segment of the South/North Project extending from PSU in downtown Portland through SE Portland and downtown Milwaukie to SE Park Avenue in unincorporated Clackamas County (Portland-Milwaukie Segment). Among other things, this amendment realigns the light rail route between PSU and SE 7th Avenue; establishes the route from SE Tacoma Street to SE Park Avenue; relocates light rail stations or authorizes new stations along the light rail route; and establishes the park-and-ride lots and highway improvements for this segment. *See* Map A.

This 2008 LUFO also expands the Ruby Junction Maintenance Facility along NW Eleven Mile Avenue in Gresham to allow for the maintenance of additional LRT vehicles that will be associated with the Portland-Milwaukie Segment. *See* Map B.

South/North Land Use Final Order Index Map

Map A Milwaukie Segment Project Location

- Light Rail Stations
- Park-and-Ride Lots
- Potential light rail alignment
- Changes to the LUFO
- Light Rail under construction
- Existing Streetcar
- Portland Aerial Tram





South/North Land Use Final Order Regional Index Map

Map B Regional Setting

High Capacity Transit

- Existing MAX
- WES Commuter Rail
- Portland Streetcar
- Portland Aerial Tram

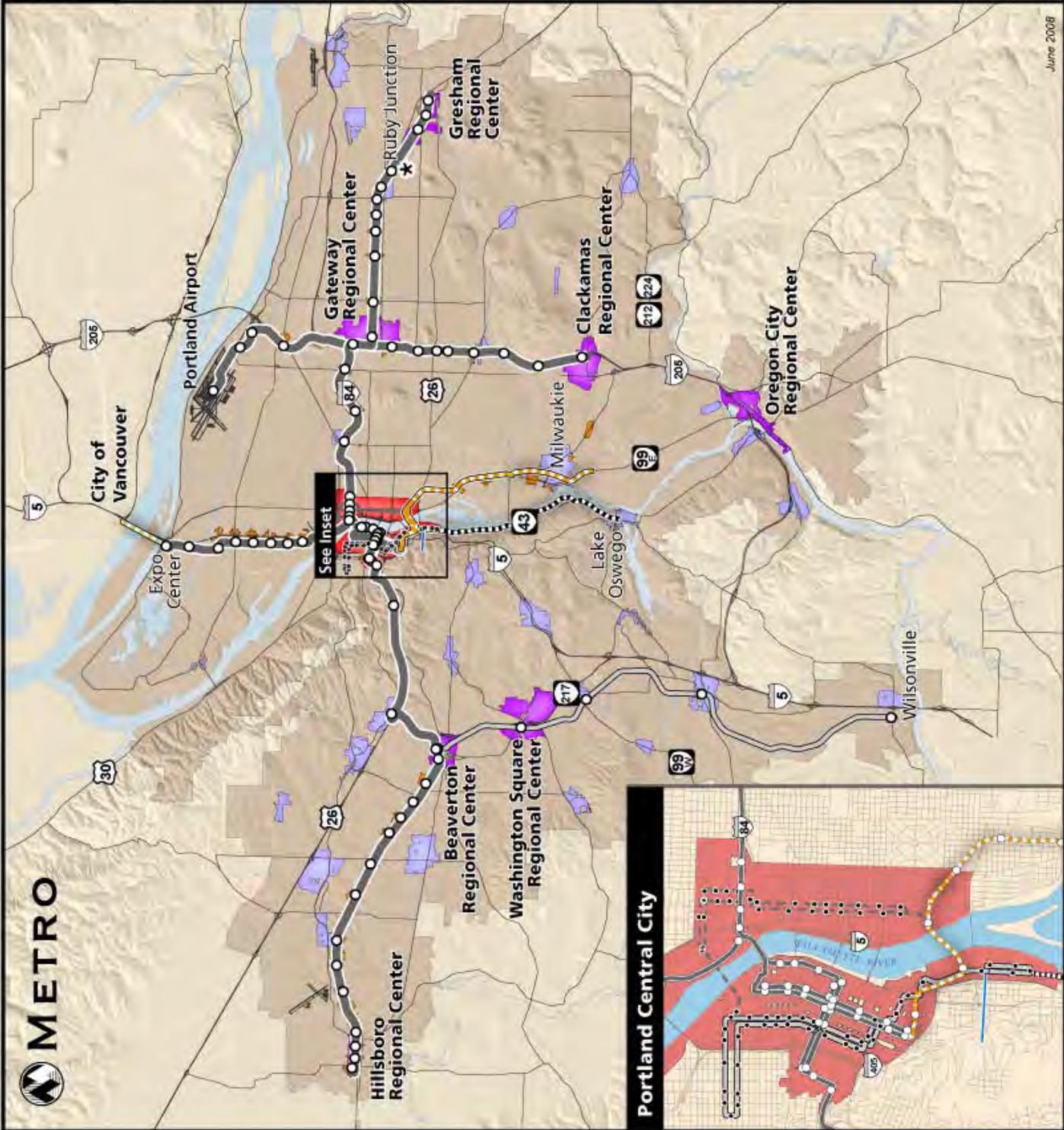
Proposed or Planned Transit Projects

- Columbia River Crossing
- Portland-Milwaukie
- Lake Oswego to Portland
- Portland Streetcar Loop Project

2040 Growth Concept

- Central City
- Regional Center
- Town Center
- Station Community
- Station Community Core
- Urban Growth Boundary

* Ruby Junction is an operations and maintenance facility located in the City of Gresham near SE 199th Avenue and SE Burnside Street.



June 2008

2. Requirements of House Bill 3478

Chapter 12 of the 1996 Oregon Laws (House Bill 3478) provides procedures for siting the South/North light rail route and associated light rail and highway facilities. In brief, it provides a set of regulations for making and for appealing land use decisions related to the South/North Project. The law includes a provision directing the Land Conservation and Development Commission to adopt criteria for land use final orders; a requirement that TriMet make application for land use final orders; requirements for how the Metro Council conducts its public hearing; and procedures for appeal.

Pursuant to House Bill 3478, upon application by TriMet and following a public hearing held on July 24, 2008, and in consideration of the whole record and based on a finding that there is substantial evidence supporting the proposed action, the Metro Council hereby adopts this 2008 South/North LUFO Amendment for the Project by Resolution No. 08-3964.

3. Establishment of Light Rail Routes, Stations, Park-and-Ride Lots, Maintenance Facilities and Highway Improvements, Including their locations.

The Metro Council approves the light rail route, stations, lots, and maintenance facilities and highway improvements identified textually below and illustrated in the location boundary maps that follow. These light rail facilities and highway improvements and their location boundaries are identical to those for which TriMet requested Metro Council approval, and identical to those that the LUFO Steering Committee recommended to TriMet.

The LUFO boundary maps contained in this order are printed from a regional geographic information system database (Metro's *Regional Land Information System*, RLIS). The maps illustrate the adopted boundaries at an approximate scale of one inch equals 500 feet. The boundaries shown on these maps represent the areas within which the light rail facilities and highway improvements may be located. The maps include year 2007 aerial photographs with existing property lines added to provide orientation and illustrate project facility locations, to the extent that they have been determined.

The final location of the light rail facilities, as constructed, may be anywhere within the boundaries found on the LUFO maps. For example, along the Portland-Milwaukie Segment, the track alignment and most of the stations and park-and-ride lots have been approved and illustrated in the Locally Preferred Alternative (LPA). However, preliminary and final engineering have not been completed. Some variations from the illustrations in the LPA may be needed when the project is built. Accordingly, the LUFO shows a larger, more generalized boundary than that actually needed for the track alignment, stations, etc. The facilities may be constructed anywhere within the locations shown on the attached maps and be consistent with this LUFO.

3.1 Portland-Milwaukie Light Rail and Highway Improvements.

The 1998 LUFO established a light rail alignment that included a segment extending from downtown Portland to downtown Milwaukie and beyond to Clackamas Regional Center. The 2004 LUFO deleted the section from Milwaukie to Clackamas Regional Center and changed the existing downtown Portland to Milwaukie LUFO alignment by (1) establishing a study area for a possible light rail alignment from the downtown Portland Transit Mall at SW Lincoln Street and SW 5th Avenue eastward along SW Lincoln Street to I-5; (2) revising the light rail route and station locations from SE Powell Boulevard south to SE McLoughlin Boulevard, changing the alignment from SE 18th Avenue to SE 17th Avenue; (3) designating a study area for a light rail alignment and potential station and park-and-ride lot facilities south of SE Tacoma Street and generally north of Highway 224 between SE McLoughlin Boulevard and the Tillamook Branch railroad line; and (4) designating a study area at the SE Lake Road terminus south of SE Washington Street in Milwaukie and north and northeast of SE McLoughlin Boulevard.

This 2008 LUFO further modifies the 1998 and 2004 LUFOs by:

- 1) relocating the route southbound between PSU and the Willamette River along SW Lincoln Street and then into the South Waterfront district in the vicinity of SW Harbor Drive and SW Moody Avenue to a new Willamette River bridge crossing north of the Ross Island Bridge at approximately SW Porter Avenue, and establishing new light rail station locations along this alignment;
- 2) adding highway improvements associated with a new transitway extending from approximately SW 1st Avenue across the new light rail transit bridge to approximately SE 8th Avenue and SE Division Place, which would accommodate buses, light rail vehicles, streetcars, bicycles and pedestrians;
- 3) realigning the route between the east bank of the Willamette River at SE Sherman Street and SE 7th Avenue at SE Caruthers Street, relocating the OMSI station, and adding highway improvements associated with the new transitway;
- 4) widening the alignment boundary along SE 17th Avenue;
- 5) expanding the SE Bybee Boulevard station to include bus pullouts on SE Bybee Boulevard and authorizing a future station near SE Harold Street along SE McLoughlin Boulevard;
- 6) establishing the route and station location and authorizing a park-and-ride lot for the area south of SE Tacoma Street and north of State Highway 224;
- 7) establishing the route and station location in downtown Milwaukie between Highway 224 and SE McLoughlin Boulevard; and

8) extending the route southward to a new terminus station and park-and-ride lot in the vicinity of SE Park Avenue in Clackamas County.

For the convenience of the reader and to maintain consistency with the 1998 LUFO, this 2008 LUFO divides the Portland-Milwaukie Segment into three sections: (1) South Willamette River Crossing; (2) McLoughlin Boulevard; and (3) Milwaukie Town Center (formerly Milwaukie Regional Center). With these amendments, the light rail route, stations, lots, maintenance facilities and highway improvements comprising the Portland-Milwaukie Segment are as follows:

South Willamette River Crossing Section

The South Willamette River Crossing Section extends from the Jackson Street LRT stations near Portland State University to the intersection of SE 17th Avenue and SE McLoughlin Boulevard.

From the Jackson Street LRT stations on SW 5th and 6th Avenues, the LRT alignment leaves Portland towards Milwaukie along SW Lincoln Street, across SW 1st Avenue and SW Naito Parkway, over SW Harbor Drive and under the I-5/I-405/Marquam Bridge ramps to a location west of SW Moody Avenue at approximately SW Porter Street. Short of reaching the Ross Island Bridge, the alignment curves eastward to cross the Willamette River on a new bridge. The alignment crosses the east bank of the Willamette River at SE Sherman Street and then continues eastward primarily along SE Sherman Street to the intersection of SE 7th Avenue and SE Caruthers Street, where it rejoins the 1998 LUFO alignment and continues southeast to SE Powell Boulevard.

South of SE Powell Boulevard, the LRT alignment follows SE 17th Avenue to SE McLoughlin Boulevard, as approved in the 2004 LUFO amendments. In this segment, the alignment boundary is widened so that the SE 17th Avenue right-of-way remains wide enough to accommodate bicycle lanes and freight movements.

West of the Willamette River, light rail stations are located between approximately SW 2nd and 3rd avenues on SW Lincoln Street and between SW Moody Avenue and the Willamette River. East of the Willamette River, the OMSI station identified in the 1998 LUFO is relocated to SE Sherman Street west of SE Water Avenue. The locations previously approved for the SE Clinton Street station in the 1998 LUFO, and for the SE Rhine and SE Holgate Street stations along SE 17th Avenue in the 2004 LUFO amendments, are unchanged.

There are no park-and-ride lots or maintenance facilities in the Willamette River Crossing section. However, there are three new highway improvements: (1) A transitway extending from approximately SW 1st Avenue across the new bridge to approximately SE 8th Avenue and SE Division Place, that will accommodate buses, light rail vehicles, streetcars, bicycles and pedestrians; (2) transitway-related improvements on SE 8th Avenue between SE Powell Boulevard and SE Woodward Street, including roadway

widening for a turn lane and transit-only signalization; and (3) modifications to SW Moody Avenue between approximately the Marquam Bridge and the Ross Island Bridge.

The boundaries of these light rail facilities and highway improvements are illustrated in attached *Figures 1.1 through 1.4*.



South/North Land Use Final Order Amendment Boundary Map

Figure 1.1

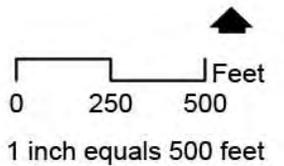
Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform
- Highway Improvement



METRO



Note: The guideway between SW 1st Avenue and SE 8th Avenue/SE Division Place will provide bus access and is considered a highway improvement along the light rail route. April 2013



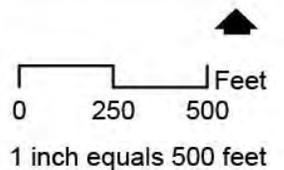
South/North Land Use Final Order Amendment Boundary Map

Figure 1.2

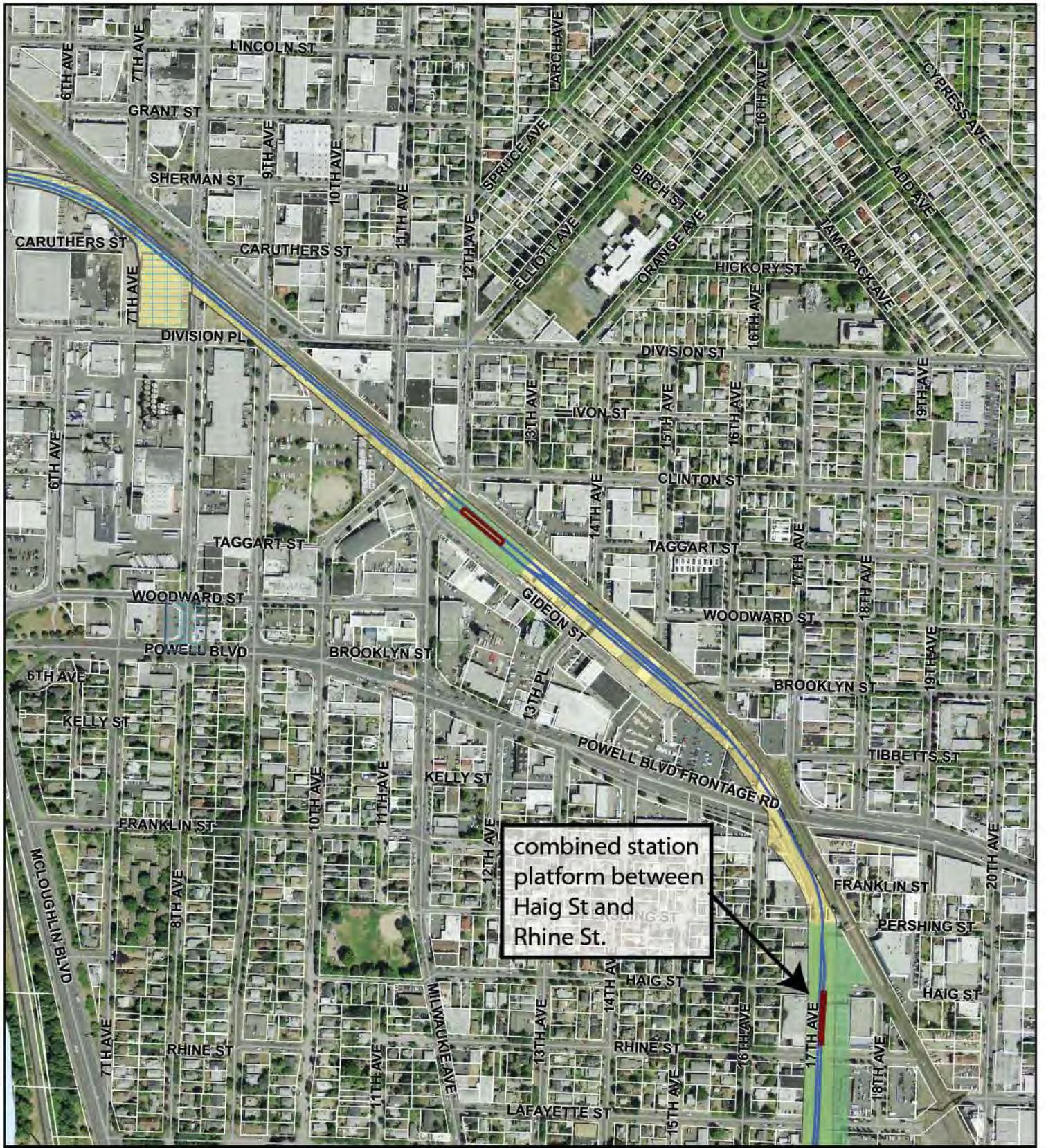
Portland-Milwaukie Light Rail Project

-  Light Rail Route
-  Light Rail Stations
-  Park-and-Ride Lots

-  Potential Alignment
-  Potential Station Platform
-  Highway Improvement



Note: The guideway between SW 1st Avenue and SE 8th Avenue/SE Division Place will provide bus access and is considered a highway improvement along the light rail route. April 2013



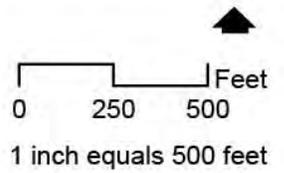
South/North Land Use Final Order Amendment Boundary Map

Figure 1.3

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform
- Highway Improvement



Note: The guideway between SW 1st Avenue and SE 8th Avenue/SE Division Place will provide bus access and is considered a highway improvement along the light rail route. April 2013



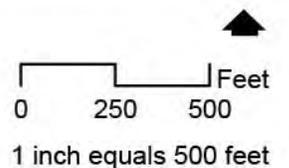
South/North Land Use Final Order Amendment Boundary Map

Figure 1.4

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform



McLoughlin Boulevard Section

The McLoughlin Boulevard section extends along SE McLoughlin Boulevard from SE 17th Avenue to SE Tacoma Street.

No changes are made to the light rail route along SE McLoughlin Boulevard as established in the 1998 LUFO and amended in part in the 2004 LUFO. From SE 17th Avenue to SE Tacoma Street, the route continues southward along the east side of SE McLoughlin Boulevard between SE McLoughlin Boulevard and the Union Pacific Railroad tracks.

There is a future LRT station along SE McLoughlin Boulevard near SE Harold Street. Also, the Bybee Boulevard LRT station boundary is expanded to provide for bus pullouts on SE Bybee Boulevard.

There are no park-and-ride lots, maintenance facilities or highway improvements in the McLoughlin Boulevard section.

The boundaries of these light rail facilities are illustrated in attached *Figures 1.4 through 1.6*.



Harold Station not funded in FFGA but identified as a future station.

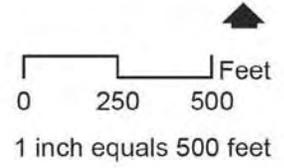
South/North Land Use Final Order Amendment Boundary Map

Figure 1.5

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform





South/North Land Use Final Order Amendment Boundary Map

Figure 1.6

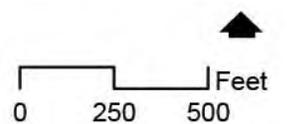
Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform



METRO



1 inch equals 500 feet

Milwaukie Town Center Section

The Milwaukie Town Center Section extends from SE Tacoma Street through downtown Milwaukie to SE Park Avenue in Clackamas County. In the 2004 LUFO, this entire section was identified as a study area.

A short distance south of SE Tacoma Street, the route curves south and east from SE McLoughlin Boulevard to the west side of the UP Main Line, where it heads southward under the Springwater Trail bridge and then onto an elevated structure which extends over the Portland and Western railroad tracks and associated spur tracks before returning to grade level on the east side of the Portland and Western railroad tracks north of Highway 224. From here, the alignment continues southward under Highway 224 and into downtown Milwaukie along the east side of the railroad right of way to Kellogg Lake. The alignment crosses over Kellogg Lake and then crosses SE McLoughlin Boulevard on an elevated structure. West of SE McLoughlin Boulevard, the alignment curves towards the southeast and parallels SE McLoughlin Boulevard to its terminus at SE Park Avenue.

Stations along this section are located south of SE Tacoma Street, in the vicinity of SE Lake Road, and near SE Park Avenue. Park-and-ride lots in this section are located south of SE Tacoma Street and near SE Park Avenue.

No maintenance facilities or highway improvements are proposed for this section.

The boundaries of these light rail facilities are illustrated in attached *Figures 1.6 through 1.9*.



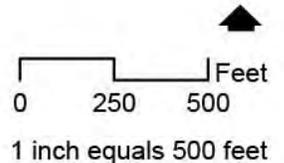
South/North Land Use Final Order Amendment Boundary Map

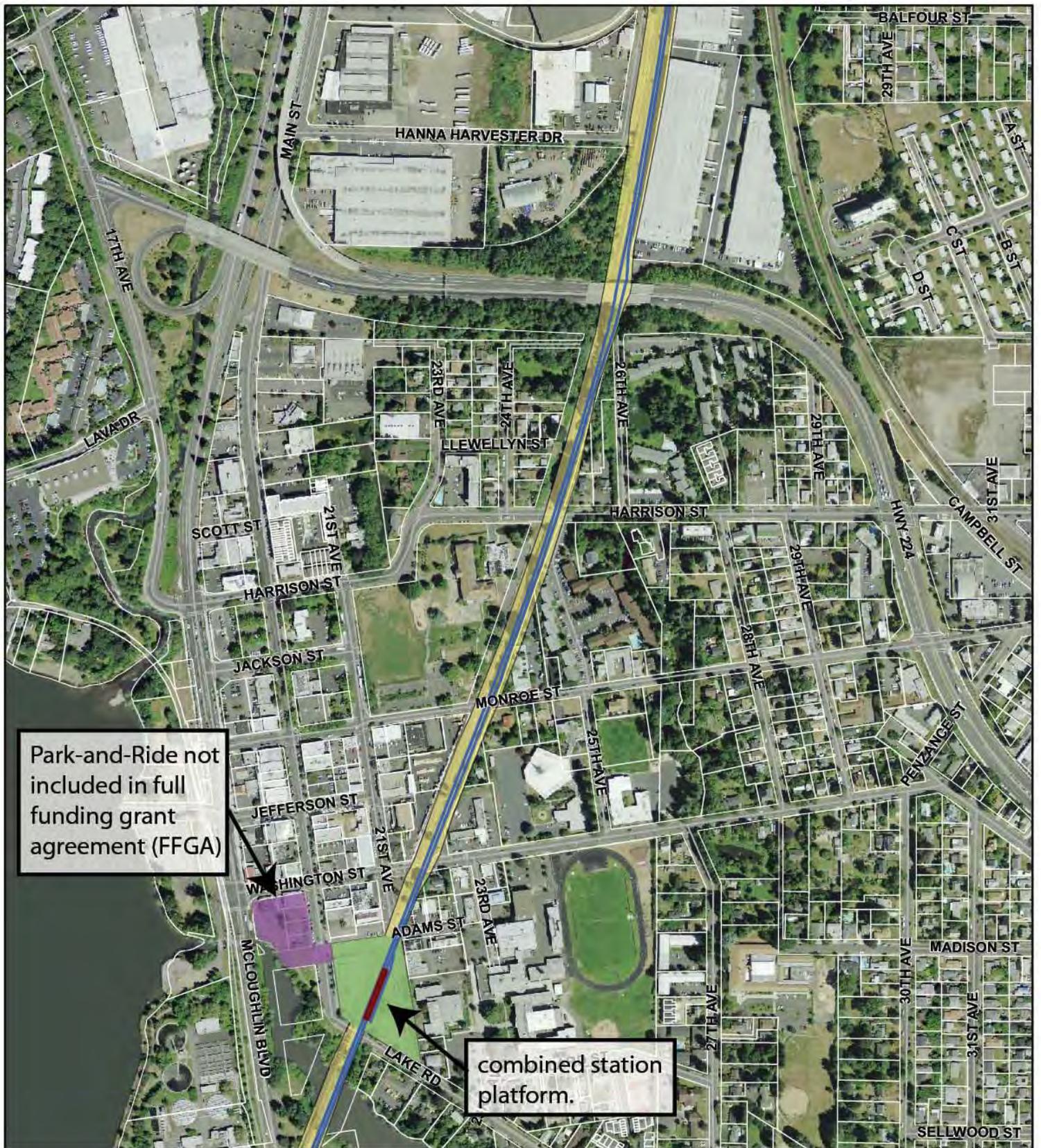
Figure 1.7

Portland-Milwaukie Light Rail Project

-  Light Rail Route
-  Light Rail Stations
-  Park-and-Ride Lots

-  Potential Alignment
-  Potential Station Platform





Park-and-Ride not included in full funding grant agreement (FFGA)

combined station platform.

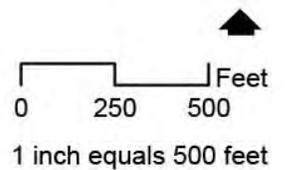
South/North Land Use Final Order Amendment Boundary Map

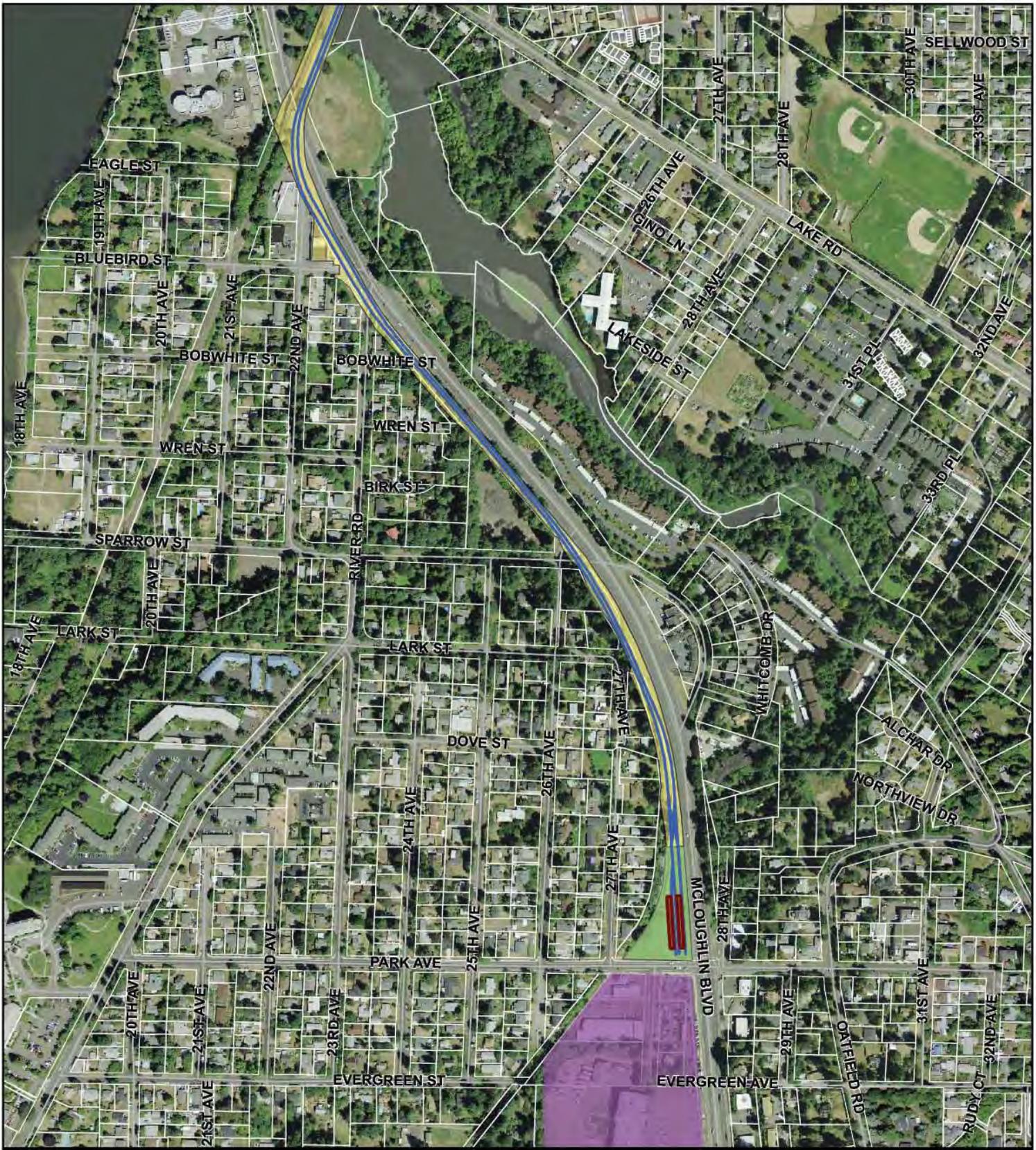
Figure 1.8

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform





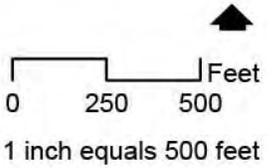
South/North Land Use Final Order Amendment Boundary Map

Figure 1.9

Portland-Milwaukie Light Rail Project

- Light Rail Route
- Light Rail Stations
- Park-and-Ride Lots

- Potential Alignment
- Potential Station Platform

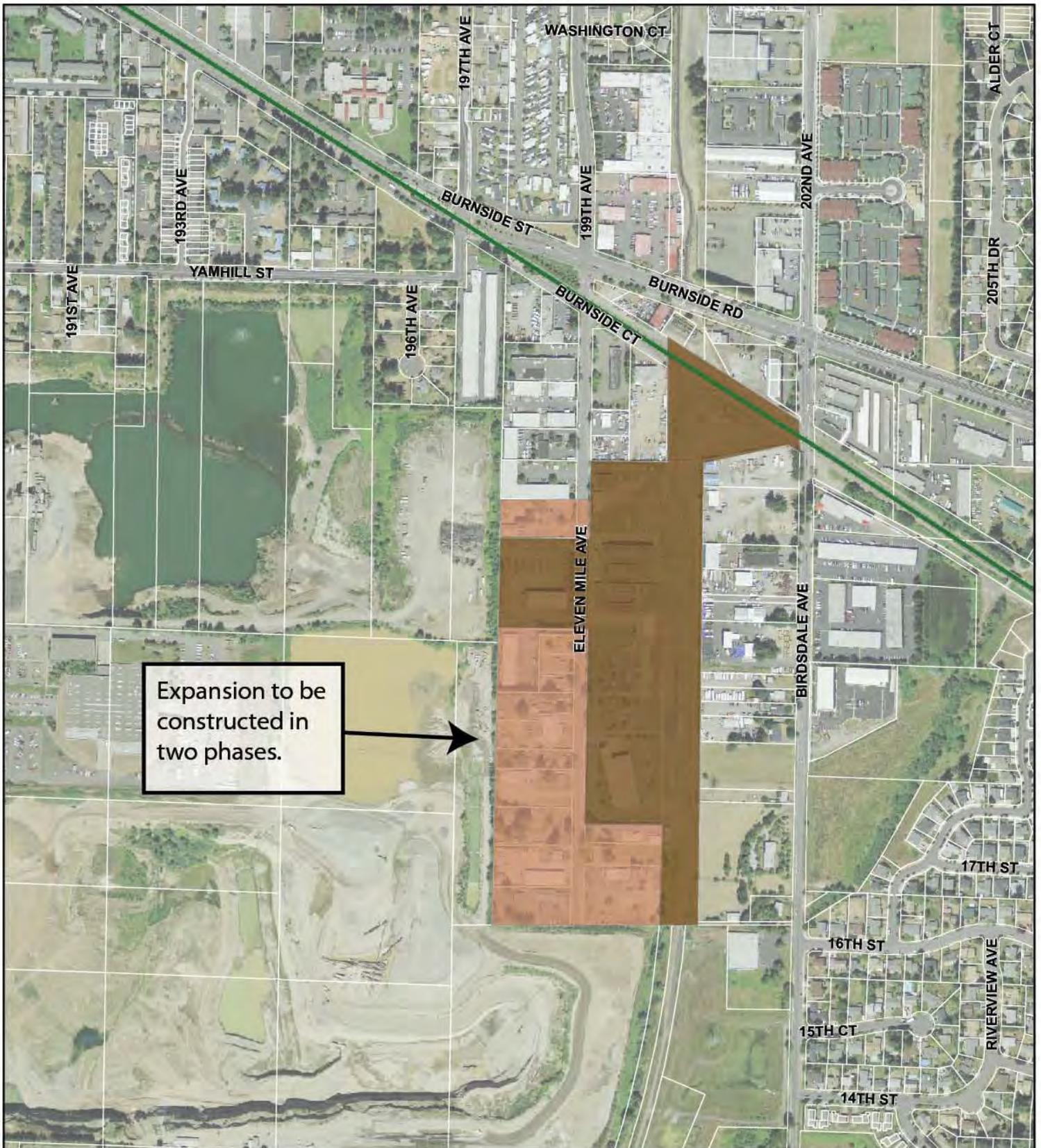


3.2 Ruby Junction Maintenance Facility

The Ruby Junction Maintenance Facility along NW Eleven Mile Avenue in Gresham was first authorized in 1980, when TriMet approved the original light rail route serving the Portland metropolitan area between Portland and Gresham. The facility includes light rail tracks, vehicle storage spaces and maintenance bays, an operation center, and related facilities necessary to maintain light rail vehicles.

This 2008 LUFO authorizes the modification and expansion of the Ruby Junction Maintenance Facility to accommodate and serve additional light rail vehicles associated with the Portland-Milwaukie Segment. The expansion includes additional tracks, light rail vehicle storage spaces and maintenance bays and a new operations center. The improvements are identified for construction in two phases.

The boundaries within which the above-described maintenance facilities may be located are as illustrated in attached *Figure 2-1*.

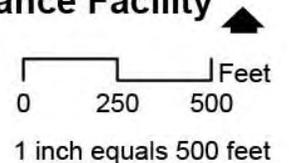


South/North Land Use Final Order Amendment Boundary Map

Figure 2.1

Ruby Junction Operations and Maintenance Facility

- Existing O&M
- Potential O&M expansion
- Potential Alignment
- Potential Station Platform
- Existing Light Rail



4. Interpretation of Terms

As it did in the 1998, 1999 and 2004 LUFOs, the Metro Council interprets the terms "light rail route", "stations", "lots", "maintenance facilities" and "highway improvements" to have the following meanings:

- "**Light rail route**" means the alignment upon which the light rail tracks will be located. The light rail route will be located on land to be owned by or under the operating control of TriMet.
- "**Stations**" means those facilities to be located along the light rail route for purposes of accessing or serving the light rail system. Stations include light rail station platforms; kiss-and-ride areas; bus transfer platforms and transit centers; vendor facilities; and transit operations rooms.
- "**Lots**" means those parking structures or surface parking lots that are associated with a station, owned by or under the operating control of either TriMet or another entity with the concurrence of TriMet, and intended primarily for use by persons riding transit or carpooling. Parking structures may include some retail or office spaces in association with the primary use.
- "**Maintenance facilities**" means those facilities to be located on land to be owned or controlled by TriMet for purposes of operating, servicing, repairing or maintaining the light rail transit system, including but not limited to light rail vehicles, the light rail tracks, stations, lots, and ancillary facilities and improvements. Maintenance facilities include maintenance facility access trackways; storage tracks for light rail vehicles; service, repair and maintenance shops and equipment; office facilities; locker rooms; control and communications rooms; transit district employee and visitor parking lots; and storage areas for materials and equipment and non-revenue vehicles.
- "**Highway improvements**" include new roads, road extensions or road widenings outside existing rights-of-ways that have independent utility in themselves and are not needed to mitigate adverse traffic impacts associated with the light rail route, stations, lots or maintenance facilities.

Also consistent with these previous LUFOs, the Metro Council determines that implementation of the South/North LUFO under sections 8(1)(a) and (b) of Chapter 12 of the 1996 Oregon Laws (HB 3478), including the construction, operation and maintenance of the light rail route, stations, lots and maintenance facilities and the highway improvements for the South/North Project, necessitates and requires development approval of certain associated actions and the permitting of certain associated or ancillary facilities or improvements. These associated actions or ancillary facilities or improvements generally are required: (1) to ensure the safe and proper functioning and operation of the light rail system; (2) to provide project access; (3) to improve traffic flow, circulation or safety in the vicinity of the South/North Project; or (4) to mitigate adverse impacts caused to the adjoining roadway network resulting from the alignment, stations, lots or maintenance facilities. For these reasons, the Metro Council determines that these actions, facilities or improvements are integral and necessary parts of the South/North Project.

The Metro Council further determines that the associated actions and ancillary facilities or improvements for the South/North Project include, but are not limited to: ties, ballast, and other track support materials such as tunnels and bridges; modifications to existing tracks; retaining walls and noise walls; culverts and other drainage systems; traction electrification equipment including substations; light rail signals and communications equipment and buildings; lighting; station, lot and maintenance facility accesses, including road accesses, pedestrian bridges and pedestrian and bicycle accessways; roadway crossing protection; and the provision of pedestrian paths, bike lanes, bus stops, bus pullouts, shelters, bicycle storage facilities and similar facilities. They also include temporary LRT construction-related roadways, staging areas and road or lane closures; roadway reconstruction, realignment, repair, widening, channelization, signalization or signal modification, lane reconfiguration or reduction, addition or modification of turning lanes or refuges, modification of traffic circulation patterns, or other modifications or improvements that provide or improve project access, improve traffic flow, circulation or safety in the vicinity of the South/North Project, facilitate or are necessary for the safe or proper functioning and operation of the Project, or are necessary to mitigate adverse traffic impacts created by the Project; modifications of private roadways adjoining the Project; permanent road, lane or access closures associated with and necessitated by the Project; and other associated actions or associated or ancillary facilities or improvements related to the Project.

5. Applicable Land Use Criteria

The Oregon Land Conservation and Development Commission, as required by Section 4 of Chapter 12, 1996 Oregon Laws, adopted land use final order criteria on May 30, 1996. These criteria are to be used by the Metro Council "...in making decisions in a land use final order on the light rail route, stations, lots and maintenance facilities, and the highway improvements for the project and extension, including their locations." Compliance with these criteria must be demonstrated.

Procedural LUFO Criteria

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

Substantive LUFO Criteria

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

and protect water quality which could be imposed as conditions of approval during the NEPA process or, if reasonable and necessary, by local governments during the permitting process.

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

Alignment-Specific Criteria

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

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO.13-4433, FOR THE PURPOSE OF ADOPTING TECHNICAL AMENDMENTS TO THE 2008 SOUTH/NORTH LAND USE FINAL ORDER AMENDMENT IN CONFORMANCE WITH THE FULL FUNDING GRANT AGREEMENT EXECUTED BY TRIMET AND THE FEDERAL TRANSIT ADMINISTRATION

Date: May 7, 2013

Prepared by: Roger Alfred

BACKGROUND

In 2008, the Metro Council adopted Resolution No. 08-3964, which adopted a Land Use Final Order (LUFO) for the Portland to Milwaukie segment of the South/North Light Rail Project. The 2008 LUFO established the light rail alignment and identified the location of light rail stations, park and ride lots and maintenance facilities.

In 2012, TriMet and the Federal Transit Administration entered into a Full Funding Grant Agreement (FFGA) for the Portland-Milwaukie light rail transit project, which awards federal financial assistance to TriMet consistent with the terms of that agreement. The FFGA and the 2008 LUFO include some minor inconsistencies regarding the specific locations of certain stations, park and ride lots, and other facilities.

The Oregon statute governing the South/North Light Rail Project provides that upon execution of the FFGA, the Metro Council “shall amend the land use final order to be consistent with the terms and conditions of the Full Funding Grant Agreement.” Section 12 further provides that an amendment to ensure consistency with an executed FFGA “shall be considered technical and environmental and shall not be subject to judicial or administrative review.” Oregon Laws 1996, Chapter 12, Section 12.

The following text and map amendments to the 2008 LUFO are necessary in order to conform the 2008 LUFO to the FFGA, as required by Oregon law:

1. Show the station platform between SW 4th Avenue and SW Naito Parkway as a combined platform.
2. Delete the Harbor Drive station.
3. Show a single station platform between SE Haig Street and SE Rhine Street.
4. Show a single station platform at the SE Holgate station.
5. Identify the Harold Street station as a future station.
6. Delete the downtown Milwaukie park-and-ride lot near SE Lake Road.
7. Identify Ruby Junction Maintenance Facility expansion as being constructed in two phases.

The necessary text and map amendments are described in the supplemental findings attached as Exhibit A to Resolution 13-4433. The amendments are incorporated into the 2008 LUFO and attached as Exhibit B to the Resolution for adoption by the Metro Council.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** Oregon Laws 1996, Chapter 12, which establishes procedures for siting the South/North Light Rail Project through adoption by the Metro Council of a LUFO following application by TriMet.

Metro Council 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.

Metro Council Resolution No. 99-2853A, For the Purpose of Adopting a Land Use Final Order Amending the Light Rail Route, Light Rail Stations, and Park-and-Ride Lots, Including Their Locations, For That Portion of the South/North Light Rail Project Extending From the Steel Bridge to the Exposition Center.

Metro Council Resolution No. 03-3372, For the Purpose of Amending the South/North Land Use Final Order, to Include the Two Phases of the South Corridor Project Consisting of the Addition of the I-205 Light Rail Transit Project From Gateway to Clackamas Regional Center with the Downtown Portland Transit Mall Alignment, and Modification of the Proposed Light Rail Between Downtown Portland and Milwaukie, Deletion of Plans to Extend Light Rail from Milwaukie to Clackamas Regional Center, and to Reflect the Final Interstate Max Design.

Metro Council Resolution No. 08-3959, For the Purpose of Approving the 2008 Portland-Milwaukie Light Rail Project Locally Preferred Alternative and Finding Consistency with the Metro 2035 Regional Transportation Plan.

3. Anticipated Effects None

4. Budget Impacts None

RECOMMENDED ACTION

Metro staff recommends the approval of Resolution No. 13-4433.

Materials following this page were distributed at the meeting.

Animals deserve clean water

We take an oath before we are admitted to the profession of veterinary medicine:
not only to protect animal health but also welfare,
to not only relieve animal suffering but to PREVENT it.

The cumulative effect of fluoridated water can be devastating to animals.

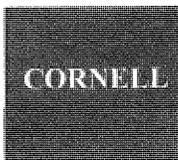
It is impossible for anyone to, with any accuracy, determine the amount of fluoride an animal might consume because none of the food, bottled water, or medicine labels list whether fluoride was used in the growing, preparation or manufacturing of the product.

Elephants at the Oregon Zoo drink 30 gallons a day. This could dramatically impact the health of their bones and joints, as it would impact EVERY animal.
Animals deserve clean water too.

Christopher Mark Holenstein, DVM
520 NW Division
Gresham, OR 97030

Vote No on fluoridation Measure 26-151 May 2013

(The deadline to register to vote in the May 21st election is April 30th and must be in the election office by 5:00pm)



College of Veterinary Medicine

Department of Biomedical Sciences
Cornell University
Ithaca, NY 14853-6401

August 30, 2005

Daniel G. Stockin, MPH
Senior Operations Officer
Ph: 615-294-4528 Fax: 615-370-2151
Email: dan@thelilliecenter.com
The Lillie Center, Inc.
P.O. Box 1951
Brentwood, TN 37024

ARTIFICIAL WATER FLUORIDATION CAUSES FLUORIDE POISONING IN HORSES

There is a vast literature on fluoride poisoning in animals, especially in cattle. The sources of fluoride are emissions from aluminum, coal, and steel industries, phosphate fertilizer and feed supplements. The exposure is usually very heavy and the life-span relatively short. Now we have before us another situation in horses exposed to relatively low fluoride but for a very long time.

A community in Colorado fluoridated the water some 20 years ago in a concentration of 1.3 parts per million (ranging from 0.35 to 1.35). For a local Quarter Horse operation, from 6 to 10 horses, this was the only source of water. There were no phosphate fertilizer used or any phosphate supplements for the horses. Signs of fluoride poisoning started to appear after five years and included interference with reproduction, crooked leg bones. Blood analyses showed decreased levels of thyroid gland hormone. Post-mortem examination of cannon-bones revealed pile-up of bone tissue on the inner surface (endostosis) and chemical analysis of dried bone confirmed the diagnosis of chronic dental fluorosis which grew worse with time and finally showed severe destruction of tooth-supporting bone. Over the years, 5 horses were killed because of progressive signs of chronic fluoride poisoning.

The horses did not die in vain. They played a role in the successful campaign to discontinue artificial water fluoridation in the community. The lesson to be learned is obvious: prevent fluoride poisoning by NOT fluoridating the water.

Respectfully submitted
Lennart Krook, D.V.M., Ph.D
Professor of Pathology, Emeritus

Dr Sauerheber on Elephants Dead of Aluminum Fluoride

Posted on January 12, 2012 by Professor Deal in Documents with 3 Comments

Richard Sauerheber, Ph.

(B.A. Biology, Ph.D. Chemistry, University of California, San Diego)

Palomar College, 1140 W. Mission Rd., San Marcos, CA 92069

Email: richsauerheb@hotmail.com Phone: 760-744-2547

January 11, 2012

Dear Anthony Young, San Diego City Council, Mayor Sanders, and Attorney Dumanis,

As a concerned San Diego native I write again to help you understand your rights regarding the use of substances in water to treat citizens of the city. All Water Districts in the U.S. who treat people with industrial fluorides for any putative effect on teeth via the bloodstream after ingestion are responsible for measuring the fluoride level in the blood of citizens they decide to treat. The burden of quality control is on the utilities that administer the agent, not the consumer who is forced to ingest it.

The target blood level stated by the Oral Health Division dental officials within the CDC is 0.2 ppm fluoride [1], but neither the OHD dentists nor most city utilities understand that blood fluoride levels depend on water hardness. People consuming Seattle ultra-soft water (10 ppm calcium) have levels above 0.2 ppm in blood, and water chemists there add calcium chloride along with the fluoridation chemicals to help minimize assimilation [2]. In hard water Texas (safe 300 ppm calcium antidote), where the idea of 'water fluoridation' first began, the blood level is below 0.2 ppm. San Diego water (labeled 'soft' by water districts) has a calcium to fluoride ratio of only about 60 mg calcium per 0.8 mg fluoride. Animal studies show the blood level of fluoride was lowered 4 fold when calcium was administered along with sodium fluoride, compared to sodium fluoride alone.

Those who believe the false claim, that fluoride consumption is harmless long-term, regardless of all the published human and animal studies proving otherwise, do not explain how fluoride, that crosses the blood brain barrier [3] and accumulates in bone permanently [4], somehow magically avoids having any effect on systemic biologic functions. How does this happen? The answer of course is that fluoride indeed causes harm. Look at the 41% of 12-15 year olds in the U.S. having permanent abnormal tooth fluorosis that prevents a normal smile [4]. They are not smiling, and neither are the San Diego residents who know the truth – that industrial fluorides are all toxic calcium chelators [5]. San Diego voters have voted against fluoridation twice, but it is still being forced on them.

Unfortunately after 6 years of consuming aluminum fluoride treated municipal water, the former show elephants of the Wild Animal Park were finally euthanized at the San Diego Zoo this week [6]. One was unable to walk and the other had also deteriorated after both became mentally unstable and unable to follow tasks. These were once bright animals. They could easily follow directions and learn tricks. But the elephant shows had to be canceled a few years after the Park began accepting fluoridated municipal water in 2005. The Park was told in 2005 they would not receive the treated water, but the Park's utility, the San Pasqual Water District, arranged for the city of Escondido to provide the water that is treated with aluminum and with industrial fluoride [7], thinking without evidence that the water would be healthy for elephants, not realizing their large body to brain volume ratio.

Show elephants consume copious amounts of water because of their daily activity level, over 60 gallons daily, and do not have kidneys designed to remove aluminum fluoride at an intake rate that high. They developed mental aberrations

that are known to occur in laboratory animals given aluminum fluoride water at such levels for long time periods [3, 4], including inability to walk from motor brain degeneration. The problem is that aluminum and fluoride together in the acidic stomach form complexes that are assimilated into the bloodstream, causing aluminum accumulation in the brain [4]. Aluminum in water which does not also contain industrial fluoride is not assimilated.

The elephants were transferred from the Wild Animal Park to the San Diego Zoo in January of 2010, and there they were also given fluoridated water to drink. The elephants' mental deficiencies continued to decline. They were even unable to wander around freely in the enclosure. They were standing vegetables. They were recently euthanized. Zoo veterinarians have no explanation for what happened to our elephants. They have not been trained in fluoride toxicology, yet they are reluctant to consider aluminum carried by silicofluoride as the toxin that dumbed down their charges.

It is necessary for city officials to request blood testing of citizens in San Diego that are under your care to verify that the target fluoride blood level is maintained with this new radical water district treatment. Remember that the CA law, that requests 'fluoridation,' does not mention the fluoride source of choice nor does it provide protocols for our local water, having only 60 ppm calcium, to achieve a desired blood level of 0.2 ppm fluoride. The CA Dept. of Health merely suggests what the OHD suggests, to use synthetic industrial hazardous waste fluosilicic acid diluted to '1 ppm' free fluoride, making no mention of adjustments for water calcium or aluminum content! It must be emphasized again that both the CDC and the CA Dept. of Health, in detailed letters to me, made it perfectly clear that the city itself bears all responsibility and all liability for the injections designed to treat citizens in San Diego; and monitoring the health effects of animals by either agency is out of the question.

Is it time to halt these injections? Of course it is. The FDA has never approved ingestion of fluoride because it is not a mineral nutrient and in water is an uncontrolled use of a non FDA-approved drug. When added intentionally into water, the FDA decreed fluoride is an unapproved drug. When accidentally or naturally found in water, both the FDA and EPA rule fluoride is a contaminant. We expect the FDA to ban the intentional injection of fluorides, or to bar the OHD from requesting the injections, soon. But nevertheless in the meantime, cities bear all liability for the injection of fluoride into citizens through public water supplies and because of that fact alone have full legal authority to halt the injections.

We have data from the 50 U.S. states that rank disease incidence as a function of percent of water districts that fluoridate. The data indicate yet again that water fluoridation does not influence teeth decay, but has significant associations with increased tooth fluorosis, mental retardation, cancer and cardiovascular deaths. There was no correlation of increased incidence of Alzheimer's disease with fluoridation, but cities were not separated between those that treat water also with aluminum from those that do not.

Please let me be clear. It is possible that the elephants from the Wild Animal Park that were mentally degraded and euthanized at the Zoo this week may have presented with some form of dementia independent of aluminum and fluoride in their water. However, there is little doubt that the massive amounts of aluminum and fluoride, ingested together that causes uptake into brain, hastened their complete demise. The abnormal tau proteins synthesized in brain in human dementia for unknown reasons have very high affinity for aluminum. Many Alzheimer's victims have aluminum in large concentrations in brain at time of death.

Nevertheless, the Alzheimer's Association currently does not know the cause of the high incidence of Alzheimer's in the U.S. or why San Diego leads the nation in this category of death per capita. It is no longer assumed by this organization that aluminum is the causative agent. San Diego Water facilities indeed do not inject their own aluminum but report levels on water quality reports. Metropolitan Water, Los Angeles has injected aluminum as a clarifying agent long before fluoride injections were begun that enhance aluminum assimilation. However, the city of San Diego and Escondido are

fully culpable for contributing to the demise of these prize animals by providing no option other than water treated with fluoride that also contained aluminum. There is little doubt that aluminum uptake in brain enhanced the mental condition the animals suffered. Aluminum taken up into the brain where it does not belong cannot hide to exert zero effects on structure and function. Numerous studies by Varner and coworkers over the last many decades (see Connett, Fluoride and the Brain, Chapter 15, The Case Against Fluoride, 2010) prove fluoride plus aluminum forms complexes that are assimilated into brain that causes microscopically observed brain degeneration during long term chronic consumption. The question is why is this seemingly not even more dramatic in the human population that what seems to exist, but remember the human brain is of very high capacity (200 billion cells per brain). Further, lack of effect is merely an impression, not a fact, since Alzheimer's now is the 6th leading cause of death in the U.S. (North County Times Jan 12, 2012) and in San Diego County is now astoundingly 3rd!!

It is time to halt the inane practice of injecting industrial synthetic fluoride compounds into human drinking water in an attempt to find a child's cavity, when nonfluoridated Europe has experienced the same rate of decline in caries incidence that the U.S. has seen during this water ingested fluoride program. Understand again that CA AB733 was based on a false assumption, that swallowed fluoride was assumed to decrease caries, when biochemical measurements prove it cannot—it is present from swallowing in the saliva at only 0.02 ppm, unable to affect teeth topically though CA dental officials with vested interests attempt to ignore this. And again, no protocols are provided in CA AB733; it merely asserts basically to go forth and fluoridate, without details of any kind, as though it were some sort of higher proclamation, when in it is a corrupt order that violates the Safe Drinking Water Act (prohibits any Federal requirement for drugs, foods, or any chemicals added other than to sanitize water), and the Food Drug and Cosmetic Act (requiring FDA approval for any substance used as a putative treatment in humans) and the Water Pollution Control Act (section 101a). No State law can supercede Federal laws covering public waterways that are Federal property. The Colorado River originates as far North as Wyoming, and the CA aqueduct water originates as far away as creek drainage in Southern Oregon. The Oregon State legislature barred any state requirement for fluoride in Oregon waterways, to protect salmon from the gross mental narcotic effect fluoride is known to exert that causes salmon run collapse.

As a medical research scientist and native San Diegan, I request that you order the Public Utilities Director, San Diego to stop titrating this illegal, unapproved, useless, harmful industrial substance lacking calcium into the water supply that is ingested by the innocent animals and people who reside here in our otherwise fair city. My brother was offered the position of head computer systems operator by the San Diego Padres. However, due to concerns over water fluoride (my brother has tooth fluorosis) he has chosen to remain employed at Stanford University and to remain in his home in Morgan Hill. Morgan Hill is listed as a 'fluoridated city' but this is false. The water district chemists there stopped ordering drums of fluosilicic acid hazardous waste decades ago and refuse to inject synthetic fluorides into innocent people that, as a toxic calcium chelator, accumulates into bone permanently lifetime. Many people can remain rational about this, and I think you can do so also.

If you would like additional information to help protect citizens of San Diego from this industrial chemical taken internally, or references or letters from the CDC, FDA, CA DPH or other items, please do not hesitate to contact me.

Richard Sauerheber, Ph.D.

References:

- [1] Personal communication and e-mail from Donald Nelson, while chief fluoridation officer, CA Department of Health, Sacramento, CA.
- [2] Online statements of chemists at the Seattle Water District.
- [3] Varner, Brain Research, 1986; Mullenix, Journal of Neurology and Teratology, 1995; Reddy, Journal of Medical and

Allied

Sciences, 2011; most data reviewed in [4].

[4] Connett, P.et.al., The Case Against Fluoride, 2010.

[5] Yiamouyiannis, J., Fluoride, the Aging Factor,1986.

[6] Perry, T., Zoo Euthanizes Zoo Elephants, North County Times, reprinted from Los Angeles Times, January 7, 2012.

[7] Freedom of Information Act request answered by the Escondido Public Works Department, 2010.

Continuing, we have data from the 50 U.S. states that rank disease incidence as a function of percent of water districts that fluoridate. The data indicate yet again that water fluoridation does not influence teeth decay, but has significant associations with increased tooth fluorosis, mental retardation, cancer and cardiovascular deaths [1]. There was no correlation of increased incidence of Alzheimer's disease with fluoridation, but cities were not separated between those that treat water also with aluminum from those that do not.

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The Alzheimer's Association is currently confused and does not know the cause of the high incidence of Alzheimer's in the U.S. or why San Diego leads the nation in this category of death per capita. It is no longer assumed by this organization that aluminum is the causative agent. San Diego Water facilities indeed do not inject their own aluminum but report levels on water quality reports. Metropolitan Water, Los Angeles has injected aluminum as a clarifying agent long before fluoride injections were begun that enhance aluminum assimilation, and this water is imported to North San Diego County. However, the city of San Diego and Escondido are fully culpable for contributing to the demise of these prize animals by providing no option other than water treated with fluoride that also contained aluminum. There is little doubt that aluminum uptake in brain enhanced the mental condition the animals suffered. Aluminum taken up into the brain where it does not belong cannot hide to exert zero effects on structure and function. Numerous studies by Varner and coworkers over the last many decades [2] prove fluoride plus aluminum forms AlF_3 complexes that are assimilated into brain that cause microscopically observed brain degeneration during long term chronic consumption. The question is why is this seemingly not more dramatic in the human population than what seems to exist, but remember the human brain is of very high capacity (200 billion cells per brain). Further, lack of effect is merely an impression, not a fact, since Alzheimer's now is the 6th leading cause of death in the U.S. [3] and in San Diego County is now astoundingly 3rd [4]!! The time to death after Alzheimer's first appears is relatively quick in many cases and there remains no cure.

It is time to halt the inane practice of injecting industrial synthetic fluoride compounds into human drinking water in an attempt to find a child's cavity, when nonfluoridated Europe has experienced the same rate of decline in caries incidence that the U.S. has seen during this water ingested fluoride program [5]. Understand again that CA AB733 was based on a false assumption, that swallowed fluoride was assumed to decrease caries, when biochemical measurements prove it cannot—it is present from swallowing in the saliva at only 0.02 ppm [6], unable to affect teeth topically though CA dental officials with vested interests attempt to ignore this [7]. And again, no protocols are provided in CA AB733; it merely asserts basically to 'go forth and fluoridate', without details of any kind, as though it were some sort of higher proclamation, when it is a corrupt order that violates the Safe Drinking Water Act (which prohibits any Federal requirement for drugs, supplements, or any chemicals added other than to sanitize water), the Food Drug and Cosmetic Act (requires FDA approval for any substance used as a putative treatment in humans) and the Water Pollution Control

Act (section 101a). No State law can be legally binding that attempts to supercede these and other Federal laws covering public waterways that are Federal property. The Colorado River originates as far North as Western Wyoming (WindRiver Mountain Range), and CA aqueduct water originates as far North as creek drainage in Southern Oregon. The Oregon State legislature barred any State requirement for fluoride in Oregon waterways, to protect salmon from the known gross mental narcotic effect fluoride exerts that causes salmon run collapse.

As a medical research scientist and native San Diegan, I request that you order the Public Utilities Director, San Diego to stop titrating this illegal, unapproved, useless, harmful industrial substance lacking calcium into the water supply that is ingested by the innocent animals and people who reside here in our otherwise fair city. My brother was offered the position of head computer systems operator by the San Diego Padres. However, due to concerns over water fluoride (my brother has slight tooth fluorosis from a one-time Luride dose) he has chosen to remain in his home in Morgan Hill, CA. Morgan Hill is listed as a 'fluoridated city' but this is false. The water district chemists there stopped ordering drums of fluosilicic acid hazardous waste decades ago and refuse to inject synthetic fluorides into innocent people that, as a toxic calcium chelator, accumulates into bone permanently lifetime. Many people can remain rational about this, and I think you can also.

Richard Sauerheber, Ph.D.

References:

- [1] Dr. Osmunson, presenter, International Fluoride Conference, Toronto, Canada, 2008
- [2] Varner, Brain Research, 1986 reviewed at www.fluoridealert.org and in
- [3] North County Times, Jan 12, 2012
- [4] Signon San Diego, 2010.
- [5] Connett, et.al., The Case Against Fluoride, Chelsea Green Publishing, Vermont, 2010.
- [6] National Research Council, Report on Fluoride in Drinking Water, a Scientific Review of EPA's Standards, Washington, D.C., 2006.
- [7] personal communication with Dr. Kathleen Thiessen, co-author of reference [6].

12-2-12

With a 40% infant mortality in elephants in U.S. Zoos, and with most of the deaths before age 20 being attributed to musculoskeletal disorders, it seems fluoride would be logically playing a role. These animals consume 60 gallons every day of fluoridated water and the longer residence time in the animal (because of sheer size and length of blood vessels between gut and kidney for example) would argue that a relatively high rate of bone accumulation occurs over that in other species.

Richard

From Dr. Sauerheber:

San Diego Fluorosilicic Acid Update

While most San Diegans are getting used to drinking water treated with diluted industrial fluorosilicic acid, many continue to oppose these artificial infusions. In discussions at the Zoo, administrators and caretakers, who prefer to remain anonymous, do not support or authorize the fluoridation of animals residing there, particularly certain exotic sensitive species. On the other hand, it is too much to expect Zoo officials to complain and accept the risk that entails.

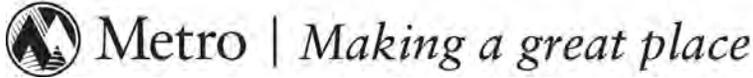
Most all the Zoo animals drink municipal water. Amphibians however have long been provided city water that is further purified with reverse osmosis, since these creatures cannot live normally with chemicals in water due to ease of

permeation through skin. After fluoridation began last year, the pollutant-sensitive gharial alligators developed illness and one died, but veterinarians were quoted as not knowing the precise cause. The other gharial lived and is now housed at the San Antonio Zoo, to be re-admitted to San Diego in August. This time though to be safer, that water will be RO purified and also mixed with 10% seawater. The very high calcium content will protect these animals from fluoride, and RO removes the silicic acid that can cause silicosis of liver in alligators that live in silicofluoridated soft water, as published in detailed studies by the scientific journal *Fluoride*. Construction and water pipe repairing is now ongoing at the enclosure. It is also comforting to see that each elephant is fed about 5 gallons daily of celery, to avoid weight gain, where celery is a good source of calcium, the antidote to fluoride poisoning.

The U.S. Health and Human Services last year requested that water fluoride be lowered to 0.7 ppm because 41% of all U.S. teens aged 12-15 developed abnormal permanent tooth fluorosis from fluoridated water at 1 ppm average, as of 2004. In compliance, the fluoride level in water provided to the Zoo was lowered to 0.6 ppm, as verified this week. This is a good start and is also the level currently used by the Los Angeles Metropolitan Water District soon after a lawsuit was filed in Federal Court over the fact that fluorosilicic acid is not FDA approved to be taken internally through ingestion in the U.S. In addition, a petition to ban industrial fluoride infusions in all U.S. waters was accepted by the FDA in 2007 for review and remains pending.

City officials are reluctant to discuss the issue. Attorney and Mayoral candidate Bonnie Dumanis wrote, after a cursory examination, the opinion that nothing illegal is being done. Candidate Bob Filner stated that fluoridation is probably a large waste of money. Candidate Carl DeMaio thought about looking into the legality of the funding for the infusions from First Five tobacco taxes, but after one year has not obtained a tangible result that is known to us.

Richard Sauerheber, Ph.D. Chemistry



METRO COUNCIL MEETING

Meeting Summary

May 9, 2013

Metro, Council Chamber

Councilors Present: Council President Tom Hughes and Councilors Shirley Craddick, Carlotta Collette, Kathryn Harrington, Sam Chase, Bob Stacey, and Craig Dirksen

Councilors Excused: None

Council President Tom Hughes called the regular council meeting to order at 2:01 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

Ellen Ino, 5769 N. Vancouver Ave., Portland: Ms. Ino addressed the Council on creating permanent-level staff, such as at the reception desk and in food services, at the Oregon Zoo. She stated that while she understood permanent staffing did have an associated budget impact and the positions she discussed did cross different labor unions, she believed there was a need at the Oregon Zoo.

3. CONSENT AGENDA

Motion:	Councilor Carlotta Collette moved to approve May 9, 2013 consent agenda which consisted of: <ul style="list-style-type: none">• Consideration of the Minutes for May 2, 2103; and• Resolution No. 13-4426, For the Purpose of Certifying that the Portland Metropolitan Area is in Compliance with the Federal Transportation Planning Requirements and Adopting the Fiscal Year 2013-15 Unified Planning Work Program.
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Vote:	Council President Hughes, and Councilors Craddick, Collette, Chase, Dirksen, Stacey, and Harrington voted in support of the motion. The vote was 7 ayes, the motion <u>passed</u> .
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4. ORDINANCES – SECOND READ

Ordinance No. 13-1303, For the Purpose of Amending and Re-Adopting Metro Code 7.03 (Investment Policy) for Fiscal Year 2013-2014.

Motion:	Councilor Shirley Craddick moved to approve Ordinance No. 13-1303.
Second:	Councilor Kathryn Harrington seconded the motion.

Mr. Cal Smith of Metro provided a brief staff report for Ordinance No. 13-1303. Mr. Smith relayed the Investment Advisory Board’s discussion and recommendation. He stated that Metro is currently experiencing difficulty with the limited amount of debt available for purchase within the 18-month period. As the Federal Reserve continues to purchase treasuries, the available debit supply has decreased. Mr. Smith stated that Oregon Law allows Metro to increase the allowable duration of Metro’s listed investment options from 18 months to 3 years for 25 percent of the agency’s portfolio. In addition, the law permits Metro to invest in high-quality corporate debit. He stated that the IAB recommended the above amendments be made to Metro Code in order to provide the agency a wider array of options for future investments.

Council President Hughes gaveled and opened a public hearing on Ordinance No. 13-1303. Seeing no members of the public who wished to testify, the public hearing was closed.

Council discussion

Councilors discussed the IAB’s recommendation to include high-quality corporate debt, specifically corporations who have a long-term AA rating or better. Examples provided by staff included Wal-Mart and ExxonMobil. Councilors expressed interest in having a future discussion about socially responsible investments and the types of businesses Metro should invest in. Staff recommended the Council invite members of the IAB to participate in a future discussion around the Council’s goals and objectives.

Vote:

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

5. CHIEF OPERATING OFFICER COMMUNICATION

Ms. Bennett provided updates on:

- Ms. Robin McArthur of Metro has announced that she will leave Metro at the end of June 2013. Ms. Bennett expressed her admiration and thanks to Ms. McArthur and stated that she is a true leader in transportation planning.
- The Community Investment Initiative Leadership Council is scheduled to meet on May 13. The agenda will be distributed to the Metro Council shortly.
- She thanked staff for hosting the Regional Trails Fair on May 8.

6. COUNCILOR COMMUNICATION

Councilor updates included the following recent meetings or events: the Metro Policy Advisory Committee (MPAC), Joint Policy Advisory Committee on Transportation (JPACT), Transit Oriented Development (TOD) Steering Committee, Travel Portland's breakfast banquet, Portland Business Alliance's Leadership Portland, and Community Planning and Development Grants meeting. Highlighted upcoming meetings included the May 22 Regional Active Transportation Plan open house, May 14 Westside Trail open house, and May 17 State of the Region address at City Club.

TIGER V grant application & process

Mr. Jim Desmond of Metro stated that Metro is considering applying for TIGER V funds for the North Portland Greenway project. The proposed project, which would create a six to ten mile loop of new trails and two bridges in North Portland, is estimated at \$13 million. Mr. Desmond stated that there may be opportunities to partner with the City of Portland's Bureau of Transportation and the Port of Portland, each of which has a project in the vicinity of the North Portland Greenway project. Staff is in the process of completing a fact-finding analysis on the project to see if it is a good candidate for a TIGER grant.

Some councilors suspected that there was a general sense among the broader community that the regional TIGER review and prioritization process was a Metro-led process. Councilors stated that while this is incorrect – the process is managed by JPACT – councilors cautioned that submittal of a Metro grant application should be approached with care. Additionally, councilors noted that in previous grant cycles, the full Metro Council has written a letter of support for the regional process and the region's selected priority project. This Council letter of support has taken the place of individual councilors writing letters of support for other parties' grant applications. Additional discussion included recent land acquisition along the project alignment, possible project partners such as The Intertwine, and the importance of submitting a TIGER application that articulates the regional significance of the project. Some councilors requested additional time with staff is scheduled to discuss the TIGER grant and process.

7. ADJOURN

There being no further business, Council President Hughes adjourned the regular meeting at 3:01 p.m. The Metro Council will convene the next regular council meeting on Thursday, May 16 at 2 p.m. at the Council Chamber.

Respectfully submitted,



Kelsey Newell, Regional Engagement & Legislative Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 2, 2013

Item	Topic	Doc. Date	Document Description	Doc. Number
3.1	Minutes	5/2/13	Council minutes for May 2, 2013	50913c-01
3.1	Summary	5/2/13	Council summary for the public hearing on the proposed 2035 Regional Transportation Plan amendments	50913c-02
6.0	Brochure	4/2013	Regional Trail Accomplishments brochure	50913c-03

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE) RESOLUTION NO. 13-4430
CHIEF OPERATING OFFICER TO GRANT)
AN EASMENT TO THE BURLINGTON) Introduced by Kathleen Brennan-Hunter
WATER DISTRICT)

WHEREAS, pursuant to the Metro Open Spaces, Parks and Streams 1995 Ballot Measure 26-26 (“Metro Open Spaces Bond Measure”) on January 20, 2000, Metro purchased approximately 332 acres of real property in the Forest Park Connections Target Area; and

WHEREAS, the property, now referred to as Burlington Creek Forest, has panoramic views of Burlington Bottom, Multnomah Channel, Sauvie Island and the Willamette River, protects fish bearing streams, and someday may serve as a critical link in a trail running from Portland to the Oregon Coast; and

WHEREAS, for nearly a century, the Burlington Water District (the “District”) has operated and maintained a 200,000 gallon concrete tank for the storage of potable water on property that is now surrounded by Metro ownership; and

WHEREAS, the tank is in poor condition, is smaller than needed and must be replaced with a 350,000 gallon tank within the next year to provide safe, potable drinking water within and adjacent to the District, in accord with state rules and regulations; and

WHEREAS, access to the Burlington Water District tank by the District for maintenance and inspections has historically been over Metro property without a formal agreement; and

WHEREAS, the existing property owned by the Burlington Water District is not large enough to provide for the construction and maintenance of the new, larger tank; and

WHEREAS, the Burlington Water District requests permanent easements to access, construct, and maintain the new tank; and

WHEREAS, the Metro Sustainability Center has determined that this easement request meets the criteria in Resolution No. 97-2539B, “For the Purpose of Approving General Policies Related to the Review of Easements, Right of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department,” adopted by Metro Council on November 6, 1997 (the “Easement Policy”), as further set forth in Attachment 1 to the Staff Report to this Resolution, and can be accommodated with minimal impact to natural resources, cultural resources, recreational resources, recreational facilities, recreational opportunities and their operation and management, and therefore recommends approval; and

WHEREAS, as a small local government entity with limited resources, the Burlington Water District requests that the Metro Council waive the requirement that the Burlington Water District pay for Metro’s staff time to process the easement request, obtain an appraisal and pay fair market value for the easements, and

WHEREAS, the Metro Council wishes to grant Burlington Water District a waiver of said requirements; and

WHEREAS, the Easement Policy requires review of all easement requests by the Metro Council, now therefore

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to grant access, construction and maintenance easement to the Burlington Water District in the locations described on the attached Exhibit A, on terms satisfying the Easement Policy and approved by the Office of Metro Attorney, and to waive the requirements for reimbursement for Metro staff time, appraisal and payment of fair market value for the easements.

ADOPTED by the Metro Council this _____ day of May 2013.

Tom Hughes, Council President

Approved as to Form:

Alison Kean Campbell, Metro Attorney

EASEMENT DESCRIPTION – BURLINGTON RESERVOIR SITE AND ACCESS

In the Northwest 1/4 of Section 20, T.2.N., R.1.W., W.M., Multnomah County, Oregon:

EASEMENT I

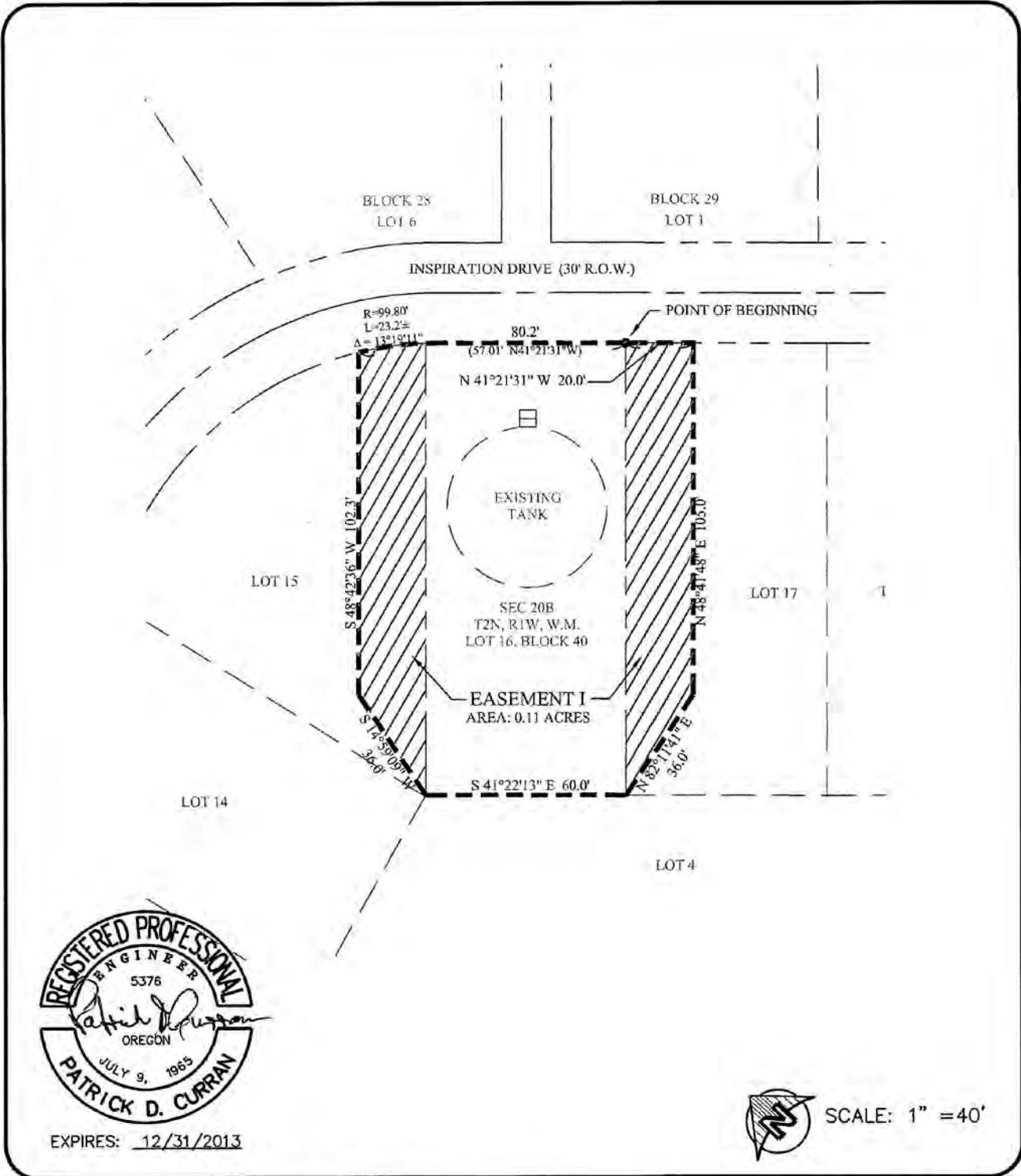
Beginning at the most easterly corner of Lot 16, Block 40, Burlington Plat; thence Northerly along the west right-of-way of Inspiration Drive, a distance of 80.2 feet to a point on said right-of-way; thence, S 48° 42' 36" W, parallel with and 20 feet from the most northerly boundary of said Lot 16, a distance of 102.3 feet to a point; thence S 14° 59' 09" W, a distance of 36.0 feet to the most westerly corner of said Lot 16; thence, S 41° 22' 13" E, a distance of 60.0 feet to the most southerly corner of said Lot 16; thence N 82° 11' 41" E, a distance of 36.0 feet to a point; thence, N 48° 41' 48" E, parallel with and 20 feet from the most southerly boundary of said Lot 16, a distance of 105 feet more or less to a point on the westerly right-of-way of NW Inspiration Drive; thence, N 41° 21' 31" W, a distance of 20 feet to the Point of Beginning; and excluding Lot 16, Block 40, Burlington Plat.

The area encompassed within Easement I is 0.11 acres.

EASEMENT II

Beginning at the most easterly corner of Lot 16, Block 40, Burlington Plat; thence S 48° 41' 48" W, a distance of 76.5 feet to a point on the south line of said lot 16; said point being the True Point of Beginning of the centerline of a 16-foot Roadway Easement for access / egress from said lot 16. Thence S 41° 22' 13" E, a distance of 30 feet to a point of curve right; radius of 160.0 feet, intersecting angle 49° 43' 47" and length of 138.87 feet to a point; thence N 72° 17' 49" E, a distance of 45.21 feet to a point of curve left; radius of 90.0 feet, intersecting angle of 60° 23' 49" and a distance of 95 feet more or less to the west right-of-way line of NW Inspiration Drive; and excepting the area within the right-of-way of NW Inspiration Drive.

The area encompassed within Easement II is 0.08 acres.



EXPIRES: 12/31/2013

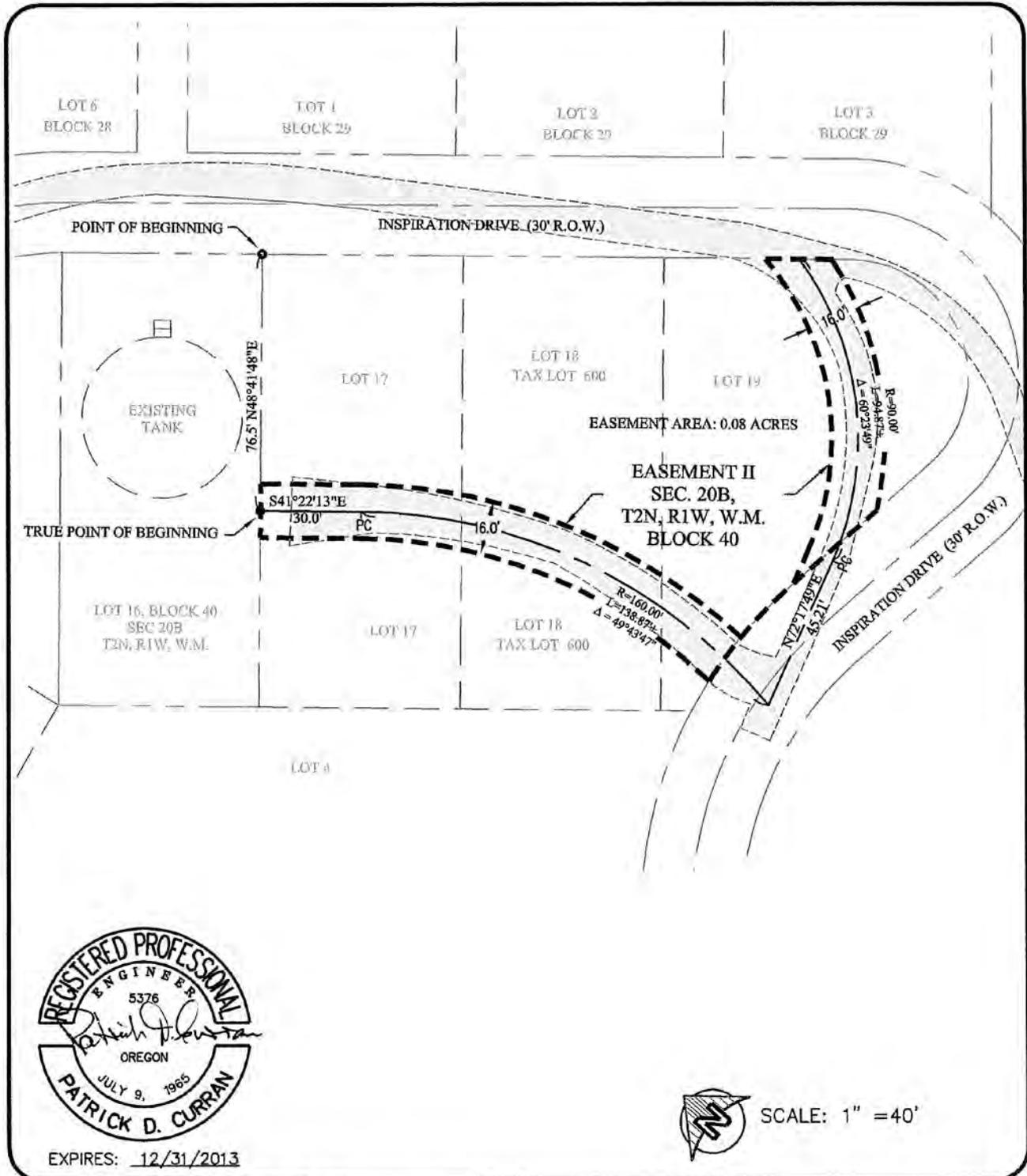


SCALE: 1" = 40'

BURLINGTON WATER DISTRICT
RESERVOIR EASEMENT I
 SEC. 20 B, T2N, R1W, W.M.
 BLOCK 40
 MULTNOMAH COUNTY, OREGON

CURRAN-McLEOD, INC.
 CONSULTING ENGINEERS

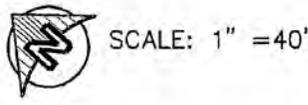
6655 SW. HAMPTON ST., SUITE 210
 PORTLAND, OREGON 97223
 PHONE (503) 684-3478



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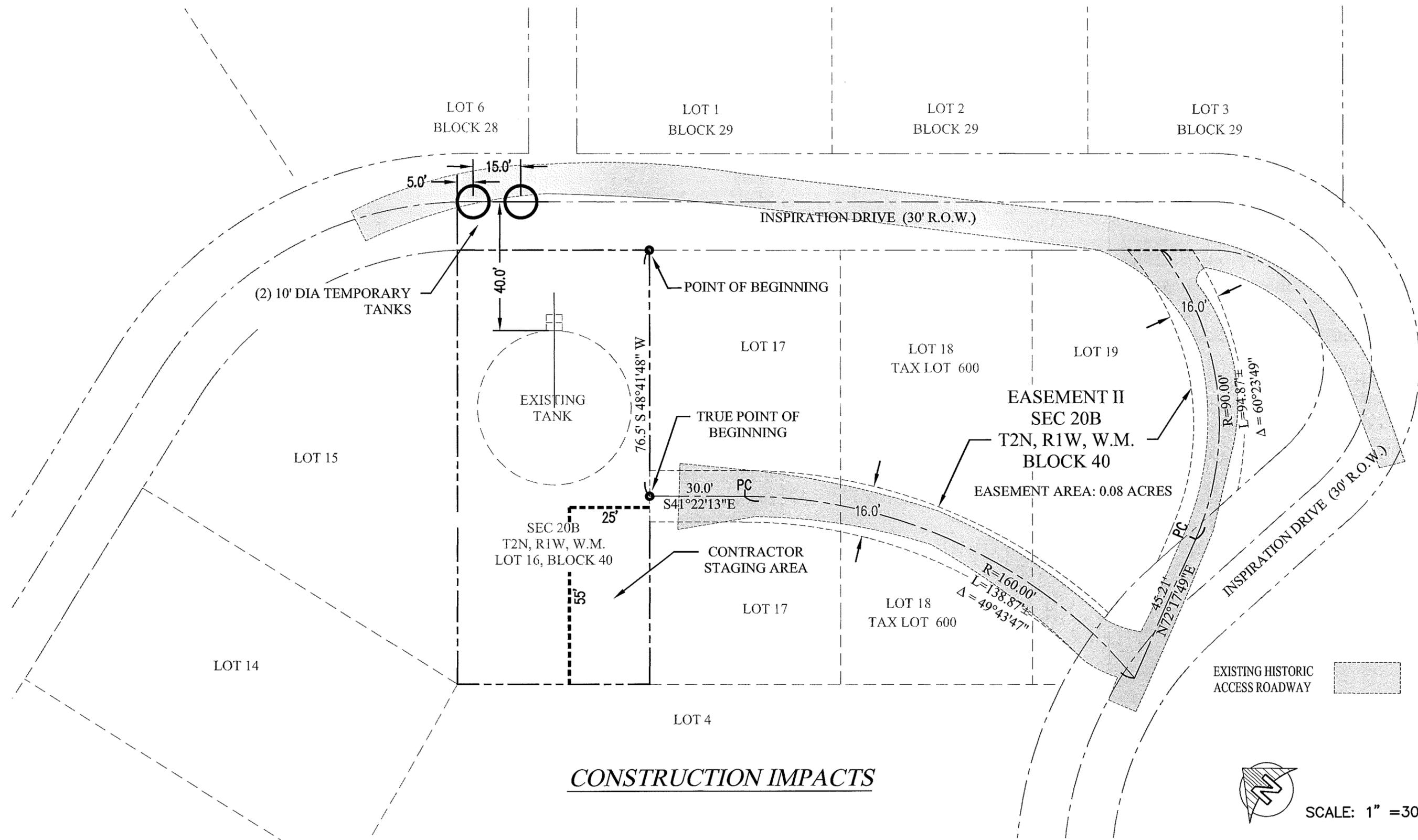


EXPIRES: 12/31/2013



BURLINGTON WATER DISTRICT
RESERVOIR EASEMENT II
 SEC. 20 B, T2N, R1W, W.M.
 BLOCK 40
 MULTNOMAH COUNTY, OREGON

CURRAN-McLEOD, INC.
 CONSULTING ENGINEERS
 6655 SW. HAMPTON ST., SUITE 210
 PORTLAND, OREGON 97223
 PHONE (503) 684-3476



CONSTRUCTION IMPACTS

EXISTING HISTORIC ACCESS ROADWAY



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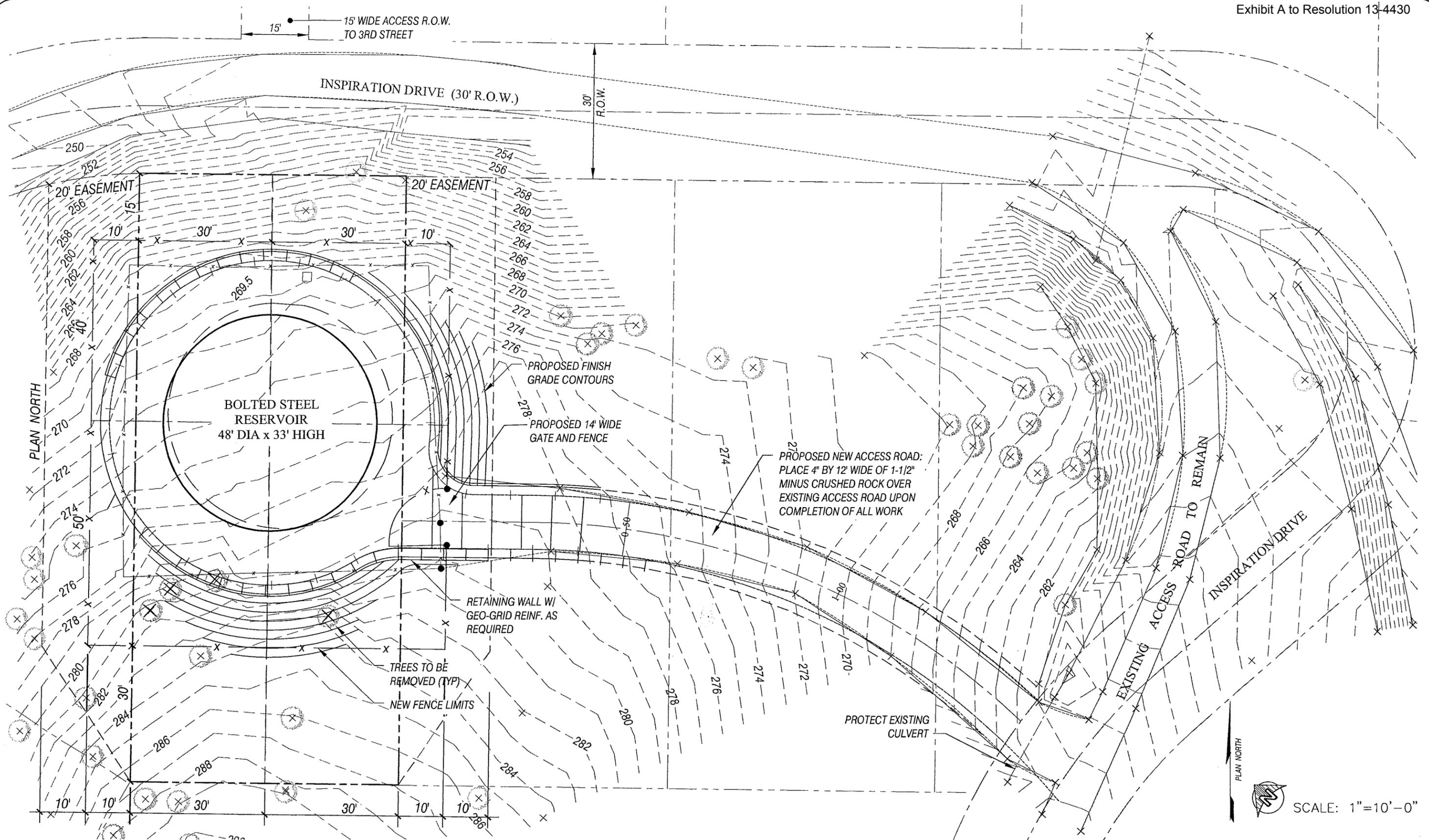
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CONSULTING ENGINEERS
6655 SW. HAMPTON ST., SUITE 210
PORTLAND, OREGON 97223
PHONE (503) 684-3478

BURLINGTON WATER DISTRICT
RESERVOIR SITE
WATER RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	JAN 2013	1 OF 1
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1 STEEL RESERVOIR GRADING PLAN
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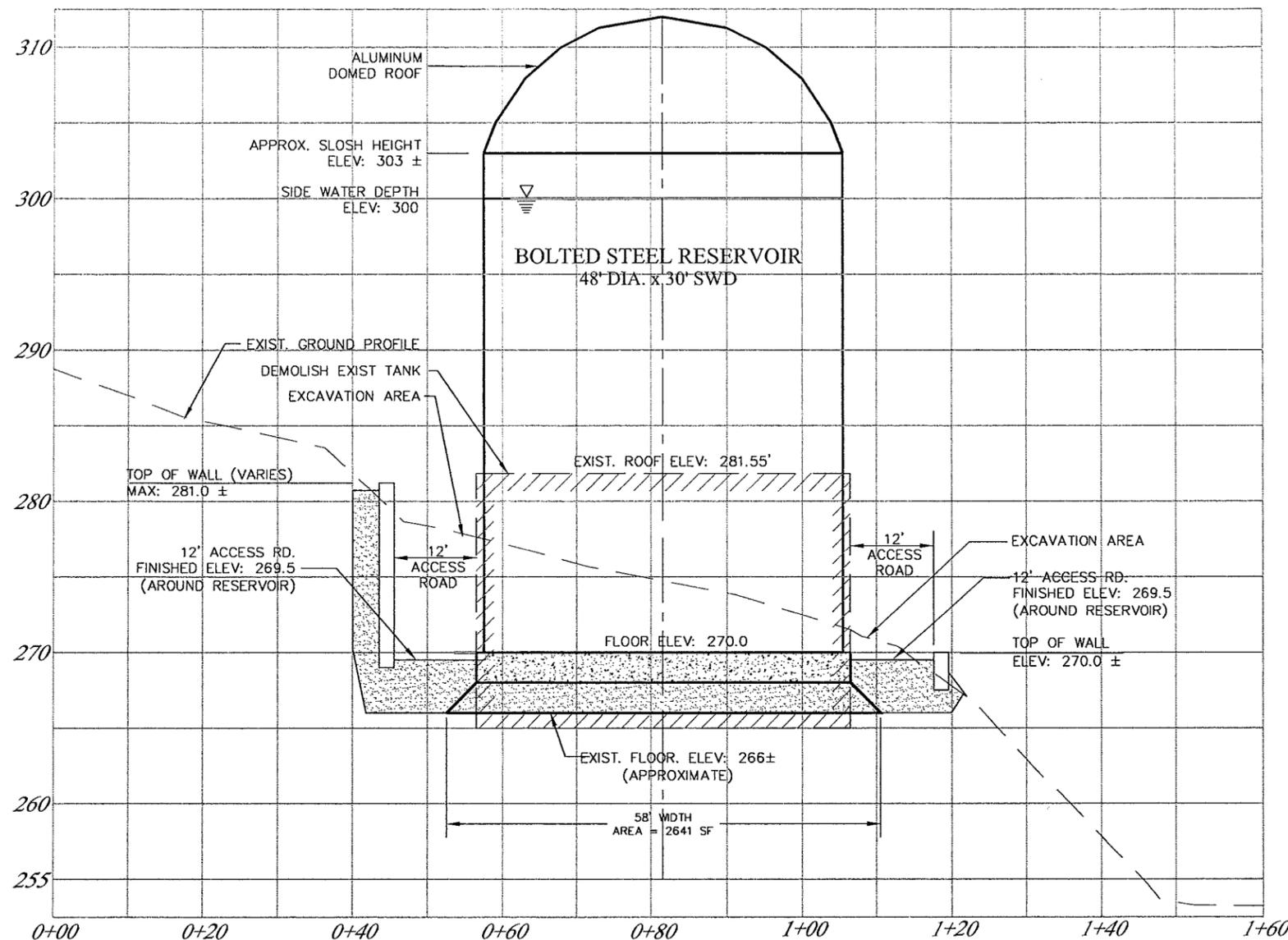


CURRAN-McLEOD, INC.
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 6655 SW HAMPTON ST, SUITE 210
 PORTLAND, OREGON 97223
 PHONE (503) 684-3478

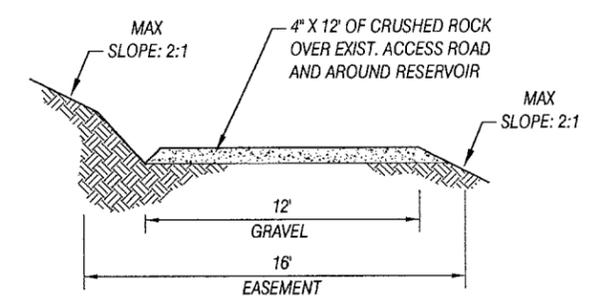
BURLINGTON WATER DISTRICT
STEEL RESERVOIR OPTION
SITE GRADING PLAN
 2013 RESERVOIR IMPROVEMENTS
 MULTNOMAH COUNTY, OREGON

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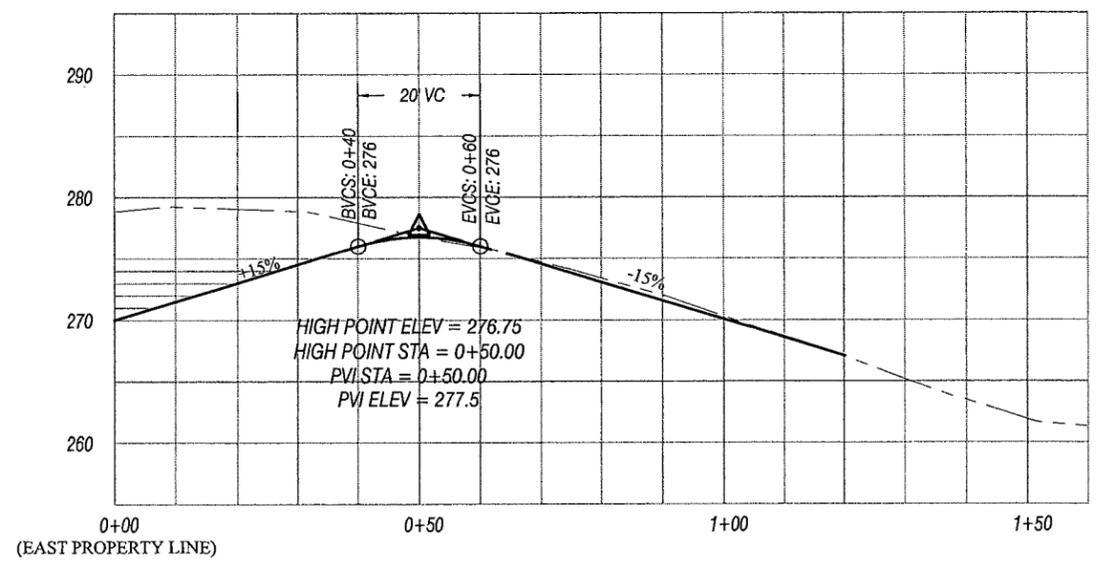
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1 STEEL RESEVOIR OPTION CROSS SECTION
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HORZ 1"=20'-0"



2 ACCESS ROAD: TYPICAL SECTION
SCALE: N.T.S.



3 ACCESS ROAD PROFILE
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CURRAN-MCLEOD, INC.
CONSULTING ENGINEERS

6655 SW HAMPTON ST. SUITE 210
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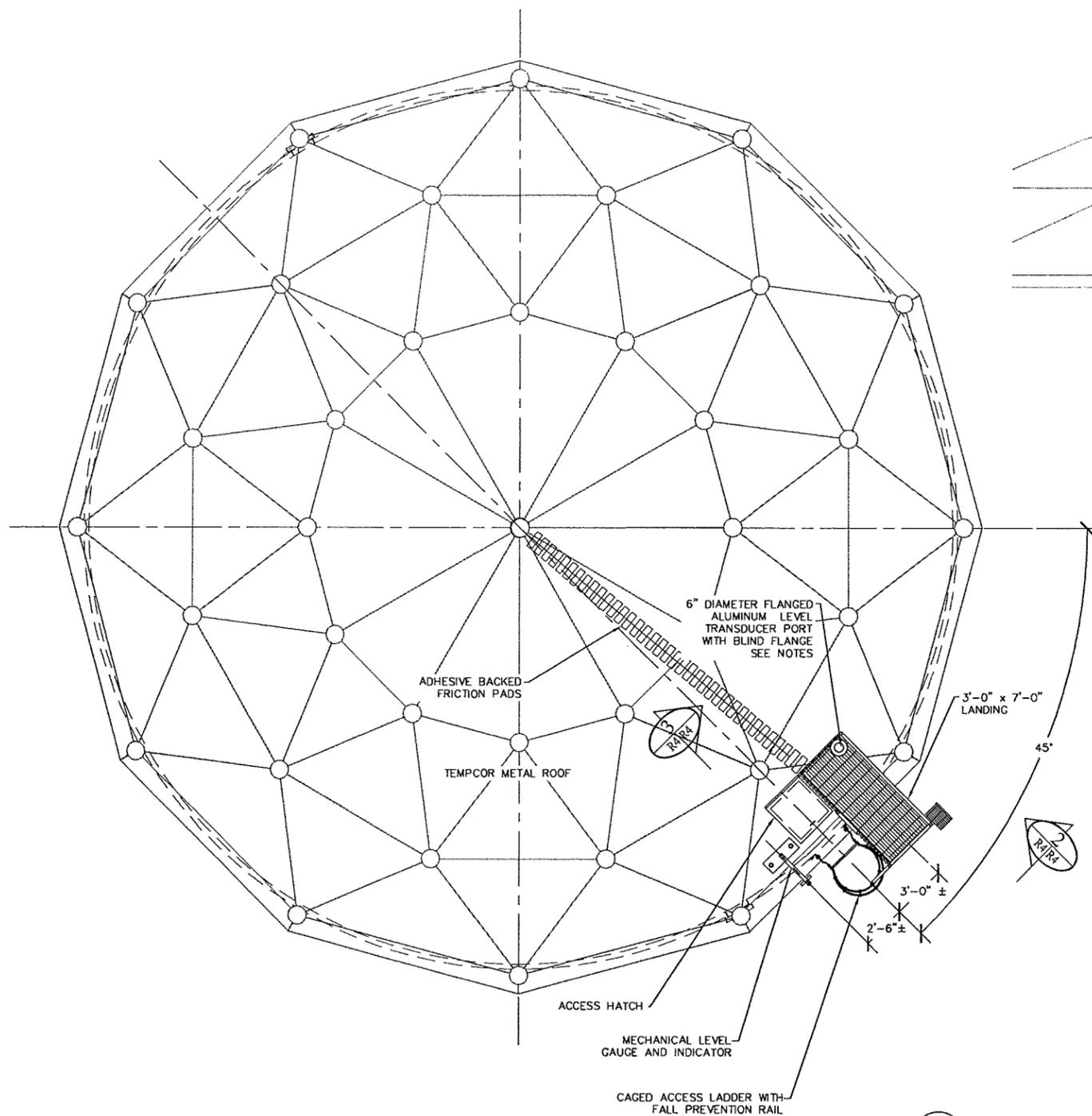
BURLINGTON WATER DISTRICT

STEEL RESERVOIR OPTION SECTION

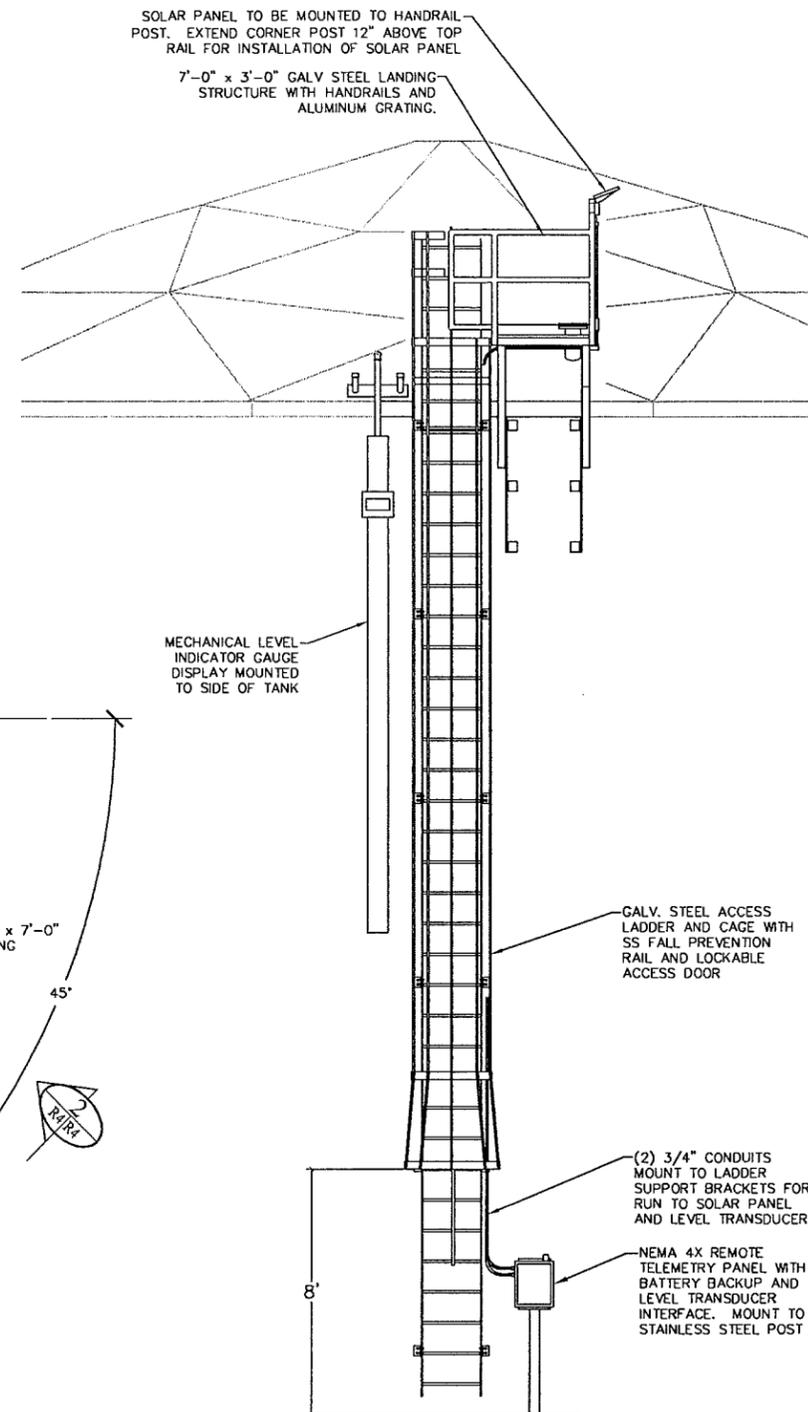
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

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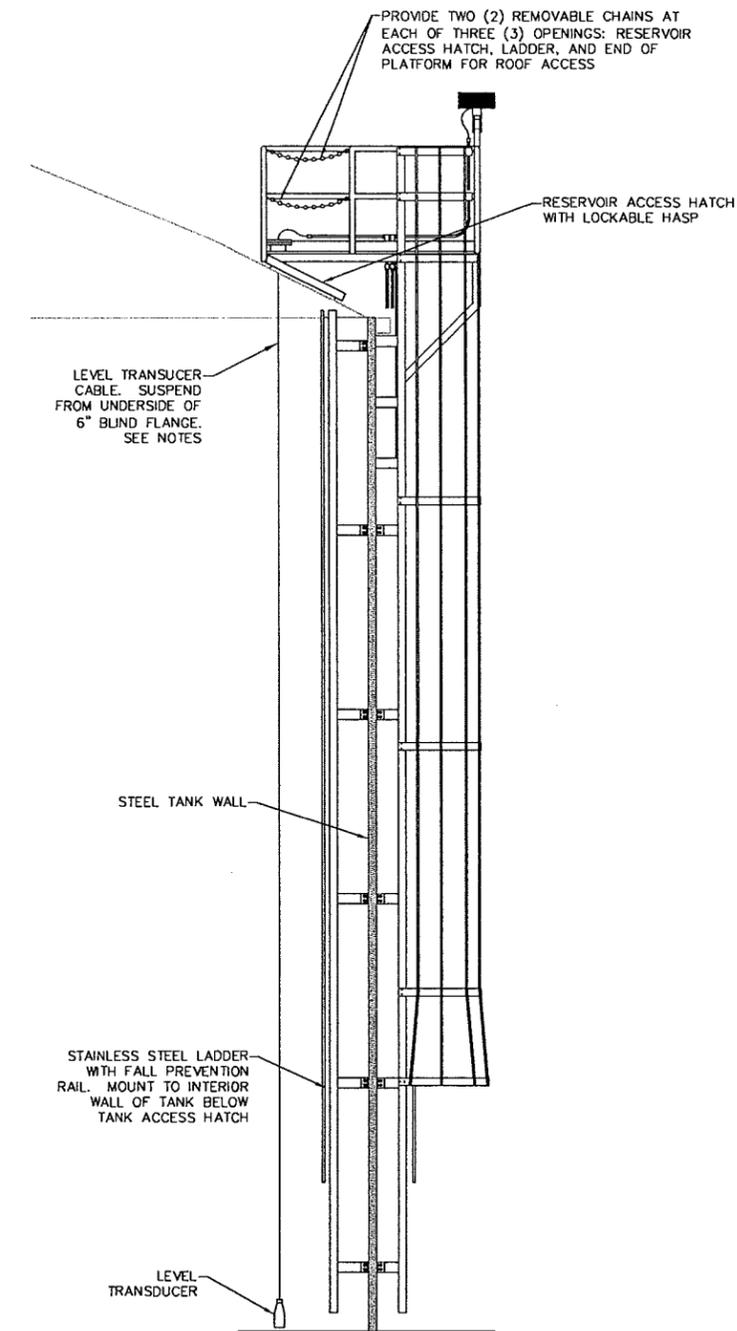
R3 OF 10



1 STEEL TANK ROOF PLAN VIEW
SCALE: 1"=4' (STEEL RESERVOIR OPTION)



2 ELEVATION VIEW
SCALE 1" = 6'



3 ELEVATION VIEW
SCALE 1" = 6'

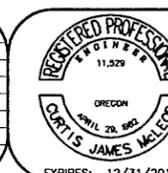
1. DRILL THROUGH BLIND FLANGE. TAP FLANGE FOR 1" DIAMETER NPT THREADS. HOLE TO BE CENTERED IN FLANGE.

DRILL AND TAP UNDERSIDE OF FLANGE FOR 3/8"-16 THREADS AND INSTALL 3/8" SS EYE BOLT WITH STAINLESS STEEL SPRING CLEAVES FOR INSTALLATION OF LEVEL TRANSDUCER CABLE SUPPORT. OFFSET TAP TO ONE SIDE OF FLANGE.

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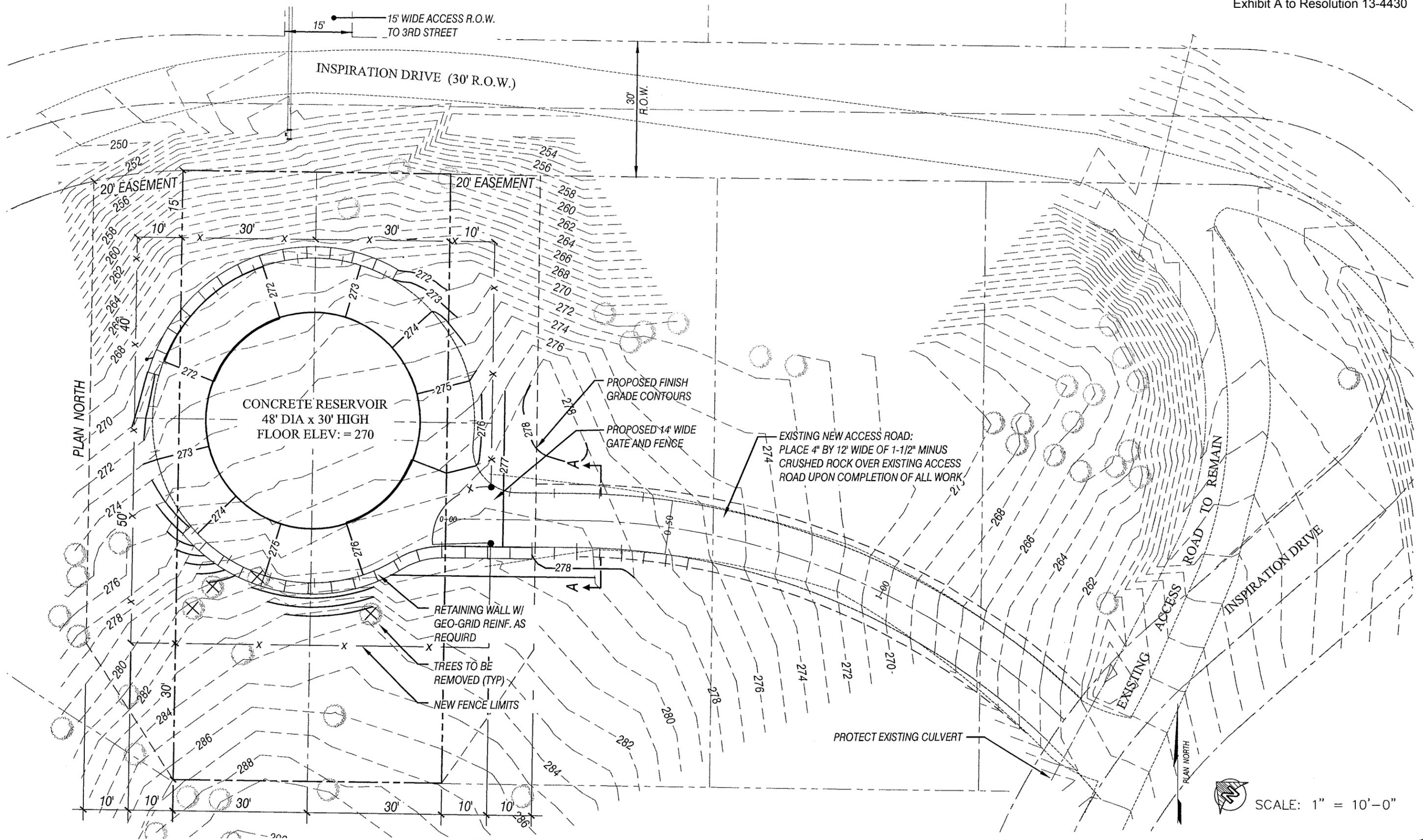
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PORTLAND, OREGON 97223
PHONE (503) 684-3478

BURLINGTON WATER DISTRICT
APPURTENANCE PLANS
STEEL TANK OPTIONS
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
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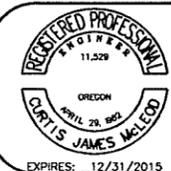
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CONCRETE RESERVOIR GRADING PLAN
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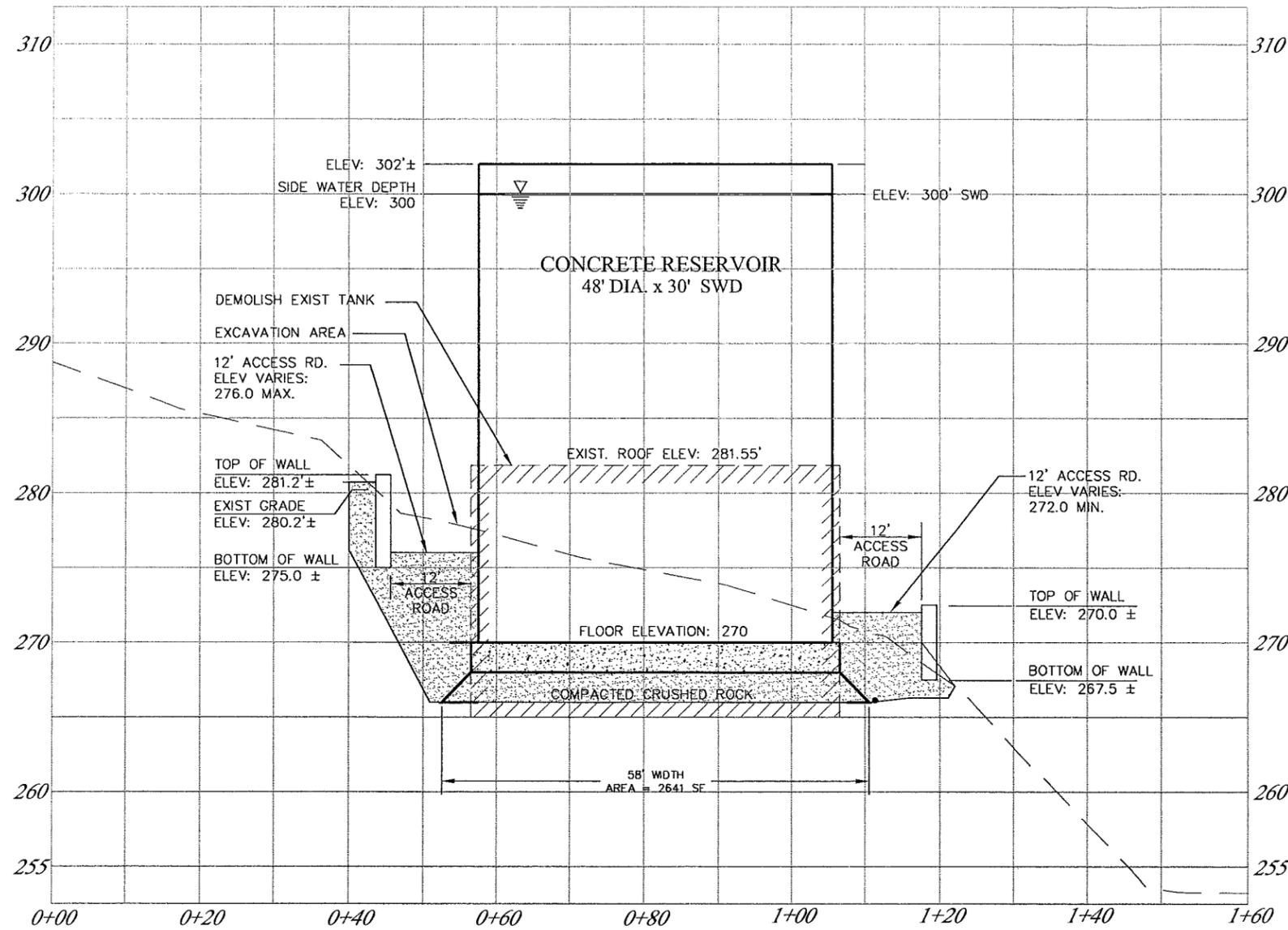
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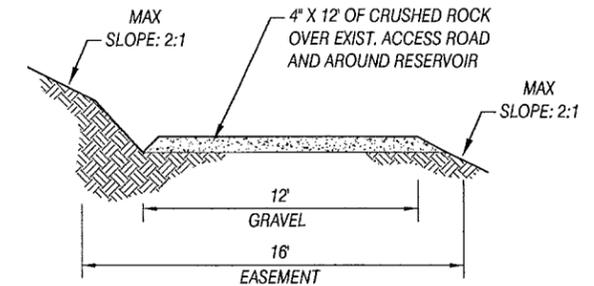
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CONCRETE RESERVOIR OPTION
SITE GRADING PLAN
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

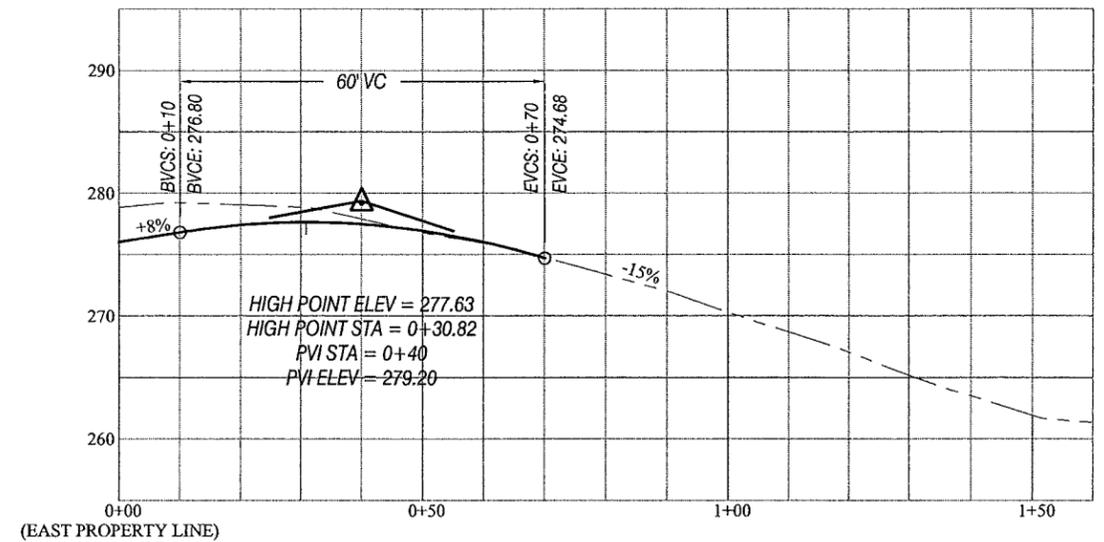
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D/S	CJM	
CAD	DCA	



1
CONCRETE RESEVOIR OPTION CROSS SECTION
SCALE: VERT 1"=10'-0"
HORZ 1"=20'-0"



2
ACCESS ROAD: TYPICAL SECTION
SCALE: N.T.S.



3
ACCESS ROAD PROFILE
SCALE: VERT 1"=15'
HORZ 1"=30'

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ADJUST SCALE AS SHOWN ACCORDINGLY.

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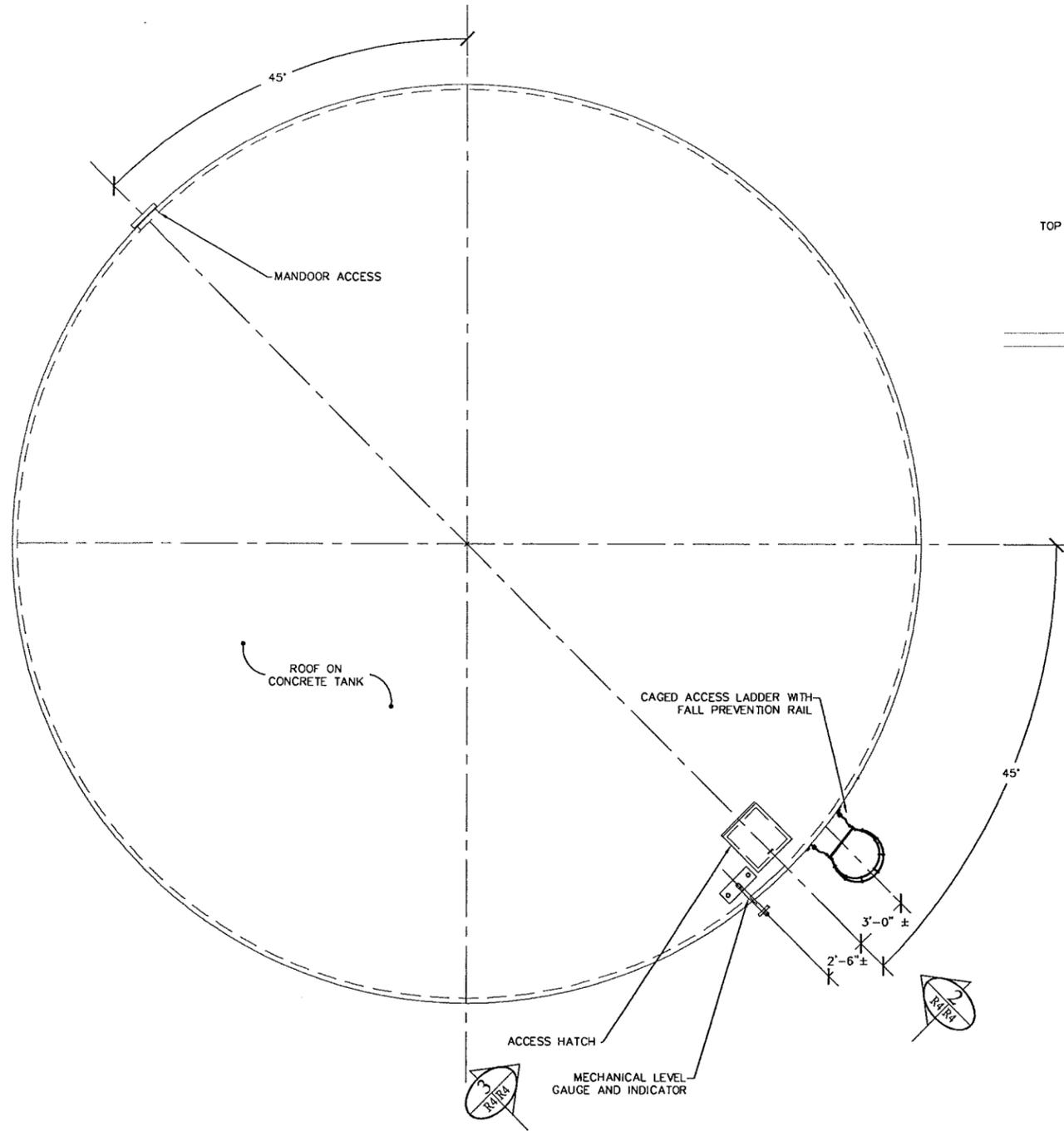


CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

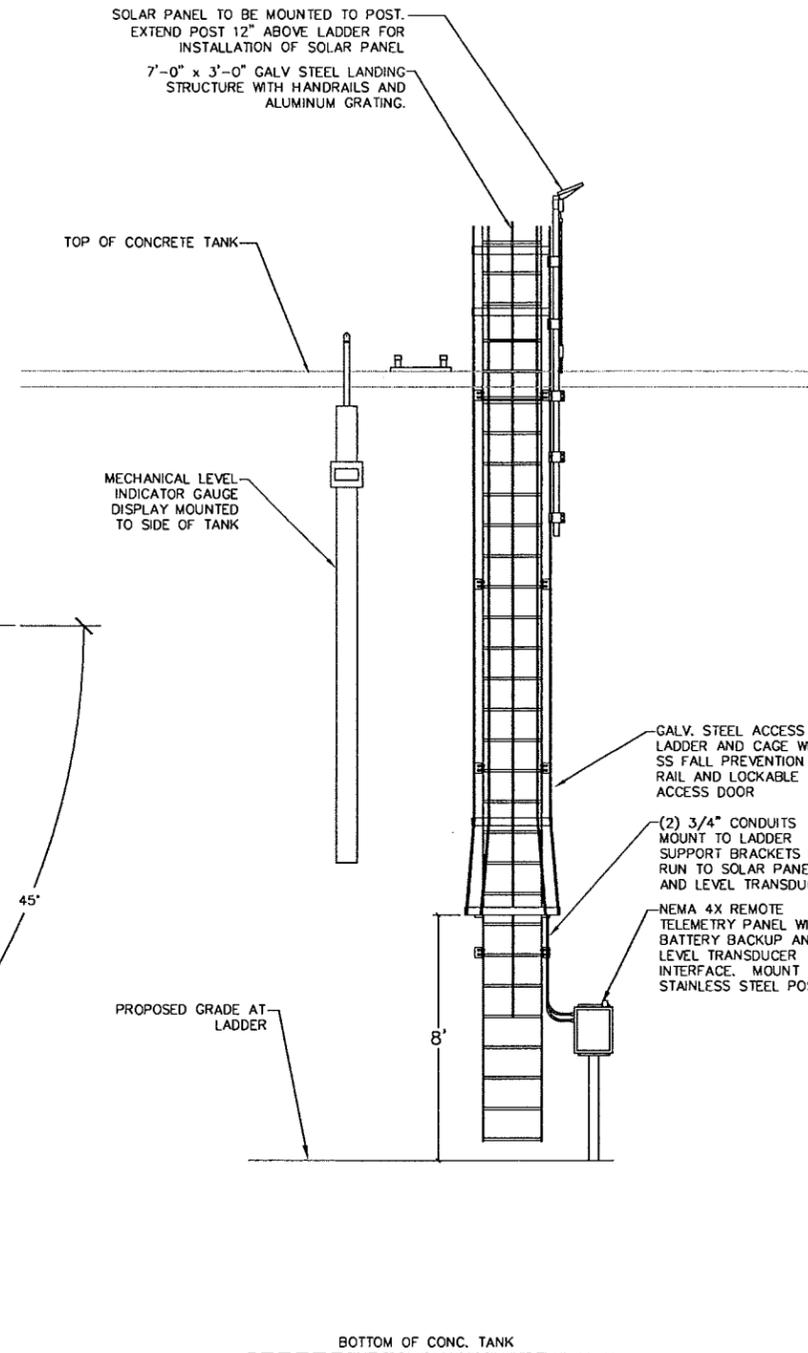
6655 SW HAMPTON ST, SUITE 210
PORTLAND, OREGON 97223
PHONE (503) 684-3478

BURLINGTON WATER DISTRICT
CONCRETE RESERVOIR OPTION
CROSS SECTION
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

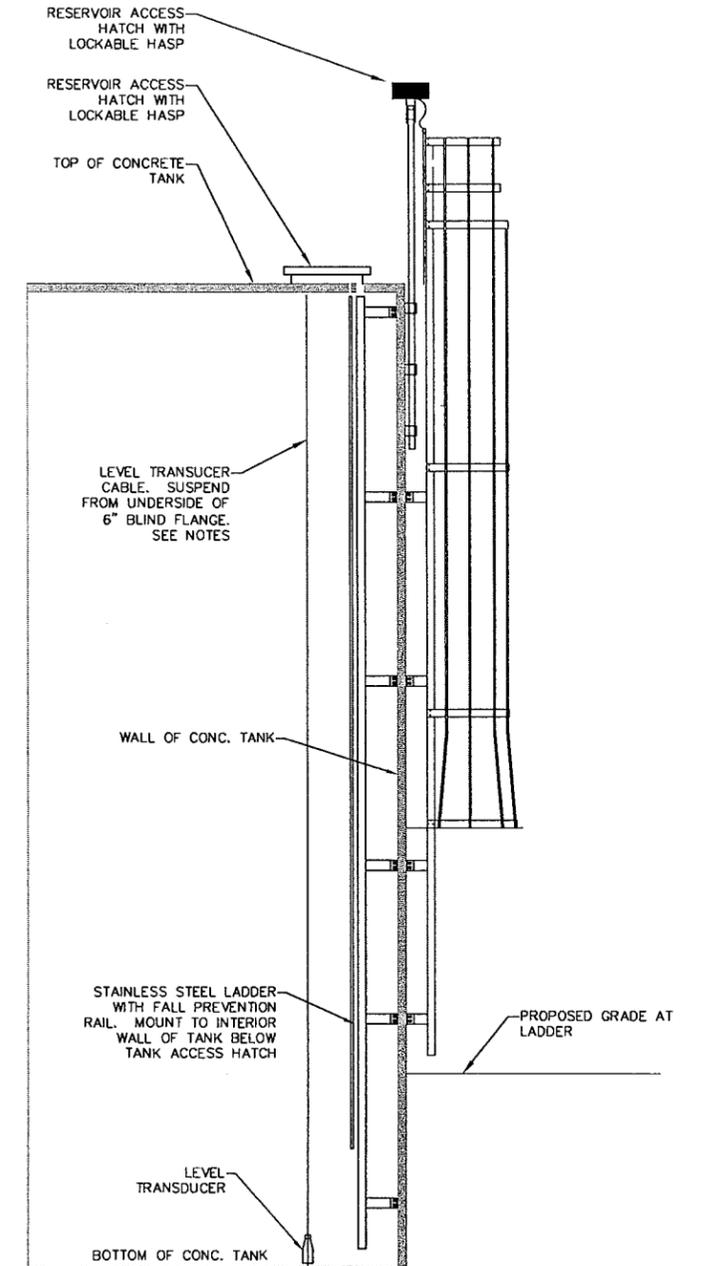
DATE	MAR. 2013
PN	1554
DES	CJM
CHK	DCA
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1 STEEL TANK ROOF PLAN VIEW
SCALE: 1"=4' (CONCRETE RESERVOIR OPTION)



2 ELEVATION VIEW
SCALE 1" = 6'



3 ELEVATION VIEW
SCALE 1" = 6'

1. DRILL THROUGH BLIND FLANGE. TAP FLANGE FOR 1" DIAMETER NPT THREADS. HOLE TO BE CENTERED IN FLANGE.

DRILL AND TAP UNDERSIDE OF FLANGE FOR 3/8"-16 THREADS AND INSTALL 3/8" SS EYE BOLT WITH STAINLESS STEEL SPRING CLEAVES FOR INSTALLATION OF LEVEL TRANSDUCER CABLE SUPPORT. OFFSET TAP TO ONE SIDE OF FLANGE.

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

REVISIONS

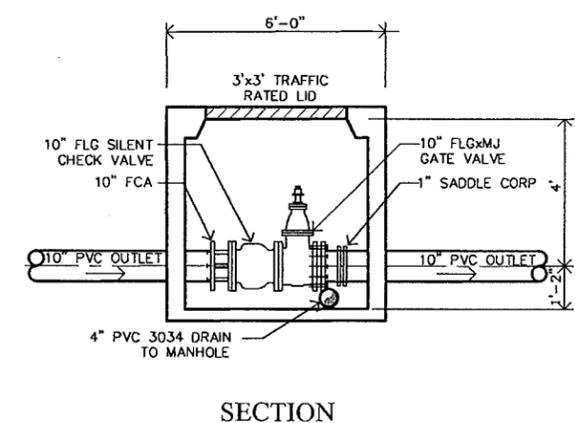
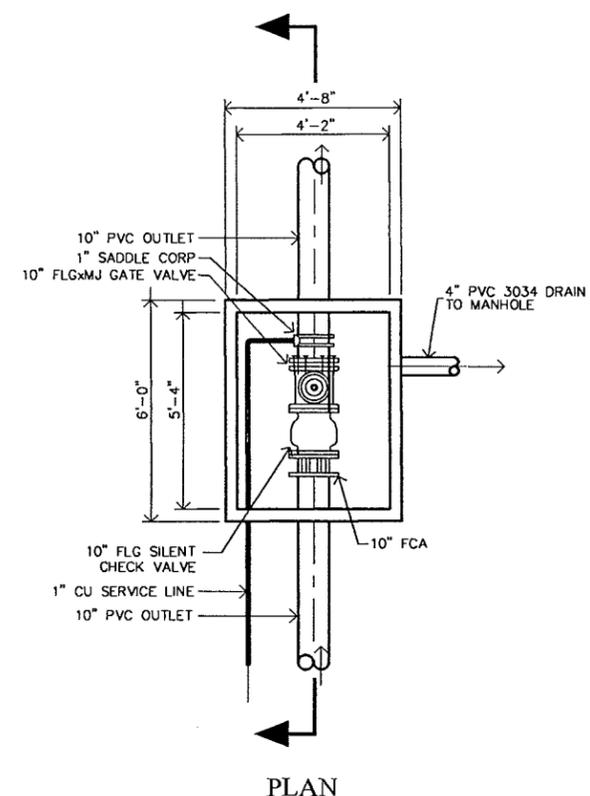
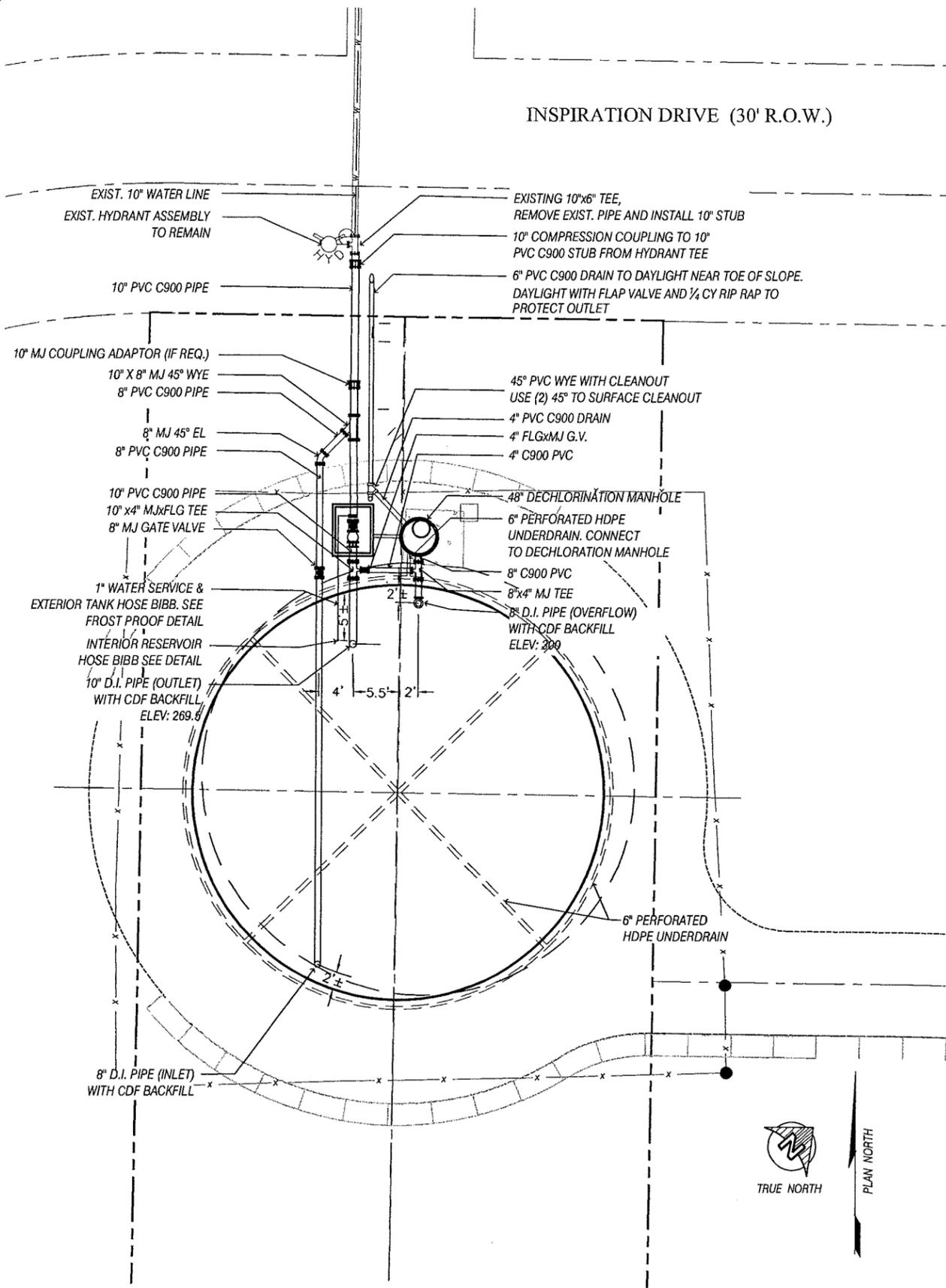


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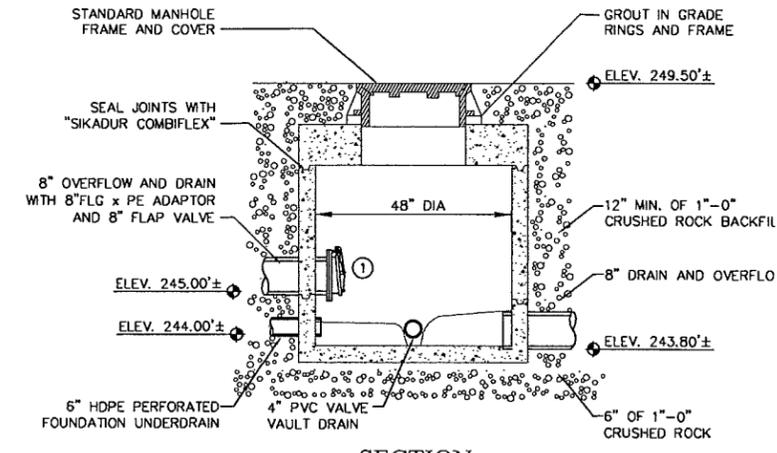
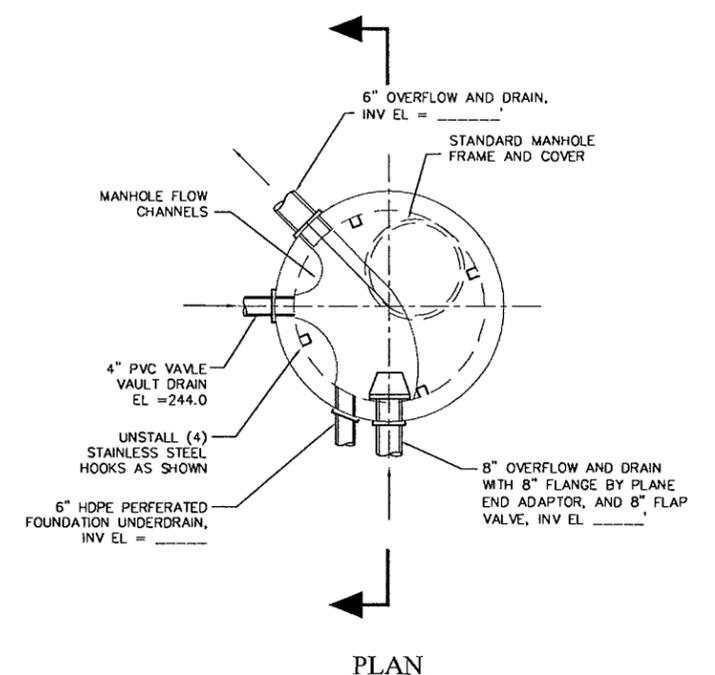
BURLINGTON WATER DISTRICT
APPURTENANCE PLANS
CONCRETE TANK OPTION
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
PN	1554
DW	CJM
DS	DCA
CDP	

INSPIRATION DRIVE (30' R.O.W.)



2 VALVE VAULT DETAIL N.T.S.



3 DECHLORINATION MANHOLE N.T.S.

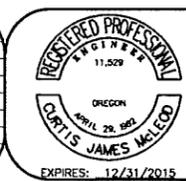
NOTE: MANHOLE BASES, BARREL SECTIONS, AND GRADE RINGS SHALL BE CONSTRUCTED OF PRECAST REINFORCED CONCRETE.

1 RESERVOIR PIPING PLAN SCALE: 1"=8'

BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALE AS SHOWN ACCORDINGLY.

REV	DESCRIPTION	REVISED BY	DATE

REVISIONS



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BURLINGTON WATER DISTRICT

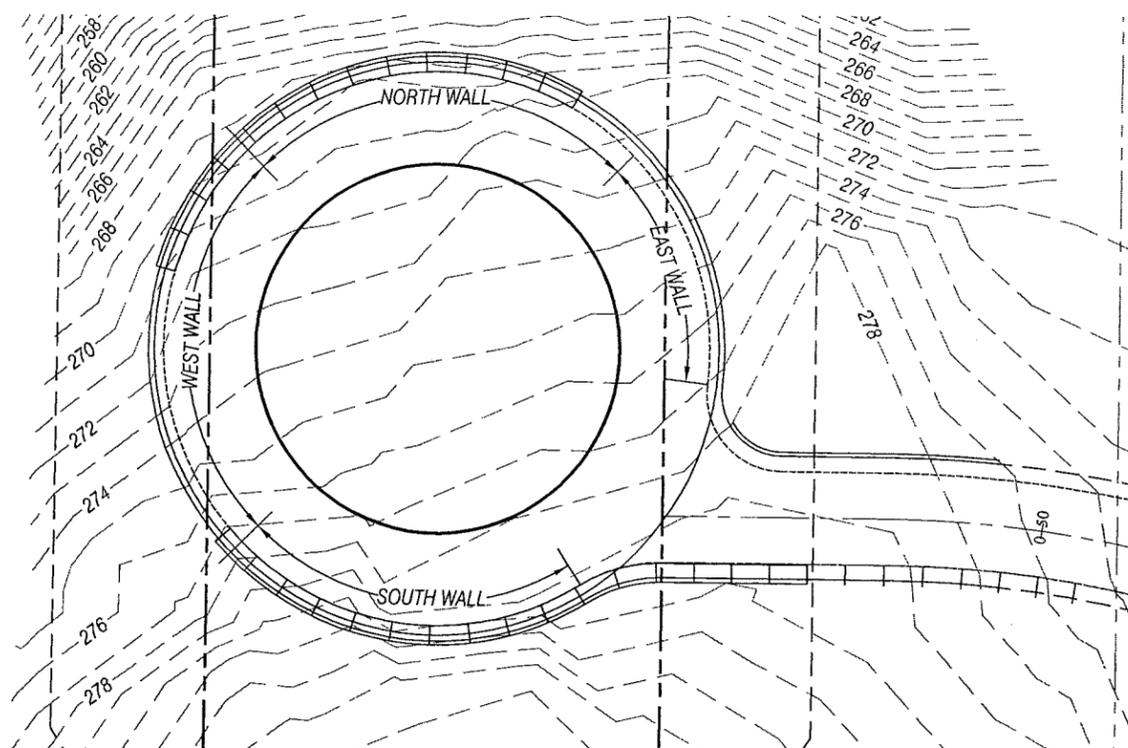
PIPING PLAN

2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

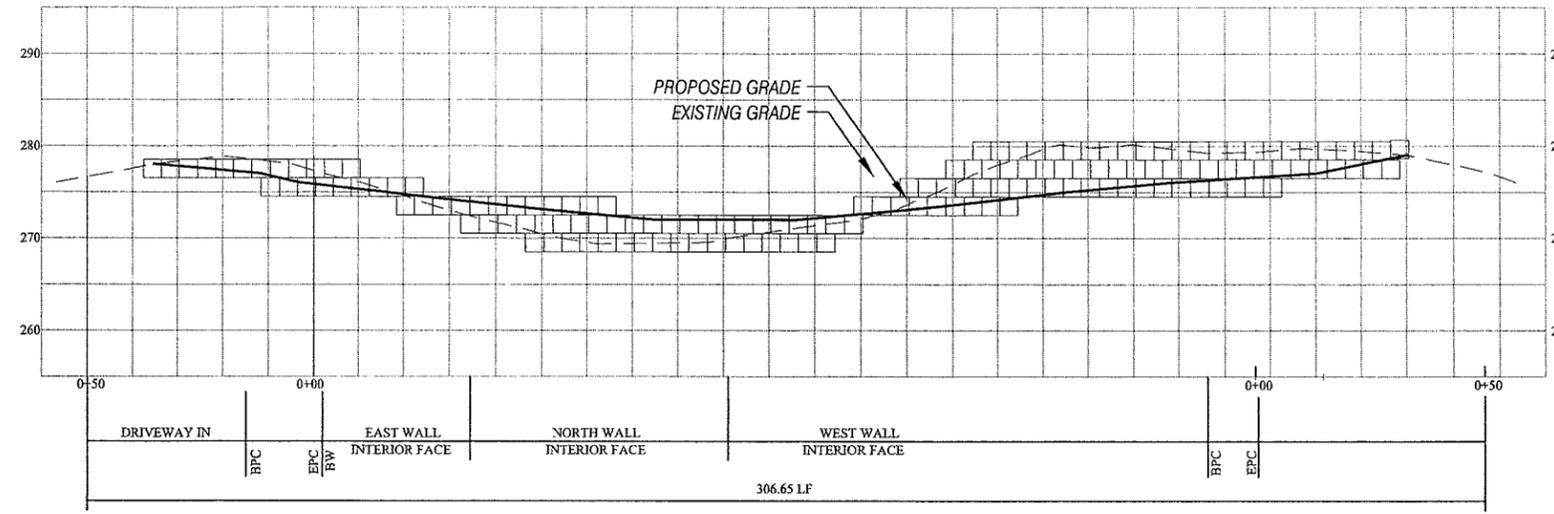
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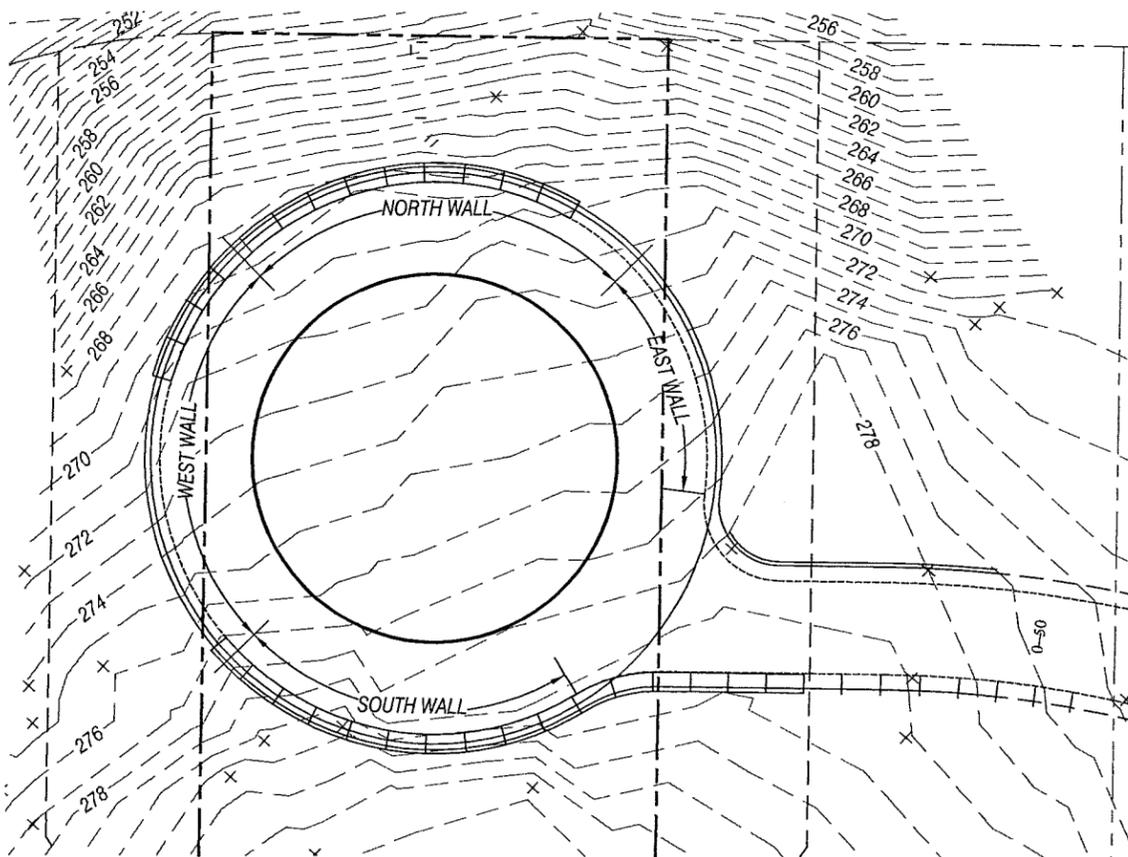
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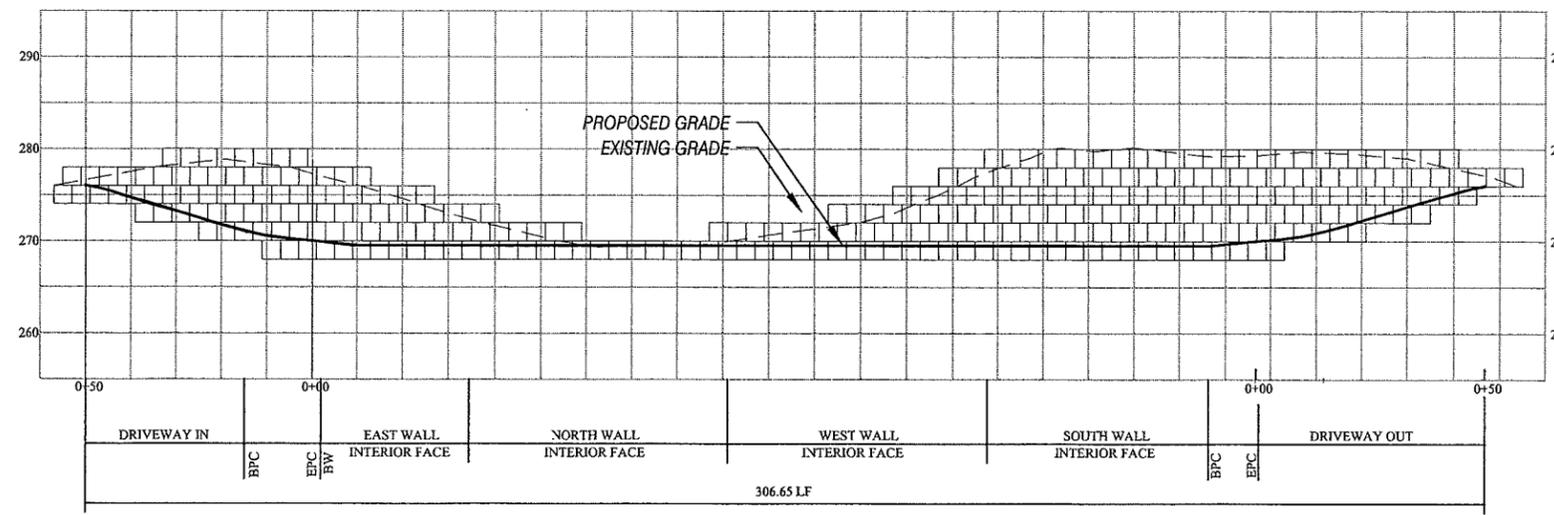
1 GRADING PLAN: CONCRETE OPTION
SCALE: 1"=12'



1 ECOLOGY BLOCK PROFILE: CONCRETE OPTION
INSIDE FACE OF WALL
SCALE: HORZ 1"=20'-0"
VERT 1"=10'-0"



1 GRADING PLAN: STEEL OPTION
SCALE: 1"=12'

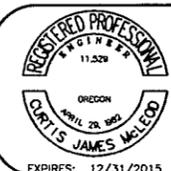


2 ECOLOGY BLOCK PROFILE: STEEL OPTION
INSIDE FACE OF WALL
SCALE: HORZ 1"=20'-0"
VERT 1"=10'-0"

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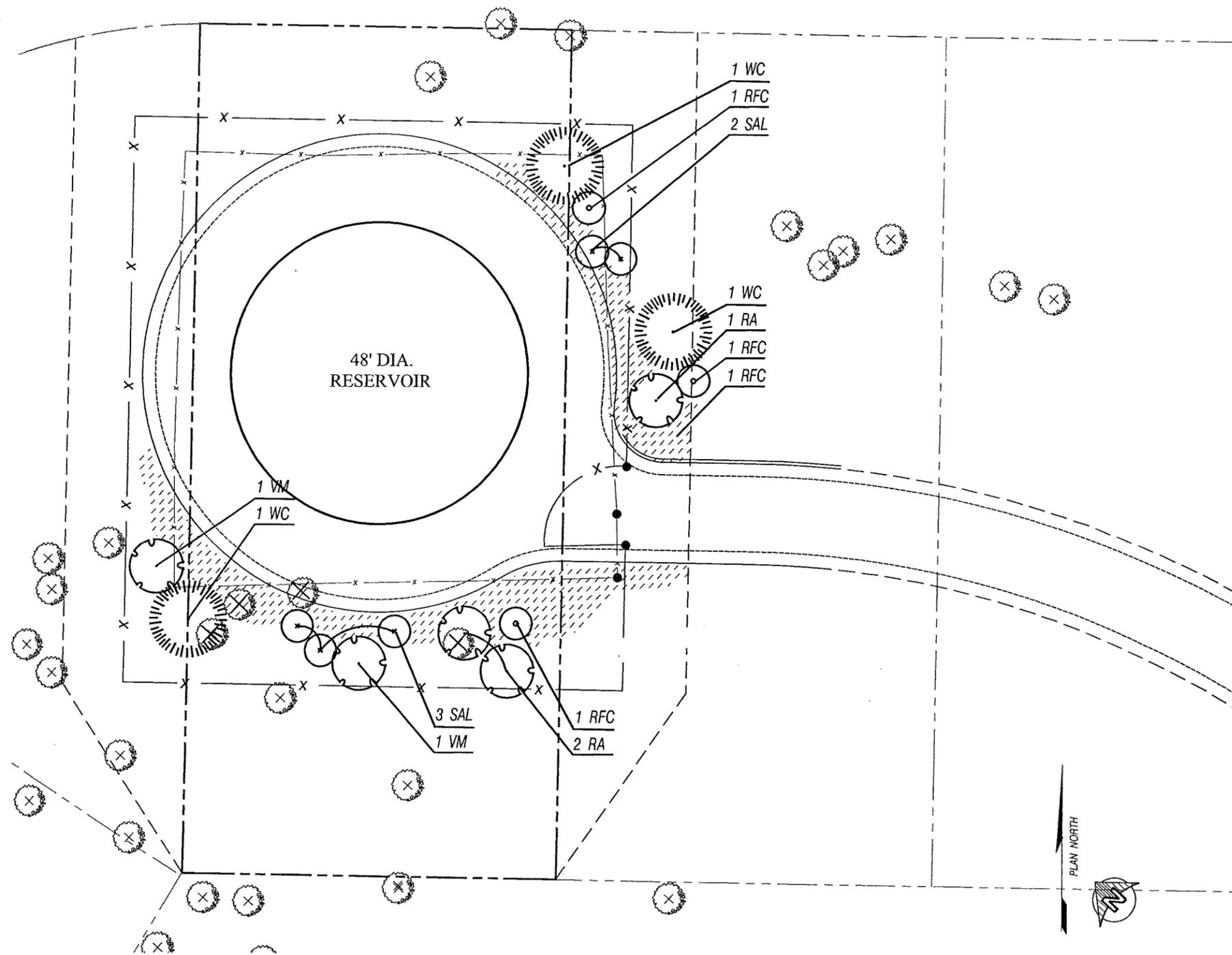


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BURLINGTON WATER DISTRICT
ECOLOGY BLOCK PROFILE
CONCRETE & STEEL OPTIONS
2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
PAN	1554
DES	CJM
DWS	DCA
CAD	

INSPIRATION DRIVE (30' R.O.W.)



PLANT LEGEND

- TREES**
- Existing Trees
 - (4) Existing Trees to be Removed
 - WC (3) 3-4' *Thuja plicata*
Western Red Cedar
 - RA (3) #1 Container *Alnus rubra*
Red Alder
 - VM (2) 5 gal. *Acer circinatum*
Vine Maple
- SHRUBS**
- SAL (5) 1 gal. *Galthera shallon*
Salal
 - RFC (3) 1 gal. *Ribes sanguinum*
Red Flowering Currant
- GROUND COVER**
- Seed remaining disturbed areas with Hobbs & Hopkins ProTime 705 PDX Ecoogy Mix.
Seed at a rate of (1.5-2 lbs/1000 s.f.)

Notes:

1. Clear and remove all blackberries within the construction area.
2. Remove and save existing ferns from the construction area for tmsplant throughout the revegetation area shown on this plan.

PLANTING PLAN
SCALE: 1"=10'

BAR IS ONE INCH ON ORIGINAL DRAWING.
ADJUST SCALE AS SHOWN ACCORDINGLY.

REV.	DESCRIPTION	REVISED BY	DATE

REVISIONS



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PORTLAND, OREGON 97223
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BURLINGTON WATER DISTRICT
RESERVOIR PLANTING PLAN

2013 RESERVOIR IMPROVEMENTS
MULTNOMAH COUNTY, OREGON

DATE	MAR. 2013
P/N	1554
D/R	CJM
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C/R	

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STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 13-4430, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT AN EASMENT TO THE BURLINGTON WATER DISTRICT

Date: May 16, 2013

Prepared by: Kathleen Brennan-Hunter
503-797-1948

BACKGROUND

Metro's Sustainability Center receives requests for easements, leases and right-of-ways through natural area properties. These requests are reviewed and analyzed per guidance and policy established via Resolution 97-2539B, "For The Purpose Of Approving General Policies Related To The Review Of Easements, Right-Of-Ways and Leases For Non-Park Uses Through Properties Managed By Regional Parks and Greenspaces Department" adopted by the Metro Council on November 6, 1997. Metro received an easement application from the Burlington Water District and it has been reviewed by staff in accordance with this policy. As set forth in the findings in Attachment 1 as required by the policy, staff recommends approval of the easement request.

Metro acquired 332 acres of property in the Forest Park Connections Target Area with funds from the 1995 Open Spaces, Parks and Streams bond measure (the "Burlington Property"). The site, consisting primarily of timbered slopes, includes scenic vistas, water quality protection and habitat values. For the past century, the Burlington Water District (the "District") has operated and maintained a 200,000 gallon water storage tank on an inholding at the site. Surrounded on three sides by Metro's Burlington Property, the existing tank is in poor condition and is smaller than needed. There is no existing access agreement for maintenance, replacement and repair the tank. It must be replaced with a 350,000 gallon tank within the next year to provide safe storage for potable water within and adjacent to the District in accord with state rules and regulations.

The Burlington Water District requests a permanent access easement from Inspiration Drive 150 ft. to the District's water tank, one 2,710 square foot permanent easements on the north side of the District's property and one 2,770 square foot permanent easement on the south side of the district's property to use for the replacement of the existing water reservoir for future maintenance and repair. The area of the proposed access easement from Inspiration Drive is an existing gravel road that is utilized by Metro for site maintenance and by power utility companies to inspect and maintain their lines and towers. The use of the easement areas adjacent to the existing tank and property lines will have minimal impact on native vegetation and the Burlington Water District will be required to restore the site after construction per Metro specifications.

Metro staff recorded time and costs spent on this application and informed the applicant that the policy requires reimbursement. The applicant, a small, local water district with limited resources, requests that the Metro Council waive this requirement. Additionally, if the Metro Council elects to approve the easements, the applicant would be required to obtain an appraisal to determine the fair market value of the proposed temporary and permanent easements and compensate Metro accordingly. The applicant requests that the Metro Council waive the requirement to obtain an appraisal and pay fair market value for the easements. The area impacted is minimal and the cost of an appraisal is likely to be greater than the value of the easements.

ANALYSIS/INFORMATION

1. Known Opposition

None

2. Legal Antecedents

1995 Metro Open Spaces Bond Measure approved by voters on May 16, 1995;

Metro Code Section 2.04.026(a)(2), which requires Metro Council authorization for the Chief Operator to transfer interests in real property; and

Metro Council Resolution No. 97-2539B "For the Purpose of Approving General Policies Related to the Review of Easements, Right-Of-Ways, and Leases for Non-Park Uses through Properties Managed by the Regional Parks and Greenspaces Department," adopted November 6, 1997.

3. Anticipated Effects

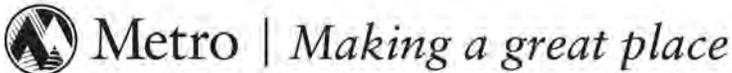
Adoption of the easement will allow the Burlington Water District to develop, construct and maintain a new water tank that will provide potable water to residents and businesses within and adjacent to the District.

4. Budget Impacts

None

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Resolution 13-4430.



METRO EASEMENT POLICY CRITERIA AND STAFF FINDINGS ON BURLINGTON WATER DISTRICTS APPLICATION FOR A PERMANENT EASEMENT IN BURLINGTON CREEK FOREST

- 1) Provide for formal review of all proposed easements, rights of ways, and leases for non-park uses by the Regional Parks and Greenspaces Advisory Committee, the Regional Facilities Committee and the full Council. Notwithstanding satisfaction of the criteria set forth herein, the final determination of whether to approve a proposed easement, right of way, or lease is still subject to the review and approval by the full Metro Council.**

Staff finding: Metro natural areas staff reviewed the easement application materials in light of the criteria outlined in the Metro easement policy. The information that was provided by the applicant to Metro staff indicates that the activities proposed in this easement support a pre-existing water utility use and would not significantly damage the natural resources at the site. Criterion has not been satisfied; a resolution is on the May 16, 2013 Metro Council agenda.

- 2) Prohibit the development of utilities, transportation projects and other non-park uses within corridors or on sites which are located inside of Metro owned or managed regional parks, natural areas, and recreational facilities except as provided herein.**

Staff finding: The applicant requests a permanent access easement from Inspiration Drive 150 ft. to the District's water tank and two 2,040 sq. ft easements on either side of their property to use for the replacement of the existing water reservoir and appurtenances and the required maintenance of the reservoir. The proposed access easement from Inspiration Drive is currently a gravel road that is utilized by Metro for site maintenance and power utility companies to inspect and maintain their lines and towers. The easement areas adjacent to the existing tank and property lines will have minimal impact on native vegetation

- 3) Reject proposals for utility easements, transportation right of ways and leases for non-park uses which would result in significant, unavoidable impacts to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management.**

Staff finding: There will be no significant, unavoidable impacts to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management to the site by the requested easement due to the fact that the access easement will be over an existing gravel road through Metro property that has been used for ingress and egress. The impacts to the easement areas adjacent to the water tank will be minimal and any impacts to plants or habitat will be restored by the applicant.

- 4) **Accommodate utility easements, transportation right of ways or other non-park uses when the Regional Parks and Greenspaces Department (the Department) determines that a proposed easement, right of way, or non-park use can be accommodated without significant impact to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management; and that the impacts can be minimized and mitigated.**

Staff finding: There is not a master or management plan for the site, but the road and tank are existing uses and will have to be accommodated in future planning regardless of these easements. Any natural resource impacts to the site would be minimal and can be mitigated.

- 5) **Require full mitigation and related maintenance, as determined by the Department, of all unavoidable impacts to natural resources, recreational facilities, recreational opportunities or their operation and management associated with the granting of easements, right of ways, or leases to use Metro owned or managed regional parks, natural areas or recreational facilities for non-park uses.**

Staff finding: The applicant proposes to mitigate impacts to the site's natural resources by re-grading to existing contours when possible and replanting with native trees, shrubs and groundcover.

- 6) **Limit rights conveyed by easements, right of ways, and leases for non-park uses to the minimum necessary to accomplish the objectives of any proposal.**

Staff finding: The applicant indicates that the access easement 16' x 160' (approx. 2,560 sq. ft.) and the 20' x 102' (approx. 2,040 sq. ft.), 67' x 10' (approx. 670 sq. ft.), 20' x 105' (approx 2,100 sq. ft.) and 10' x 67' (approx 670 sq. ft.) permanent easements being requested are the minimum required for the project. Maintenance of this area in perpetuity after the construction will be necessary for the applicant to maintain the fence line and to protect the integrity of the tank.

- 7) **Limit the term of easements, right of ways and leases to the minimum necessary to accomplish the objectives of any proposal.**

Staff finding: The applicant indicates that permanent easement space limitations are the minimum needed to accomplish and maintain the project. The permanent easement would typically require regular inspection visits, which could be monthly or more frequent as needed.

- 8) **Require reversion, non-transferable, and removal and restoration clauses in all easements, rights of ways, and leases.**

Staff finding: If the Metro Council approved an easement, the easement will include these terms.

- 9) **Fully recover all direct costs (including staff time) associated with processing, reviewing, analyzing, negotiating, approving, conveying, or assuring compliance with the terms of any easement, right of way, or lease for non-park use.**

Staff finding: Metro staff documented time and costs spent on this application and informed the applicant of the policy requiring reimbursement. Execution of the easement is subject to satisfaction of all expenses. The applicant, a small, local water district, requests that the Council waive this requirement.

- 10) **Receive no less than fair market value compensation for all easements, right of ways, or leases for non-park uses. Compensation may include, at the discretion of the Department, periodic fees or considerations other than money.**

Staff finding: If the Metro Council elects to approve the easements, the applicant would be required to obtain an appraisal to determine the fair market value of proposed temporary and permanent easements and compensate Metro accordingly. The cost of obtaining an appraisal of the easement area may exceed the value of the easement area. The applicant, a local water district, requests that the Council waive the requirement to pay fair market value for the easement supporting the renewal and replacement of this pre-existing facility.

- 11) **Require full indemnification from the easement, right of way or leaseholder for all costs, damages, expenses, fines, or losses related to the use of the easement, right of way, or lease. Metro may also require insurance coverage and/or environmental assurances if deemed necessary by the Office of General Counsel.**

Staff finding: If the Metro Council elected to approve the easements, the easement document would include indemnification and insurance provisions.

- 12) **Limit the exceptions to this policy to: grave sales, utilities or transportation projects which are included in approved master/management plans for Metro regional parks, natural areas and recreational facilities; projects designed specifically for the benefit of a Metro regional park, natural area, or recreational facility; or interim use leases as noted in the Open Spaces Implementation Work Plan.**

Staff finding: There is no master or management plan nor noted leases in the implementation work plan for the site.

- 13) **Provide for the timely review and analysis of proposals for non-park uses by adhering to the following process:**
- A. **The applicant shall submit a detailed proposal to the Department which includes all relevant information including but not limited to: purpose, size, components, location, existing conditions, proposed project schedule and phasing, and an analysis of other alternatives which avoid the Metro owned or managed regional park, natural area or recreational facility which are considered infeasible by the applicant. Cost alone shall not constitute unfeasibility.**

Staff finding: The applicant submitted a detailed proposal that included all necessary information. The alternatives analysis indicates that other sites for the project do not exist.

- B. Upon receipt of the detailed proposal, the Department shall determine if additional information or a Master Plan is required prior to further review and analysis of the proposal. For those facilities, which have master plans, require that all proposed uses are consistent with the master plan. Where no master plan exists all proposed uses shall be consistent with the Greenspaces Master Plan. Deficiencies shall be conveyed to the applicant for correction.**

Staff finding: No additional information is needed.

- C. Upon determination that the necessary information is complete, the Department shall review and analyze all available and relevant material and determine if alternative alignments or sites located outside of the Metro owned or managed regional park, natural area, or recreational facility are feasible.**

Staff finding: Staff has determined no reasonable alternative exists.

- D. If outside alternatives are not feasible, the Department shall determine if the proposal can be accommodated without significant impact to park resources, facilities or their operation and management. Proposals which cannot be accommodated without significant impacts shall be rejected. If the Department determines that a proposal could be accommodated without significant impacts, staff shall initiate negotiations with the applicant to resolve all issues related to exact location, legal requirements, terms of the agreement, mitigation requirements, fair market value, site restoration, cultural resources, and any other issue relevant to a specific proposal or park, natural area or recreational facility. The Department shall endeavor to complete negotiations in a timely and business-like fashion.**

Staff finding: Staff has determined no significant impacts will occur to natural resources or the operations and management of Metro property.

- E. Upon completion of negotiations, the proposed agreement, in the appropriate format, shall be forwarded for review and approval. In no event shall construction of a project commence prior to formal approval of a proposal.**

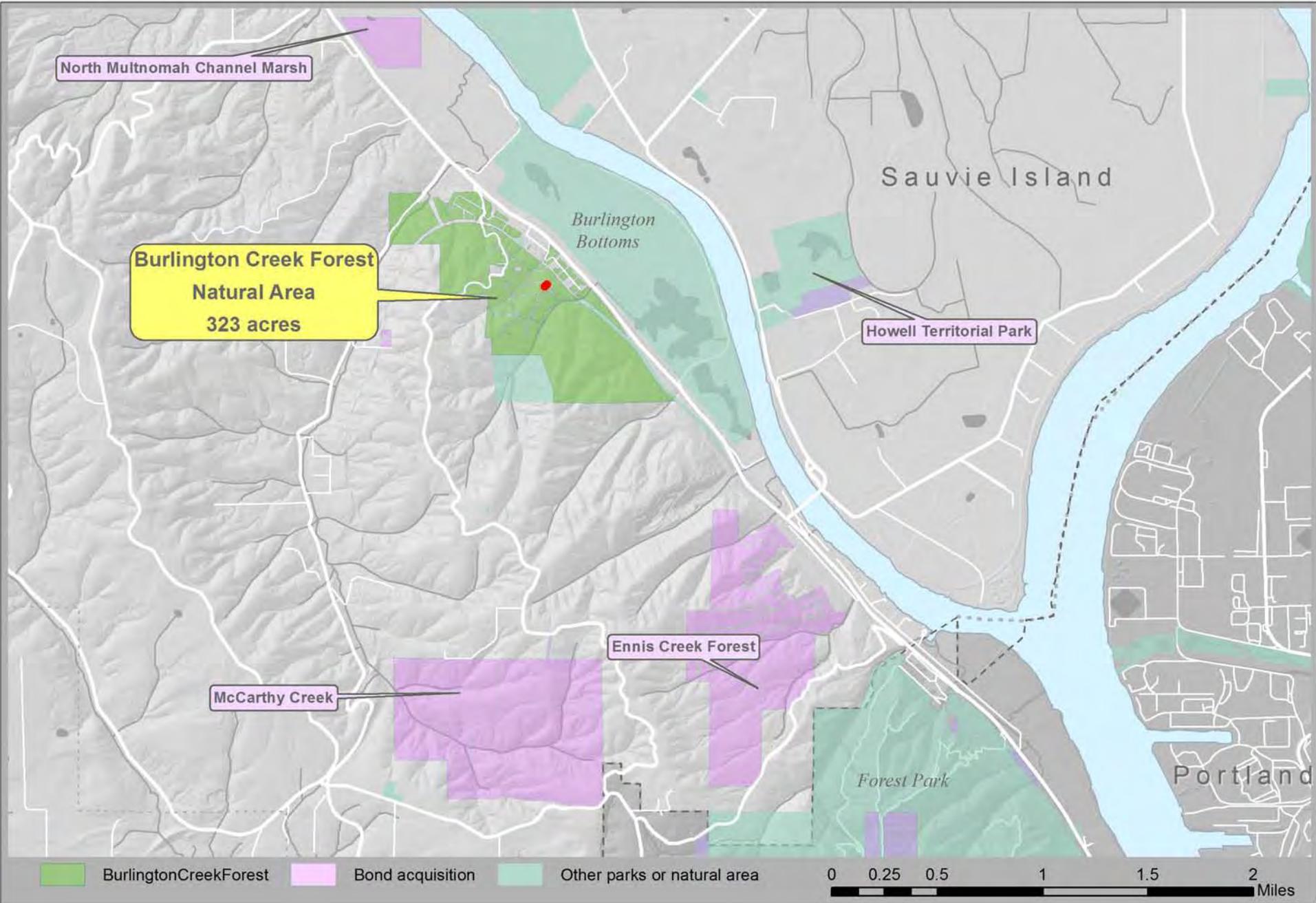
Staff finding: Construction is contingent on the approval of the Metro Council.

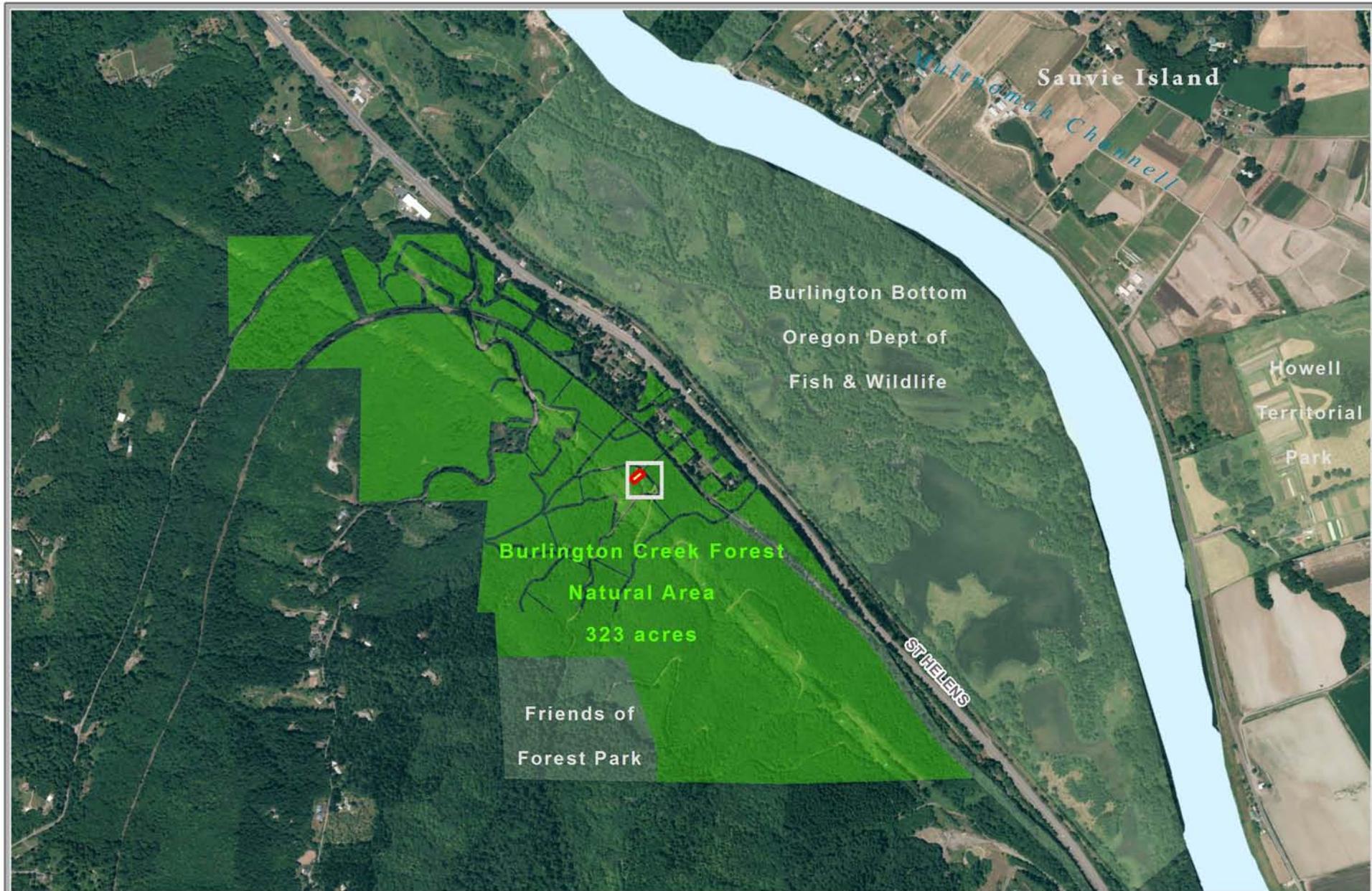
- F. Upon completion of all Metro tasks and responsibilities or at intervals determined by the Department, and regardless of Metro Council action related to a proposed easement, right of way, or lease for a non-park use, the applicant shall be invoiced for all expenses or the outstanding balance on expenses incurred by Metro.**

Staff finding: The applicant requests that the Metro Council waive the requirement to pay for expenses incurred by Metro. Staff determined that is reasonable to waive the costs associated with this easement request. Waiving the expenses is contingent on the approval of the Metro Council.

- G. Permission from Metro for an easement or right-of-way shall not preclude review under applicable federal, state, or local jurisdiction requirements.**

Staff finding: Criterion satisfied





Sauvie Island

Multnomah Channel

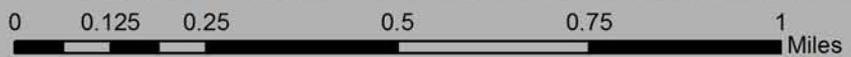
Burlington Bottom
Oregon Dept of
Fish & Wildlife

Howell
Territorial
Park

Burlington Creek Forest
Natural Area
323 acres

Friends of
Forest Park

ST HELENS





Water District Parcel
Less than 0.2 acres



Access Easement
Less than 0.4 acres

0 25 50 100 150 200
Feet



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