

Woodburn Interchange Project Revised Environmental Assessment

Interstate 5 (Pacific Highway) @ Oregon 214/219
Marion County, Oregon



Federal Highway Administration
Oregon Department of Transportation



November 2006



Revised Environmental Assessment

Interstate 5 (Pacific Highway) @ Oregon 214/219

**Federal Highway Administration
Oregon Department of Transportation**

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Measurement Conversion Factors

In accordance with recent Executive Orders and Secretary of Commerce direction, Federal Highway Administration and supporting agency project plans were to be converted to metric units by 2000. However, the Oregon Department of Transportation is now in the process of converting back to English units. This document, where appropriate, will reflect both English and metric units side by side to assist the reader. The following is a brief summary of the conversion factors and units used in this document.

| English Units | Multiply By | Metric units |
|----------------------|-------------|----------------------------|
| foot (ft) | 0.3048 | meter (m) |
| mile (mi) | 1.609 | kilometer (km) |
| cubic yard | 0.7646 | cubic meter |
| acre (ac) | 0.4047 | hectare (ha) |
| miles per hour (mph) | 1.609 | kilometers per hour (km/h) |

Alternative Format Availability

In compliance with the Americans With Disabilities Act, alternative formats of this document will be made available upon request.



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

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November 28, 2006

File Code:

TO INTERESTED PARTIES OF THE:

**WOODBURN INTERCHANGE PROJECT
Interstate 5 (Pacific Highway) @ Oregon 214/219
Marion County, Oregon
Key Number: 12518**

This **Finding of No Significant Impact for the Woodburn Interchange Project – Interstate 5 (Pacific highway) @ Oregon 214/219** is being distributed for your information per state and federal regulations.

If you wish to comment further on the project or its impacts, please address your comments within 30 days to:

**Federal Highway Administration
The Equitable Center, Suite 100
530 Center Street N.E.
Salem, Oregon 97301**

and,

**Rod Thompson, Senior Environmental Project Manager
Oregon Department of Transportation
Region 2 Technical Center
455 Airport Road SE, Building B
Salem, Oregon 97301-5395**

If you have questions or need additional information concerning the proposed project, please contact Terry Cole (ODOT Senior Region Planner) at: (503) 986-2674.

Thank you for your participation,

Tim Potter
Mid-Willamette Valley Area Manager



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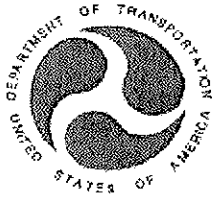
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FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT

for

WOODBURN INTERCHANGE PROJECT
Interstate 5 (Pacific Highway) @ Oregon 214/219
Marion County, Oregon
Key # 12518

The Federal Highway Administration (FHWA) has determined that this project will not have significant adverse impact on the human or natural environment. This finding is based on information provided in the Environmental Assessment (July 2005) and the attached Revised Environmental Assessment, which have been found to adequately and accurately disclose the environmental impacts of the proposed project. The impact analysis presented in the Environmental Assessment and updated in the attached Revised Environmental Assessment is based on general project locations. These documents provide sufficient evidence and analysis for determining that an environmental impact statement is not required.

The Build Alternative that has been selected for implementation is a hybrid combining elements of the widen north and widen equal alternatives. The Environmental Assessment contains descriptions of the estimated impacts associated with the proposed Woodburn interchange reconstruction project along I-5 that includes proposed ramp connections ending at MP 272.25 north of the interchange crossroad and at MP 271.43 south of the crossroad. The eastern limit of the proposed reconstruction project on Oregon 214 is at MP 37.51. The western limit of the proposed reconstruction project on Oregon 219 is at MP 36.40. The project consists of reconstructing the interchange at the junction of I-5 and Oregon 214 and 219 to a partial cloverleaf-A (loop ramps in advance of the overcrossing structure of I-5) and widening Oregon 214 and 219 equally or northerly of the existing centerline, depending on the segment. The project would widen the overcrossing structure to the north, and would fit and transition the design alignment along existing Oregon 214 east of the Woodburn Interchange. In addition, the project would improve the traffic flow and safety conditions of the existing I-5/Woodburn interchange by adding sidewalks, landscaped buffers between the sidewalk and the curb, one bicycle lane in each direction along Oregon 214 and 219, and a raised median and other modifications to access for city streets. Improvements would be made along Old Arney Road (MP 36.63), Lawson Avenue (MP 36.95), Evergreen Road (MP 37.02), Oregon Way/Country Club Road (MP 37.14), and Cascade Drive (MP 37.27). The project would have only minor impacts on air quality, noise levels, visual landscape, and land use. Transportation impacts of the build alternatives would result in less congestion at all intersections except Cascade Drive. Proposed stormwater mitigation includes engineered facilities for collection and detention. Wetlands impacts would be to no more than 0.01 acre, which will likely be determined nonjurisdictional as a water of the State and jurisdictional as a water of the United States; compensatory wetland mitigation may be required. Field reconnaissance surveys failed to locate any threatened or endangered species in the project area. The project is partially funded (approximately \$14 million for project development and right-of-way acquisition), and construction is not scheduled. The project would be built over 2 to 3 years.

The FHWA takes full responsibility for the accuracy, scope, and content of the attached Revised Environmental Assessment.

12-8-2006
Date


Federal Highway Administration Official
Oregon Division, Salem

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Acronyms and Abbreviations

| | |
|-----------------|---|
| ADA | Americans with Disabilities Act |
| ADT | average daily traffic |
| AST | aboveground storage tank |
| BMP | best management practice |
| BP | before present |
| CARTS | Chemeketa Regional Transportation System |
| CFR | Code of Federal Regulations |
| CG | General Commercial |
| CO | Office Commercial |
| COC | contaminant of concern |
| dBA | decibels A-scale |
| DHV | design hourly volume |
| DLC | Donation Land Claim |
| EA | environmental assessment |
| ECSI | Environmental Cleanup Site Information system |
| EDR | Environmental Data Report |
| EO | Executive Order |
| FHWA | Federal Highway Administration |
| HSIS | Hazardous Substance Information Survey |
| HW/D | headwater depth to culvert diameter ratio |
| I-5 | Interstate 5 |
| IAMP | Interchange Area Management Plan |
| IL | Light Industrial |
| LAC | Local Access Committee |
| L _{eq} | equivalent sound level |
| LOS | level of service |
| LUST | leaking underground storage tank |
| MEV | million entering vehicles |
| mph | miles per hour |
| MP | mile post |
| MPO | Municipal Planning Organization |
| N/A | not applicable |
| NB | northbound |
| NE | northeast |
| NEPA | National Environmental Policy Act NFA |
| NHS | National Highway System |
| N/M | not mapped on figure |
| | no further action |

| | |
|--------|--|
| NRHP | National Register of Historic Places |
| NW | northwest |
| OAR | Oregon Administrative Rule |
| ODEQ | Oregon Department of Environmental Quality |
| ODOT | Oregon Department of Transportation |
| ODSL | Oregon Department of State Lands |
| OHP | Oregon Highway Plan |
| ORNHIC | Oregon Natural Heritage Information Center |
| ORS | Oregon Revised Statutes |
| OTP | Oregon Transportation Plan |
| PCB | polychlorinated biphenyl |
| PDO | property damage only |
| PMT | Project Management Team |
| PSD | Prevention of Significant Deterioration |
| P/SP | Public/Semi-Public |
| R1S | Retirement Single-Dwelling Residential |
| RAM | Regional Access Management Committee |
| RCRA | Resource Conservation and Recovery Act |
| RM | Medium-Density Residential |
| RS | Single-Dwelling Residential |
| RV | recreational vehicle |
| SB | southbound |
| SE | southeast |
| sf | square foot |
| SHPO | State Historic Preservation Office |
| SIP | Oregon State Air Quality Implementation Plan (SIP) |
| SPIS | Safety Priority Index System |
| SQG | small quantity generator (of hazardous waste) |
| STIP | Statewide Transportation Improvement Program |
| SW | southwest |
| SWG | Stakeholder Working Group |
| TES | threatened, endangered, and sensitive |
| TMDL | total maximum daily load |
| TPH | total petroleum hydrocarbons |
| TPR | Transportation Planning Rule |
| TSP | Transportation Systems Plan |
| UGB | urban growth boundary |
| USC | United States Code |
| USFWS | U.S. Fish and Wildlife Service |
| UST | underground storage tank |
| V/C | volume to capacity |
| VMT | vehicle miles of travel |

Glossary

| | |
|----------------------------------|---|
| Average daily traffic (ADT) | The average number of vehicles passing a certain point each day on a highway, road, or street. |
| Access management | Methods that regulate physical connections to streets, roads, and highways from public roads and private driveways. Requires balancing access to developed land while ensuring movement of traffic in a safe and efficient manner. |
| Alignment | Geometric arrangement of a roadway (e.g., curvature). |
| Bandwidth | The vehicle green time available to progress through a series of traffic signals. |
| Best management practices (BMPs) | Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce adverse impacts on the environment. BMPs can include treatment requirements, operating procedures, and practices to control impacts. Commonly used in reference to stormwater, but can be used for other environmental elements. |
| Capacity | Maximum volume of traffic that a roadway section is able to carry on a sustained basis. |
| Decibel A-scale (dBA) | A unit of noise with a rating system (A) that represents the human hearing response, used to express relative difference in power or intensity, usually between two acoustic signals. |
| Environmental assessment (EA) | A public document, prepared by a federal agency (Federal Highway Administration), in compliance with the National Environmental Policy Act, that describes the purpose and need for a project and provides sufficient evidence and analysis of impacts to determine whether the project would result in significant impacts or not. Public involvement and agency coordination are important elements in the decision-making process, and are summarized in the document. |
| Interchange management area | The area defined by a distance along both the mainline and crossroads in all directions extending beyond the end of the interchange ramp terminal intersections, or the end of the ramp merge lane tapers. |
| Level of service (LOS) | A range of traffic delay (expressed as A through F) at an intersection. LOS A is minimal delay and LOS F is extended delay. |

| | |
|---------------------------|--|
| Median | That portion of the roadway that separates opposing traffic streams. |
| Mitigation | Actions taken to minimize or offset negative effects of proposed projects or actions. |
| Nontraversable median | A median that, by its design, physically discourages or prevents vehicles from crossing it except at designated openings that are designed for turning or crossing movements. Nontraversable medians can be flush or raised (see “raised median” below). Landscaping is used to delineate medians and is commonly used to actively discourage cross-median vehicular movements or pedestrian crossing, except at locations designated and designed for such movements or crossings, as well as for beautification. Access can be provided for emergency and official vehicles. |
| Peak hour | Hour of the day with the most traffic, usually during morning and evening commute times. |
| Project Management Team | The ODOT team managing the Woodburn Interchange Project. |
| Raised median | A nontraversable median where curbs are used to help delineate the boundary between the median and the adjacent traffic lane and to elevate the surface of the median above the surface of the adjacent traffic face. |
| Realignment | Rebuilding an existing roadway on a new alignment where the new centerline shifts outside the existing right-of-way and where the existing road surface is removed, or maintained as an access road, or maintained as a connection between the realigned roadway and a road that intersects the original alignment. |
| Right-of-way | A general term denoting publicly owned land, property, or interest therein, usually in a strip. A roadway right-of-way includes the entire width between the outside right-of-way lines, including the paved surface, shoulders, ditches, and other drainage facilities plus the border area between the ditches or curbs and right-of-way boundary line. |
| Shy distance | Space left between the travel lane and an object such as median or guardrail. The amount of shy distance required for safety tends to increase with speed. |
| Stakeholder Working Group | A group formed to review detailed aspects of the project design, provide guidance to technical staff on the project work, and make recommendations to the PMT. SWG members represent a wide range of stakeholder interests, including affected property and business owners, neighborhoods, interest groups, jurisdictions, and agencies. |

| | |
|--------------------------------------|--|
| Traversable median | A median that by its design does not physically discourage or prevent vehicles from entering upon or crossing it. Such medians include painted medians and continuous two-way left turn lanes. |
| Urban growth boundary (UGB) | The area surrounding an incorporated city in which the city may legally expand its city limits. |
| Vehicle miles of travel (VMT) | Miles traveled per vehicle multiplied by the total number of vehicles. |
| Volume-to-capacity ratio (V/C ratio) | A measure of roadway congestion, calculated by dividing the number of vehicles passing through a section of highway during the peak hour by the capacity of the section. |
| Wetland boundary | A line marked on the ground or on a map that identifies the boundary line between wetlands and nonwetland areas. |

SECTION 1

Introduction

Project Name: Woodburn Interchange

County: Marion

Highway: Pacific Highway @OR 214/219

Highway No.: 1

Funding Source: STIP

Cost Estimate: \$25 million for construction

ODOT Region: 2

Begin: MP 271.43

End: MP 272.25

Length: 0.82 mi

This Revised Environmental Assessment (REA) for the Woodburn Interchange Project at Milepost 271 on Interstate 5 (Figure 1) is a supplement to and completes the Environmental Assessment (EA) that was released in July 2005. The reader is referred to the EA and the technical reports, such as for noise, for additional information. A list of preparers appears at the front of this document. Acronyms and abbreviations and terms used in this REA are explained in the front of this document.

Copies of the EA and REA are available on request from:

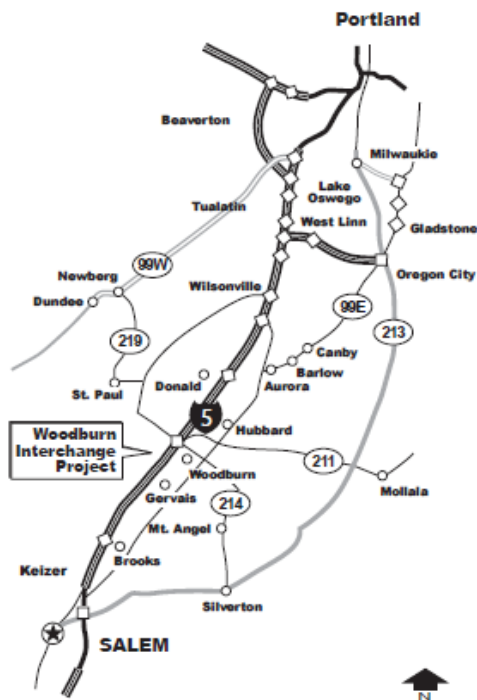
Region 2 Environmental Services, 455 Airport Road SE, Bldg. B, Salem, OR 97301-5395; telephone (503) 986-2600.

Copies of the EA and REA have also been placed on ODOT's Website. They can be downloaded from <http://www.oregon.gov/ODOT/HWY/REGION2/>

This REA is not a stand-alone document, that is, it makes changes to the EA by reference. The REA describes the Recommended Alternative that was chosen for implementation. It also provides the reasons for choosing the Recommended Alternative and a section listing the additions and changes made to the EA. Land use findings of consistency with state policies and local plans are included. The EA sections summarizing mitigation and conservation measures and wetlands findings are without revision, although brief summaries are provided in this REA. This REA also includes a summary of public comments received and ODOT responses, and a project conclusion statement. A transcript of the EA public hearing is included as an appendix. Other appendixes include local agency

letters of consistency, an intergovernmental agreement, a memo regarding wetlands and water quality impacts, and Study Committee comments and responses.

Figure 1 - Woodburn Interchange Vicinity



The current interchange was designed in the late 1960s and constructed in the early 1970s to handle east/west traffic for northern Marion County and the interstate access to/from the rural community of Woodburn. Over the last 30 years, Woodburn and the vicinity around the interchange have developed and now attract high volumes of local, regional, and truck traffic trips. Oregon 214 gets very congested and it can be difficult to get to I-5 from surrounding communities. The road congestion leads to unsafe situations with traffic backing up on the freeway, and makes it hard to get to local businesses. The population in the area has more than tripled since design of the interchange in the late 1960s. Annual events in Woodburn and surrounding communities draw thousands of people from other parts of the state and through the interchange. Today, Woodburn is an urban community strategically located in the northern Willamette Valley with proximity to Portland and Salem, with large industrial, commercial, and residential developments, and regional travel services near the interchange.

The Oregon Department of Transportation, Department of Land Conservation and Development, the City of Woodburn, Marion County, and the Federal Highway Administration have been monitoring land use development and transportation issues in the vicinity of Interstate 5 and Oregon 214/219 in Woodburn for more than a decade. Work begun by ODOT in the early 1990s to identify possible solutions was interrupted due to limited statewide money for transportation projects. The City of Woodburn in 1999 finished a study of Oregon 214 that looked at options to widen Oregon 214 but which did not look at interchange improvements. Shortly thereafter ODOT, with local agency and public involvement, led development of a Refinement Plan for the interchange, which identified improvement options and the need for an environmental assessment (EA). The alternative analysis conducted for the Refinement Plan was subsequently updated and validated as part of an EA developed in 2004 and 2005.

The purpose of the Woodburn Interchange Project is to improve the traffic flow and safety conditions of the existing I-5/Woodburn interchange.

The existing I-5/Woodburn interchange does not meet current design and operational standards, which causes traffic to move at slower speeds and increases congestion. Future growth in the interchange area will increase congestion problems, increase the difficulty to access adjacent businesses, and increase the likelihood of safety problems for drivers, bicyclists, and pedestrians.

Recommended Alternative

Alternatives Analysis Summary

The alternatives analysis conducted for the Refinement Plan and subsequently updated and validated for the EA confirm that replacing the existing diamond interchange with a partial cloverleaf interchange would improve safety and provide operational performance that meets OHP and HDM standards through 2025 and accommodates the 2005 Woodburn Comprehensive Plan growth assumptions. Two build alternatives for the interchange, both based on the Parclo A design, were analyzed for the EA. (Refer to the EA for discussion of the complete range of alternatives analyzed.) Because the two alternatives advanced have the same basic design, they operate identically. That is, the lane configurations, traffic control, access management and local road improvements are the same for both variations. The most substantial difference is how Oregon 214/219 and the interchange structure would be widened to accommodate the travel lanes needed to achieve the project's operational, geometric, and safety goals. One alternative would widen the facilities equally on both sides of the roadway, while the second would widen to the north.

Under the No-Build alternative, the current Woodburn/I-5 interchange would remain in place for the foreseeable future, with only routine maintenance to prevent its deterioration. The No Build Alternative was not selected because it would not meet the project safety and operational goals.

No clear consensus regarding the Widen North versus the Widen Equal alternatives presented in the EA document emerged from the comments received through the Public Hearing process conducted for the EA in July and August 2005. Those favoring the Widen North alternative were mostly concerned about impacts to the properties south of Oregon 214 between Evergreen Road and the northbound Woodburn Interchange ramps. Those favoring the Widen Equal alternative were mostly concerned about impacts north of Oregon 214 between Evergreen Road and Cascade Drive.

The project's Stakeholder Working Group (SWG), consisting of representatives from local businesses, residential and outlying communities, and other appropriate interest groups, met on Tuesday, November 15, 2005, at the Woodburn City Hall. At the meeting the SWG considered the EA comments and made a recommendation as to a preferred alternative. The SWG also noted the desire expressed by several of those commenting to avoid or minimize impacts to the Kentucky Fried Chicken property north of Oregon 214 between Evergreen Road and Oregon Way and the medical offices at the southeast corner of Oregon 214 and Cascade Drive. Based on these comments and concerns, the SWG recommended advancing a "hybrid" build alternative that blends elements of both the Widen North and Widen Equal alternatives. The "hybrid" combination of alternatives forms the basis for the Recommended Alternative.

Description and Features of the Recommended Alternative

The Recommended Alternative is a hybrid of the widen north and widen equal alternatives that would reconstruct the interchange at the junction of I-5 and Oregon 214 and 219 to a partial cloverleaf-A (loop ramps in advance of the overcrossing structure of I-5) and widen Oregon 214 and 219 equally or northerly of the existing centerline, depending on the segment. The Recommended Alternative would widen the overcrossing structure to the north (Figure 2). The Recommended Alternative would fit and transition the design alignment along existing Oregon 214 east of the Woodburn Interchange (Figure 3) using the following principles:

- Public support for widening north of the existing centerline west of Evergreen Road
- Shift the alignment towards an equal widening on both sides of the existing centerline, as is practical and feasible, between Evergreen Road and Cascade Drive
- Between Evergreen Road and Cascade Drive, particular attention should be given to minimizing impacts, as is practical and feasible, to the property currently occupied by Kentucky Fried Chicken and to the Senior Estates properties adjacent to Oregon 214
- East of Cascade Drive, particular attention should be given to providing as much space as is practical and feasible between the medical offices at the southeast corner of Oregon 214 and Cascade Drive and the back of the sidewalk running along the south side of Oregon 214.

The Recommended Alternative would include new 6-foot sidewalks with an additional 6-foot-wide landscaped buffer between the sidewalk and the curb. One bicycle lane would be provided in each direction along Oregon 214 and 219 for both alternatives. A raised median would be added and modifications to access for city streets would be made at Oregon Way, Evergreen Road, and Lawson Avenue for both alternatives.

A potential add-on option would acquire an additional 60-foot-wide strip of ROW and a 50-foot-wide strip of easement. The 60-foot-wide ROW purchase would be acquired south of Oregon 214, extending west from Lawson Avenue. The 50-foot-wide public road easement would be acquired south of Oregon 214, extending east from Evergreen Road to the Dairy Queen property. These options will be addressed in conjunction with future ROW negotiations.

The Recommended Alternative would add improvements along Old Arney Road (MP 36.63), Lawson Avenue (MP 36.95), Evergreen Road (MP 37.02), Oregon Way/Country Club Road (MP 37.14), and Cascade Drive (MP 37.27).

177551.22.04.4C_T012005009SEA / Woodburn SA / Fig 2 Widen North / 1-4-06 / lw

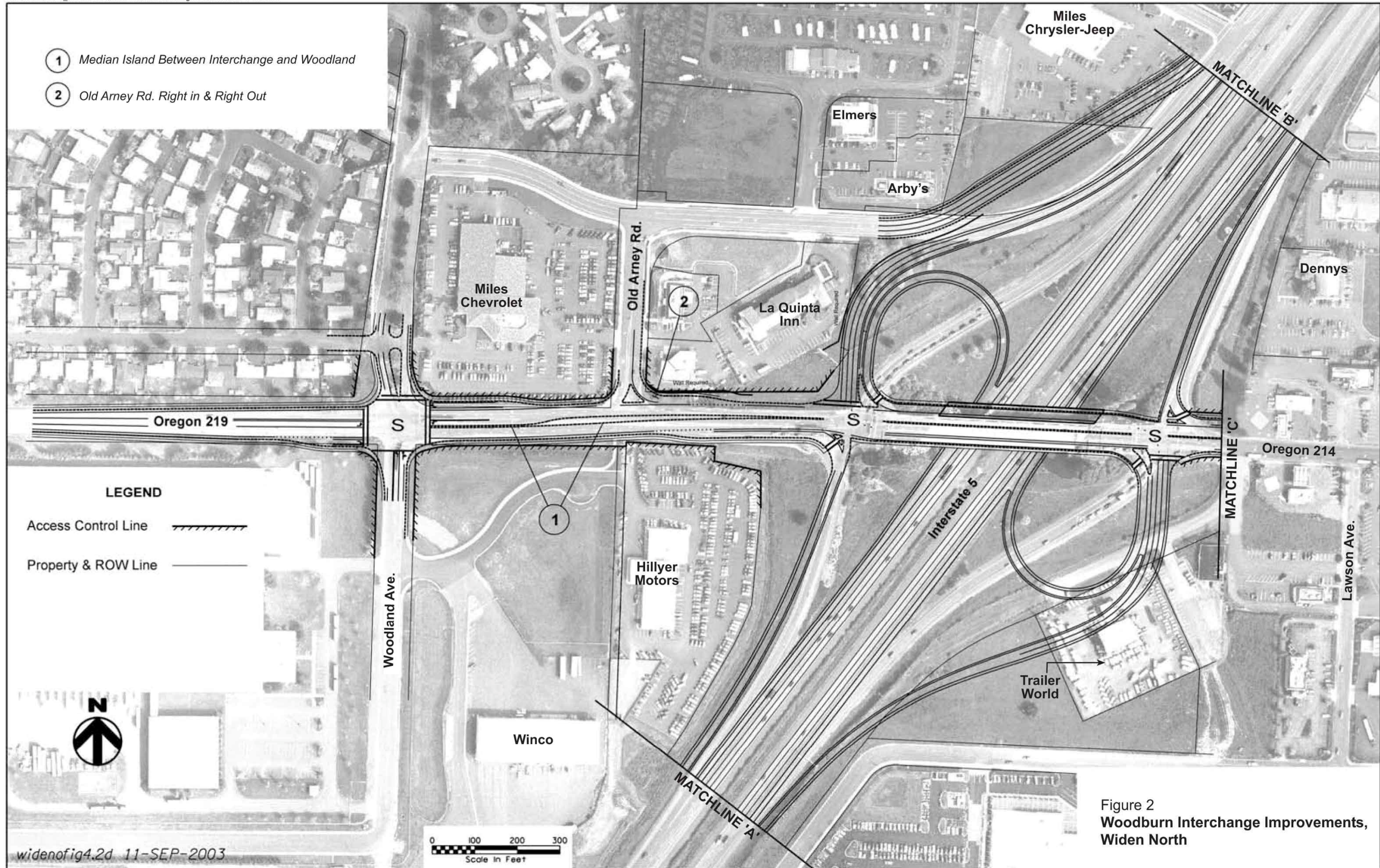
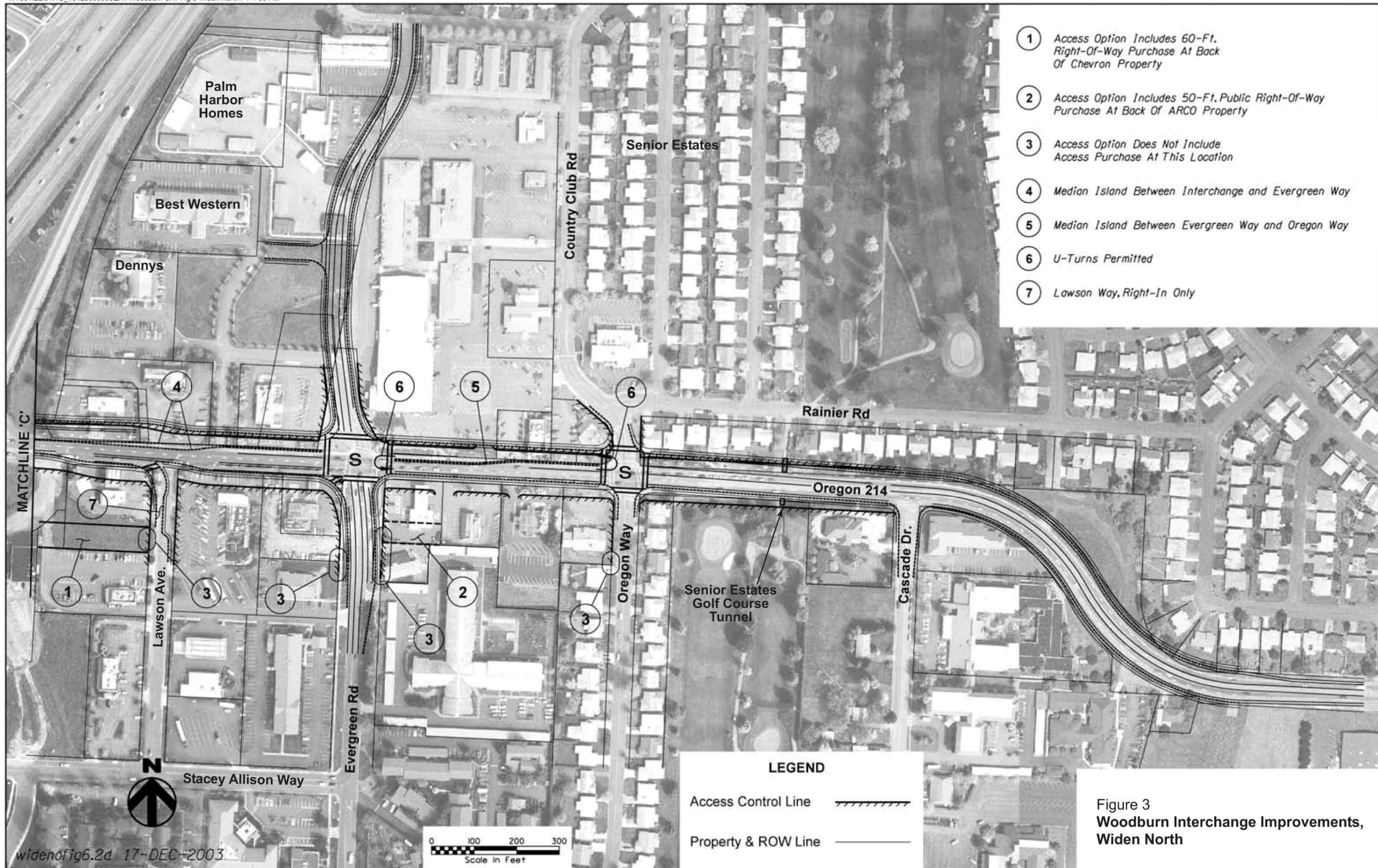


Figure 2
Woodburn Interchange Improvements,
Widen North

177551.22.04.4C_T012005009SEA / Woodburn SA / Fig 3 Widen North / 1-4-06 / lw



widenofig6.2d 17-DEC-2003

SECTION 3

Reasons for Selecting the Recommended Alternative

The project management team (PMT), after considering the input from extensive public involvement and selection criteria determined to meet project safety and operational goals, recommended the alternative described above, because it was the one alternative that best:

- Addresses local concerns about access and right of way impacts while still meeting the project safety and operational goals for vehicles, pedestrians, and bicyclists.
- Minimizes impacts to the environment while improving the traffic flow and safety conditions of the existing I-5/Woodburn interchange and OR214/219.
- Meets the project's stated purpose and need to improve traffic flow and safety conditions.

In addition, the Recommended Alternative is consistent with all relevant federal, state, and local plans and policies.

The PMT chose the Recommended Alternative after evaluating the build alternatives along with their modifications as described in this document. Goals and objectives are those issues to be addressed by the project that are beyond the state transportation issue identified in the Purpose and Need and balance environmental and transportation values. The following goals and objectives – restated from the *Woodburn Interchange Environmental Assessment (July 2005)* – were identified by the Stakeholder Working Group and were used as criteria for selecting the Recommended Alternative:

- **Safety.** Provide a facility that would safely accommodate multimodal travel demands 20 years into the future.
- **Access and Traffic Flow**
 - Provide safe and convenient access to interchange area businesses (i.e., consider signage and possible street connections to Oregon 214).
 - Reduce congestion and improve traffic flow in the interchange area.
 - Provide median treatment that would accommodate emergency vehicles.
- **Social/Economics**
 - Minimize displacements to existing residences and businesses.
 - Minimize adverse impacts on existing residences and businesses.
 - Minimize land conversion from private ownership to public transportation use.
- **Aesthetics.** Create a gateway entrance to Woodburn (i.e., consider a variety of treatments such as underground utilities, landscaping, pavement widths).

- **Implementation**

- Maximize efficient use of available funding for implementation of interchange and Oregon 214 improvements.
- Coordinate with affected property owners and provide fair compensation.
- Coordinate construction activities to maintain safe access to regional events.
- Minimize disruption and congestion due to construction activities.
- Maintain travel on I-5 at all times.

The EA demonstrates that the project would have only minor impacts on air quality, noise levels, visual landscape, and land use. Transportation impacts of the Recommended Alternative would result in less congestion at all intersections except Cascade Drive, as compared to the No Build Alternative. Increased congestion at the unsignalized Cascade/Oregon 214 intersection would be due to drivers turning left from Cascade Drive and thus having to negotiate more travel lanes and higher volumes. However, there are local circulation options that do provide left turn opportunities at nearby signalized intersections (Oregon Way and Evergreen). The review determined that native vegetation communities have been almost entirely eliminated in the project area by urban development and management. Field reconnaissance surveys failed to locate any threatened or endangered species in the project area.

SECTION 4

Additions and Changes to the EA

Since completion of the EA, the following relevant land-use actions have occurred:

- Adoption of the updated City of Woodburn Transportation System Plan (October 2005), including a revised Interchange Management Area Development Ordinance
- Adoption of the Woodburn Interchange Area Management Plan (April 2006), including Approval of Deviations to Access Spacing Standards

In addition, an Intergovernmental Agreement between the City of Woodburn and ODOT has been executed (July 2006).

Below are clarifications and minor corrections, such as typographical and other errata, to the EA:

| <u>Page</u> | <u>Correction</u> |
|------------------------|--|
| X, paragraph 4, line 5 | Change Alternative 2 (Widen Equal) to (Widen North). |
| 1-2, Figure 1-1 | Vicinity map revised slightly to remove non-existent road connecting I-5 and Newberg. |
| 4-7 | Change sentence under Biological and Wetlands Resources – Vegetation – to read: “Approximately 0.01 acre of Wetland A under either build alternative would be directly affected. This small roadside ditch has negligible habitat value and was most likely created from upland soil for stormwater drainage purposes. It will likely be determined nonjurisdictional as a water of the State and jurisdictional as a water of the United States.” |
| 4-8 and 6-3 | Change sentence under Biological and Wetlands Resources – Vegetation – to read: “Should compensatory mitigation for proposed impacts on Wetland A be required, purchasing mitigation bank credits or conveyance of the drainage in a pipe would likely satisfy requirements.” |
| 4-50, paragraph 3 | Figure 4-10 revised to match text, so that sound wall extends to Astor Way along the north side of Oregon 214. |
| 6-1 | Change sentence under Hydrology and Water Quality to read: “A Water Resources Impact Assessment may need to be prepared once an alternative is selected, if the selected alternative is substantially different from those analyzed in the EA. However, because the recommended alternative is a hybrid of the alternatives analyzed in the EA, and water quality impacts |

would not differ from than those identified in the EA, no Water Resources Impact Assessment is needed.”

6-3, 6-4

Replace the bullet list under Cultural Resources with the following revised bullet list:

- ODOT Inspectors should closely observe subsurface construction for archaeological resources in areas of intact, previously undisturbed soils.
- ODOT archaeologist will attend preconstruction meeting to discuss archaeological site types that may occur in the project area and inadvertent discovery procedures and protocols.
- If cultural resources are discovered during construction, immediately stop all work in the area of discovery and contact an ODOT archaeologist.
- If human remains are discovered during project construction, immediately stop all work in the area of the discovery, secure the area, and contact the Oregon State Police and an ODOT archaeologist.

6-4

Replace the one paragraph under Noise with the following paragraphs, which include text copied from Section 4 of the EA:

“Four locations identified as noise impacted will be considered for construction of noise barriers (or sound walls):

1. The area of Senior Estates at the north end of the project located along I-5 in the area of the extended northbound on-ramp. A noise barrier approximately 835 feet long and 16 feet high, located approximately 3 feet inside the ODOT right-of-way line, can reduce the traffic noise levels at these homes from L_{eq} 66-72 dBA to L_{eq} 60-66 dBA.
2. The area west of I-5 and north of Oregon 219, between Woodland Avenue and Willow Street. A noise barrier approximately 1,570 feet long and 12 feet high, located close to the right-of-way line, could reduce the traffic noise levels at these homes from L_{eq} 65-68 dBA to L_{eq} 57-60 dBA.
3. The area north of Oregon 214, from Oregon Way to Astor Way. A noise barrier 2,460 feet long and 12 feet high, located approximately 3 feet inside the right-of-way line, could reduce the traffic noise levels at these homes from L_{eq} 65-70 dBA to L_{eq} 56-62 dBA.

4. The area south of Oregon 214 and east of Cascade Drive at the Cascade Park Retirement Center. A noise barrier 300 feet long and 12 feet high, located approximately 3 feet inside the right-of-way line, could reduce the traffic noise levels in the outdoor activity area from L_{eq} 67-70 dBA to L_{eq} 59-61 dBA.

The traffic noise barriers analyzed for this project appear reasonable in cost and feasible to construct. For additional information, refer to the Noise Study Report. The opinion of the noise-impacted residents, located immediately behind these walls, will be sought as to the desirability of these walls. If the majority of noise-impacted residents' desire the wall, it will be recommended for construction. The final decision on the construction of the wall and the type of wall will be made during the final design process.

Areas adjacent to the project would be exposed to construction noise. Although the exposure would be temporary, the additional noise could be disturbing to nearby receptors. The following mitigation measures may be implemented to comply with construction noise abatement measures:

- No construction would be performed within 300 meters (990 feet) of an occupied dwelling unit on Sundays or legal holidays and between the hours of 10:00 PM and 6:00 AM on other days, without the approval of the engineer.
- All equipment used would have sound control devices no less effective than those provided on the original equipment. No equipment would have un-muffled exhaust.
- All equipment would comply with pertinent equipment noise standards of the U.S. Environmental Protection Agency.
- No pile driving or blasting operations would be performed within 900 meters (2,970 feet) of an occupied dwelling unit on Sundays or legal holidays and between the hours of 8:00 PM and 8:00 AM on other days, without the approval of the engineer.
- The noise from rock crushing or screening operations performed within 900 meters (2,970 feet) of any occupied dwelling would be mitigated by strategic placement of material stockpiles between the operation and the affected dwelling or by other means approved by the engineer.

Should a specific noise impact complaint occur during the construction of the project, one or more of the following noise mitigation measures may be required at the contractor's expense, as directed by the engineer:

- Locate stationary construction equipment as far from nearby noise-sensitive property as possible.
- Shut off idling equipment.
- Reschedule construction operations to avoid periods of noise annoyance identified in the complaint.
- Notify nearby residences whenever extremely noisy work will be occurring.
- Install temporary or portable acoustic barriers around stationary construction noise sources.
- Operate electric-powered equipment using line voltage power.

If the City of Woodburn has a noise ordinance that control construction noise, the construction activities would be in compliance with all applicable local noise ordinances.”

SECTION 5

Land Use Findings of Consistency with State Policies and Local Plans

Information and data in the Woodburn Interchange Environmental Assessment and its supporting technical documents show that the Recommended Alternative is consistent with relevant land use and transportation policies and provisions of the following:

- State Agency Coordination Program
- Oregon Transportation Plan
- Oregon Highway Plan
- Oregon Transportation Planning Rule
- Marion County Plans
- City of Woodburn Plans

State Agency Coordination Program (December 1990) (OAR 731-0015)

The State Agency Coordination (SAC) Program describes what agencies will do to comply with Oregon's land use planning program. Specifically, the SAC Program describes how an agency (that is, ODOT) will meet its obligations under ORS 197.180 to carry out its programs affecting land use in compliance with the statewide planning goals and in a manner compatible with acknowledged comprehensive plans. Any needed local agency coordination not already accomplished or underway would occur before or as part of final project design.

Finding: The consistency of the REA's recommended alternative with local plans, as documented here and in the EA and IAMP, meets the stipulations of the State Agency Coordination Program. Based on SAC requirements, ODOT has completed all local land use actions that demonstrate that the Woodburn Interchange Project is compatible and consistent with the Woodburn Comprehensive Plan and TSP. The IAMP is an ODOT Facility Plan that documents that the project will be compatible and consistent with the 2005 Woodburn Comprehensive Plan and TSP. ODOT has received confirmation from the City of Woodburn, on the basis of the City's formal assessment, that the IAMP is compatible and consistent with the City's adopted plans (Appendix A). An Intergovernmental Agreement (Appendix B) has been executed between the City of Woodburn and ODOT which addresses monitoring activities related to interchange operations and safety. The OTC has adopted the IAMP as a Facility Plan.

Oregon Transportation Plan (1992)

The goal of the OTP is to promote a safe, efficient, and convenient transportation system that improves livability and facilitates economic development for residents of the state. The

OTP sets out four goals with numerous actions to support their achievement. Many of these actions do not apply to the Woodburn Interchange Project, but relate more to the establishment of regional transportation plans. Those actions that do apply are addressed below.

Action 1G.4

Action 1G.4 states that resources should be targeted to dangerous routes and locations in cooperation with local and state agencies. Currently, the I-5/Oregon 214 interchange is identified as a relatively high-accident location. Based on a crash analysis of the January 1997 to December 2001 crash data, four roadway segments within the Woodburn Interchange Project study corridor on Oregon 214/219 fall within the top 10 percent of ODOT's Safety Priority Index System of the worst crash locations in the state.

Finding: The Woodburn Interchange Project Recommended Alternative would reconstruct this intersection to improve safety by adding capacity to reduce congestion, reducing multiple access point conflicts along Oregon 214 through consolidation of access points and adding medians, and correcting geometric conditions that do not meet current standards. Therefore, the Woodburn Interchange project targets resources to address dangerous conditions and is consistent with Action 1G.4.

Action 1H.3

Action 1H.3 gives priority to funding transportation needs identified in state, regional, and local transportation system plans.

Finding: The Woodburn Interchange Project is identified in the Woodburn Comprehensive Plan and the Woodburn TSP as a means to address traffic congestion and safety problems that currently affect Oregon 214/219 and Interstate 5. In addition, the project is partially funded in the STIP; therefore the project is consistent with Action 1H.3.

Action 4G.1

Action 4G.1 calls for preserving, maintaining, and improving transportation infrastructure and services that are of statewide significance.

Finding: The Woodburn interchange links an interstate highway (I-5) with a state (district) highway (Oregon 214) and facilitates access to a popular regional commercial destination – the Woodburn Company Stores. The Woodburn Interchange Project calls for improving an existing interchange of statewide significance and is therefore consistent with this action.

Action 4G.2

Action 4G.2 requires that access control be a part of transportation system projects to achieve reasonable levels of service.

Finding: The Woodburn Interchange Project Recommended Alternative would enhance the already consolidated I-5 access to destinations within Woodburn and surrounding areas. With the Recommended Alternatives, all intersections except Cascade Drive (an unsignalized intersection) would show improvement. Therefore, the project includes access control and is consistent with Action 4G.2. (Discussion of access control is continued in the OHP section below.)

Action 4G.3

Action 4G.3 calls for demand management and other transportation systems operation techniques to reduce peak period traffic volumes.

Finding: The Woodburn Interchange Project will benefit from land development controls by the City of Woodburn in the interchange vicinity, specifically an Interchange Management Area Overlay District of approximately 1,000 acres where trip budgets will apply. Therefore, the project is consistent with Action 4G.3.

Action 4G.4

Action 4G.4 calls for controlled accesses to statewide transportation corridors and facilities.

Finding: The Woodburn Interchange Project Recommended Alternative would continue controlled access to I-5. Also, as part of the project, driveways along Oregon 214 would be consolidated and turn movements controlled through the installation of a center median. Elsewhere along the proposed footprint raised curbs would be used to control turning movements. These changes would improve safety along the highway and meet state access control guidelines. Therefore, the project is consistent with Action 4G.4.

Oregon Highway Plan (1999)

The 1999 OHP is a modal element of the 1992 OTP and defines policies and investment strategies for Oregon's state highway system over the next 20 years. The plan contains three elements: a vision element that describes the broad goal for how the highway system should look in 20 years; a policy element that contains goals, policies, and actions to be followed by state, regional, and local jurisdictions; and a system element that includes an analysis of needs, revenues, and performance measures.

The OHP is a modal element of the OTP. It addresses the following issues:

- Efficient management of the system to increase safety, preserve the system, and extend its capacity
- Increased partnerships, particularly with regional and local governments
- Links between land use and transportation
- Access management
- Links with other transportation modes
- Environmental and scenic resources

The OHP designates I-5 as part of the National Highway System and as a designated freight route between the California and Washington borders.

The policy element contains several policies and actions that are relevant to the Woodburn Interchange Project, described in the following subsections.

Policy 1A, Action 1A.1

Policy 1A requires application of the state highway classification system for investment and management decisions. Action 1A.1 categorizes state highways for planning and management decisions. Under this policy, I-5 is classified as an Interstate Highway, which provides connections to major cities and regions within Oregon and facilitates movement to and from other states. The operational objective for Interstate Highways is to provide safe and efficient high-speed travel in urban and rural areas.

Oregon 214/219 is classified as a District Highway, which provides connections between small urbanized areas, rural centers, and urban hubs, as well as providing access for local traffic. The operational objective for District Highways is to allow safe and efficient moderate- to low-speed travel in urban and urbanizing areas for traffic flow, as well as bicycle and pedestrian movements.

Finding: I-5 is an interstate freeway, part of the National Highway System, part of the Strategic National Defense Highway Network (STRAHNET), an International Trade Corridor, and is designated as a highway of statewide importance and Statewide Freight Route in the OHP. It is the highest order highway in ODOT's functional classification. The function of the Woodburn interchange is to serve statewide travel through the Woodburn area, and regional travel; that is, travel with one trip end in Woodburn and one somewhere outside of Woodburn. Oregon 214/219 (the Hillsboro/Silverton Highway) is a district-level highway on ODOT's system and a major arterial within the City of Woodburn's TSP. The function of Oregon 214/219 is to serve regional travel and provide access between the local transportation system and the higher order state highway facilities, including I-5.

The Woodburn Interchange Project Recommended Alternative would support the existing highway classifications and would enhance the ability of either I-5 or Oregon 214/219 to serve in their defined functions. The interchange project includes a reconfiguration of the existing interchange to a partial cloverleaf-A (loop ramps in advance of the overcrossing structure of I-5), widened overcrossing and ramp additions, and a widened highway with access improvements to address capacity and safety issues. Therefore, the Woodburn Interchange Project would improve the facilities' ability to serve their defined functions and support the operational objective for safe and efficient high-speed travel on I-5 and safe and efficient regional and local travel and access on Oregon 214/219. Therefore, the project is consistent with Policy 1A, Action 1A.1.

Policy 1B, Action 1B.2

Policy 1B requires coordination between land use and transportation decisions. Action 1B.2 requires ODOT to work with local governments to protect the state highway function by collaborating with local jurisdictions in developing land use and subdivision ordinances.

Finding: ODOT worked with the City of Woodburn to draft and adopt an Interchange Management Area (IMA) Overlay District of approximately 1,000 acres where trip budgets will apply; therefore the project is consistent with Policy 1B, Action 1B.2.

Approximately 462 acres are vacant and buildable. These lots would be served by the I-5 interchange via Parr Road, Butteville Road, Crosby Road and Oregon 214. The IMA Overlay District includes the SWIR, the Parr Road Nodal Development Area, and other vacant

commercial areas immediately served by the I-5 interchange. The interchange management area land use overlay zone encompasses approximately:

- 205 acres of commercial lands (64 acres vacant)
- 533 acres of industrial lands (362 acres vacant)
- 166 acres of residential lands (36 acres vacant)

Within this zone, trip generation associated with redevelopment will be based on existing zoning. This is a reasonable assertion assuming the most likely properties to redevelop are those located in the immediate interchange vicinity and are currently commercial uses and traveler services. A total trip generation budget for planned employment (commercial and industrial) land uses within the IMA Overlay District—defined as the IMA Trip Budget—and a trip budget for each vacant commercial or industrial parcel—defined as the parcel budget—has been determined. The IMA Trip Budget for commercial and industrial uses within the IMA Overlay District is 2,500 peak hour vehicle trips through the Year 2020. (An estimated 1,500 additional peak hour residential trips are planned within the IMA District.) The IMA Trip Budget will be allocated to vacant commercial and industrial parcels on a first developed, first served basis. According to the current for the IMA Overlay District (WDO 2.116), the overall trip budget for vacant SWIR parcels is 2,703; for vacant commercial properties the budget is 2,789.

Baseline budget adjustments will be made periodically to reflect any major changes in redevelopment assumptions that may occur. These changes will be measured and incorporated into a revised trip budget baseline at the time of periodic review of the Comprehensive Plan and TSP updates in accordance with statewide planning goals. ODOT will monitor overall traffic growth in the interchange area to ensure that any potential operational problems are identified and addressed as early as possible. Such problems might result if more rapid than forecasted growth occurs outside the IMA Overlay District.

Policy 1B, Action 1B.3

Action 1B.3 requires ODOT to assist in implementing state access management standards and policies.

Finding: The Woodburn Interchange Area Management Plan includes access management provisions that are consistent with standards, or moving toward state standards, and policies. OAR 734-051 promotes the protection of emerging development areas rather than the retrofit of existing built-up roadways. The rules also provide access management spacing standards for approaches for various types of state roadways and for interchanges. OAR 734-051-0190 specifies that these standards are to be used in planning processes involving state highways, including corridor studies, refinement plans, state and local TSPs, and local comprehensive plans. The access management plan contained in the IAMP is consistent with the strategy identified in the Woodburn Interchange EA. The access management plan for the interchange area has been prepared under the project development guidelines rather than an application for an individual permit application.

On Oregon 214 and Oregon 219, the access spacing standard for both public and private approaches is 400 feet. Access spacing standards along Oregon 214/219 from the I-5 ramps are 1,320 feet for full access intersections and 750 feet for right-in and right-out intersections.

West of the interstate, direct access to Oregon 219 would remain unchanged. The median would be extended to the Woodland Avenue intersection. The extension of the median barrier would reduce the number of occurrences where drivers attempt a mid-block U-turn between Old Arney Road and Woodland Avenue.

East of the interstate to Evergreen Road, Oregon 214 would have a median barrier and would eliminate all private road approaches. Lawson Way would remain open for right-in only. The McDonalds site travel pattern would not be changed with the Recommended Alternative. Right-out turning movements at Lawson Way would be prohibited.

The northbound approach of Evergreen Road to Oregon 214 would provide double left turns to expedite clearing the intersection and reducing the traffic back ups. This would allow local street accesses to remain on Evergreen and would minimize adverse impacts to existing and potential redevelopment land uses.

From Evergreen Road to Oregon Way there would be a raised median. Because of the lack of local streets parallel to Oregon 214, U-turns would be permitted at Evergreen Road and Oregon Way. Because of the proposed median, mid-block access may be permitted without adversely affecting travel.

Proposed project elements include prohibition of full movement private accesses a quarter mile east and west of interchange ramp termini, design of public road approaches to minimize interference with intersection traffic control devices, and installation of raised medians from Woodland Avenue to Oregon Way along Oregon 219 and Oregon 214.

The City of Woodburn and ODOT may be required to eliminate direct accesses as redevelopment of Oregon 214 frontage occurs in the future. Two accesses on the south and one access on the north were determined to be adequate. The EA includes an option to provide backage access to existing land uses.

These proposed changes do not fully meet OHP spacing policy and OAR standards. However, based on the cost of impacts to fully meet the standards, including impacts to the local transportation system and businesses, ODOT has deemed the proposed project, although a deviation from the standards, would move toward the standards while providing for safe and efficient operations. The Region Access Management Engineer has thus approved the deviation. This is consistent with direction provided by the OTC when presented with the results of the Woodburn Interchange Refinement Plan in 2000. Therefore, the project is consistent with Policy 1B, Action 1B.3.

Policy 1B, Action 1B.4

Action 1B.4 requires ODOT to work with local governments to maintain highway mobility standards by limiting the expansion of development along the highway.

Finding: ODOT worked with the City of Woodburn to draft and adopt an Interchange Management Area Overlay District of approximately 1,000 acres where trip budgets will apply. The Recommended Alternative includes local access options to maintain highway mobility; therefore, the project is consistent with Policy 1B, Action 1B.4.

Policy 1B, Action 1B.5

Action 1B.5 requires ODOT to work with local governments to develop corridor and system plans that protect existing limited access interchanges.

Finding: ODOT worked with the City of Woodburn to update the City's Transportation System Plan (TSP), develop an Interchange Area Management Plan (IAMP), and establish the priority of travel through the project area; therefore, the project is consistent with Policy 1B, Action 1B.5. Alternative 2 (Preferred Alternative) of the TSP balances the need for operational and mobility improvements with the constraints of funding and coordination with other jurisdictions. Over the next 20 years, it is the City's priority to coordinate with Marion County to provide an extension of Crosby Road to Goudy Gardens and Oregon 99E, and to extend the southern arterial from Oregon 99E to Oregon 214. The improvements provide needed east-west connections and an alternative route to the Oregon 214/I-5 interchange area.

Policy 1B, Action 1B.7

Action 1B.7 gives special designations for certain land use patterns off the freeway to foster compact development patterns in communities. The four designations provided are special transportation area, commercial center, urban business area, and urban.

Finding: Although the commercial center designation might apply to this interchange area, no formal designation has been made or requested. Furthermore, the City is now pursuing a more industrial land use pattern as defined in the 2005 Comprehensive Plan update and in the Interchange Capacity Preservation Measures included in the Interchange Area Management Plan (IAMP). Because the designation would not change the design or operational parameters of the improvements proposed at this interchange or along Oregon 214/219, the City of Woodburn, upon consideration, did not choose to pursue any special designation under Policy 1B. The City did create an Interchange Management Area Overlay District that includes trip budgets for specific properties. Therefore, the state has worked with regional agencies and local jurisdictions to address land use patterns as is consistent with Policy 1B, Action 1B.7.

Policy 1B, Action 1B.14

Action 1B.14 requires ODOT to work to accommodate alternative modes on state highways.

Finding: The recommended alternative would include new 6-foot sidewalks with an additional 6-foot-wide landscaped buffer between the sidewalk and the curb. One bicycle lane would be provided in each direction along Oregon 214 and 219. A raised median would be added and modifications to access for city streets would be made at Oregon Way, Evergreen Road, and Lawson Avenue. The Woodburn Interchange project includes space designated for bicycle travel. Striping, signage, and other traffic control devices would be designed to accommodate bicycle traffic parallel to travel lanes designated for motorized vehicles. The improvements would be typical of those found in urban settings and satisfy drivers' expectations for safety and operation. Improvements also would be made to pedestrian facilities. Sidewalks would meet design criteria for the ADA. Utilities would be relocated, and landscaping buffers would separate pedestrians from the curb, bike lane, and

motorized vehicle travel lane. Therefore, the project is consistent with Policy 1B, Action 1B.14.

Policy 1C, Action 1C.4

Policy 1C addresses the need to maintain efficient through movements of trucks on freight routes. Action 1C.4 states that the timeliness of freight movements should be considered when developing and implementing plans and projects on freight routes.

Finding: I-5 is part of the statewide freight system, and the Woodburn TSP identifies Oregon 214/219 as a truck route. The Woodburn Interchange Project Recommended Alternative would replace the existing access ramps from and to the I-5 mainline with a partial cloverleaf design. This design is expected to reduce delay for vehicles accessing the freeway at this location, including commercial vehicles. The nature of the design is particularly accommodating to freight truck travel. Through improved ramp geometry and operations, the likelihood of vehicles queuing onto I-5 or trucks tipping over when turning to and from the ramps onto Oregon 214/219, as occasionally occurs today, would be virtually eliminated. This would also be a major improvement for through and local freight traffic on I-5 and Oregon 214/219. Therefore, the project is consistent with Policy 1C, Action 1C.4.

Policy 1F, Action 1F.1

Policy 1F requires use of highway mobility standards. Action 1F.1 requires that highways operate at a certain level of mobility, depending on their location and classification. Part of this action requires that freeway interchanges be managed to maintain safe and efficient operation of the freeway through the interchange area. The OHP directs that the maximum volume-to-capacity (V/C) ratio for the ramp terminals of interchange ramps be the smaller of the values of the V/C ratio for the crossroad or 0.85. The Woodburn Interchange Project is inside the Woodburn UGB, but outside of the boundary of a Municipal Planning Organization (MPO). As such, the V/C ratio that applies to the I-5 mainline is 0.70. As a District Highway with a speed limit of less than 45 mph, the V/C standard for Oregon 214/219 is 0.85. This V/C ratio is equal to the OHP prescribed maximum V/C ratio and therefore applies as the threshold V/C ratio for the interchange ramp termini.

Finding: The highest expected V/C ratio for any intersection on Oregon 214/219 within the project area under the Recommended Alternative is 0.84 at Cascade Drive. Expected V/C ratios for the Recommended Alternative for the ramp termini are 0.58 at the I-5 southbound ramp and 0.63 at the I-5 northbound ramp. Both Oregon 214/219 within the project area and the ramp termini of the proposed project will meet or better the OHP V/C ratio standards; therefore, the project is consistent with Policy 1F, Action 1F.1.

Policy 1G, Action 1G.1

Policy 1G requires improvements in system efficiency and management before adding capacity. Action 1G.1 directs agencies to make the fewest number of structural changes to a roadway system to address its identified needs and deficiencies through the 20-year planning horizon, and to protect the existing highway system before adding new facilities to it. The action ranks four priorities of projects, as follows:

- Preserving the functionality of the existing system

- Making minor improvements to improve the efficiency and capacity of the existing system
- Adding capacity to the existing system
- Building new transportation facilities

Finding: As described below, the Woodburn Interchange Project falls under the top three priorities, and is therefore consistent with Policy 1G, Action 1G.1.

Priority One. Protect the Existing System

The project Recommended Alternative would preserve the functionality of Oregon 214/219 by consolidating access points and improving the facilities for alternative modes of transportation such as transit, cycling, and walking. Additionally, lesser improvements to maintain and keep functional have been made to the interchange over the last 30 years, including narrowing shoulders to provide additional travel lanes on the existing structure and adding turn lanes at the ramp terminals. Additional incremental improvements to the interchange to further extend its operational viability are not possible without reconstructing the entire interchange.

Priority Two. Improve Efficiency and Capacity of Existing Highway Facilities

Capacity improvements to Oregon 214 and to the northbound and southbound I-5 ramps would fall under priority two, by making minor improvements to existing highway facilities. However, as explained in the Priority One discussion, additional incremental improvements to the interchange to further extend its operational viability are not possible without reconstructing the entire interchange. The proposed improvements would add to the existing roadway to improve safety and mobility along both I-5 and Oregon 214. Also, analysis conducted for the Woodburn Interchange Refinement Plans and the draft EA have demonstrated that simply managing the existing interchange area by addressing issues like access and signal timing would not be sufficient to address forecasted growth in this area.

Priority Three. Add Capacity to the Existing System

The project Recommended Alternative would add capacity to the existing system by adding general purpose lanes to Oregon 214/219 and Evergreen Road and making alignment corrections to the corridor to better accommodate commercial vehicles. The analysis in the EA has demonstrated that any lesser measures would not address the project goals or other OHP policies.

Policy 1G, Action 1G.2

The intent of Action 1G.2 is to ensure that major improvement projects to state highway facilities have been through a planning process that involves coordination between state, regional, and local stakeholders and the public, and that there is substantial support for the proposed improvement.

Finding: The Woodburn Interchange Project is consistent with Action 1G.2 because the project has gone through a thorough public alternatives development and evaluation process, as explained below.

Improvements to the I-5/Oregon 214 interchange are recommended in the 1996 and 2005 Woodburn TSP and the Woodburn Comprehensive Plan. In 2000, the Woodburn/I-5

Interchange Refinement Plan was published. This plan documents preliminary alternatives analysis and recommendations for alternatives to advance into an EA process, as well as stakeholder input. Of the 45 stakeholders interviewed, many agreed that the partial cloverleaf option showed the lowest level of impacts and lowest cost and provided good traffic flow. The EA process included substantial stakeholder and public involvement, as documented in Section 5 of the EA. Although the costs associated with restructuring the interchange are substantial, the project would use some of the existing pavement and the existing bridge structure. Of the effective alternatives considered at this location, the partial cloverleaf option costs the least.

The 2002–2005 STIP includes \$2 million for completing the EA and, if remaining funding allows, preliminary right-of-way (ROW) acquisition. The 2004–2007 STIP included \$9.7 million for preliminary and final design and ROW acquisition. The draft 2006–2009 STIP increases this amount to a total of \$14.7 million (including \$2.5 million provided by the City of Woodburn to assist with early acquisition of ROW). This is about 25–30 percent of the total funding expected to be needed to complete construction of this project.

Policy 2D, Action 2D.1

Policy 2D ensures decision input from a wide range of the public and agencies. Action 2D.1 requires conduct of effective public involvement programs for improvement projects and other state activities.

Finding: The Woodburn Interchange project included an extensive and long-term program of involving citizens, businesses, local governments, and state agencies, as described in Section 5 of the EA. Therefore, the project is consistent with Policy 2D, Action 2D.1.

Policy 2F, Action 2F.1

Policy 2F identifies the need for projects in the state to improve safety for all users of the state highway system. Action 2F.1 requires a process be established to develop and implement the most cost-effective solutions to high priority safety problems.

Finding: The Woodburn Interchange Project is consistent with this policy, in particular as it relates to motor vehicle safety. Both the Oregon 214/I-5 northbound ramp intersection and the Oregon 214/I-5 southbound ramp intersection have been identified as high-accident locations in the Woodburn TSP, with an average of between 4.4 and 5.0 crashes per year. In addition, several segments of Oregon 214/219 within the study area are listed in the top 10 percent of the ODOT Safety Priority Index System (SPIS) list. The SPIS, which is maintained by the ODOT traffic management section, identifies locations where safety problems exist that may be addressed through operational or maintenance improvements. The top 10 percent SPIS sites are those with the highest priority. Study area intersections on the top 10 percent of the SPIS include Old Arney Road, the I-5 southbound ramp, the I-5 northbound ramp, and Lawson Avenue, based on data collected between 1998 and 2000. The proposed improvements will reduce the vehicle crash potential at this interchange by eliminating existing operational and geometric problems and will improve bicycle and pedestrian safety by providing upgraded facilities that meet current standards.

Policy 3A, Action 3A.1

Policy 3A addresses highway classification and spacing standards. Action 3A.1 directs access management along state highways based on access management guidelines.

Finding: I-5 is classified as an interstate freeway, and the proposed project complies with stated policies of no driveways, no traffic signals, no parking, and grade-separated crossings. Access and circulation issues are addressed in detail in the IAMP, and major actions are summarized below. Oregon 214/219 is classified as an urban District Highway. The project is consistent with Policy 3A, Action 3A.1 because it supports the access management directives as follows:

Discourage Private Access

No access to privately owned roads is provided as part of the Recommended Alternative. Approximately three private driveways would continue to have direct access to Oregon 214/219 between Oregon Way and Evergreen Road, subject to ROW negotiations, all of which would be restricted to right-in, right-out operations only. In total, more than 20 driveways are expected to be consolidated as part of this project on Oregon 214/219 or the local streets, Lawson Avenue and Evergreen Road.

Appropriately Space Public Road Connections

The Recommended Alternative would consolidate access and space access to better comply with state design standards. However, a deviation will be required for the continued use of Evergreen and Woodland which, while meeting all operational requirements, will not meet the OHP spacing standards for full intersection spacing from interchange ramp terminals of 1,320 feet. Evergreen is approximately 900 feet from the new ramp terminal and Woodland is about 1,100 feet from the new ramp terminal. The ODOT Region 2 Access Management Engineer has approved this deviation in accordance with the deviation process requirements.

Discourage Traffic Signals

The Recommended Alternative would keep or improve the signals of Oregon 214 with Woodland Avenue, the I-5 southbound ramp, the I-5 northbound ramp, Evergreen Road, and Oregon Way. Because of the heavy traffic volumes, the existing traffic signals are retained as part of this project as a way to manage traffic flows in the north-south and east-west directions.

Provide Nontraversable Medians

The OHP directs that nontraversable medians be considered for roadway projects where a median could improve safety. Nontraversable, raised curb medians, with 1-foot shy distance on each side, would be included along Oregon 214/219 to restrict left-turn movements. These medians would vary between 2 and 16 feet in width. Medians are planned from the I-5/Oregon 214/219 interchange west to Woodland Avenue, and east from the interchange to Lawson Avenue. Medians are planned from Lawson Avenue to Evergreen Road and from Evergreen Road to Oregon Way. Full turning movements would be allowed at Woodland Avenue, Lawson Avenue, Evergreen Road, and Oregon Way.

Prohibit Parking

Parking along this segment of Oregon 214/219 is prohibited.

Policy 3A, Action 3A.2

Action 3A.2 relates to establishing spacing standards on state highways. The spacing standard for interstate and noninterstate freeway interchanges is 6 miles in rural areas.

Finding: Although it does not add new access to the interstate highway interchange, the Woodburn Interchange Project complies with ODOT and the FHWA minimum spacing standards. The closest intersections to the Woodburn interchange are located 7 miles to the north at Aurora/Donald and 8 miles to the south at Brooks/Gervais. Therefore, the project is consistent with Policy 3A, Action 3A.2.

Policy 3A, Action 3A.3

Action 3A.3 calls for management of location and spacing of traffic signals along state highways. Table 1 shows the spacing of intersections along Oregon 214/219 in the study area.

TABLE 1
Intersection Signal Spacing in Study Area
Woodburn Interchange REA

| From Intersection | To Intersection | Spacing (feet) |
|--------------------------------|-----------------|----------------|
| I-5/Oregon 214/219 Interchange | Woodland Avenue | 1,080 |
| I-5/Oregon 214/219 Interchange | Evergreen Road | 900 |
| Evergreen Road | Oregon Way | 640 |

Finding: Due to pre-existing conditions in this already built environment, intersection spacing does not meet the minimum 1/2-mile desired spacing as described in Action 3A.3. Left-turn storage pockets are planned for Oregon 214/219 at Woodland Avenue, Evergreen Road, and Oregon Way. According to the Traffic Technical Report, study intersections under the Recommended Alternative would operate acceptably in the 2025 forecast year and would meet OHP and HDM mobility standards. Because mobility standards are met and the access situation is improved, even though the spacing standards are not fully met, this policy is satisfied.

Policy 3C, Action 3C.1

Action 3C.1 requires that an IAMP be developed to protect the function of interchanges and provide safe and efficient operations between connecting roadways.

Finding: An IAMP, which serves as a stand-alone facility plan, was developed and approved by the OTC and City for the Woodburn interchange; therefore, the project is consistent with Policy 3C, Action 3C.1. The IAMP manages the facility and adjacent land use to protect the function of the interchange to ensure safe and efficient operations between Highway 214 and I-5. The IAMP achieves this purpose by:

- Helping to ensure that the land uses in the vicinity of the interchange around I-5 and Oregon highways 214 and 219 develop as forecast in the 2005 Woodburn Comprehensive Plan and Transportation System Plan updates.
- Including an Interchange Management Area (IMA) Overlay District, part of the adopted Woodburn Development Ordinance (Section 2.116), which includes approximately 1,000 acres where trip budgets apply. Budgeting trip generation in the IMA Overlay District gives the State assurances that the City intends to manage development within the overlay district at planned levels.
- Providing for safe and efficient operations along Oregon 214 and 219 and on connecting roadways by establishing access management and local connectivity objectives. The IAMP and TSP address these issues.

Policy 3C, Action 3C.2

Action 3C.2 addresses spacing, access, and other supporting requirements for an interchange improvement project.

Finding: The Woodburn Interchange project is consistent with Policy 3C, Action 3C.2 as explained below for each requirement of this policy:

Spacing Standards

As mentioned above, the spacing standard for interstate and noninterstate freeway interchanges is 6 miles in rural areas. The Aurora/Donald interchange is 7 miles to the north of the Woodburn interchange and Brooks/Gervais is 8 miles to the south.

Necessary Supporting Improvements

Necessary supporting improvements such as road networks, channelization, medians, and access control in the interchange management area must be identified in the local comprehensive plan and committed with an identified funding source or must be in place. The 2005 Woodburn TSP, adopted in October 2005, does commit to a network of local road improvements that have been demonstrated to reduce demand for state highway travel in the interchange management area. These facilities will largely be constructed as a requirement of new development. The proposed Woodburn Interchange reconstruction project does include channelization, medians and access control as described in Section 7 of this report.

Access to Cross Streets

ODOT minimum spacing standards require that full access to cross streets be no closer than 1,320 feet from an interchange ramp when possible. At a minimum, the access conditions associated with a reconstruction project should improve on current conditions by moving in the direction of the spacing standards. The nearest full access cross streets to the I-5/Oregon 214/219 intersection are Woodland Avenue (1,090 feet to the west) and Evergreen Road (900 feet to the east). These cross streets exist today and are also closer to the I-5 ramps than called for by the ODOT spacing standards. Closing them to meet ODOT spacing standards would negatively affect land use and traffic operations along Oregon 214/219. These connections are essential to maintain local access and total transportation system circulation in the area. Old Arney Road (500 feet to the west) and Lawson Avenue (460 feet to the east) are the closest limited access public road connections to the ramp terminals. Old Arney

Road would continue to be limited to right-in, right-out movements and Lawson Avenue would be limited to right-in only movements. These connections will also contribute to improved traffic operations in the project area. While these access locations do not meet the full spacing standards, they do improve on the current condition, will operate adequately over the 20-year planning horizon, and have been approved through a deviation granted by the Region 2 Access Engineer. The IAMP and the traffic analysis from the draft EA serve as the documentation to support the deviations from the ODOT spacing standards required to maintain these connections. The IAMP includes a letter from the Region 2 Access Management Engineer approving these deviations.

Road Classification

The Woodburn interchange connects an Interstate Highway with a state-operated District Highway, which complies with the request that freeways connect with state highways.

Alternative Transportation Modes

Widening Oregon 214/219 for this project would create bicycle lanes and sidewalks on both sides to facilitate bicycle and pedestrian movement, including transit users. Limited fixed-route transit service operated by the City of Woodburn is available along this stretch of Oregon 214/219 on weekdays between 9:00 AM and 5:00 PM.

Policy 4B, Action 4B.4

Policy 4B requires the support of alternative passenger transportation systems where the potential exists. Action 4B.4 requires that highway projects encourage the use of alternative passenger modes to reduce local trips.

Finding: The portion of the Woodburn Interchange Project that relates to Oregon 214/219 would add one bicycle lane and 6-foot sidewalks on both sides of the roadway, where bicycle and pedestrian facilities do not exist today. In addition, widening Oregon 214 would improve transit movement along the corridor and would facilitate bicycle and pedestrian movement between the retail development near the interchange and the residential uses to the east and west. ODOT is also pursuing the establishment of a transit park-and-ride facility on property purchased in the interchange area. Therefore, the project is consistent with Policy 4B, Action 4B.4.

Transportation Planning Rule (OAR660-012)

The Transportation Planning Rule (TPR) implements Oregon Statewide Planning Goal 12, which encourages construction of transportation facilities that are safe and efficient and designed to reduce automobile reliance. The objective of the TPR (OAR660-012) is to reduce air pollution, congestion, and other livability problems found in urban areas. Its relation to the proposed interchange project is described in the following subsections.

660-012-0010—Transportation Planning

Section 660-012-0010 discusses the two phases of transportation planning: transportation system planning, where land use controls are established, and transportation project development, where specific projects are designed to implement the TSP.

Finding: Improvements to the Woodburn interchange are recommended in the 1996 and 2005 Woodburn TSPs. The recommended alternative includes reconstructing the

interchange from a diamond to a partial cloverleaf pattern and widening Oregon 214, bringing it up to state design standards. Woodburn has adopted land use controls as part of its Interchange Management Area Overlay District. The City of Woodburn has updated its Comprehensive Plan to address associated land use and transportation issues. Therefore, the project is consistent with this provision of the TPR.

660-012-0035 – Evaluation and Selection of Transportation System Alternatives

Section 660-012-0035 describes standards and alternatives available to entities weighing and selecting transportation projects, including benefits to different modes, land use alternatives, and environmental and economic impacts.

Finding: The primary users of the Woodburn interchange are personal and commercial vehicles. Other modes, such as bicyclists and pedestrians, do not use the interstate highway system, and the City of Woodburn Transit Division does not operate a transit route on I-5. The objective of the proposed project is to improve mobility and safety, consolidate access, and bring Oregon 214/219 up to state design standards. A portion of this project would be widening Oregon 214/219 and adding bicycle and pedestrian facilities where currently there are none. ODOT is currently pursuing development of a park-and-ride facility in the study area east of the I-5 interchange along Oregon 214/219. In addition, fixed-route transit operating along this corridor would benefit from the improved mobility at these intersections. The project is partially funded in the STIP. Development of the Refinement Plan and EA both included evaluation and selection of transportation system alternatives. Therefore, the project is consistent with this provision of the TPR.

660-012-0050—Transportation Project Development

Section 660-012-0050 prescribes that transportation projects be reviewed for compliance with local and regional plans and, where applicable, undergo a NEPA process.

Finding: The REA addresses how the proposed project complies with applicable acknowledged comprehensive plan policies, state highway plans, and land use regulations. The EA addresses NEPA compliance and potential issues during construction. Improvements at the Woodburn interchange are recommended in the 1996 and 2005 Woodburn TSPs.

ODOT Access Management Rules OAR 734-051

The intention of ODOT's Access Management Rule is to balance the safety and mobility needs of travelers along state highways with the access needs of property and business owners. ODOT's rule sets guidelines for managing access to the state's highway facilities in order to maintain highway function, operations, safety, and the preservation of public investment consistent with the policies of the 1999 OHP.

734-051-0080, (2) Public Approach

Section 734-051-0080 provides details on how to address an application for public approach to a state highway.

Finding: This OAR is relevant to the Woodburn Interchange Project because the Recommended Alternative proposes consolidating approaches to improve safety and mobility along the Oregon 214/219 corridor. As described in the OHP, I-5 is classified as an Interstate Highway and Oregon 214/219 are classified as District Highways. Spacing standards that apply along Oregon 214/219 in the vicinity of the I-5 interchange are

1,320 feet from the centerline of the access ramp to the centerline of the closest public full access roadway and 750 feet to the closest right-in, right-out roadway. Although the Recommended Alternative consolidates more than 20 driveways, the proposed project does not fully meet these access standards. Table 2 outlines those access points to Oregon 214/219 in the study area that would not meet the 1,320 and 750-foot standards under the proposed Recommended Alternative. The IAMP serves as the documentation to support the deviations from the ODOT spacing standards required to maintain these connections. The Region 2 Access Management Engineer has approved these deviations to access standards, as document in the IAMP. By approving this deviation, ODOT has met this provision of the access management rule.

TABLE 2
Proposed Deviations to Access Management Spacing Standards
Woodburn Interchange REA

| Name of Access | Distance from Closest Freeway Access Point (feet) ^a |
|--------------------------------------|--|
| Woodland Avenue | 1,080 |
| Old Arney Road (right-in, right-out) | 530 |
| Lawson Avenue (right-in only) | 460 |
| Evergreen Road | 900 |

^a Distances are recorded from the centerline of the nearest freeway ramp to the centerline of the intersection.

734-051-0115, Access Management Spacing Standards for Approaches

Section 734-051-0115 states that access management spacing standards depend on highway classification, type of area, and posted speed, and are to be applied to reconstruction as well as new construction projects.

Finding: The proposed project includes widening Oregon 214 from roughly 700 feet west of Woodland Avenue to the west to the intersection with Cascade Drive to the east, a stretch of roughly 0.9-mile. The Recommended Alternative would consolidate access from more than 20 businesses to the state highway. Deviations to the access management spacing standards have been requested and approved by ODOT as part of the project. Section 734-051-0190 allows deviations in cases where a right of access exists, the designated access management standards cannot be accomplished, and where the property(ies) do not have reasonable access. The proposed access management spacing deviation locations at Old Arney Road (right-in, right-out only), Woodland Avenue, Lawson Avenue (right-in, right-out only), Evergreen Road, the Crossroads Shopping Center (right-in, right-out only), and the Wells Fargo Bank (right-in, right-out only) all currently exist, are in areas where development has largely occurred, have proposed modifications to either consolidate or modify access, and provide the only reasonable access for many businesses to the public street system. Therefore, the project is consistent with this provision of Division 51 rules.

734-051-0125, Interchange Access Management Area Spacing Standards for Approaches

Policy 734-051-0125 calls for a plan to be developed for the management of grade-separated interchange areas to ensure safe and efficient operation between connecting roadways.

Finding: The IAMP addresses access management for the area of the Woodburn interchange. Because it will correct existing geometric conditions that do not meet current standards and provide for improved operations that meet OHP and HDM mobility standards, the proposed interchange reconstruction and Oregon 214 access management elements ensure the safe and efficient operation between connecting highways. Therefore, the project is consistent with this provision of Division 51 rules.

734-051-0155, Access Management Plans, Access Management Plans for Interchanges, and Interchange Area Management Plans

Section 734-051-0155 encourages the development of highway segment access management plans and interchange area management plans, especially for facilities with high traffic volumes and/or that provide important statewide or regional connectivity, and have the following characteristics: where existing developments do not meet spacing standards, existing development patterns and plans would result in a deviation request, or an access management plan would preserve or enhance the safe and efficient operation of a state highway.

Finding: The access strategy developed for Oregon 214/219 and the interchange area, documented as part of the Woodburn Interchange EA Recommended Alternative, the 2005 Woodburn TSP elements, and the IAMP, adequately address this provision of Division 51.

734-051-0165, Design of Approaches

Section 734-051-0165 stipulates access control measures related to the construction or improvement of roads and/or interchanges. In accordance with 734-051-0165, approaches may be mitigated, modified, or closed pursuant to an adopted access management plan or IAMP.

Finding: The proposed project consolidates roughly 20 driveways along the Oregon 214/219 corridor, Lawson Avenue, and Evergreen Road, closing driveways where multiple driveways exist and, where possible, combining driveways to serve multiple businesses. Five accesses would be modified from full access to right-in, right-out only: Old Arney Road, Lawson Avenue, the entrance to the Crossroads Shopping Center, the driveway to Wells Fargo Bank, and the shared driveway to the ARCO Station/Dairy Queen. As described under the discussion of OHP Action 1.G.2, the proposed project is listed in the Woodburn TSP and the Woodburn Comprehensive Plan, and funding is provided through the STIP for environmental assessment, design, and ROW acquisition. The project is not fully funded at this time.

Approaches to cross streets are not fully consistent with established access management standards, as listed in Table 2. Deviations to authorize this project to advance with lesser spacing are described in the Interchange Area Management Plan (IAMP) and have been approved by the Region 2 Access Management Engineer. The IAMP is an adopted stand-alone facility plan that implements long-term facility protection. Therefore, the project is consistent with this provision of Division 51 rules.

Marion County Rural Transportation System Plan (1998)

The published mission statement for the Marion County Rural Transportation System Plan (Marion County TSP) is to develop a balanced, multimodal transportation system to

accommodate planned growth, facilitate economic development, and maintain a high standard of livability. Goals of the plan that apply to the proposed project are as follows:

- Improve transportation system safety
- Provide an accessible, efficient, and practical transportation system
- Provide sufficient transportation capacity
- Consider land use and transportation relationships

Finding: The plan identifies the Woodburn interchange as unsafe and congested and recommends that a refinement study be conducted for constructing a new interchange in Woodburn or modifying the existing interchange. The Woodburn Refinement Plan was completed in 2000 and led to the development of the Woodburn Interchange EA and an IAMP, which also serve to support the 2005 Woodburn TSP. The proposed project will improve safety by adding capacity to reduce congestion, reducing multiple access point conflicts along Oregon 214 through consolidation of access points and adding medians, and correcting geometric conditions that do not meet current standards. Many of the policies in the Marion County TSP are related to the county road system. No county roads would be affected by this project; therefore, the following policies generally affect most proposed projects in Marion County.

Transportation System Planning—Policy 2

Policy 2 addresses the need to evaluate all investments in the transportation system for efficiency, effectiveness, and practicality. The Woodburn Interchange Project Recommended Alternative qualifies as an efficient investment because it would improve an existing interchange instead of building a new one. The project would be an effective investment because the capacity improvements would decrease congestion and support existing and planned development. The Woodburn Interchange Project would be a practical investment because capacity improvements in conjunction with access consolidation would improve local and regional mobility and safety.

Transportation System Planning—Policy 8

Policy 8 relates to the role of state highways and county arterials as the backbone of the transportation network. The Marion County TSP supports efforts to enhance and maintain the capabilities of these roads. I-5 and Oregon 214/219 are both under the state's jurisdiction. The need for the capacity improvements, which has been identified in the Woodburn TSP and the Woodburn Comprehensive Plan, is also identified in the STIP, described below under State Plans and Policies.

State Highways

The Marion County TSP section on state highways addresses the county's desire to have ODOT address certain needs for the state highways within a 20-year time horizon. The Woodburn interchange is identified as such a need. The county recommends that ODOT conduct a refinement study to determine the best set of improvements for this location.

Marion County Comprehensive Plan

The goal of the Marion County Comprehensive Land Use Plan is to provide a guide to development and conservation of Marion County's land resources and to create a long-range policy guide that explains the basis for decisions about physical, social, and economic development of the county.

Finding: The Marion County Comprehensive Plan generally applies to land under the county's jurisdiction that is outside the Woodburn city limits. The Woodburn Interchange Project is completely inside Woodburn's city limits and the UGB. The county's transportation element, however, does include policies relevant to the Woodburn Interchange Project, as discussed below:

Policy 1

Policy 1 states that additional interchanges onto I-5 from the northern county line to the Chemawa interchange be discouraged. The Woodburn Interchange Project Recommended Alternative is consistent with this policy because they would create improvements to an existing interchange rather than building a new one.

Policy 2

Policy 2 requires that the number of access points on collector and arterial roads be kept to a minimum. The Woodburn Interchange Project Recommended Alternative is consistent with this policy because they would propose to combine and consolidate existing accesses along Oregon 214/219 and implement other access management changes.

Policy 4

The intent of Policy 4 is to minimize damage from highway projects on the natural environment, specifically soil, timber, water, scenic or cultural resources. The Woodburn Interchange Project Recommended Alternative is proposed for an area that is zoned commercial and industrial and is already largely developed. There would be minimal damage to soil, timber, water, scenic, or cultural resources, as documented in the Woodburn Interchange EA.

Policy 13

Policy 13 states that new transportation facilities should use existing ROWs as much as possible to minimize disruption to existing land use. The Woodburn Interchange Project Recommended Alternative is consistent with this policy because most improvements would be made on or adjacent to existing rights of way.

City of Woodburn Transportation System Plan (1996, updated 2005)

The Woodburn TSP identifies transportation needs to support planned land uses in the city over a 20-year time horizon as defined by the 2005 Woodburn Comprehensive Plan update. The TSP was created in accordance with the TPR (Oregon Administrative Rule [OAR] 660-012-045) and the Comprehensive Land Use Planning Statute (Oregon Revised

Statutes [ORS] 197.712). The Woodburn TSP was originally developed in 1996. The updated TSP serves as the new transportation element of the 2005 Woodburn Comprehensive Plan update.

Finding: The following elements of the Woodburn TSP are directly related to the Woodburn Interchange Project:

Goal 2, Policy 2

This policy calls for a strategy to improve certain highways in Woodburn, including Oregon 214 and Oregon 219, through added travel lanes, signalization, and access management. The proposed Woodburn Interchange Project is consistent with this goal because it would add capacity and consolidate access along Oregon 214/219 in the city, with the objective of improving safety and mobility through the corridor. The Woodburn Interchange reconstruction project does not improve the entire Oregon 214/219 corridor, but a follow-on environmental documentation process to determine how best to improve the rest of the corridor between the interchange project area and Oregon 99E is funded in the STIP and scheduled to begin in 2006.

Goal 3, Policy 1

This policy describes the need for access management strategies for three highways in Woodburn, particularly focusing on Oregon 214 between I-5 and Cascade Drive. The Woodburn Interchange Project is consistent with this goal because it would remove 14 driveways and modify an additional 4 driveways from full access to right-in, right-out only, instituting a higher degree of access control along this portion of Oregon 214/219.

Existing Conditions and Deficiencies

The TSP identified current deficiencies within the study area as follows:

- Pedestrian facilities are not provided on Oregon 214 west of Evergreen Road
- Bicycle facilities are not provided on Oregon 214 west of Boones Ferry Road
- Twenty-three crashes have been reported at the intersection of I-5/Oregon 214 at the southbound ramp over the last 5 years
- Twenty-four crashes have been reported at the intersection of I-5/Oregon 214 at the northbound ramp over the last 5 years
- Relevant sections of Oregon 214 (milepost [MP] 36.63 to 36.79, MP 36.81 to 36.91, MP 36.84 to 36.95, and MP 37.03 to 37.12) are listed in the top 10 percent of SPIS sites

The Woodburn Interchange Project would address these deficiencies through the addition of pedestrian and bicycle facilities, roadway and intersection reconstruction, and access management on these roadways.

Future Transportation Conditions, Deficiencies, and Needs

The TSP identifies anticipated future transportation system deficiencies within the study area. By 2020, it is expected that both the northbound and southbound ramps of I-5 at Oregon 214/219 will reach capacity deficiency if no improvements are made to the existing

system. Oregon 214/Evergreen Road is also expected to reach capacity deficiency by 2020, and Oregon 219/Woodland Avenue and Oregon 214/Oregon Way are expected to operate near capacity. The lack of pedestrian and bicycle facilities along Oregon 214 in the study area was also identified as a future transportation need.

The Woodburn Interchange Project would address these deficiencies through roadway and intersection reconstruction and access management on Oregon 214/219.

Transportation Systems Plan Alternatives

The TSP chapter on alternatives specifically proposes widening on-ramps and off-ramps at the I-5/Oregon 214/219 interchange, widening Oregon 214/219, and constructing turn lanes along Oregon 214 between Woodland Avenue and Oregon Way. These improvements are recommended in all three alternatives discussed in the TSP chapter.

The TSP recommends bicycle and pedestrian treatments for major streets. The proposed Woodburn Interchange Project Recommended Alternative is consistent with the recommended projects in the TSP.

The Woodburn Interchange Project directly addresses the identified existing and future anticipated safety and capacity deficiencies along the Oregon 214/219 corridor and the I-5/Oregon 214/219 intersection. The proposed project is consistent with the Woodburn TSP.

City of Woodburn Comprehensive Plan (1978, amendments through 2005)

The Woodburn Comprehensive Plan was written in 1978 with subsequent amendments, the latest in 2004. The Woodburn Comprehensive Plan establishes goals for development and redevelopment in Woodburn over a 20-year time frame. It serves as the controlling land use document for the city and its UGB.

Finding: The following policies within the transportation element are relevant to the Woodburn Interchange Project.

Policy H1-3

Policy H1-3 states that state and federal highways with routes through Woodburn should be improved in accordance with projected traffic volumes and other elements. Existing and projected traffic volumes are discussed in more detail in the Transportation Technical Report, but the current interchange operates near capacity and development in the area is growing at a rapid pace. With the widening included in the project Recommended Alternative, the interchange is expected to operate at acceptable mobility levels in the year 2025.

Policy H1-5

Policy H1-5 states that the city should promote pedestrian safety and activity by providing sidewalks with a minimum 4-foot width. Currently, Oregon 214/219 does not have

sidewalks near the I-5 interchange. The project Recommended Alternative would provide 6-foot-wide sidewalks along Oregon 214/219 at this location.

Policy H1-8

Policy H1-8 stipulates that driveway access along Highway 214 be consolidated. More than 20 driveways are expected to be consolidated as part of the proposed project, from Oregon 214/219 or from Lawson Avenue and Evergreen Road. In addition, access to three businesses has been modified to right-in, right-out operations only. See the Transportation Technical Report for more information.

Woodburn Development Ordinance

The Woodburn Development Ordinance supplies a set of regulations for development within the City of Woodburn. Two sections of the ordinance—land use zoning and street design standards—are applicable to the proposed project.

Section 2.116 Interchange Management Area (IMA) Overlay District

The Interchange Management Area Overlay District described in WDO (2.116) is the primary provision in the WDO supporting preservation of the long-term capacity of the Woodburn interchange. The IMA Overlay District protects interchange capacity by establishing trip generation budgets for parcels in the overlay district. The parcel budgets are intended to be high enough to accommodate peak hour trips anticipated by the 2005 WCP and TSP, while not providing for unplanned vehicle trips that could adversely affect the interchange. The IMA Overlay District also ensures that needed industrial, commercial, and residential land is protected from commercial encroachment. This complements and supports provisions of the Southwest Industrial Reserve (SWIR) District (2.114) by ensuring that industrial land is retained for targeted employment called for in the Woodburn Economic Opportunities Analysis (EOA) and the Economic Development Strategy.

Finding: A new section addressing the Interchange Capacity Preservation Measures has been included in the Woodburn Development Ordinance. The predominant land use zoning for the study area is CG, although the predominant use in the SW quadrant is IL. At both edges of the proposed project footprint there are smaller areas of noncommercial land uses, including RS, R1S, and P/SP (see Figure 3-5 in the main body of the EA). Each of these zones allows “rights of way and easements and the improvements therein for streets...” as a permitted use.

Because I-5 and Oregon 214 are both under state jurisdiction, the local street standards in the Woodburn Development Ordinance do not apply to most of the proposed project. Modifications to access for city streets at Woodland Avenue, Old Arney Road, Lawson Avenue, Oregon Way, and Cascade Drive do not affect the footprint of the city roads beyond the intersection area. Modifications to Evergreen Road, however, are under city jurisdiction; therefore, local street standards apply. The standards relevant to this project are outlined in the following subsections.

Section 3.101.12.1B Street Improvement Standard

The City of Woodburn street improvement standards call for 12-foot travel lanes, 5-foot sidewalks, proper drainage facilities, and bicycle facilities for one side of the road. The extension of Evergreen Road north from Oregon 214 to Country Club Road (included in the Recommended Alternative) would consist of two 12-foot travel lanes with no median and 2-foot shoulders. Curbs and gutters with 6-foot sidewalks would be added on both sides of the road.

Finding: No bicycle lane would be added, although a 2-foot shoulder of the improved street would serve bicycle traffic and reduce impacts of additional right-of-way acquisition. A deviation from the City of Woodburn street improvement standards for a bicycle lane would be required from the City for the project design.

Section 3.104.01A Street Access Required

This policy directs that every developed lot will be given an irrevocable access easement to have entry to a public street or shared driveway. The policy was established to guarantee that a property owner would have access to their property, and that customers could reach a business.

Finding: The project Recommended Alternative without the Access Option would eliminate two driveways to Evergreen Road – the Union 76 and ARCO parcels. Under this scenario, both parcels would be acquired by ODOT. The Access Option for Recommended Alternative would provide access to the ARCO parcel by way of a 50-foot public road easement south of the ARCO structure.

Section 3.104.01B Access to City Streets, Permit Required

Modifications to access for city streets would be made at Oregon Way, Evergreen Road, and Lawson Avenue as follows:

- Eastbound on Oregon 214 from the I-5 interchange
 - Access to existing frontage road located in the SE quadrant of the interchange would be closed.
 - Only a right-in turn would be allowed from Oregon 214 onto Lawson Avenue. The right-out from Lawson onto Oregon 214 is prohibited.
 - No access would be allowed between Lawson Avenue and Evergreen Road (closes one access to McDonalds and two accesses to Union 76).
 - One right-in, right-out access would be allowed at the ARCO gas station and Dairy Queen; one right-in, right-out access would be allowed at Wells Fargo Bank (formerly Midland Bank).
- Westbound on Oregon 214 from Oregon Way toward the I-5 interchange
 - One mid-block access between Oregon Way and Evergreen Road would be allowed.
 - No access would be allowed between Evergreen Road and the I-5 interchange ramps.

- Access along Evergreen Road, north and south of Oregon 214
 - No access would be allowed 200 feet from Oregon 214 except under the Access Option, where access to the Union 76 parcel would be allowed along its southern property line.
- Access along Oregon Way, south of Oregon 214
 - The Mid-Valley Bank would lose driveway access from both driveways onto Oregon Way under the Recommended Alternative without the Access Option.
- Access along Country Club Road, north of Oregon 214
 - The Mae Thai Restaurant on the west side of Country Club Road would lose direct driveway access to Oregon 214. The northern driveway onto Country Club Road would remain.

Old Arney Road would remain as right-in, right-out access only. Although geometric modifications would be made to Woodland Avenue, access would not be affected.

Finding: Access modification permits would be requested from the city during the preconstruction phase of this project. All access modifications to private road and driveway approaches are subject to future ROW negotiations with property owners.

SECTION 6

Summary of Mitigation and Conservation Measures

There are no revisions to the proposed mitigation and conservation measures described in Section 6 of the EA except as noted in Section 4 of this REA, specifically:

- Sentence under Hydrology and Water Quality
- Bullet list under Cultural Resources
- Sentence under Biological and Wetlands Resources – Vegetation
- Paragraph under Noise

Those revisions are incorporated below. Otherwise, relevant portions of Section 6 in the EA are repeated verbatim below as a convenience to the reader and anyone involved with later phases of project development who would refer to this REA. These measures have been adopted for implementation for the Woodburn Interchange Project.

Introduction

This section summarizes the proposed mitigation and conservation measures under consideration for both build alternatives into one concise section. Commitments to carry forward specific mitigation and conservation measures will be made once an alternative is selected.

Hydrology and Water Quality

A Water Resources Impact Assessment may need to be prepared once an alternative is selected, if the selected alternative is substantially different from those analyzed in the EA. However, because the recommended alternative is a hybrid of the alternatives analyzed in the EA, and water quality impacts would not differ from than those identified in the EA, no Water Resources Impact Assessment is needed.

Stormwater Management

Proposed stormwater mitigation includes engineered facilities such as water quality and detention facilities and a roadway stormwater system to collect and convey the stormwater from the paved surfaces to the facilities. This approach would concentrate the stormwater into a limited number of discharge locations to minimize the number of discharge locations and associated impacts from installing the detention facilities.

Detention facilities would be used to regulate surface flows leaving the site, ensuring that peak magnitudes at certain design events do not exceed historic conditions. This would reduce or prevent downstream flooding impacts, which are related primarily to peak magnitude storm events. Certain types of detention facilities, such as unlined ponds, would allow water to infiltrate into the ground and provide some mitigating base flow into the

subsurface drainage paths, buffering against the loss of infiltration onsite from increased impervious area. Volumetric detention would be provided so that impacts on the existing watercourses are avoided.

Stormwater facilities would be designed to meet the criteria set forth by local and state agencies. The basis for stormwater detention and water quality treatment would be the guidelines set forth in the *Design and Construction Manual* of Clean Water Services of Washington County, Oregon. The stormwater conveyance system would adhere to the guidelines contained in the ODOT *Hydraulics Manual*.

Because there are no TMDLs set for Senecal Creek and Mill Creek, mitigation for this project would be based on not increasing the pollutant load in the two streams. This would be achieved by providing full treatment (average pollutant removal capability of 70 percent) for the water quality design storm for runoff from an area of highway equivalent to 140 percent of the new impervious surface area. Treating more area would result in a net decrease in pollutant load.

Several techniques and types of facilities can be used to treat stormwater. These include detention basins and vegetated water quality swales. Where detention is already being provided for hydrologic mitigation, it is often feasible to make the basins dual-purpose so they also provide water quality treatment.

Culvert and Storm Pipe Design

The following is a preliminary list of hydraulic criteria for use in developing the final culvert design in the filled Water F:

- Maximum headwater depth to culvert diameter ratio (HW/D) would equal one when conveying flows from the 50-year return flood event. This flood frequency criterion was obtained from the ODOT *Hydraulics Manual* for highways with design hourly volume (DHV) greater than 100. The design would check for potential backwater damage for flows generated from the 100-year and either the 500-year or the roadway overtopping flood, whichever occurs more frequently.
- Energy dissipation would be analyzed at the outlet end of the culvert. If the culvert discharge velocity exceeds what the existing soil can resist, energy dissipation would be required. ODOT recommends HEC-14, *Hydraulic Design of Energy Dissipaters for Culverts and Channels*, for the design of the energy dissipaters.

Energy dissipation and detention storage would be evaluated at the piped or open channel discharge location to minimize the degradation of existing watercourses.

It may be necessary to increase capacity in the existing piped conveyance systems or install new conveyance systems to accommodate surface drainage from the project. This would be determined during final design. However, use of onsite detention would work to reduce or eliminate the need for substantial changes in the capacity of outfalls or larger conveyance elements in the current system.

Biological and Wetlands Resources

Vegetation

Compensatory wetland mitigation may be required by the Army Corps of Engineers and ODSL for the 0.01-acre impact proposed by both build alternatives to Water F, a small area of open creek channel. Personnel within the ODSL wetlands/water permitting program would be contacted regarding the applicability of mitigation for the proposed impact. One mitigation option would be to provide onsite riparian plantings to offset the small amount of impact on the drainage system due to Water F impact. Another option, if compensatory mitigation is required, would be to propose offsite “indirect” mitigation, which state guidance allows for projects involving less than 0.2 acre without first considering onsite mitigation (OAR 141-085-0121(3)). The preferable method for satisfying offsite mitigation requirements is to purchase credits at a mitigation bank that services the area. An approved mitigation bank (Weathers) is located southwest of the project area that provides service for the Woodburn region. It is likely that, should mitigation be required for the proposed 0.01-acre stream impact, it would be satisfied by purchasing credits at the Weathers mitigation bank.

Should compensatory mitigation for proposed impacts on Wetland A be required, purchasing mitigation bank credits or conveying the drainage in a pipe would likely satisfy requirements.

Mitigation measures for upland vegetation impacts include the following:

- Choose native plants for revegetation as practicable. Select plants to limit the need for mowing and other maintenance activities.
- Practice BMPs for erosion control.

ODOT would prepare and implement roadway landscaping plans and erosion control measures consistent with federal Executive Order 13112 (*Invasive Species*). These actions would be intended to avoid the introduction or spread of invasive species, including noxious weeds and undesirable native plants.

Wildlife

Mitigation measures for wildlife include the following:

- Revegetate cleared and disturbed areas as quickly as possible following completion of construction activity.
- Incorporate native plant species into the revegetation plan. Select plants to limit the need for mowing and other maintenance activities.
- Incorporate BMPs for erosion protection.

Cultural Resources

Mitigation measures for cultural resources include the following:

- ODOT Inspectors should closely observe subsurface construction for archaeological resources in areas of intact, previously undisturbed soils.
- ODOT archaeologist will attend preconstruction meeting to discuss archaeological site types that may occur in the project area and inadvertent discovery procedures and protocols.
- If cultural resources are discovered during construction, immediately stop all work in the area of discovery and contact an ODOT archaeologist.
- If human remains are discovered during project construction, immediately stop all work in the area of the discovery, secure the area, and contact the Oregon State Police and an ODOT archaeologist.

Socioeconomics

To offset adverse impacts, the following mitigation measures are proposed:

- Compensate property owners for the fair market value of property acquired for new right-of-way. Occupants displaced by a highway project would be eligible for relocation benefits and assistance under the provisions of the ODOT's Relocation Assistance Program.
- The acquisition and relocation program would be conducted in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Relocation resources are available to all residential and nonresidential relocatees without discrimination.
<http://www.odot.state.or.us/tsrow/publications.htm>
- When possible, resell parcels purchased as part of the right-of-way acquisition process for the same use designated for the land in the City of Woodburn Comprehensive Plan.

Visual Resources

The following mitigation measures are recommended following construction:

- Work with property owners to replace vegetation that provided screening for sensitive viewers (residents, golfers, and motel guests).
- Populate planting strips with vegetation that provides a cohesive and attractive street edge.
- Shield roadway lighting to ensure that light sources are not directly visible from residences and motels.
- Design gateway intersections at I-5 as community enhancement areas with features appropriate to community urban design goals.

Noise

Four locations identified as noise impacted will be considered for construction of noise barriers (or sound walls):

5. The area of Senior Estates at the north end of the project located along I-5 in the area of the extended northbound on-ramp. A noise barrier approximately 835 feet long and 16 feet high, located approximately 3 feet inside the ODOT right-of-way line, can reduce the traffic noise levels at these homes from L_{eq} 66-72 dBA to L_{eq} 60-66 dBA.
6. The area west of I-5 and north of Oregon 219, between Woodland Avenue and Willow Street. A noise barrier approximately 1,570 feet long and 12 feet high, located close to the right-of-way line, could reduce the traffic noise levels at these homes from L_{eq} 65-68 dBA to L_{eq} 57-60 dBA.
7. The area north of Oregon 214, from Oregon Way to Astor Way. A noise barrier 2,460 feet long and 12 feet high, located approximately 3 feet inside the right-of-way line, could reduce the traffic noise levels at these homes from L_{eq} 65-70 dBA to L_{eq} 56-62 dBA.
8. The area south of Oregon 214 and east of Cascade Drive at the Cascade Park Retirement Center. A noise barrier 300 feet long and 12 feet high, located approximately 3 feet inside the right-of-way line, could reduce the traffic noise levels in the outdoor activity area from L_{eq} 67-70 dBA to L_{eq} 59-61 dBA.

The traffic noise barriers analyzed for this project appear reasonable in cost and feasible to construct. For additional information, refer to the Noise Study Report. The opinion of the noise-impacted residents, located immediately behind these walls, will be sought as to the desirability of these walls. If the majority of noise-impacted residents' desire the wall, it will be recommended for construction. The final decision on the construction of the wall and the type of wall will be made during the final design process.

Areas adjacent to the project would be exposed to construction noise. Although the exposure would be temporary, the additional noise could be disturbing to nearby receptors. The following mitigation measures may be implemented to comply with construction noise abatement measures:

- No construction would be performed within 300 meters (990 feet) of an occupied dwelling unit on Sundays or legal holidays and between the hours of 10:00 PM and 6:00 AM on other days, without the approval of the engineer.
- All equipment used would have sound control devices no less effective than those provided on the original equipment. No equipment would have un-muffled exhaust.
- All equipment would comply with pertinent equipment noise standards of the U.S. Environmental Protection Agency.
- No pile driving or blasting operations would be performed within 900 meters (2,970 feet) of an occupied dwelling unit on Sundays or legal holidays and between the hours of 8:00 PM and 8:00 AM on other days, without the approval of the engineer.

- The noise from rock crushing or screening operations performed within 900 meters (2,970 feet) of any occupied dwelling would be mitigated by strategic placement of material stockpiles between the operation and the affected dwelling or by other means approved by the engineer.

Should a specific noise impact complaint occur during the construction of the project, one or more of the following noise mitigation measures may be required at the contractor's expense, as directed by the engineer:

- Locate stationary construction equipment as far from nearby noise-sensitive property as possible.
- Shut off idling equipment.
- Reschedule construction operations to avoid periods of noise annoyance identified in the complaint.
- Notify nearby residences whenever extremely noisy work will be occurring.
- Install temporary or portable acoustic barriers around stationary construction noise sources.
- Operate electric-powered equipment using line voltage power.

If the City of Woodburn has a noise ordinance that control construction noise, the construction activities would be in compliance with all applicable local noise ordinances.”

SECTION 7

Wetlands Findings

Wetlands impacts would be to no more than 0.01 acre of potentially jurisdictional wetlands/waters of the State. Specific mitigation proposals will not be developed until the final design stage of project development. Agencies part of the CETAS (Collaborative Environmental Transportation Agreement for Streamlining) process stated that the project did not need to be tracked by the CETAS group, but a review of the wetland and water quality impacts was requested. The review determined that Senecal Creek is not listed as a “water quality limited stream” on the Oregon Department of Environmental Quality (ODEQ) 2002 303(d) list, nor is it listed as having potential concerns. Seven wetlands and/or Waters of the State/U.S. were identified in the project area that were either created as drainage or stormwater facilities or are heavily altered, remnant headwater streams.

Appendix C includes the technical memorandum prepared for the CETAS group, “Summary of Wetlands and Water Quality Impacts” and a technical memorandum specific to a site investigation of the drainage ditch identified as Wetland A.

Wetland A is described as a narrow roadside ditch located south and parallel of Oregon 214 near the eastern limit of the project area. The ditch averages 2 feet wide and was constructed in non-hydric soil in a manicured, urban landscape. The ditch meets criteria for wetland soils, vegetation, and hydrology. Because the ditch (Wetland A) is less than 10 feet wide, does not contain food or game fish, and is not freely connected to a wetland or water of the state, it is not subject to regulation under Oregon Removal-Fill law. Mill Creek meets criteria for regulation as a water of the U.S. under federal wetlands regulations. However, because the ditch drains to a storm drain system that discharges to a federally regulated water, it appear to meet criteria for jurisdiction under federal wetlands regulations. As a result, a Federal permit will be required before work can be performed in this ditch.

There are no revisions to the wetland findings described in Sections 4 and 6 of the EA except for the two sentences noted in Section 4 of this REA. Those revisions are incorporated below. Otherwise, relevant portions of Section 6 in the EA are repeated verbatim below as a convenience to the reader and anyone involved with later phases of project development who would refer to this REA. Two figures (4-1 and 4-2) from the EA also are included, which show identified wetlands areas.

Wetlands

Proposed improvements in both build alternatives north of Oregon 219 near Old Arney Road would directly affect all of Water F, a small (0.01-acre), highly degraded area of daylighted creek with both incoming and outgoing culverts (Figures 4-1 and 4-2). There is no native creek substrate because the bottom and sides (within and above bankfull stage) are riprapped with cobble-size rock. The waterway is a headwater of East Senecal Creek and is likely regulated as a water of the State/United States (rather than as a wetland). Water F occurs at the base of an existing retaining wall adjacent to the north side of Oregon 219

within existing right-of-way. Any further northward widening of the roadway would have unavoidable impacts on the area. Water F is proposed to be placed into a culvert, which would increase by a small fraction the proportion of East Senecal Creek's headwater within culverts. Impacts on Water F would cause some degree of further degradation to the headwater drainage system. However, the level of additional impact on the primarily underground headwater system is considered minor. As a small remnant of open creekbed, the current condition of Water F is highly degraded with litter and probably water quality degraded as a result of surface runoff from surrounding pavement.

Approximately 0.01 acre of Wetland A under either build alternative would be directly affected. This small roadside ditch has negligible habitat value and was most likely created from upland soil for stormwater drainage purposes. It will likely be determined nonjurisdictional as a water of the State and jurisdictional as a water of the United States.

No other wetlands/waters of the state/United States identified in the project area would be affected or disturbed by either build alternative.

Conservation and Avoidance Measures

Impacts on jurisdictional wetland areas would be minimized to the maximum practicable extent.

Mitigation Design Considerations

Compensatory wetland mitigation may be required by the Army Corps of Engineers and the Oregon Department of State Lands (ODSL) for the 0.01-acre impact on Water F (a small area of open creek channel) resulting from both build alternatives. Personnel within the ODSL wetlands/water permitting program will be contacted regarding the applicability of mitigation for the proposed impact. One mitigation option would be to provide onsite riparian plantings to offset the small amount of impact on the drainage system due to the Water F impact. Another option, if compensatory mitigation is required, would be to propose offsite "indirect" mitigation, which state guidance allows for projects involving less than 0.2 acre without first considering onsite mitigation (OAR 141-085-0121(3)). The preferred method for satisfying offsite mitigation requirements is to purchase credits at a mitigation bank that services the area. An approved mitigation bank (Weathers) is located southwest of the project area that provides service for the Woodburn region. It is likely that, should mitigation be required for the proposed 0.01-acre stream impact, it could be satisfied by purchasing credits at the Weathers mitigation bank. Should compensatory mitigation for proposed impacts on Wetland A be required, purchasing mitigation bank credits or conveying the drainage in a pipe would likely satisfy requirements.

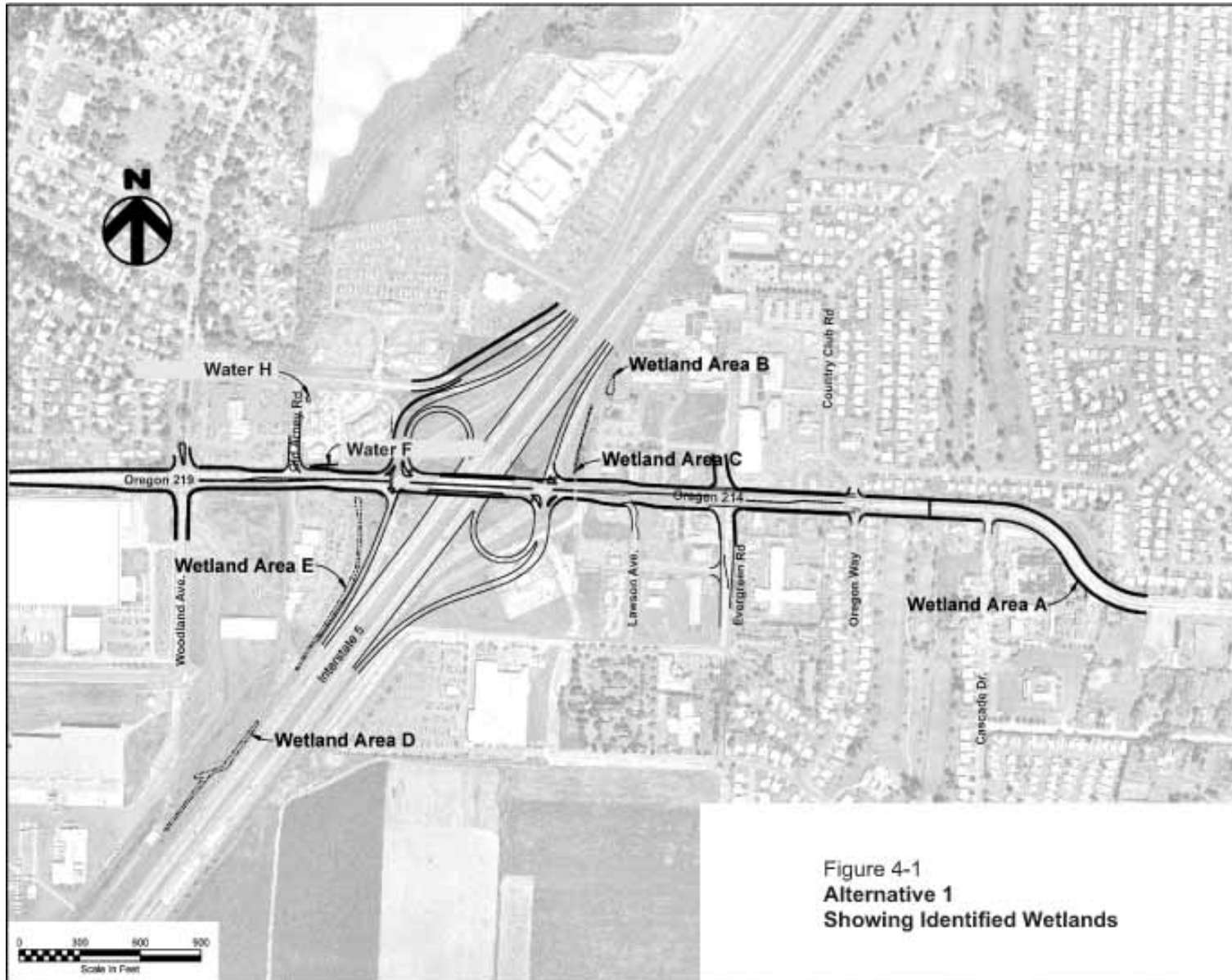


Figure 4-1
Alternative 1
Showing Identified Wetlands

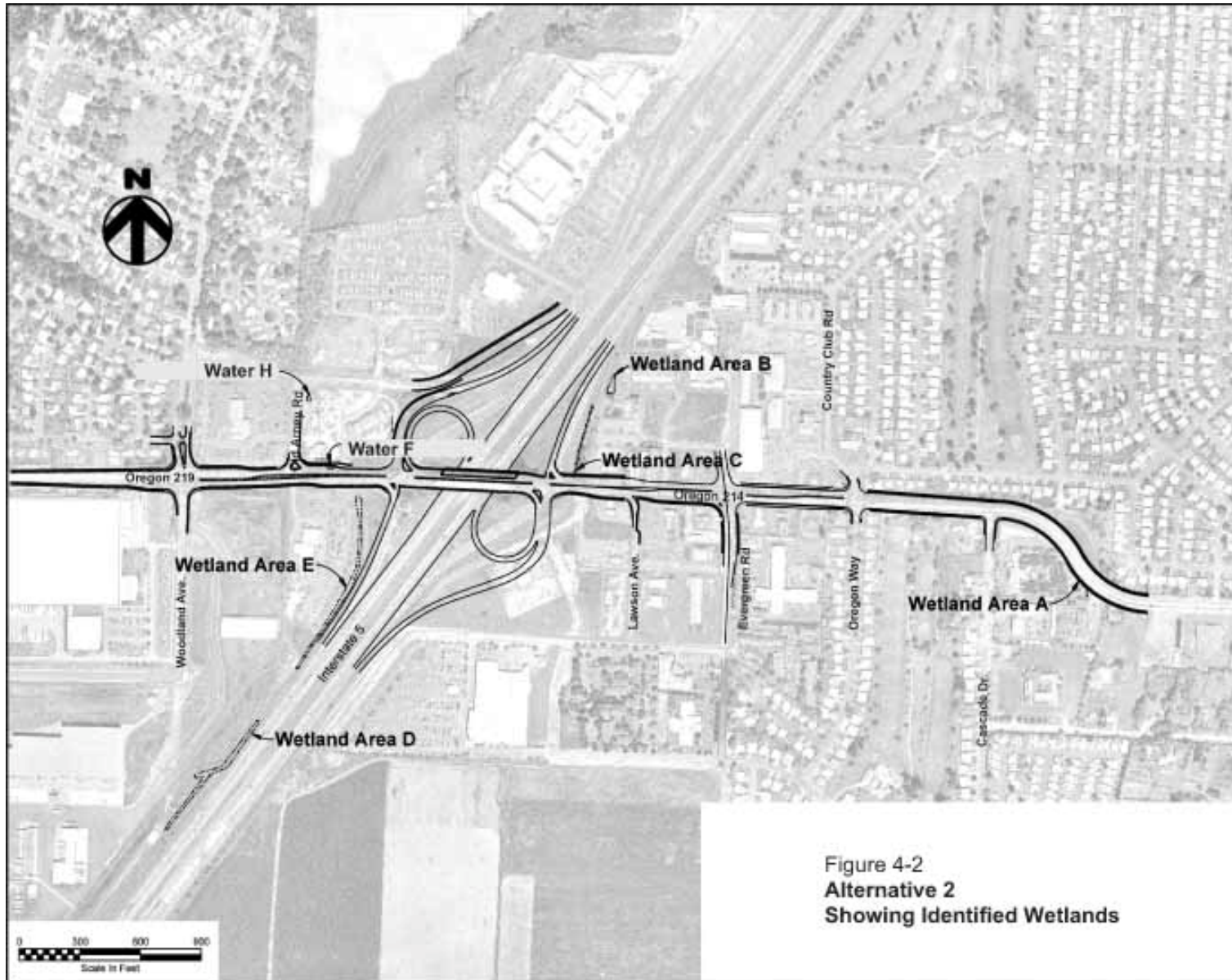


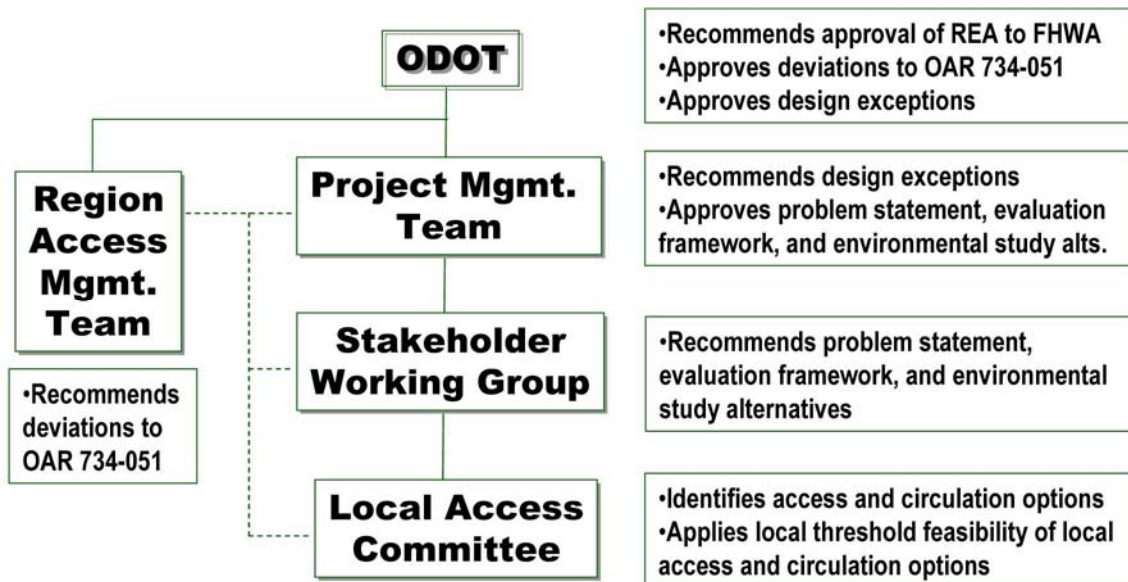
Figure 4-2
Alternative 2
Showing Identified Wetlands

Public Comments

This section provides an overview of how the public and various agencies worked together and the comments that ODOT received at a public hearing on the EA. Section 5 of the EA provides a summary of public involvement and agency coordination for the Woodburn Interchange project.

Management Structure

ODOT developed a management structure for the Woodburn Interchange EA project to provide a framework for identification and analysis of project alternatives, as shown in the following diagram:



The management structure consists of the following groups:

- **ODOT** - The agency recommends approval of the Revised EA (after public hearing comment period of EA) to FHWA. The agency is responsible to approve deviations to the Access Management Policy as defined in OAR 734-051 and design exceptions from ODOT's Highway Design Manual. The Agency's decision makers include: Chief Highway Engineer, Region 2 Manager, and Technical Services Engineer.
- **Project Management Team** - Recommends design exceptions for approval. PMT approves the problem statement, evaluation framework, and environmental study alternatives.
- **Region Access Management Team** - Recommends access management deviations to the ODOT Region 2 Manager in compliance with OAR 734-051.

- **Stakeholder Working Group** – Recommended the problem statement, evaluation framework, and environmental study alternatives.
- **Local Access Committee (LAC)** – Identified access and circulation options. Applied local threshold feasibility criteria to local access and circulation options in the formulation of alternative packages to SWG.

Public Comments

A Public Hearing on the EA was held in Woodburn on July 21, 2005; nineteen citizens provided oral testimony, 9 citizens submitted written comments at the hearing, 5 submitted e-mails, and 8 sent letters, including the Senior Estates Golf and Country Club. The record was held open for 45 days. A transcript of the Public Hearing is provided in Appendix D.

The project's Stakeholder Working Group (SWG), consisting of representatives from local businesses, residential and outlying communities, and other appropriate interest groups, met on Tuesday, November 15, 2005, at the Woodburn City Hall. At the meeting the SWG considered the EA comments and made a recommendation as to a preferred alternative. The SWG also noted the desire expressed by several of those commenting to avoid or minimize impacts to the Kentucky Fried Chicken property north of Oregon 214 between Evergreen Road and Oregon Way and the medical offices at the southeast corner of Oregon 214 and Cascade Drive. Based on these comments and concerns, the SWG recommended advancing a "hybrid" build alternative that blends elements of both the Widen North and Widen Equal alternatives. The "hybrid" combination of alternatives forms the basis for the Recommended Alternative.

The following pages provide a summary of comments on the EA and ODOT's responses. Some comments were broad declarative statements that ODOT appreciates but did not raise any issue about the EA's accuracy or thoroughness or future design refinements of the project. These were answered by "Comment does not require response by ODOT."

ODOT's Study Committee comments on the draft REA and responses are included in Appendix E.

| No | Comment | Commentor | ODOT Response to Comment |
|----|---|--------------------------------------|--|
| 1. | If R/W extended to Broughton intersection, additional 5 homes would lose back yards. | Senior Estates Golf and Country Club | The EA discloses estimated impacts for right-of-way and other environmental issues. The final right-of-way impacts would be determined during preliminary and final design and through the right-of-way process with affected property owners, which would occur after the EA is signed by FHWA. Final right-of-way impacts could be less than those identified in the EA. |
| 2. | Future widening of Oregon 214 between Broughton and Astor Way from Widen North Alternative would reduce 8 homes' back yards. | Senior Estates Golf and Country Club | The alignment for any future widening along Oregon 214 is not addressed in the EA, as future widening is not part of the Woodburn Interchange Project and would be speculative at this point. Future projects may have additional right-of-way impacts that would require separate environmental review, right-of-way, and public involvement processes. |
| 3. | Senior Estates quality of life seriously reduced and interrupted and cannot be mitigated. Value and marketability of homes hugely impacted. | Senior Estates Golf and Country Club | Some property acquisition directly adjacent to Oregon 214 would result from either the Widen Equal or Widen North alternatives. Those properties would be adequately compensated for through the right-of-way process. Sound walls proposed by the project would mitigate noise levels in residential areas adjacent to Oregon 214. ODOT cannot speculate on housing value and marketability, however, improvements resulting from this interchange improvement project should improve livability within and adjacent to the project area. |
| 4. | Impacts to up to 32 of Senior Estates homes could reduce membership dues and assessments for Senior Estates | Senior Estates Golf and Country Club | ODOT cannot speculate on nor analyze Senior Estates' membership dues and assessments and how property values may or may not be affected by the Woodburn Interchange project. However, the 1 to 5 property owners that would be displaced by right-of-way impacts (depending on the alternative selected) would be compensated for their losses through right-of-way negotiations. In addition, sound walls proposed by the project would reduce noise levels and help to buffer adjacent residents from any additional noise generated from Oregon 214. In addition to the overall traffic improvements to the highway, the remaining surrounding areas could benefit by these improvements. |
| 5. | Widen Equal would have much less R/W costs, human and quality of life costs than Widen North | Senior Estates Golf and Country Club | The right-of-way costs for Widen Equal and Widen North are fairly similar (see EA page 4-36). Widen North would result in more homes (up to 2) displaced than Widen Equal, but how each alternative would affect human and quality of life is difficult to determine. The overall traffic improvements to the highway and sound walls that would reduce noise levels to adjacent residences would be designed to improve the immediate project area and Woodburn in general. |
| 6. | No reason given for not exploring Widen South | Senior Estates Golf and Country Club | The Stakeholder Working Group validated that the possibility of widening Oregon 214 to the south entirely would not be feasible, as was also concluded by the City of Woodburn's July 1999 Highway 214 Study. That study incorporated public comment through meetings with adjacent property owners, an Open House, and a City Council briefing. Widening south would displace almost all of the businesses located on the south side of Oregon 214, adding costs for right-of-way acquisition, without providing any additional transportation benefit beyond what Widen Equal or Widen North would provide. Using a one-to-one comparison for feasibility with each of the other alternatives, the Stakeholder Working Group, recommended by consensus, that a Widen South alternative for Oregon 214 should not be explored or evaluated further. The EA document did not contain text about a possible Widen South alternative; however, the Revised EA (REA) has new text to address Widen South (to be developed). |
| 7. | Senior Estates Board of Directors is strongly opposed to Widen North Alternative | Senior Estates Golf and Country Club | Comment does not require response by ODOT. |
| 8. | Suggests alternate roadway modifications to improve traffic flow - see comment and provided 11x17 map | Keith C. Woollen | Comment relates to issue outside the study area, but which is addressed in the City of Woodburn's recently updated Transportation System Plan. Comment does not require response by ODOT. |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|---|--|--|
| 9. | Provide a noise wall for 8 homes on King Way or extend sound wall north to the Senior Estates RV storage lot. | Rosemary and Gerald Reilly; Bill J. and Jean T. Reed; Rose Brown; Phillip Bartlett; Phyllis Robertson; Sharon Wilkerson; Barbara Lucas; Gary Bowers; Sharon Wilkerson; Lincoln Pearson | <p>The King Way neighborhood is located approximately 1/2 mile north of where the northbound on-ramp merges with I-5. Since the noise impact on the neighborhood is not directly related to this project, mitigation cannot be included as part of the interchange reconstruction. Because King Way is located outside of the project limits, improvements would need to be a separate project.</p> <p>For a wall to be constructed, it must be shown that it can provide a noise reduction according to ODOT and Federal standards. This needs to be done through acoustical studies conducted by a specialist.</p> <p>If a wall would prove to be effective in meeting these standards, it would have to be funded by the property owners (at 25%) the local agencies (at 25%) and ODOT (at 50%). The ODOT share of the cost would need to successfully compete for funding with many other regional needs.</p> <p>A noise wall should be pursued through the Mid-Willamette Valley Area Commission on Transportation (MWACT).</p> |
| 10. | Opposed to project if ingress and egress to Chevron Station is changed or negatively affected. | RJ Barman | <p>Ingress and egress to/from Oregon 214 would be difficult to accommodate with the present station configuration due to the revised grade of Oregon 214, which will be raised. The change in grade and other access factors may make the station economically infeasible, which could result in acquisition and/or reconstruction to the south. The ingress and egress to Oregon 214 would be affected by both the Widen Equal and Widen North alternatives.</p> <p>The Access Option discussed in the EA would provide access to the Chevron site from Lawson.</p> |
| 11. | Favor Widen Equal Alternative | Brice Corporation; Mayor of Woodburn; E.W. and Janet Street; John Pilafian; Jeff Gray (Kentucky Fried Chicken) | Comment does not require response by ODOT. |
| 12. | Agree with most of report's conclusions | James A. Cox | Comment does not require response by ODOT. |
| 13. | In favor of proposed sound walls | James A. Cox | Comment does not require response by ODOT. |
| 14. | Support sound wall behind Commercial Office zone property. Costs of acquisition for sound wall not in report, but should be minimal. | James A. Cox | Comment does not require response by ODOT. |
| 15. | Businesses between I/C and Oregon Way/Country Club Road would be severely impacted by project from R/W impacts, new access and turning limitations. | James A. Cox | For both the Widen Equal and Widen North alternatives, right-of-way acquisition and/or access control would be necessary. ODOT would work with each property owner to receive adequate compensation for any right-of-way acquisition or provide alternative access to the properties. This is part of the right-of-way process that would occur after the EA is complete and signed by FHWA. |
| 16. | From Oregon Way/Country Club Road to Broughton, strongly favor Widen Equal. | James A. Cox | <p>The alignment configuration east of Oregon Way/Country Club Road can be different than the alignment to the west, although there needs to be connectivity at the intersection.</p> <p>The alignment configuration east of Oregon Way/Country Club Road can be different than the alignment to the west, although it still needs to tie into the chosen alignment at the intersection. The alignment east of Oregon Way/Country Club Road (regardless of alternative chosen) would be optimized to minimize the overall right-of-way impacts between the backyards of the homes along Rainier Road and the commercial buildings south of Oregon 214. This optimization of the alignment would occur with either the "widen north" or "widen equal"</p> |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|--|--|---|
| | | | alternatives. |
| 17. | Residential properties impacted by Widen North from Country Club Road to Broughton will lose at least 50% of market value and suspect these impacts were not considered in estimating R/W costs in EA. Properties to south could tolerate R/W takes without such big losses. | James A. Cox | The right-of-way estimate considered that some of the parcels would be needed in full (total acquisitions) and that others would only be partially acquired for the improvements. The estimate used in the EA is based on minimal roadway design without the development of right-of-way plans or property specific appraisals. As ODOT moves forward with the project and selects an alternative for final design, the alignment in this area will be optimized with input from the community. This will include input on planting strip width and buffer area to the noise wall. When those details have been worked out, each property affected would be appraised based on the present value and the value after the acquisitions have been made. The property owner would be compensated for the difference. If the remainder is not deemed usable, ODOT would acquire the entire parcel, compensating the property owner appropriately. |
| 18. | Widening along Oregon 214 should not have to be the same the entire route - Widen North west of Oregon Way and Widen Equal east of Oregon Way. | James A. Cox | The alignment configuration east of Oregon Way/Country Club Road can be different than the alignment to the west, although it still needs to tie into the chosen alignment at the intersection. The alignment east of Oregon Way/Country Club Road (regardless of alternative chosen) would be optimized to minimize the overall right-of-way impacts between the backyards of the homes along Rainier Road and the commercial buildings south of Oregon 214. This optimization of the alignment would occur with either the "widen north" or "widen equal" alternatives. |
| 19. | When and how will the final design be made as to how the roadway will be widened? | James A. Cox | The decision on the alternative to move forward in the design will be made by the Oregon Department of Transportation (ODOT) and approved by Federal Highway Administration (FHWA) as the next step in the project development process. ODOT will be looking to the Stakeholder Working Group and Project Management Team to provide input in making the decision. |
| 20. | Why not add a cloverleaf at Crosby Road NE and I-5 and use this as an alternate route for trucks instead of improving the Woodburn I/C or widening 214? Traffic going to outlet stores would exit there, avoiding 214/219. Or add off ramps at Butteville Road. | Robert M. and Cecelia R. Hartsook; Gertrude Canham; Jesse Canham; Stanley Hiller | <p>There are three main reasons why adding new interchanges or ramps to I-5 instead of modifying the Woodburn Interchange is not feasible. The Revised EA will include a brief discussion of these reasons:</p> <p>First, ODOT is bound by Policy 1G in the Oregon Highway Plan (OHP). That policy requires ODOT to maintain and improve operations prior to making a major investment. Improvements to the existing interchange (Woodburn Interchange) are required prior to expanding the facilities elsewhere (Crosby Road NE, Butteville Road, etc.).</p> <p>A second challenge is access and interchange spacing per Oregon Administrative Rules (OAR 734-051). The spacing between the Woodburn Interchange and any potential interchange built at Crosby Road NE or Butteville Road would require a variance from the law. ODOT would need to provide compelling proof that no other viable alternatives exist prior to construction of a new interchange that does not conform to the administrative rule.</p> <p>Finally, the location of a new interchange at Crosby Road NE would physically conflict with the Woodburn Port of Entry (southbound) and the weigh scale (northbound) causing additional cost to construct auxiliary lanes and/or relocate the facilities.</p> |
| 21. | What are the exact addresses of the houses to be displaced? | Wes Bakken | ODOT does not know the exact houses that would be needed from either alternative because that would be determined after preliminary and final design of the selected alternative and right-of-way process. Through that process, ODOT would work with the affected property owners to determine whether a full or partial acquisition of the properties is necessary and would adequately compensate property owners for their losses. |
| 22. | Error on page x of Executive Summary - Under heading of Potential Environmental Impacts, Alternative 2 should be (Widen North) [in the paragraph] | Wes Bakken | Comment noted. A correction will be made in the Revised EA. |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|---|--|--|
| 23. | Text on page 4-50 describing sound wall location does not match maps | Barbara Lucas | Comment noted. The text is correct and Figure 4-10 has been modified to show the sound wall extending to Astor Way along the north side of Oregon 214. |
| 24. | Please close all driveways on the south side of Oregon 214 between Evergreen and Oregon Way | Barbara Lucas | For both the Widen Equal and Widen North alternatives, ODOT would reduce access along the south side of Oregon 214 between Evergreen Road and Oregon Way to right-in and right-out only. Exactly where that would occur is unknown at this time and would be determined through the right-of-way process. |
| 25. | Woodburn I/C badly needs cloverleaf or partial cloverleaf interchange | Art Kohn | Comment does not require response by ODOT. |
| 26. | Area from I/C east to Oregon Way should be 4 lanes | Art Kohn | Comment does not require response by ODOT. |
| 27. | Do not widen the road from Oregon Way to Boones Ferry/Settlemeir - not necessary and waste of money | Art Kohn | <p>The additional lanes that are provided east of Oregon Way/Country Club provide a transition from the five-lane section west of the intersection (at Oregon Way) to the existing three-lane section in the vicinity of Broughton Way. This transition section brings the through-lanes past the "S" curves and then makes the lane-drop transitions where there is adequate sight distance for the motorist. This is the safest method of dropping the lanes given the alignment in the area.</p> <p>A separate process and project is currently planned to start in 2008 and will evaluate widening along Oregon 214 east to 99 East. This separate NEPA process would analyze impacts for that project at that time.</p> |
| 28. | Was given different explanations why another exit could not be built so trucks can get to 99E easier at Parr Road just south of Woodburn. Much cheaper to have exit at Parr Road to 99E | Art Kohn | <p>There are three main reasons why adding new interchanges or ramps to I-5 instead of modifying the Woodburn Interchange is not feasible.</p> <p>First, ODOT is bound by Policy 1G in the Oregon Highway Plan (OHP). That policy requires ODOT to maintain and improve operations prior to making a major investment. Improvements to the existing interchange (Woodburn Interchange) are required prior to expanding the facilities elsewhere (Crosby Road NE, Butteville Road/Parr Road, etc.)</p> <p>A second challenge is access and interchange spacing per Oregon Administrative Rules (OAR 734-051). The spacing between the Woodburn Interchange and any potential interchange built at Crosby Road NE or Butteville Road/Parr Road would require a variance from the law. ODOT would need to provide compelling proof that no other viable alternatives exist prior to construction of a new interchange that does not conform to the administrative rule.</p> <p>Finally, the location of a new interchange at Crosby Road NE would physically conflict with the Woodburn Port of Entry (southbound) and the weigh scale (northbound) causing additional cost to construct auxiliary lanes and/or relocate the facilities.</p> <p>It would not necessarily be cheaper to have exits at Parr Road. That would require major local arterial improvements to Parr Road, substantially driving up the costs for construction and right-of-way acquisitions.</p> |
| 29. | Choose Widen North Alternative | Mindy Mayer; Eric Smith; Philip Hand; Lucien Klein | Comment does not require response by ODOT. |
| 30. | Widen North Alternative is vital to health of my business | Eric Smith; | Comment does not require response by ODOT. |
| 31. | Good idea - those of us at Senior Estates really need Oregon 214 changed for the better. | C.E. Young | Comment does not require response by ODOT. |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|---|---|--|
| 32. | Woodburn needs adequate visual improvements such as landscaping, underground utilities, that will create a more inviting environment for quality commercial development | Mid-Valley Community Church | The Woodburn community intends to include aesthetic improvements to the interchange area, as noted in the goals section of the Purpose and Need Statement included in the EA and REA documents. During the preliminary and final design phases of the project, various aesthetic improvements will be developed with the community using context sensitive design approaches. |
| 33. | Very happy to see the improvements to get to Cascade Drive | Margaret and Larry | Comment does not require response by ODOT. |
| 34. | Project needs to be done soon, regardless of alternative chosen. | Mayor of Woodburn | Comment does not require response by ODOT. |
| 35. | Remember this is the North Marion County I/C - growth in Woodburn has not only caused this need | Mayor of Woodburn | Comment does not require response by ODOT. |
| 36. | Low, uniform ground cover at a minimum should be included in the design for both sides. Low cost, low maintenance landscaping helpful to east side. | Mayor of Woodburn | The Woodburn community intends to include aesthetic improvements to the interchange area, as noted in the goals section of the Purpose and Need Statement included in the EA and REA documents. During the preliminary and final design phases of the project, various aesthetic improvements will be developed with the community using context sensitive design approaches. |
| 37. | What time of day and what locations were used for the noise tests performed? Please provide a copy of the Noise Technical Report. | Pat Taylor | Noise tests were performed at approximately 18 locations and ranged in time from morning to mid-afternoon. A copy of the Noise Technical Report has been mailed. |
| 38. | A sound wall would be wonderful at our location (2112 Rainier Road) | E.W. and Janet Street (both commentors) | ODOT evaluated noise impacts from the proposed alternatives in the EA. Based on projected noise levels and criteria established by ODOT and FHWA, ODOT proposed sound wall locations that meet these criteria. If a sound wall was not proposed in a certain area, then that means that a sound wall would not be able to be constructed for that particular area and still meet the FHWA and ODOT criteria. |
| 39. | Thank you for the open house | Virginia Langen | Comment does not require response by ODOT. |
| 40. | What effects from widening to Senior Estates Golf Tunnel? If tunnel widened, would that widening take other property north or south? | Dick Koesgel | ODOT is committed to widening the Senior Estates Golf Course Tunnel as part of project construction and is committed to maintaining its use. The design of whichever alternative gets selected is not complete yet, however. Exactly how and when the Golf Tunnel would be widened would be determined during the final design phase of the selected alternative. |
| 41. | Save the trees along Evergreen Road in front of Panor 360 (condos) at 950 Evergreen Road. | Panor 360 Condos | The design of how Evergreen Road would be widened is still yet to be conducted and would likely be a part of the final design phase for the selected alternative. ODOT would make every effort to preserve existing trees and landscaping as part of the design. |
| 42. | Regardless of option chosen, please make decision quickly and consider effects on my property extensively. | Sonnie Shaw | ODOT intends to select the alternative to move forward with right-of-way process and final design as quickly as possible. |
| 43. | Stopping the 4-lanes to 2-lanes at Broughton Avenue to the old church is a tremendous mistake. | Harry Clark | The widening included in this project is to make the Woodburn Interchange functional through the 2020 planning horizon. A separate process and project is currently planned to start in 2008 and will evaluate widening along Oregon 214 east to 99 East. This separate NEPA process would analyze impacts for that project at that time. |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|--|-----------------------------------|---|
| 44. | There should be an overpass over 214 at the High School to avoid back-ups on 214 and make it safe for the kids | Harry Clark | The widening included in this project is to make the Woodburn Interchange functional through the 2020 planning horizon. A separate project for further east along Oregon 214 is currently planned to start in 2008. Under that project, other issues in that area can be raised and considered in developing alternatives. Those issues would be addressed under a separate NEPA review process. |
| 45. | This project needs to be on the front burner | Harry Clark | ODOT is actively moving forward with the analysis and design of the Woodburn Interchange project. |
| 46. | We need a traffic light at Astor Way and 214 | Virginia Phipps | <p>The Woodburn Interchange Transportation System Plan (TSP) identified various transportation improvements needed in order to better improve the function of the Woodburn Interchange. The TSP did not identify a need for a traffic light at Astor Way and Oregon 214.</p> <p>In order for a traffic light at Astor Way and Oregon 214 to be considered, a separate project would need to be added to the Statewide Transportation Improvement Program (STIP), a four-year transportation project scheduling and funding program. The STIP is updated every two years and is developed with ongoing public, local government, and transportation stakeholder involvement. Participating in the STIP update process through the public involvement process would provide the opportunity to identify a new and separate project for ODOT to undertake. STIP information can be found at the following web site.</p> <p>http://egov.oregon.gov/ODOT/HWY/STIP/</p> |
| 47. | Don't have a preference, just pick one alternative | Sonnie Shaw | Comment does not require response by ODOT. |
| 48. | City and residents of Woodburn should pay whatever it costs to put utilities underground | Gerald Collins | Utility undergrounding costs are not an allowed expense for ODOT funding, but the City of Woodburn could evaluate and fund. |
| 49. | The widening from Oregon Way to Boones Ferry Road is unnecessary | Art Kohn | The additional lanes that are provided east of Oregon Way/Country Club provide a transition from the five-lane section west of the intersection (at Oregon Way) to the existing three-lane section in the vicinity of Broughton Way. This transition section brings the through-lanes past the "S" curves and then makes the lane-drop transitions where there is adequate sight distance for the motorist. This is the safest method of dropping the lanes given the alignment in the area. A separate project is currently planned to start in 2008 and will evaluate widening Oregon 214 east to 99 east. |
| 50. | With funding shortage, can we look at this project as parts instead of doing it all together? Such as from Evergreen to Woodland? | Jeff Gray, Kentucky Fried Chicken | This project would be very difficult to break into parts, since all the parts really need to work together to provide an improvement over the present situation. For instance, the new ramps could be built separately from the improvements to Oregon 214/219; however the steep approach grades to the interchange, capacity constraints, and congestion along Oregon 214/219 would keep the ramps from working optimally. Additionally, the complete ramps could not be built because of the steep approach grades that presently exist along Oregon 214/219. |
| 51. | Object to not moving the BPA tower near Arney Road, since that would reduce impacts to my property | Warde Hirshberger | ODOT will not know the exact right-of-way impacts until final design. The project team determined that it was most cost effective to not move the BPA tower and local property effects could be mitigated more efficiently. Moving a BPA tower has ripple effects to adjacent BPA towers, substantially increasing the total costs to move the lines. |
| 52. | Make sure whatever landscaping or medians added to project do not affect my business by having the view of my business diminished or taken away. | Mindy Mayer | ODOT makes every effort to avoid impacts to businesses when developing landscape designs and works with each affected property owner to develop and finalize the landscape plans. |
| 53. | Make sure that any loss of parking stalls doesn't hurt my business too | Mindy Mayer | ODOT makes every effort to avoid impacts to parking for businesses when developing the final design and works with each affected property owner to develop and finalize designs. |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|--|---------------------------------------|---|
| | much | | |
| 54. | Make sure my drive-through can stay viable | Mindy Mayer | ODOT makes every effort to avoid impacts to local businesses when developing the final design and works with each affected property owner to develop and finalize designs. |
| 55. | Widen Equal would affect my parking, signage, drive-through, and overall business | Eric Smith | ODOT makes every effort to avoid impacts to local businesses when developing the final design and works with each affected property owner to develop and finalize designs. |
| 56. | Decrease the buffer zone (landscape buffer) from 6 feet to 3 feet or something less than 6 feet to lessen impact on businesses (or have no buffer zone at all) | Eric Smith; Philip Hand; Lucien Klein | The design that has been completed to date is only about 5 percent complete. With this level of design, the landscape buffer that has been shown is a uniform six feet for all areas of the project. As the design continues following the completion of the Environmental Assessment, ODOT would have continuing discussions and workshops with the community during the design regarding areas where design standards allow flexibility and community input. These areas include the width of buffers, type of landscaping provided, impacts to existing trees, and the detailed location of noise walls, as well as other aesthetic elements of the project. The landscape buffer that has been shown on the plans is the "worst case" that can be expected. |
| 57. | Concerned about impacts to business parking (McDonalds), we plan to expand parking to the east side of our building. | Eric Smith | ODOT makes every effort to avoid impacts to local businesses when developing the final design and works with each affected property owner to develop and finalize designs. |
| 58. | How much of my backyard will be taken? Will a fence be put in | Bonnie Jorgensen | ODOT makes every effort to avoid impacts to local residents and businesses when developing the final design and works with each affected property owner to develop and finalize designs. |
| 59. | Will the traffic lights be reworked as part of this project? | Bonnie Jorgensen | Yes, the new traffic signals would be traffic-actuated and designed to allow for efficient vehicle progression along Oregon 214/219, as well as access to the side streets. |
| 60. | As an affected property owner, I was never put on any kind of committee or mailing list. | Philip Hand | Affected property owners were invited to participate in the Local Access Committee (LAC), which held a series of workshops to address property access issues for affected property owners. At the time the LAC was established, the project area's eastern limit was at Oregon 214 and Oregon Way. After the LAC had completed their series of workshops, the project area was extended eastward to Cascade Drive. ODOT will continue to solicit input from affected property owners through the completion of the project. |
| 61. | Concerned about any of 214 moving closer to building on south and how it will affect tenants in building (doctors and dentist) | Lucien Klein | The alignment east of Oregon Way/Country Club Road (regardless of alternative chosen) would be optimized to minimize the overall right of way impacts between the backyards of the homes along Rainier Road and the commercial buildings south of Oregon 214. This optimization of the alignment would occur with either the "widen north" or "widen equal" alternatives. As the design continues following the completion of the Environmental Assessment, ODOT would have continuing discussions and workshops with the community regarding areas where design standards allow flexibility and community input. These areas include the width of buffers, type of landscaping provided, impacts to existing trees, detailed location of noise walls, and impacts to existing signage, as well as other aesthetic elements of the project. |
| 62. | Do not continue sound barriers to our property (Cascade - south of 214), as they affect signage | Mick DeSantis | As the design continues following the completion of the Environmental Assessment, ODOT would have continuing discussions and workshops with the community regarding areas where design standards allow flexibility and community input. These areas include the width of buffers, type of landscaping provided, impacts to existing trees, detailed location of noise walls, and impacts to existing signage, as well as other aesthetic elements of the project. If a property owner does not want sound walls, ODOT would be open to further discussions on that issue. In cases where multiple properties share a sound wall, the elimination of a sound wall from one property may affect others. In those cases, the decision about sound walls would |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|---|---------------------------------|--|
| | | | need to be a joint one by the affected property owners. |
| 63. | Widen to north and extend into vacant property that exists to north so that the S-curve be extended | Mick DeSantis | The alignment configuration east of Oregon Way/Country Club Road can be separate and different from the alignment to the west, although it still needs to tie into the chosen alignment at the intersection. The alignment east of Oregon Way/Country Club Road (regardless of alternative chosen) would be optimized to minimize the overall right of way impacts between the backyards of the homes along Rainier Road and the commercial buildings south of Oregon 214. This optimization of the alignment would occur with either the "widen north" or "widen equal" alternatives. |
| 64. | 6-foot curb section (landscape buffer) should be sidewalk to keep the sidewalk away from our building | Mick DeSantis | As the design continues following the completion of the Environmental Assessment, ODOT would have continuing discussions and workshops with the community regarding areas where design standards allow flexibility and community input. These areas include the width of buffers, type of landscaping provided, impacts to existing trees, the detailed location of noise walls, and impacts to existing signage, as well as other aesthetic elements of the project. |
| 65. | The roadway centerline and R/W are not the same, as I've been told. The road is closer to us, so centering the widening on the R/W instead of roadway would help move the roadway north away from us. | Mick DeSantis | As noted in the response to AV-3, the design would be optimized to minimize the overall impacts. Similarly, the right of way centerline that would serve as the basis of right of way acquisitions would also be optimized. The location of the roadway centerline and future right of way centerline can be independent of each other. |
| 66. | We should be able to vote as a stakeholder since the project fronts our property | Lucien Klein; Mick DeSantis | Project stakeholders are part of a Stakeholder Working Group (SWG) that is a consensus-based group that does not include voting per se. The SWG provides recommendations to the Project Management Team (PMT) which is made up of federal, state, county and city representatives. The PMT, in coordination with FHWA, ultimately makes the decisions, while taking into account the SWG's recommendations, about the project. All affected property owners are invited to speak to the SWG to discuss their property concerns by contacting them directly. |
| 67. | If our property is not taken (Country Cottage), we'd prefer a retaining wall. | Joyce Fischer (Country Cottage) | If access is provided to the restaurant (via Lawson as documented by the access option), the northbound I-5 off-ramp, including retaining walls, would be designed so that an acceptable number of parking stalls remain for the restaurant to remain viable. |
| 68. | If our property is taken (Country Cottage), make sure that we are moved to a better location | Joyce Fischer (Country Cottage) | When businesses need to be acquired because of project impacts, ODOT would provide relocation assistance in accordance with Federal guidelines. |
| 69. | If our property is not taken (Country Cottage), we're very concerned about the entrance to get in and out, either from Stacy Allison or Lawson | Joyce Fischer (Country Cottage) | If access is provided to the restaurant (via Lawson as documented by the access option), eastbound customers would have access via Lawson. Customers coming from the east (westbound) would need to access the restaurant by coming along Evergreen, Stacy Allison, and Lawson. |
| 70. | People coming from the east can't get in to our property (Country Cottage). Can ODOT do something about that? | Joyce Fischer (Country Cottage) | If access is provided to the restaurant (via Lawson as documented by the access option), customers coming from the east (westbound) would need to access the restaurant by coming along Evergreen, Stacy Allison, and Lawson. |
| 71. | Would sound walls be 12 feet from current elevation or elevation of finished roadway? The answer affects how much noise I hear. | J. Lorraine Cox | Sound wall top elevations would be placed to provide noise attenuation as documented in the EA. The height cited by the EA is the approximate height above ground at that wall location. There may be locations where the wall heights are adjusted up slightly to prevent dips or sags for localized ground undulations, but generally they would be approximately 12 feet higher than the ground at their base at the completion of the project. |

| No | Comment | Commentor | ODOT Response to Comment |
|-----|--|-----------------|---|
| 72. | How will stormwater be handled during construction? Want to avoid standing water and erosion. | J. Lorraine Cox | During construction, stringent requirements would be implemented so that stormwater from the project site would be collected, treated, and discharged to appropriate and approved stormwater treatment locations. Concentrated flows of stormwater would not be allowed to run from the project impervious areas onto private property. Non-paved (pervious) project areas would be graded so that flows would be similar to the existing terrain. ODOT will work with property owners to address problem drainage areas. |
| 73. | Glad to hear demolition will occur soon at the Park and Ride area - it will be a real asset for Woodburn. Would like to have a SMART stop between Salem and Portland, too. | J. Lorraine Cox | Comment does not require response by ODOT. |

SECTION 9

Conclusion

Based on this evaluation of the Woodburn Interchange Project impacts, the Federal Highway Administration has concluded that this project will not significantly affect the environment; therefore, an environmental impact statement is not required.

A Finding of No Significant Impact (FONSI) is attached to this REA for the Woodburn Interchange Project as no significant impacts were found through this assessment.

APPENDIX A

Letter of Consistency with Local Plans



July 21, 2006

Mr. Erik Havig, P.E.
Planning and Development Manager
Oregon Department of Transportation
Region 2
455 Airport Road SE, Building B
Salem, Oregon 97301

RE: Final Woodburn Interchange Area Management Plan

Dear Mr. Havig:

The City of Woodburn Public Works Department reviewed the final Woodburn Interchange Area Management Plan (IAMP) provided to us by your office on July 6, 2006. We concur with the final IAMP, and find it to be compatible with Woodburn's applicable local plans, policies, and ordinances.

On behalf of the City, and myself, thanks to you and Terry Cole for your leadership and technical assistance as we developed the IAMP for Woodburn. Woodburn is pleased to have participated in that process, and is proud to serve as a model for other communities working with ODOT to deliver, and protect public investment in, needed transportation improvements. We look forward to implementing the plan in co-operation and collaboration with ODOT.

Sincerely

John C. Brown
City Administrator

JCB

Office of the City Administrator
270 Montgomery Street • Woodburn, Oregon 97071
Ph. 503-982-5229 • Fax 503-982-5243

APPENDIX B

Intergovernmental Agreement

January 11, 2006

Misc. Contracts & Agreements
No. 22,933

INTERGOVERNMENTAL AGREEMENT
Woodburn Interchange
City of Woodburn

THIS AGREEMENT is made and entered into by and between THE STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "ODOT," and the CITY OF WOODBURN, acting by and through its designated officials, hereinafter referred to as "CITY."

RECITALS

1. By the authority granted in ORS 190.110, state agencies may enter into agreements with units of local government for the performance of any or all functions and activities that a party to the agreement, its officers, or agents have the authority to perform.
2. Interstate 5 (I-5), Oregon 214 and Oregon 219 (also known as Hillsboro-Silverton Highway) are a part of the state highway system and under the jurisdiction and control of the Oregon Transportation Commission.
3. ODOT and City intend to make a major investment in improving the I-5 Woodburn Interchange and Oregon 214/219 in the vicinity of the Woodburn Interchange.
4. ODOT and City are committed to protect this investment and preserve the function, operations and capacity of the Woodburn Interchange to safely accommodate statewide and regional travel through City along I-5 and between City and I-5 via Oregon 214/219, and to support City's industrial job creation and growth objectives as expressed in its 2005 Comprehensive Plan.
5. ODOT and City have developed a variety of documents including an interchange area management plan, an updated land use plan and related ordinances to provide direction for this investment and keep it functioning acceptably through the forecast 20-year planning horizon.
6. These actions are expressed in the City's 2005 Comprehensive Plan, Transportation System Plan (TSP), Woodburn Development Ordinance 2.116 (WDO), and in the Woodburn Interchange Area Management Plan (IAMP).
7. WDO, Section 2.116, entitled Interchange Management Area (IMA) Overlay District and provided as Exhibit A, sets development thresholds and performance standards for an area identified in the 2005 Woodburn TSP and labeled Figure 9-1 IMA Overlay District, provided as Exhibit B.
8. The Woodburn IAMP is scheduled to be adopted by the Oregon Transportation Commission and identifies implementation of the standards and thresholds of the IMA Overlay District as a key component of the IAMP. The IAMP identifies that the

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City is responsible for implementing the provisions of the WDO Section 2.116, IMA Overlay District.

9. Section 2.116.05 of the WDO has provisions that call for development within the IMA Overlay District to be jointly monitored and evaluated by the City and ODOT on an ongoing basis.

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

TERMS OF AGREEMENT

1. ODOT and City enter into this Agreement to establish and define procedures for periodically monitoring and evaluating the implementation of the City's TSP and WDO within the IMA Overlay District, fulfill ODOT's transportation system management objectives by preserving interchange capacity and to support the City's industrial job creation objectives as stated in the Woodburn Comprehensive Plan.
2. ODOT and City agree that the costs for undertaking the activities needed to administer, monitor, and evaluate the IMA Overlay District development shall be individually borne by each and that no funds shall be exchanged to fulfill the terms of this Agreement, although ODOT technical assistance will be available to the City to help collect data and conduct analysis needed to administer the Overlay District.
3. ODOT and City agree that this Agreement may be amended if the premises or conditions upon which it is based change. Any amendment shall be collaboratively developed by City and ODOT.
4. ODOT and City agree that this Agreement shall be in force until build out of the IMA Overlay District area is complete (meaning that all land within the overlay zone is developed or has been committed for development through development approvals), except as provided in the General Provisions section below.

CITY OBLIGATIONS

1. City shall amend its land use action application forms to provide a simple and direct mechanism for staff to collect traffic data needed to track development in the IMA Overlay District. City shall coordinate with ODOT in the development of its amended land use action application forms. City shall review all land use applications for any tax lot listed in Exhibit A, Table 2.116.1 Vehicle Trip Budget by Parcel, and make a determination of PM peak hour trips that will be generated by the development based on the Traffic Impact Analysis, if required, or an assessment of trip generation potential made by the City Engineer in accordance with the most recent version of the Institute of Transportation Engineer's Trip Generation Manual.
2. Traffic Impact Analyses, when required, shall be prepared in accordance with ODOT's Traffic Impact Analysis Guidelines.

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3. Land use applications to be reviewed and assessed for trip budget calculations include commercial, industrial, public, and semi-public land use applications. The City will also assess vehicle trips resulting from building permits for new residential construction, by housing type within the IMA Overlay District.
4. City shall maintain an electronic ledger of all trips expected to be produced by land use approvals or building permits for new construction for all tax lots identified in Exhibit A, Table 2.116.1 within the IMA Overlay District and the ledger shall be organized by tax lot, address, and zoning designation. The City shall also maintain a record of land divisions for tax lots identified in Table 2.116.1 Vehicle Trip Budget by Parcel, to allow for monitoring of new construction on newly-created lots or parcels.
5. City shall provide to ODOT an IMA Overlay District Trip Generation Summary Report every three years for incorporation into ODOT's triennial IMA Evaluation Report, City shall provide the electronic ledger annually if requested.
6. City shall participate with ODOT in the triennial review and evaluation of development and traffic growth within the IMA Overlay District.
7. City shall, as required by its development code, notify ODOT of all land use applications that generate additional traffic within the IMA Overlay District and shall fulfill all current requirements to collaborate with ODOT on matters affecting ODOT transportation facilities.
8. The Woodburn City Public Works Program Manager, currently Randy Rohman, shall be the principal contact within the City for matters relating to this Agreement and oversight and maintenance of the trip budget ledger. City shall notify ODOT in writing of any changes affecting this principal contact.

ODOT OBLIGATIONS

1. ODOT shall maintain traffic volume and crash data for ODOT transportation facilities within the IMA Overlay District sufficient to support the triennial evaluation process.
2. ODOT shall collect and maintain traffic volume data for Marion County and City transportation facilities as necessary within the IMA Overlay District or its proximity as needed to support the triennial evaluation process. This may, at the discretion of ODOT, include an origin-destination survey.
3. ODOT shall prepare a triennial IMA Evaluation Report using its own traffic and crash data and the land use data provided by the City.
4. ODOT shall, in collaboration with the City, develop and provide to the City an electronic trip generation ledger for use in tracking and monitoring the IMA Overlay District trip budget.
5. ODOT shall provide technical support to the City to assist in evaluating and amending all applicable local land use application forms to support monitoring and maintenance of the IMA trip budget ledger.

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6. ODOT shall, upon request from the City, be available to consult and provide input regarding the assessment of potential trip generation and maintenance of the IMA Overlay District trip generation ledger.
7. ODOT shall, upon request from the City, be available as needed to consult and provide input regarding the effect of implementing Transportation Demand Management (TDM) measures pursuant to WDO Section 2.116.08.C.
8. ODOT shall provide comments on completed Traffic Impact Analyses within 30 days of receiving them from the City as prescribed by WDO Section 2.116 of the IMA Overlay District.
9. ODOT shall participate with City in the triennial review and evaluation of development and traffic growth within the IMA Overlay District.
10. ODOT shall notify the City of any proposed amendments to the Woodburn IAMP and shall collaborate with the City in developing any such changes.
11. ODOT's Area 3 Planner, currently Dan Fricke, shall be the principal contact within ODOT for matters relating to this Agreement. ODOT shall notify the City in writing of any changes affecting this principal contact.

JOINT OBLIGATIONS

1. ODOT and City agree that development within the IMA Overlay District shall be jointly monitored and evaluated by ODOT and the City.
2. ODOT and City agree that each party shall collect and maintain the information needed to conduct periodic evaluations of the IMA Overlay District in accordance with the specific obligations for each as described in this Agreement.
3. ODOT and City agree that periodic evaluations shall take place every three (3) years beginning in October 2008.
4. ODOT and City agree that the triennial IMA Evaluation Report prepared by ODOT shall be the basis for evaluating the implementation of the WDO Section 2.116, IMA Overlay District.
5. ODOT and City agree that the provisions of the WDO Section 2.116, IMA Overlay District may change periodically in response to information gained through the periodic monitoring and evaluation process. ODOT shall be provided notice of any proposed change and any change shall be collaboratively developed by City and ODOT.

GENERAL PROVISIONS

1. This Agreement may be terminated by either party upon 30 days' notice, in writing and delivered by certified mail or in person. Either party may terminate this

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Agreement effective upon delivery of written notice to the other party under any of the following conditions:

- a. If the other party fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
 - b. If the other party fails to perform any of the other provisions of this Agreement or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice fails to correct such failures within 10 days or such longer period as the aggrieved party may authorize.
 - c. If either party fails to receive funding, appropriations, limitations or other expenditure authority at levels sufficient to pay for the work provided in the Agreement.
 - d. If Federal or State laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or if either party is prohibited from paying for such work from the planned funding source.
2. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.
 3. This Agreement and attached exhibits constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of ODOT to enforce any provision of this Agreement shall not constitute a waiver by ODOT of that or any other provision.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.


The Oregon Transportation Commission on June 18, 2003, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations. Day-to-day operations include those activities required to implement the biennial budget approved by the Legislature, including activities to execute a project in the Statewide Transportation Improvement Program.

Signature Page to Follow

City of Woodburn/ODOT
Agreement No. 22,933

On November 10, 2004, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, in which the Director delegates authority to the Region Managers authority to approve and sign agreements up to \$75,000 when the work is related to a project included in the Statewide Transportation Improvement Program, other system plans approved by the Oregon Transportation Commission or in a line item in the biennial budget approved by the Director.

CITY OF WOODBURN, by and through its designated officials

By 

Title City Administrator

Date 1-24-06

By _____

Title _____

Date _____

APPROVED AS TO FORM

By 
City Legal Counsel

Date 1-24-2006

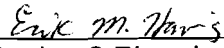
Agency Contact:
City Public Works Program Manager
City of Woodburn
270 Montgomery Street
Woodburn OR 97071

STATE OF OREGON, by and through its Department of Transportation

By 
Region 2 Manager

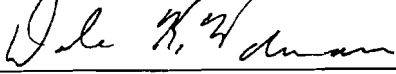
Date 2/1/06

APPROVAL RECOMMENDED

By 
Region 2 Planning and Development
Manager

Date 1-31-06

APPROVED AS TO LEGAL SUFFICIENCY

By 
Assistant Attorney General

Date: 2/7/06

(The following Section 2.116 is a new proposed zoning district)

2.116 Interchange Management Area (IMA) Overlay District

2.116.01 Purpose

The purpose of this overlay district is to preserve the long-term capacity of Woodburn’s I-5 Interchange with Highway 214, in coordination with the Oregon Department of Transportation (ODOT).

Preserving the capacity of this interchange is an essential element of the City’s economic development strategy, because continued access to I-5 is necessary to attract and maintain basic employment within the Woodburn Urban Growth Boundary (UGB). *Section 2.116* complements the provisions of the Southwest Industrial Reserve (SWIR) District by ensuring that industrial land is retained for targeted basic employment called for in the Woodburn Economic Opportunities Analysis (EOA) and the Economic Development Strategy (EDS). *Section 2.116* also ensures that needed industrial, commercial and residential land within the IMA Overlay District is protected from commercial encroachment.

These goals are met by establishing trip generation budgets as called for in Transportation Policy H-7.1 of the Woodburn Comprehensive Plan. The parcel budgets are intended to be high enough to accommodate peak hour trips anticipated by the 2005 Woodburn Comprehensive Plan (WCP) and Transportation Systems Plan (TSP), but low enough to restrict unplanned vehicle trips that could adversely affect the interchange.

2.116.02 Boundary of the IMA Overlay District

The boundary of the IMA Overlay District is shown on the Woodburn Comprehensive Plan Map and Zoning Map.

2.116.03 Applicability

The provisions of *Section 2.116* shall apply to all Type II – V land use applications that propose to allow development that will generate more than 20 peak hour vehicle trips (based on the latest Institute of Transportation Engineers Trip Generation Manual) on parcels identified in *Table 2.116.1*. The provisions of *Section 2.116.07* shall apply to all properties within the boundary of the IMA.

2.116.04 Vehicle Trip Budgets

Section 2.116 establishes a total peak hour trip generation budget for planned employment (commercial and industrial) land uses within the Interchange Management Area – defined as the IMA Trip Budget, and a trip budget for each vacant commercial or industrial parcel – defined as the parcel budget.

A. The IMA District Trip Budget

The IMA Trip Budget for vacant commercial and industrial parcels identified in **Table 2.116.1** is 2,500 peak hour vehicle trips (An estimated 1,500 additional peak hour residential trips are planned within the IMA District). The IMA Trip Budget will be allocated to parcels identified in **Table 2.116.1** on a first developed – first served basis.

B. 2005 (Initial) Vehicle Trip Budget by Parcel

The parcel budget for each vacant commercial or industrial parcel within the IMA Overlay District is shown on **Table 2.116.1**. Parcel budgets are based on 11 peak hour trips per developed industrial acre, and 33 peak hour trips per developed commercial acre.

1. The parcel budget for each parcel will be reduced in proportion to actual peak hour vehicle trips generated by new development on any portion of the parcel.
2. The City *may* allow development that exceeds the parcel budget for any parcel in accordance with **Section 2.116.08.B**.

(Table on next page.)

Table 2.116.1. Vehicle Trip Budget by Parcel (Parcel Budget)

| Assessor Map and Tax Lot Number | Applicable Comprehensive Plan Designation | Vacant Buildable Acres | Maximum Peak Hour Vehicle Trips |
|--|---|------------------------|---------------------------------|
| 052W11 00300 | SWIR | 88 | 968 |
| 052W13 01100 052W14 01500 052W14 01600 | SWIR | 96 | 1056 |
| 052W14 00200 052W14 00600 | SWIR | 22 | 242 |
| 052W14 00800 052W14 00900 052W14 01000 052W14 01100 | SWIR | 109 | 1199 |
| 052W14 01200 | SWIR | 4 | 44 |
| 052W23 00100 | SWIR | 46 | 506 |
| 052W12AC 04301 | Commercial | 2 | 66 |
| 052W12C 00604 | Commercial | 1 | 33 |
| 052W12C 00605 | Commercial | 3 | 99 |
| 052W12C 02100 | Commercial | 7 | 231 |
| 052W12C 02200 | Commercial | 6 | 198 |
| 052W12C 02300 | Commercial | 7 | 231 |
| 052W12C 02400 | Commercial | 2 | 66 |
| 052W13 01600 | Commercial | 5 | 165 |
| 052W14 02000 | Commercial | 8 | 264 |
| 052W14 02100 | Commercial | 5 | 165 |
| 052W14 02300 | Commercial | 6 | 198 |
| 052W13BD 00900 (westerly portion) 052W13BD 01500 052W13BD 01600 052W13BD 01700 052W13BD 01800 | Nodal Commercial | 9 | 297 |

2.116.05 Administration

Section 2.116 delineates responsibilities of the City and ODOT to monitor and evaluate vehicle trip generation impacts on the I-5 interchange from development approved under this section.

A. Traffic Impact Analysis (TIA)

A TIA is required for all land use applications subject to the provisions of **Section 2.116**. The standards for preparing a TIA are found in Exhibit Q, Transportation Impact Analysis Requirements. The TIA must meet City and ODOT administrative rule (OAR Chapter 734, Division 51) requirements and shall include an evaluation and recommendation of feasible transportation demand management (TDM) measures that will minimize peak hour vehicle trips generated by the proposed development.

B. ODOT Coordination

For a land use application subject to the provisions of **Section 2.116**:

1. The City shall not deem the land use application complete unless it includes a TIA prepared in accordance with Exhibit Q, TIA Requirements.
2. The City shall provide written notification to ODOT when the application is deemed complete. This notice shall include an invitation to ODOT to participate in the City's facilities review meeting.
3. ODOT shall have at least 20 days to provide written comments to the City, measured from the date the completion notice was mailed. If ODOT does not provide written comments during this 20-day period, the City's decision may be issued without consideration of ODOT comments.

C. City Monitoring Responsibilities

The details of City and ODOT monitoring and coordination responsibilities are found in the Woodburn – ODOT Intergovernmental Agreement (IGA).

1. The City shall be responsible for maintaining a current ledger documenting the cumulative peak hour trip generation impact from development approved under **Section 2.116**, compared with the IMA Trip Budget.
2. The City may adjust the ledger based on actual development and employment data, subject to review and concurrence by ODOT.

3. The City will provide written notification to ODOT when land use applications approved under *Section 2.116*, combined with approved building permits, result in traffic generation estimates that exceed 33% and 67% of the IMA Trip Budget.

D. Vesting and Expiration of Vehicle Trip Allocations

This section recognizes that vehicle trip allocations may become scarce towards the end of the planning period, as the I-5 Interchange nears capacity. The following rules apply to allocations of vehicle trips against the IMA Trip Budget:

1. Vehicle trip allocations are vested at the time of design review approval.
2. Vehicle trips shall not be allocated based solely on approval of a comprehensive plan amendment or zone change, unless consolidated with a subdivision or design review application.
3. Vesting of vehicle trip allocations shall expire at the same time as the development decision expires, in accordance with *Section 4.102.03-04*.

2.116.06 **Allowed Uses**

- A. Uses allowed in the underlying zoning district are allowed subject to other applicable provisions of the WDO and *Section 2.116*.

2.116.07 **Comprehensive Plan and Zoning Map Amendments**

Section 2.116.07 applies to all Comprehensive Plan Map amendments within the IMA Overlay District. This section does not apply to Zoning Map amendments that result in conformance with the applicable Comprehensive Plan Map designation, such as Zoning Map amendments that occur when land is annexed to the City.

- A. Transportation Planning Rule Requirements.

Applications for Comprehensive Plan Map amendments, and for Zoning Map amendments shall determine whether the proposed change will significantly affect a collector or arterial transportation facility, and must meet the requirements of Oregon Administrative Rule (OAR) 660-012-0060 and WDO *Section 5.104.02-04*.

- B. Limitations on Comprehensive Plan Amendments.

To ensure that the remaining capacity of the I-5 Interchange is reserved for targeted employment opportunities identified in Chapter 4 of the Economic Opportunities Analysis (EOA) and needed housing, this section imposes the

following prohibitions on Comprehensive Plan Map amendments within the IMA Overlay District:

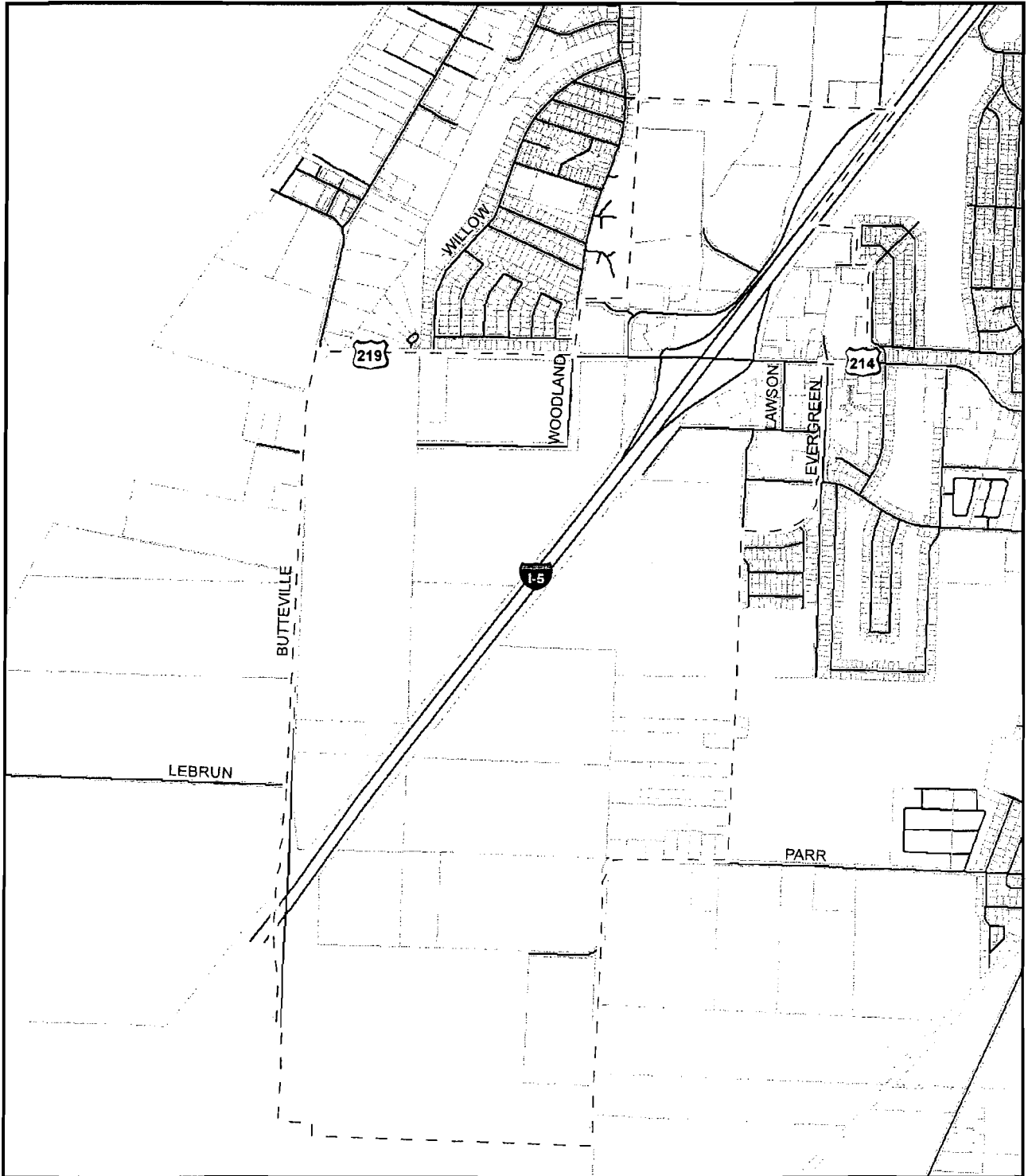
1. Comprehensive Plan Map amendments that will increase the net Commercial land area within the IMA Overlay District shall be prohibited.
2. Comprehensive Plan Map amendments that allow land uses that will generate traffic in excess of the IMA Trip Budget shall be prohibited.

2.116.08 Interchange Capacity Preservation Standards




Land use applications subject to the provisions of *Section 2.116* shall comply with the following:

- A. Cumulative Impact Standard. Peak hour vehicle trips generated by the proposed development shall not, in combination with other approved developments subject to *Section 2.116*, exceed the IMA Trip Budget of 2,500.
- B. Parcel-Specific Impact Standard. Peak hour vehicle trips generated by the proposed development shall not exceed the maximum peak hour vehicle trips specified in *Table 2.116.1* for the subject parcel, EXCEPT:
 1. Development of uses listed in *Table 2.1.21 (Section 2.114.03, SWIR Zone Permitted Uses)* may be allowed to exceed the maximum, if the development will contribute substantially to the economic objectives found in Chapter 2 of the Woodburn Economic Development Strategy (EDS).
 2. Residential development on a parcel zoned Commercial shall be allowed to exceed the maximum.
- C. Transportation demand management (TDM) measures shall be required to minimize peak hour vehicle trips and shall be subject to annual review by the City.

EXHIBIT B



Legend

-  Tax Lots
-  IMA Overlay Zone
-  Roads

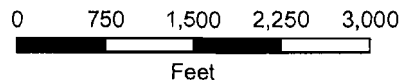


Figure 9-1
Interchange Management Area (IMA)
Overlay District



April 26, 2006

Misc. Contracts & Agreements
No. 23,240

**INTERGOVERNMENTAL AGREEMENT
Woodburn Interchange Funding Plan
City of Woodburn**

THIS AGREEMENT is made and entered into by and between THE STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "ODOT," and the CITY OF WOODBURN, acting by and through its designated officials, hereinafter referred to as "City."

RECITALS

1. By the authority granted in ORS 190.110, state agencies may enter into agreements with units of local government for the performance of any or all functions and activities that a party to the agreement, its officers, or agents have the authority to perform.
2. On October 31, 2005 City amended its TSP to include proposed improvements to the existing Interstate 5 interchange with Oregon Highways 214 and 219, exit 271, referred to herein as the Woodburn Interchange, to support amendments to its urban growth boundary, land use plan, and zoning ordinance.
3. Concurrent with the TSP amendment, City and ODOT prepared an Interchange Area Management Plan (IAMP) which identifies improvements to the Woodburn – I-5 Interchange area.
4. This agreement serves as a funding agreement to identify the funding obligations agreed to by ODOT and the City to develop the improvements identified in the TSP and IAMP for the Woodburn –I-5 Interchange Area.
5. This agreement serves as written statement by ODOT that the proposed funding and timing of the interchange improvements identified in the Woodburn TSP and in the Woodburn IAMP are sufficient to avoid a significant adverse impact on the Interstate Highway system and that the City may rely upon the improvements pursuant to OAR 660-012-0060(4)(c)(A) and (B).
6. Reconstructing the Woodburn Interchange is a top funding priority of the Mid-Willamette Area Commission on Transportation (MWACT).
7. ODOT is currently developing an Environmental Assessment (EA) document pursuant to the National Environmental Policy Act (NEPA) as required to advance reconstruction of the Woodburn Interchange.

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

TERMS OF AGREEMENT

1. ODOT and City agree that a general funding plan is needed to demonstrate that adequate funding to reconstruct the Woodburn Interchange will become available within the 20-year planning horizon and in time to avoid a significant adverse impact on the Interstate Highway System.
2. ODOT and City agree that this Agreement shall serve as the funding plan and identifies the party's respective funding obligations. Approval of the funding plan by ODOT and City will also serve as ODOT's written statement that the identified improvements in the IAMP and in the Woodburn TSP are reasonably likely to be provided by the end of the planning period. This determination shall be effective when all parties have signed this Agreement. The term of this Agreement shall begin on the date all required signatures are obtained and shall terminate upon completion of the Woodburn Interchange.
3. The parties agree that an additional agreement (or agreements) between ODOT and City may be needed to define the administrative process to transfer funds when specific funding sources are identified and funding participation responsibilities are finalized.
4. ODOT and City agree that the overall cost responsibility for funding the Woodburn Interchange reconstruction shall be shared by ODOT and City.
5. ODOT and City agree that the current total reconstruction cost estimate for the Woodburn Interchange is \$48 million.
6. ODOT and City agree that the total City financial contribution towards reconstruction of the Woodburn Interchange shall be \$8 million.
7. ODOT and City agree the \$2.5 million provided by City to ODOT in 2004 (Agreement No. 21,002) to acquire the Zimmel property shall be included as part of City's total financial contribution to reconstructing the Woodburn Interchange.
8. ODOT and City agree that all costs to reconstruct the Woodburn Interchange above the \$8 million provided by City shall be the responsibility of ODOT.

CITY OBLIGATIONS

1. City shall develop and implement funding mechanisms sufficient to ensure its financial contribution. These mechanisms may include private contributions, system development charges, special district fees, general revenue measures, bonding, or any other means at City's disposal that do not involve state transportation funds, or federal transportation funds authorized under Title 23, United State Code (USC). City shall, however, be released from its financial obligations under this Agreement if ODOT receives additional federal funds dedicated to the total project cost.
2. City shall contribute \$8 million as its total local financial contribution towards reconstruction of the Woodburn Interchange. This contribution will be due no later than two years from the date ODOT issues the "Notice to Proceed" for the reconstruction project. The \$2.5 million already provided to ODOT as described in Terms of Agreement Paragraph 7 shall count as part of the \$8 million total to which City is obligated under this Agreement.
3. City will continue to advocate for the state and federal funds to fund the remaining costs to reconstruct the Woodburn Interchange consistent with the priorities established by the OTC.
4. City will continue to advocate for the Woodburn Interchange reconstruction project as a high priority within the MWACT project recommendation process.
5. City will work cooperatively with ODOT to market property remnants resulting from right of way purchased for the reconstruction of the Woodburn Interchange.

ODOT OBLIGATIONS

1. ODOT Region 2 will continue to advocate for the state and federal funds needed to reconstruct the Woodburn Interchange consistent with the priorities established by the OTC.
2. ODOT Region 2 will continue to advocate for the Woodburn Interchange reconstruction project as a high priority within the MWACT project recommendation process.
3. With MWACT support, ODOT Region 2 will advocate for the Woodburn Interchange reconstruction project as a high priority within the Region 2 all Area Commission on Transportation (all ACT) project recommendation process.
4. With "all ACT" support, ODOT Region 2 will advocate for the Woodburn Interchange reconstruction project as a high priority within the statewide project selection process.

5. Upon selection for funding as part of the statewide project selection process, ODOT will include the Woodburn Interchange in the construction section of the STIP at its earliest practical opportunity pursuant to the project recommendation and selection process described in ODOT Obligations, Paragraphs 2, 3, and 4 above.
6. In order to offset the cost of reconstructing the Woodburn Interchange and expedite its reconstruction, ODOT Region 2 staff will work with ODOT to try to direct revenue received from the resale of property remnants from right of way purchased for the reconstruction of the Woodburn Interchange to the project funds needed to reconstruct the Woodburn Interchange.
7. ODOT shall, upon execution of this Agreement, regard the Woodburn Interchange reconstruction described in the Woodburn TSP and in the Woodburn IAMP as a planned improvement for the purpose of implementing the Woodburn Comprehensive Plan and meeting the requirements of the Transportation Planning Rule, OAR 660-012-060(4)(c) (A) and (B).

GENERAL PROVISIONS

1. This Agreement may be terminated by either party upon 30 days' notice, in writing and delivered by certified mail or in person, under any of the following conditions.
 - a. If either party fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
 - b. If either party fails to perform any of the other provisions of this Agreement or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from either party fails to correct such failures within 10 days or such longer period as either party may authorize.
 - c. If either party fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow either party, in the exercise of either party's administrative discretion, to continue to make payment for performance of this Agreement.
 - d. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or if either party is prohibited from paying for such work from the planned funding source.
2. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination. This does not obligate either party to fulfill any portion of this Agreement that has not been fulfilled prior to its termination.

3. City acknowledges and agrees that ODOT, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of City which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of three years after final payment. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by ODOT.
4. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
5. This Agreement constitutes the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of ODOT to enforce any provision of this Agreement shall not constitute a waiver by ODOT of that or any other provision.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

The Oregon Transportation Commission on June 18, 2003, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations, including activities required to implement the biennial budget approved by the Legislature.

SIGNATURE PAGE TO FOLLOW

City of Woodburn/ODOT
Agreement No. 23,240

On November 10, 2004, the Director of the Oregon Department of Transportation approved Subdelegation Order No. 2, in which the Director delegates to the Deputy Director, Highways the authority to approve and sign agreements over \$75,000 when the work is related to system plans approved by the Oregon Transportation Commission, or in a line item in the biennial budget approved by the Director.

CITY OF WOODBURN, by and through its
elected officials

By [Signature]
Title CITY ADMINISTRATOR

By _____
Title _____

Date 5-2-06

APPROVED AS TO FORM

By [Signature]
City Legal Counsel

Date 05/05/2006

Agency Contact:
City Administrator
City of Woodburn
270 Montgomery Street
Woodburn OR 97071

STATE OF OREGON, by and through
its Department of Transportation

By [Signature]
Deputy Director, Highways

Date 06/06/06

APPROVAL RECOMMENDED

By [Signature]
Region 2 Manager

Date 5/19/06

**APPROVED AS TO LEGAL
SUFFICIENCY**

By [Signature]
Assistant Attorney General

Date 6/01/06

Summary of Wetlands and Water Quality Impacts

Interstate 5 @ Woodburn Interchange Project & EA

Summary of Wetland and Water Quality Impacts

Intended for review by CETAS members, as project update information

Environmental Project Manager: Rod Thompson (503) 986-2690

Project Leader: Terry Cole

Project Consultant: CH2M HILL

Introduction

This project was originally presented to CETAS in 2003 by Heather Catron and Jim Cox for Triage. CETAS members agreed that the project did not need to be tracked by CETAS as a group, but a review of the wetland and water quality impacts was requested.

This summary provides a review of the impacts that would likely be associated with the project, should a build alternative be chosen. The Environmental Assessment (EA) has been through the Study Committee review and is in its final stage of internal review prior to publishing. The EA is expected to be published and distributed in April of 2005, with a public hearing to be held soon thereafter.

A formal stakeholder working group and a local access committee—both comprised of local residents and business owners, and local, state, and federal agency representatives—have had substantial involvement and input into the feasibility and design process for this interchange improvement project. The EA outlines the various alternatives that were put through the evaluation criteria developed collaboratively by the ODOT project development team and the two local committees.

This summary briefly depicts and/or describes the project location, purpose and need, alternatives studied in detail, and estimated wetland and water quality impacts of those alternatives. Mitigation options are generally described in the EA and briefly summarized here, but specific mitigation proposals will not be developed until the final design stage of project development if a build alternative is chosen.

Project Description and Location

ODOT proposes to reconstruct the interchange at the junction of Interstate 5 (I-5) and Oregon 214 and 219 (also known as the Newberg Highway and Hillsboro/Silverton Highway, respectively) from the existing standard diamond design to a partial cloverleaf-A design (loop ramps in advance of the overcrossing structure of I-5). The bridge structure over the interstate and the roadways of Oregon 214 and 219 (Oregon 214 to the east and Oregon 219 to the west of the interstate) would be widened (from three to five travel lanes). The project would include new sidewalks with an additional landscaped buffer between the sidewalk and the curb. One bicycle lane would be provided in each direction along Oregon 214 and 219. A raised median would be added and modifications to access for at least three city streets in the immediate project area would be made.

Purpose & Need

The purpose of the Woodburn Interchange Project is to improve traffic flow and safety conditions of the existing I-5/Woodburn interchange. The existing interchange does not meet current design and operational standards, which causes traffic to move at slower speeds and increases congestion. Future growth predicted in the interchange area will increase congestion problems, increase the difficulty to access adjacent businesses, and increase the risk of safety to drivers, bicyclists, and pedestrians.

Alternatives Analyzed in the EA

Two build alternatives and a No Build Alternative are evaluated in the environmental assessment. The build alternatives include the I-5 interchange reconstruction and two improvement options (alternatives) for widening Oregon 214 and 219. An access option providing local access south of Oregon 214 (a backage road) is also evaluated with the build alternatives.

Alternative 1: Widen Equal

Alternative 1 would widen Oregon 214 and Oregon 219 approximately equally to the north and south from the existing centerline of the roadway. The design of Alternative 1 would include all improvements described above under Project Description.

Alternative 2: Widen North

Alternative 2 would widen Oregon 214/219 solely to the north of the existing road, except for sidewalk and bicycle lane improvements that would be constructed south of the existing edge of pavement. The interchange design and basic Oregon 214 cross-section of Alternative 2 is the same as Alternative 1. The only difference design-wise between Alternative 1 and Alternative 2 is that Alternative 2's alignment is farther north than Alternative 1. The approximate difference is about 30 feet.

Summary of Wetland & Water Quality Impacts

Affected Environment

Native vegetation communities have been almost entirely eliminated in the project area by urban development and management, including road-associated grading, commercial and residential development, and ongoing vegetation maintenance (especially within rights-of-way). Human development in the area is so prevalent that vegetation communities are best considered as patches within the matrix of impervious surfaces and buildings. Existing vegetation in the project area is primarily manicured urban landscapes, mowed undeveloped lots, weedy herbaceous wetland ditches, and mowed highway right-of-way. Hedgerows and scattered shrub thickets also occur. Open fields have in most cases been subject to historic grading activities, especially in proximity to the interstate.

Noxious and invasive weed species are pervasive. Field reconnaissance surveys failed to locate any rare plant species in the project area. Based on a literature review of listed plant species with the potential to occur in the vicinity, no suitable habitat remains within the project area. Previous development has disturbed or eliminated most native habitats.

Wildlife in the project area has been and continues to be heavily influenced by human activity. Nearly all of the landscape is heavily fragmented by urban developments that restrict the movement of species. Obstacles include roadways, fences, and culverts, as well as degraded habitats. No state or federally listed threatened or endangered wildlife species are known or suspected to occur in or near the project area.

The Woodburn Interchange Project is located in the Molalla-Pudding Watershed in the Willamette Basin and lies within an urban area made up of commercial and residential properties, and the I-5 corridor. The project area is generally flat with minimal slope. The major surface water body in the project area is Senecal Creek. The project lies partly in the drainage area for Senecal Creek and partly in the drainage area for Mill Creek. Surface runoff from I-5, Oregon 219, and a portion of Oregon 214, along with their adjacent properties, flows to Senecal Creek. Surface runoff from a portion of 214 flows to a closed-pipe storm sewer that discharges into Mill Creek. Both creeks flow north to their confluence with the Pudding River.

Senecal Creek is not listed as a “water quality limited stream” on the Oregon Department of Environmental Quality (ODEQ) 2002 303(d) list, nor is it listed as having potential concerns. Sampling was done to determine herbicide/pesticide levels, but the creek was found to be below the criteria limit for the chemicals tested. Mill Creek’s water quality is of concern because of flow modification and habitat modification, but no TMDL is needed (a TMDL or total maximum daily load is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. The TMDL is a sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources). The Pudding River has TMDLs set for dissolved oxygen, and is on the ODEQ 303(d) list for temperature, fecal coliform, and DDT.

Seven wetlands and/or Waters of the State/U.S. were identified in the project area (see attached figures). Of these, one wetland (Area B) is an artificially created stormwater facility located outside of any potential impact zone, and two wetlands (Areas A and C) are likely non-jurisdictional as man-made drainage ditches in non-hydric soil types. Two wetland ditches (Areas D and E) and two portions of a mostly culverted creek (Areas F and H) are likely jurisdictional as waters of the State and U.S. (Another wetland, wetland G, was identified in the field but is not close enough to the proposed project to be affected.)

These wetlands were either created as drainage or stormwater facilities or are heavily altered, remnant headwater streams. Water F and Wetland H are part of the headwater system of East Senecal Creek. The majority of the creek within the project area is culverted; however, the areas shown on Figure 3-1 (wetlands) are short lengths of open channel. Very sluggish water movement was observed in these areas. No flowing water was observed at the other wetlands during the site visit and the lack of scour or other indicators suggests that drawdown occurs frequently, although some wetlands did contain standing water. Riparian vegetation for all wetlands is dominated by herbaceous species with a few shrubs in some areas.

The predominant character of wetlands in the project area is low quality, weedy herbaceous ditches that provide water storage in the area. Typically dominant species include watergrass (*Echinochloa crus-galli*), reed canarygrass (*Phalaris arundinacea*) and soft rush (*Juncus effusus*). Total wetland area within the project area is approximately 0.7 acre, of which 0.64 acre is likely jurisdictional.

Impact Area Description

Habitat Potentially Impacted by New Construction

Project construction would potentially impact habitats consisting primarily of uplands and historically drained lands. Upland habitats that would be affected are primarily mowed lawns, ornamental borders, weedy zones, and agricultural fields. All areas are fragmented by roadways and fences, and limited by noise, lighting, and limited cover. A small number of wetland and water areas exist. These areas are associated with drainageways and topographically low areas. The drainageways provide limited connections to ecologically higher-value aquatic habitats outside of the project area.

None of the aquatic areas support food or game fish, including salmonids. Some upland and wetland habitats contain plant species or structural elements that may be associated with special status species. Examples include wetlands, waterways and ditches, disturbed uplands possibly supporting timwort, and uplands with concentrations of English plantain (*Plantago lanceolata*) that are preferred by Taylor's checkerspot butterfly (*Euphydryas editha taylori*). However, no unique habitats or habitats occupied by special status species exist where new construction would occur.

Estimated Water and Wetland Impacts of Alternative 1: Widen Equal

This alternative would result in the creation of 53,143 square feet (1.22 acres) of additional impervious surface area in the Mill Creek sub-basin and a net increase of 76,230 square feet (1.75 acres) of impervious surface area in the Senecal Creek basin. It is expected that part or all of the Water F wetland may be filled to accommodate the new construction in that area. The fill area is not located within a regulatory floodplain or floodway. Placement of fill in this area is expected to require extending the existing culvert sections entering the wetland. Other culverts and stormwater collection system piping, inlets, etc. may require realignment or increased capacity, depending primarily on final project grading and roadway profile.

Approximately 0.003 acre of Wetland A would be impacted by improvements proposed in Alternative 1. This small roadside ditch has negligible habitat value and was most likely created from upland soil for stormwater drainage purposes. It will likely be determined non-jurisdictional as a water of the State/U.S. No other wetlands/waters of the State/U.S. identified in the project area would be impacted or disturbed by Alternative 1.

Estimated Water and Wetland Impacts of Alternative 2: Widen North

Under this alternative the impacts to water quality would be similar to those described in Alternative 1. This alternative would result in the creation of 62,290 square feet (1.43 acres) of additional impervious surface area in the Senecal Creek sub-basin and 54,450 square feet (1.25 acres) of additional impervious surface area in the Mill Creek sub-basin. As in Alternative 1, fill of wetlands and other roadway construction would likely have additional impacts.

Alternative 2 would have the same effect on Water F as Alternative 1 (Figure 4-2). Slightly less (approximately 0.002 acre) of Wetland A would be impacted by Alternative 2 than for Alternative 1. As mentioned for Alternative 1, Wetland A will likely be determined non-jurisdictional as a water of the State/U.S. No other wetlands/waters of the State/U.S. identified in the project area would be impacted or disturbed by Alternative 2.

General Mitigation Design Options

Water quality mitigation for highway runoff is intended to protect beneficial uses, meet any applicable TMDLs in the receiving waters, and prevent a net increase in the pollutant load discharged to receiving waters. Protecting beneficial uses also requires, at a minimum, also achieving the latter

two goals. Because there are no TMDLs set for Senecal Creek and Mill Creek, the focus for this project is on not increasing the pollutant load in the two streams. This can be achieved by providing full treatment (average pollutant removal capability of 70%) for the water quality design storm for runoff from an area of highway equivalent to 140% of the new impervious surface area. Treating more area would result in a net decrease in pollutant load.

Multiple techniques and types of facilities can be used to treat stormwater. These include detention basins and vegetated water quality swales. Where detention is already being provided for hydrologic mitigation, it is often feasible to construct the basins so they also provide water quality treatment.

Compensatory wetland mitigation may be required by the Army Corps of Engineers and the Oregon Division of State Lands (ODSL) for the 0.01-acre impact proposed by both build alternatives to Water F, a small area of open creek channel. Personnel within the ODSL wetlands/water permitting program will be contacted regarding the applicability of mitigation for the proposed impact. One mitigation option would be to provide onsite riparian plantings to offset the small amount of impact to the drainage system due to Water F impact. Another option, if compensatory mitigation is required, would be to propose off-site mitigation, which State guidance allows for projects involving less than 0.2 of an acre without first considering onsite mitigation (OAR 141-085-0121(3)). The preferable method for satisfying off-site mitigation requirements is to purchase credits at a mitigation bank that services the area. An approved mitigation bank (Weathers) is located southwest of the project area that provides service for the Woodburn region. It is likely that, should mitigation be required for the proposed 0.01-acre stream impact, it would be satisfied by purchasing credits at the Weathers mitigation bank.

Compensatory mitigation for proposed impacts to Wetland A is unlikely to be required pending confirmation of non-jurisdictional status. Should mitigation be required, purchasing mitigation bank credits would likely satisfy requirements.

Attachments:

1. Vicinity Map
2. Wetland Locations, Alt. 1
3. Wetland Locations, Alt. 2

Wetland Determination Woodburn I-5 Interchange Woodburn, Oregon

PREPARED FOR: Larry Weymouth/CVO

PREPARED BY: Peggy O'Neill

DATE: April 20, 2006

PROJECT NUMBER: 335532

CH2M HILL conducted a review of a determination of jurisdictional status for a ditch identified in a 2003 Wetland Delineation report for the project for the purpose of complying with the permit requirements of Section 404 of the Clean Water Act and the Oregon Removal-Fill Law. The review was warranted by new guidance and clarification of determination of jurisdictional status of ditches by the Corps and Oregon Department of State Lands since preparation of the original report.

Regulatory Guidance

Federal Jurisdictional Guidance

Portland District of the US Army Corps of Engineers recently provided the following clarification and guidance for determination of jurisdictional status of ditches as wetlands or water of the United States under federal wetlands regulations.

"The Portland District might regulate surface ditches if they act as tributaries to waters of the United States. The Portland District will regulate drainage ditches excavated in wetlands where the excavated material is sidecast into the wetland; the jurisdictional status of a water of the United States, such as a wetland, cannot be changed through excavation and sidecasting. However, where material is excavated and transported to an upland site, the excavation of a ditch is not regulated by the Corps as long as the excavation does not occur in navigable waters. Many "drainage ditches" in Oregon are, in fact, channelized streams. Portland District will consider such streams to be within its jurisdiction, even though they may now look like, and act like, man-made drainage ditches."

The Corps retains the right to make jurisdictional determination of ditches on a case-by-case basis.

State Jurisdictional Guidance

Oregon Department of State Lands generally regulates ditches as artificially created waters which are considered waters of the state (OAR 141-085-0015(e)(B)). A ditch is regulated if

- 1) it is greater than ten feet wide, or
- 2) it contains food and game fish, and

- 3) there is a free and open connection to a waters of the state (including wetlands). Connection can be via a pipe or culvert over a short distance, such as across a road.

Results

A CH2M HILL wetland biologist visited the site on April 11, 2006. Site conditions were as described in the 2003 Wetland Delineation Report where it is described as "Wetland A." It is described as a narrow roadside ditch located south and parallel of Oregon 214 near the eastern limit of the project area. The ditch averages 2 feet wide and was constructed in non-hydric soil in a manicured, urban landscape. The ditch meets criteria for wetland soils, vegetation, and hydrology.

The ditch drains through a culvert, apparently to a storm drainage system. The storm system appeared to drain east/northeast to either Mill Creek or a tributary to Mill Creek. A phone conversation with Randy Smith, City of Woodburn Stormwater Engineer (Pers. comm., April 13, 2006) confirmed that this ditch drains to a stormwater system maintained by Oregon Department of Transportation. Mr. Smith said that the system discharges to Mill Creek approximately 1.3 miles east of the ditch.

Because the ditch is less than ten feet wide, does not contain food or game fish, and is not freely connected to a wetland or water of the state, it is not subject to regulation under Oregon Removal-Fill law.

Mill Creek meets criteria for regulation as a water of the U.S. under federal wetlands regulations. However, because the ditch drains to a storm drain system that discharges to a federally regulated water, it appears to meet criteria for jurisdiction under federal wetlands regulations. As a result, a Federal permit will be required before work can be performed in this ditch.

This report documents the investigation, best professional judgment and conclusions of the investigator. It should be considered a Preliminary Jurisdictional Determination and used at your own risk until it has been reviewed and approved in writing by the Oregon Division of State Lands in accordance with OAR 141-090-0055 and by the US Army Corps of Engineers.

APPENDIX D

Public Hearing Transcript

OREGON DEPARTMENT OF TRANSPORTATION

PUBLIC COMMENT ON
THE WOODBURN INTERCHANGE PROJECT

Thursday, July 21, 2005

4:30 p.m.

Located at:
Hoodview Church of God
1530 Mount Hood Avenue
Woodburn, Oregon

Taken Before: Jea H. Oh, Court Reporter
Naegeli Reporting Corporation

APPEARANCES

- .
- PUBLIC COMMENT FACILITATOR
- .
- Lisa Marie Ansell - Project Leader
- .
- .

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WOODBURN, OREGON; THURSDAY, JULY 21, 2005

PUBLIC COMMENT

MS. ANSELL: Would you give us your name and spell it, and your address?

MR. PILAFIAN: John Pilafian,
P-i-l-a-f-i-a-n.

MS. ANSELL: Thank you. And your address?

MR. PILAFIAN: 2058, 2-0-5-8, Rainier Road.

MS. ANSELL: Okay. Thank you.

MR. PILAFIAN: Okay. Alternate --
Alternative 1 rather than Alternative 2.

Alternative 1. Alternative 1, I talked to them --
when I spoke to them, will take the least amount of
property. Alternative 2 may have to condemn the
property. So what do I do if I want to express
myself that I want Alternative 1?

MS. ANSELL: I think you're doing that right
now.

MR. GERVAIS: She's recording you.

MR. PILAFIAN: Thank you. You know, that
guy's all over the place.

MS. ANSELL: Isn't he?

MS. PILAFIAN: I don't know who he is, but
he goes around and takes pictures. I'm worried about
my privacy (laughter).

MS. ANSELL: Okay.

MR. GERVAIS: It's a public meeting.

MR. PILAFIAN: I've got to be nice. I get \$12 doing his windows every month (laughter).

MR. GERVAIS: Talking about that --

MR. PILAFIAN: Anyway. Anyway, so how do you make your decision finally? The greatest number of opinions about a given alternative?

MS. ANSELL: We take all of the information given to us, then we take a look at everything, and we look at what's been raised, and then it's analyzed.

MR. PILAFIAN: Now, when a property is taken over, Alternative 2, I think is so much that they may have to condemn the property, and they go for the fair price of the property to give to the owner?

MS. ANSELL: Yeah.

MR. PILAFIAN: Oh, brother.

MS. ANSELL: And there's a -- there's a right-of-way person right out there, his name is Ryan Brown, and he's right across the hall here, and he can answer your questions about right-of-way.

MR. PILAFIAN: Ryan Brown?

MS. ANSELL: Uh-huh.

MR. PILAFIAN: Okay. I want to take this

back and go to talk to him.

MS. ANSELL: Okay. All right.

MR. PALFIAN: Thank you.

MS. ANSELL: Anything else?

MR. PILAFIAN: Not too, too bad.

MS. ANSELL: Is that all?

MR. PILAFIAN: Okay. Thanks so much.

MS. ANSELL: Thank you so much.

MR. PILAFIAN: So are we going to get --
those of us who signed our name and address, we're
going to get a report on this in the mail?

MS. ANSELL: I can sure find out from Jamie.

MR. PILAFIAN: Yeah. Well, how else will we
find out? Through the paper or --

MS. ANSELL: Or on our website. I can talk
to Terry Cole.

MR. PILAFIAN: I've got a beautiful
computer. Anyway, go to copy, all of a sudden, you
try to turn the switch up, and it will go up in
smoke. Is she writing all this down?

MR. GERVAIS: Yes.

MR. PILAFIAN: Gee.

MS. ANSELL: I'll talk to Jamie, and we'll
see if we can get something out to everyone who
signed up.

MR. PILAFIAN: Yeah. Otherwise, there will be a variation of how -- what information. I don't want to be driving there.

MS. ANSELL: All right. Thank you.

MR. CLARK: So are we supposed to be taking recordings of -- what was his name?

MS. ANSELL: Yes, sir. Are you here to give testimony?

MR. CLARK: I am. Then you record it?

MS. ANSELL: Yes, we're going to record it.

MR. CLARK: And then it will just be played or you'll have it another way?

MS. ANSELL: We'll have it -- she's actually going to put it all together and write it up.

MR. CLARK: Uh-huh.

MS. ANSELL: Yeah. So if you're here to do that, I'll have you state your name and spell it, so she can get that down, and your address.

MR. PILAFIAN: What was that name?

MS. ANSELL: Ryan Brown.

MR. PILAFIAN: Ryan Brown. I'll write that down.

(New testimony.)

MR. CLARK: Randy Roman here? Is this the public testimony?

MS. ANSELL: Right.

MR. CLARK: My name is Harry Clark. I live at 950 Evergreen Road, Unit 115 in Woodburn. My cell phone is (503) 951-6735. I recently moved from California to Oregon, and I wrote a letter to Senator -- State Senator Peter Courtney stating that I thought the highways in Oregon were probably the worst highways that I have driven on since I've been driving, since 1950. The rutting in the highways and Highway 5, the hydroplaning that's very easily done, and the lack of interchanges getting off the highway to major businesses within the state is quite apparent in Oregon. And, of course, this exchange, I consider it probably the biggest fiasco I've ever seen.

The approval of the retail outlet stores on the west side of the freeway, Highway 5, the northwest side of the freeway, why it was approved in the first place -- one of the problems is that most developments have the mitigation of traffic, which obviously was not done here. The tentative or temporary restructuring here because of the Wal-Mart expansion is absolutely incredible and is somewhat of a tremendous safety problem to the citizens of Woodburn because of the traffic that telescopes back

from the interchange during rush hour or peak hours. This is the main road to Molalla, so there's no indication here where to turn to go to Wal-Mart, so trucks are turning into the Country Club Restaurant and going across the lot, breaking curbs or turning in at the McDonald's exchange and breaking curbs, they're turning in at Evergreen and breaking curbs, and they're breaking curbs or going over the curbs going into Evergreen to Wal-Mart. So it's -- there's businesses that's been shut down. So it's an incredible, ill-planned, temporary fix to a major, major problem in Woodburn.

The Woodburn population is about 20,000 people. This interchange had been built back in 1980 to compensate or accommodate the expanded growth that was going to happen in Oregon. Therefore, the insight and the planning of the state has been very, very shortsighted, and I am quite frankly -- quite frankly, I am very, very disappointed in what they have done.

The tentative planning of the new construction of the interchange and doing a correcting of the interchange has some faults, and it -- basically, the stopping the four-lane to a two-lane narrowing of the roads at Roaton Avenue to

the old church -- the church here is a tremendous mistake. We've got trucks that are funneling to Molalla, and out of Molalla back through here. During business hours or extensive hours when there is traffic congestion, these trucks back up now almost to the interchange when they're trying to get through this two-lane road. And when they're coming from Molalla, they're backing up to 99 and past 99 to the east. So why they're not widening it and connecting it to where it's already a four-lane here in front of the Church of God is, again, extremely poor planning because it's a major road that leads all trucks to Molalla and trucks from Molalla to Highway 5. We don't need further continuance of problems with traffic, and traffic jams, and trucks coming through.

The city -- or the state decided to build a high school -- started to build the high school in that area. There's no overpass going over Highway 214, so all the traffic has got to stop during school months, which, again, telescopes the traffic back to 99 and up to Highway 5 exchange. There should be an overpass put over there in that area where the school kids can go over the freeway and 214, and there's roads that should be widened and continue to be

widened. I wouldn't even consider this exchange to be approved unless that was done out to the Church of God, and make it a four-lane all the way through to allow traffic, and put an overpass for the high school kids to safely go across the street.

And, incidentally, a lot of these high school kids do not pay attention. They come out of the high school, and then the traffic is constantly a problem because the kids don't wait, they just get into the interchange -- or the light -- the crosswalk, and they're just funneling out and traffic continues backing up, and I've seen days where it's been all the way backed up to Highway 5. And it's a serious problem. It's a safety problem with the high school kids in that area, it's a problem of safety for the City of Woodburn, and the state needs to consider continuing on with the widening all the way out.

The approval of the outlet malls, and the Wal-Mart expansion, and the various hotels and motels being built in the area, and the further development of the area south and -- south and west of Highway 5, has further increased the traffic problem within our city. Therefore, I think the state needs to really take a good look. And I also think that this project

should be put on the front burner. If it's not on the front burner, I really intend to get involved with newspapers and television to try to embarrass the state into what they should have done in 1980. Thank you very much for giving me the opportunity to express my opinion.

MS. ANSELL: Thanks for coming out.

MR. CLARK: I know one of things they do out there in -- California has subdecks. But in this state, it's just a real problem. For instance, on Highway 5, which remained an artery through Oregon, there aren't enough interchanges. Silverton Road in Salem -- I mean, Salem's a capital. There should be two more interchanges in Salem. You know, like this, Silverton Road should be one, and I think, what is it, Market Street should be another -- no, Market Street's already. Maybe State Street or something like that. And, of course, there's other -- that way and whatever, but they've got problems.

Another problem they've got is -- you know, I've driven all over the United States. I've traveled extensively. I have never traveled on a freeway that has rutting in it, and the car goes like this. I have never traveled on a freeway where you hydroplane on a little rain. I've hydroplaned twice.

Somebody better -- I'm going to get involved. I'm madder than hell, to tell you the truth, because I think it's -- anyway.

MS. ANSELL: Thank you.

MR. CLARK: Yeah. We'll see you.

MS. ANSELL: Okay.

MR. CLARK: Thanks for giving me the opportunity to say something.

MS. ANSELL: You're welcome.

(New Testimony.)

MS. ANSELL: Could I get your name so it can be part of the recording, so we get that comment?

MS. PHIPPS: Okay. I'm Virginia Phipps, and I live at 1500 Rainier Road. And I'm right on the corner of Astor and Newberg Highway.

MS. ANSELL: And how do you spell Phipps?

MS. PHIPPS: P-h-i-p-p-s.

MS. ANSELL: Thank you.

MS. PHIPPS: And I was just wondering, with all the traffic there on Astor way, they come up, start turning and everything, and there's a lot of traffic we get there from the apartments that are back there, too, and there is so much confusion. When the people get up there to turn left, there's always somebody behind honking their horns because

they don't think that they're turning fast enough. They think they can see and can judge better than the one in front of them, I guess. But I think we need a light there or something. It just drives me crazy.

MS. ANSELL: Okay.

MS. PHIPPS: Well, it would be nice. I know that's beyond, but I just thought I'd ask somebody, you know? Now I'll go home and fix supper.

MS. ANSELL: Thank you.

MS. PHIPPS: I hope.

(New Testimony.)

MS. ANSELL: Would you like to --

MS. SHAW: I have typed this out today. I don't know. I found out a little bit more information, so --

MS. ANSELL: Okay.

MS. SHAW: So I don't care which one, just pick one.

MS. ANSELL: Okay. Is that what this says?

MS. SHAW: Pretty much, because my house is affected no matter what. I live in the house right on Country Club and -- near the first one, so my house will get hit bad no matter what happens.

MS. ANSELL: Okay. So we'll just take this, and -- okay.

MS. SHAW: Yeah.

MS. ANSELL: Great. Thank you. Sonnie
Shaw, s-o-n-n-i-e S-h-a-w.

(New Testimony.)

MR. COLLINS: Gerald Collins, 1251 Bernard
Street.

MS. ANSELL: Okay.

MR. COLLINS: The only thing I would say
from what I see there is that I would advocate that
the City of Woodburn, the residents of Woodburn, be
encouraged to pay whatever costs to put the utilities
underground at this time.

MS. ANSELL: Oh, okay.

MR. COLLINS: Whatever needs to be done to
do that at this time would be much cheaper in the
long run, and it would certainly enhance the
visibility of anybody coming into the city. I live
right off of Boones Ferry, and what they did there
were all assessed for it, and I welcome the
opportunity to have it done at this time, rather than
piecemeal.

MS. ANSELL: Uh-huh.

MR. COLLINS: And I think in the long run,
that's the way to go.

MS. ANSELL: Okay.

MR. COLLINS: Okay?

MS. ANSELL: Thank you so much.

MR. COLLINS: That's the only thing I have
to say.

MS. ANSELL: Okay. Thank you.

MR. COLLINS: Are you a resident of
Woodburn?

MS. ANSELL: I'm not. I live in Albany.
But I work in -- I worked for ODOT for 21 years, and
I work out of the Salem office, and I'll be the
project leader for this job, pulling together the
plans and estimates.

MR. COLLINS: Okay.

MS. ANSELL: Okay.

MR. COLLINS: You were born and raised in
this state?

MS. ANSELL: In Oregon, yes, I was.
Willimina. I'm not sure if you know where that is,
but --

MR. COLLINS: Yeah. I was born down
south -- in the southern part of the state.

MS. ANSELL: Okay.

MR. COLLINS: Just a couple of years before
you.

MS. ANSELL: Okay.

MR. COLLINS: Maybe three or four.

MS. ANSELL: Thank you.

MR. COLLINS: Thank you.

(New Testimony.)

MS. ANSELL: If you'd like to state your name, and if you could spell it.

MR. KOHN: Okay. Art Kohn. Hey, wait a minute. Here's something that just came in the mail when I left.

MS. ANSELL: And your address is 1330 Rainier Road?

MR. KOHN: Correct.

MS. ANSELL: Okay. Great. Thank you.

MR. KOHN: Okay. I tell you what I'm -- I think -- my feeling on this, and I wrote it, but I didn't know -- I scribbled it down rapidly, so I thought I better come and speak to someone. I think it's totally unnecessary for what's planned for -- are you familiar with this area?

MS. ANSELL: A little.

MR. KOHN: Okay. From Boones Ferry Road which is where the light's at, all the way to Country Club/Oregon Way, it's a residential area. The big problem is right here in the business section. If they want to make these four lanes, fine. The

cloverleaf, they need very badly. Here, I have never had any problem here. This, I believe, is called an S-curve. I've never had any problem, except I wanted to get any Butteville Road once, and on this curve -- I can't find Butteville Road.

MS. ANSELL: I think that's up here. You know what I mean?

MR. KOHN: Okay. Okay. Yeah. Okay. Yeah. Here's Butteville.

MS. ANSELL: It's up here.

MR. KOHN: Okay. Yeah. Okay. So this is the S-curve then?

MS. ANSELL: This is where Wal-Mart is.

MR. KOHN: Okay.

MS. ANSELL: And you come down here, and Boones Ferry is down here.

MR. KOHN: Okay. So, anyway, yeah. Here's my house. Boones Ferry is down here all the way to Oregon Way, Country Club. No, that's Evergreen, and here's --

MS. ANSELL: This the Butteville area.

MR. KOHN: Yeah. Country Club and Evergreen. I really feel -- I spoke to my neighbors, too. We feel this is a waste of money. It's not necessary. The big problem is here to the

interchange, so two full lanes there. And we've never had any problem here. In fact, as it stands now, you get off, and if you have to get -- you leave here, and you get off coming to the north, the line is so long, you can hardly -- you can't get off the freeway. So you get off, you go here, then you turn around, and you come back. So that's the problem there. The big problem is here.

Also -- we also had asked -- oh, we had a meeting at the Senior Estates. Well, anyway, so you know my feeling and my neighbors' is that this is completely unnecessary from Boones Ferry to Oregon Way. Leave it alone as it is.

We do have -- for instance, we found out that the -- for instance, the back of my house is right here. In the back, we have a fence. In the back there's vegetation, and then a sidewalk, and right next to the sidewalk is the road. When I moved in, I was told -- the city says we have to take care of this vegetation. I asked someone from the city, his name is Randy Roman. He said, "No, it's state property." Well, no one has ever been there to take care of it. We take care of it ourselves. And he said, "Well, it's state property." I says -- so I happen to like roses, so I let Queen Anne's Lace grow

because ladybugs breed in it, and they eat the aphids, and so I don't have to use chemicals on my roses. I prefer that. So, anyway, we've been taking care of it, and people have been putting paper down, and then, you know, some rocky roads. We have no problem there.

However, one thing which I brought up and others brought up at the meeting we had at the Senior Estates, which is the one before this, we asked why there couldn't be an interchange down on Parr Road. And if you go -- this is the north, this is the south. You go to this Butteville Road. If you go here, there's a Butteville, and right below the farm land is this Parr Road. It's mostly farm land. There's a stream or two on it, but there's no businesses, and you could go right over to 99E. We were told -- we were told then at that time that, no, we can't do it because 99E is a federal road, and you can't get an interchange there, and then something else. Before that, I just met a lady, she said, "No. We were told that they're not going to do it because some other reason." So we kind of feel, hey, wait a minute, we're getting different reasons why this can't be done. This could be done, but it wouldn't be necessary. It wouldn't be necessary to even do

this here completely. And with the trucks, we wouldn't even need the cloverleaf. So this is not the problem.

So I'm telling you this is how we feel, okay? Parr Road would be better than messing around with this, and it should be cheaper. You know? We can't feel why -- I mean, you got businesses you to pay for here, there's banks, we're told that a house here would go -- today we learned it wouldn't have to go, this house right at the corner here. So I don't know what the plan is, but I thought, hey, I wrote it down, but I scribbled it, and now I'll tell you. Can you ask me any questions so I'm sure that you understand what I'm trying to get across?

MS. ANSELL: Well, I think what you told me is that you believe the best alternative would be down here at Parr Road. Strike the interchange completely and stay out of here.

MR. KOHN: Correct.

MS. ANSELL: And if that's not doable, then the next least impact would be from Oregon Way, Country Club to where we have today, but leave everything east alone.

MR. KOHN: Yes.

MS. ANSELL: Okay.

MR. KOHN: Because we kind of feel it's unnecessary. In fact, that would be a waste of money. So --

MS. ANSELL: All right. Well, thank you, Art.

MR. KOHN: Thank you very much -- Lisa, is it?

MS. ANSELL: Lisa, uh-huh.

MR. KOHN: I knew that. I appreciate it. I appreciate it you coming and taking citizens' comments. We may be wrong, but we feel very strongly about this. And I'm assuming it states that we do want to support our community and our schools. However, this, many of us feel, you know, is a waste of money from Boones Ferry to Oregon Way, Country Club. So that's expressing myself.

MS. ANSELL: Thank you.

MR. KOHN: Thank you. Have a good day, and thank you for coming. Good evening.

(New Testimony.)

MR. STREET: I'm Ed Street. I live at 2112 Rainier Road.

MS. ANSELL: Okay. And that's Ed Street?

MR. STREET: Yes.

MS. ANSELL: Okay.

MR. STREET: My house is right here, the second house. My neighbor's the first house. She says they're going to take hers. And, I guess, any other plan except Number 1 where they widen equally, they probably have to take mine, too. And we don't want that to happen. We like the house, and we have the businesses a couple blocks away. I would like to see Highway 214 widened, but 15 feet or so with a sound wall would be wonderful.

MS. ANSELL: Okay. So you'd favor the widening on both sides?

MR. STREET: Yeah.

MS. ANSELL: You favor this Alternative 1 -- yes, Alternative 1, where it's equally widened.

MR. STREET: Yes.

MS. ANSELL: Okay.

MR. STREET: I don't know whether they'd have to take our house or not, but it looks like they would.

MS. ANSELL: Okay. Did you meet Ryan Brown, the right-of-way agent out there? Because he can answer questions, too.

MR. STREET: He answered quite a few. Not all of them, but --

MS. ANSELL: Okay.

MR. STREET: He didn't know how far or how tall the wall would be, and --

MS. ANSELL: Sure.

MR. STREET: Okay. That's all I have to say. Do you have anything to say? That is Janice, my wife.

MS. ANSELL: Hi. Well, thank you for coming in and sharing.

MR. STREET: Okay. Thank you.

MS. ANSELL: Uh-huh.

(New Testimony.)

MS. ANSELL: If you could state your name and address, and if you could spell you name for us, that will be helpful.

MR. GRAY: My home address?

MS. ANSELL: Sure.

MR. GRAY: Okay. Jeff Gray, 2040 City View Boulevard, Longview, Washington.

MS. ANSELL: And is it Gray with an A or an E?

MR. GRAY: A.

MS. ANSELL: A? Okay.

MR. GRAY: That's right. We have the Kentucky Fried Chicken, and, you know, I'd definitely like to see them go the equal route. And instead --

I think it's fair -- you know, if you're going down the line, it's a fair way to do it. I know back when they abandoned that Country Club Road, and it ended up going all to that property next to us. We kind of got messed over on that deal. We should have got half of that road. It should have went to our property. That would have been fair, but we kind of missed out on that deal, too.

We'd like to be able to stay there. You know, if they can widen equally, I don't know how many feet they're talking, but we could give up 10 or 15 feet on the front. All we'd have to do is lose our overhang and relocate our sign. You know, we do have a decent sized lobby, so that would work for us, you know. I don't know -- I don't know what the decision time is on this, whether they're going to go north or south, but -- I mean, north or equal, but I'm kind of holding off my remodel plans I had planned on doing there.

You know, with this funding shortage, it would be nice if they would maybe look at this project in parts instead of doing it all together. I think that when put in this clover up to this interchange where the Wendy's was, you know, if they could just do that and then see what happens. You

know, see what happens to the traffic. That alone, you know, might, you know, get the amount that they need for the project down further to where they can at least get something done, see how it works, and then maybe call it a different project as far as widening over to 99. You know, when you try to do it all at once, you know, you're going to face a lot more of opposition, you're going to get the residents involved, you're going to get a lot of people that are going to potentially stop it. You know, maybe not. I don't know.

MS. ANSELL: So, for the record, you were pointing from Evergreen Road to Woodland Avenue.

MR. GRAY: Right. If they would just concentrate on that, I think they would find that they would eliminate a lot of the traffic and shoot it in there. And then -- you know, and then maybe, you know, 10 years out might be the deal for widening over to 99. I think that would work. It's more reasonable. They're not trying to get \$50 million. You know, it just makes a whole lot more sense. So I would like to see them just break it down to that , you know. And then as we get more funding, maybe go on. But that just makes sense to me, so --

MS. ANSELL: Okay.

MR. GRAY: I mean, why effect all these people unnecessarily when I don't think it's really going to accomplish anything as far as speeding up that road. It's all there, you know. Who knows? That may not even get any. Then you've wasted all the other money. That's pretty much it.

MS. ANSELL: Okay. Well, thank you. I appreciate your time.

MR. GRAY: Yeah.

(New Testimony.)

MS. ANSELL: Come and have a seat. And I'll have you state your name --

MR. HIRSHBERGER: Really.

MS. ANSELL: -- and spell it for us, and then your address, please.

MR. HIRSHBERGER: Well, my name is Warde Hirshberger, and it's spelled -- it's right there at the top. W-a-r-d-e, put an E on the end of Warde.

MS. ANSELL: Okay.

MR. HIRSHBERGER: Got it. I just -- I own the property right here that they're going to take off lots and lots of space around Arney Road.

MS. ANSELL: Okay. And that address is?

MR. HIRSHBERGER: 777 Arney Road. It's a perfect address for a perfect place. I chose the

address. Can you believe that?

MS. ANSELL: Okay.

MR. HIRSHBERGER: And here's the thing. They're taking off a big hunk of property across the corner here only because there's a BPA tower right here. And I guess I object to the fact they don't move the BPA tower, and, that way, there would be much less impact on our property. So they said you wanted to take my testimony, so that's it.

MS. ANSELL: Okay. So we've captured it then. So right here on the southeast corner to your property is where the BPA tower is?

MR. HIRSHBERGER: Well, it's -- actually, the BPA tower is not on my property. It's on the state property.

MS. ANSELL: Okay. But it's on this --

MR. HIRSHBERGER: Somebody's property.

MS. ANSELL: On the state's.

MR. HIRSHBERGER: But because of that, they're telling me out here that they've got to cut through the -- and go around the BPA tower because they think it would cost them too much money to move it.

MS. ANSELL: Okay.

MR. HIRSHBERGER: And I think that,

considering everything, they ought to move that BPA tower, maybe move it over here and then add another one over here.

MS. ANSELL: Okay.

MR. HIRSHBERGER: It's easy. You just pick them up and move them, right? So that's what -- that's my testimony. That's what I'd like to see them do. And that way, there would not be so much impact on the 777 Arney Road property. Okay?

MS. ANSELL: Thank you, Warde.

MR. HIRSHBERGER: You're very welcome.

(New Testimony.)

MS. MAYER: Hello.

MS. ANSELL: Would you like to give some testimony?

MS. MAYER: Yes.

MR. SMITH: Yes, we would.

MS. ANSELL: Okay.

MR. SMITH: But we're separate people. So you want to go first?

MS. MAYER: Okay.

MR. SMITH: We're two separate entities.

MS. ANSELL: Okay. That would be good.

MR. SMITH: So she doesn't care if I listen to her.

MS. MAYER: Yeah, I do (laughter).

MS. ANSELL: If she does care -- could you state your name and spell it for us, and then your address.

MS. MAYER: Okay. Mindy Mayor, M-i-n-d-y M-a-y-e-r. And the address of my business is 2910 Newberg Highway, Woodburn.

MS. ANSELL: Okay. Thank you. And we're ready to take your testimony.

MS. MAYER: Okay. She's a fast typer.

MS. ANSELL: She's real good.

MS. MAYER: I would like to state on the record that I would like the widened north option, and this is due to how it affects my business. I'm already going to be giving up access onto 214 and giving some of my parking stalls up, but if it is widened equally, I may also lose my signage, which is critical to my business. So I'm willing to accommodate for this new progress of the highway, which we need, but that would be critical to my business.

The other thing I'd like to go on the record for is, we don't know exactly how the landscaping or the medians are going to look or how big, but I want to make sure that my business is not

covered at the -- is that the bridge? At -- of the -- you know, when you look at comparing the beautification as to a thriving business and how much it can affect my business by having the view of my business diminished or taken away.

MS. ANSELL: Okay.

MS. MAYER: I don't know if I should state about -- well, I already said that. What else do I want to say. I already said the -- yeah, I said that for the view of my business. I'd like to make -- for getting onto there, but they're going to block that anyway. Yeah. I guess that -- I -- I just need to make sure that any loss of parking stalls, that it doesn't hurt me that much, and that possibly the state has talked about giving -- helping me with -- to make sure that my drive-through can keep being viable, that possibly there's land to the right that they can help me with.

MS. ANSELL: Okay.

MS. MAYER: I guess that's it.

MS. ANSELL: If you'd state your name and address.

MR. SMITH: Okay. My name is Eric Smith, and address is 2910 Newberg Highway, Woodburn, Oregon, and I'm a business owner. And I am in favor

of widening north. I'm also concerned about the widening equal. It will impact parking, it will impact my signage, it will impact drive-through, and overall impact my business. So I think I -- I would be a business that would be affected by the widening equal, and so that's why I'm in favor of widening north.

The other thing is that I'm very concerned about the landscaping buffer that's between the roadway and the sidewalk. That 6 feet is really, really wide, and should be a lot lower, half of that or less. We're already impacting businesses, and the more -- the more property that we need for that 6-foot buffering zone, it could probably be done with 3 feet. So I'm definitely in favor of decreasing that buffering zone between the roadway and the sidewalk.

I'm also concerned about parking, if either direction is going to be impacting parking, and I want to go on the record to say that, you know, we really would like to extend our parking to the east side of our building. It's because of the -- the north side is where our parking is going to be impacted. And that's it.

MS. ANSELL: Thank you.

(New Testimony.)

MS. ANSELL: I'll let you sit down. And if state your name and address and if you could spell your name for us, that would be helpful.

MS. JORGENSEN: Okay. My name is Bonnie Jorgensen, B-o-n-n-i-e, Jorgensen, J-o-r-g-e-n-s-e-n. And I live at 1780 Rainier Road. My house is right about here or here; one of the two. I'm surprised they don't show from the -- from the air you can see that there's an extra room in the back of the house because it's where the hot tub is. But, anyway, I'm concerned because I don't know how much of my back yard they're going to take. He said I'd probably be all right, I probably wouldn't lose my house. That amazes me they'll even consider it. But here's the tunnel, and I live down here, probably just to the -- this side of that green, right across the street. And I've got lots of nice things in my back yard, and I don't want to lose all of them. And so I'm just -- how far do you think that they will go in to put a fence? How many feet?

MS. ANSELL: I don't have the particulars on the fence. Terry Cole or Tom Hamstra out there can probably --

MS. JORGENSEN: I sat there and talked to

that one guy. But I'd like somebody to notify me once they get this worked out.

MS. ANSELL: Yeah.

MS. JORGENSEN: How much -- what the things are going to be.

MS. ANSELL: Yes.

MS. JORGENSEN: Because there's nice flower beds there, I bought it last year, and it's got a round one here, and a round one here, and a round one in the middle, and I've got birds out there. I mean ceramic birds.

MS. ANSELL: Sure.

MS. JORGENSEN: And things that I've put in, and I don't want them all taken away.

MS. ANSELL: Sure. And did you meet to Ryan Brown with the right-of-way department? Because he can talk to you about --

MS. JORGENSEN: I don't know. He's the -- is he the one over there by the window?

MS. ANSELL: He might be. Yes, with this brochure, yes.

MS. JORGENSEN: Yes.

MS. ANSELL: They'll notify you once that's been determined and the limits of what's happening. They'll get ahold of you. If there's time frames

involved, these people will sure help you to know what that is, and there'll be an opportunity for you to salvage some of that; you know, the flower beds or your ceramic -- you know, people aren't just going to come and take it. You can work with the right-of-way folks.

MS. JORGENSEN: I had no idea this was happening when I bought that. And then another thing here is, when they take this, I guess there's going to be five lanes in here?

MS. ANSELL: Two lanes on each side and one in the middle to turn.

MS. JORGENSEN: So they'll change the traffic signals. You can come up here to turn left on to this street, and you can't hardly get out of the street. You sit there to turn onto Country Club Road, and they won't be no traffic coming from the other way, and you sit there and sit there, and the light won't change. And then you'll see a truck somewhere around the corner and coming this way. Pretty soon they go through, and this traffic goes through because the lights aren't timed to help let you turn. And when there's nobody there -- my son tells me he used to run the light. Because he worked -- he works at the restaurant down near by the

highway, and he said, "Mom, I've ran that light so many times because there's nobody there at 11:30 at the night to turn on streets." I've never run it. I've attempted. So I kind of -- they'll rework the traffic lights, aren't they?

MS. ANSELL: I assume that will be looked at, yes.

MS. JORGENSEN: Okay. That's all I have.

MS. ANSELL: Okay. Well, thank you for coming in.

MS. JORGENSEN: Just so long as they contact me.

MS. ANSELL: You will be notified.

MS. JORGENSEN: Okay. And ample time.

MS. ANSELL: Uh-huh.

MS. JORGENSEN: Okay. Thank you very much.

MS. ANSELL: Thank you.

MS. JORGENSEN: I wonder if that'll make my commute shorter to work in Salem.

MS. ANSELL: Okay.

(New Testimony.)

MR. DESANTIS: Hello. Hi. I guess we need to come in and testify.

MS. ANSELL: Okay.

MR. HAND: Nick's the biggest mouth, so

ought to let him talk.

MS. ANSELL: We'd just like -- you need to go one at a time for the record, and we'd like you to state your name, and spell it, and give us your address, and she'll be taking notes.

MR. HAND: Okay. My name is Philip Hand. I own the property that is on the S-curve which is 397 North First Street.

MR. KLEIN: First Street?

MR. HAND: I'm on --

MR. KLEIN: Yeah. You're talking about your --

MR. HAND: I'm talking about my office. The property that is 970 Cascade Drive. And my comments are regarding, first of all, I would be in favor of the Alternative 2 which is to the north. And, also, in reading through the brochure here, they have a setback -- or, what do they call it, a landscape buffer of 6 feet between the roadway and the sidewalks.

MS. ANSELL: Uh-huh.

MR. HAND: Well, that's going to take and put the sidewalk going right through our building, so I'm against any kind of a buffer zone. And then the other thing is, as a property owner -- affected

property owner, we were never put on any kind of a committee, mailing. In fact, up until the last time they made the drawings on this, they didn't even know this building existed, and it's been there for about 15 years. I had to point it out to them because they didn't even know there was a building was there. They thought the only building that was on Cascade was Cascade Park. Go ahead Nick.

MR. KLEIN: Let me go next because Nick was after me. My name is Lucien Klein, and that's L-u-c-i-e-n K-l-e-i-n. And I'm also a member of the organization that owns that building. It's Cascade at 214, LLC. It's a professional building, professional offices. Philip Hand and I are lawyers who practice there. Right next to us in quite a bit of the building are doctors that are there, three doctors that are seeing patients, there is a dentist down at the end of our building. All together, we have about 10,000 square feet of building. We are quite concerned about any of it coming any closer to us than it is right now because of how it could affect our tenants. We stand the possibility of losing our tenants if it becomes too close, whether it's people walking by on the sidewalk and trying to peek in in the doctors' windows or whether it's heavy

vehicles making a lot of noise. So we do favor any widening being done to the north, and then also the minimum or no change in the sidewalk configuration on our side of the highway. Go ahead, Mick.

MR. DESANTIS: Nick DeSantis, D-e-S-a-n-t-i-s. Same address, one of the owners. The sound barriers that they're showing, I would not want to see them continue onto our property because if they do, and even as far as they are going, it has an impact upon the signage on the side of the building. And so, consequently, that barrier -- our tenants, you know, rely and want that exposure of signage, and if that, you know, wall -- and I have no idea, I haven't seen any drawings, but if it's going to do anything, it has to be more than a 2-foot wall or something. So I'm concerned about that sound wall blocking signage on the building.

The other thing that I'm concerned about is, of course, equally would just -- really, it would probably ruin us. Definitely widening to the north, and not only the north, but the vacant property that exists to the north, that the S-curve be extended and brought out into that area because there is nobody other than dirt being affected, and, consequently, it will keep it further away through the widening

process from our building.

The other thing is the planter area, or whatever you want to call it, which calls for a 6-foot section between the curb and the sidewalk, that I personally feel that it should be a curb sidewalk. It has been since we've been there for 15 years. Not once have we ever seen a car jump the curb and that to be a safety issue, so, therefore, I don't know why all of a sudden it would become one. And, definitely, to us, being at the curb where it is now and where it's shown no problem whatsoever, is benefiting and has far less impact on us. Because if you could imagine being in the doctor's office and people walking by with their nose to the window, I think you'd feel kind of a little bit uneasy, and that has an impact that we may lose those tenants. And so the further we can keep that sidewalk away from that building, the better chance that we have of keeping the people we've had there.

So I think those are the main -- and I have heard -- in some of the hearings, I asked if the right-of-way and the center line of the road are the same. I've been told in meetings that that is the case. It is not -- the road is closer to us on the west than it is on the east, and if it were the

center line of the right-of-way, it would help us because, therefore, it would automatically shove it to the north more where it belongs. And if it requires acquiring a couple of houses by straightening the curve out and going into the vacant area, I think that would be far more cost effective than what it's going to cost to compensate us. That's about it.

MR. KLEIN: If I may speak again. Lucien Klein. Two things. In talking about any strip in there, a part of the purpose of that is to make it more attractive. We maintain a lovely lawn outside our building and plantings, and it's maintained year-round, and it's very, very good looking. The other thing is, we have been completely left out of the state codes, that testimony, and to begin with, it was because we were told that everything was stopping at Oregon Way, instead of going on down, as it really is, down past of us. We want to be part of this deal, and we feel that we're entitled to vote. And not just expressing our opinions for someone else to vote, but that we'd be able to vote as a stakeholder, just like most others whose properties are directly impacted by what could happen here. And that's it.

MR. DESANTIS: And I would like to -- Nick DeSantis. I would -- that was the one thing that I did forget, and, that is, basically, from the very start, I asked to be on the stakeholders group, and I was told I could not be because we were not impacted. And I said we are impacted because whatever, be it to the north or equal, would continue on even if it did not get to us at this point in time, and so it had an impact on us. I did come to one meeting. I was basically not able to speak until the very end, and at that time Terry happened to be there and said, "Oh, you are impacted. We're going clear past your building." And I said this is what I have said from the start, but I have been slammed by the door on my face, and said, "We don't want any of your impact. We just -- screw you." You know? "And you have no say." And I feel that we have to be on that committee, and even if it's one more meeting, and have a vote in it, and not be somebody that gets to speak at the end of the meeting.

MS. ANSELL: Okay. Thank you.

MR. DESANTIS: All right.

MS. ANSELL: Thanks to all of you.

MR. DESANTIS: Yeah.

(New Testimony.)

MS. ANSELL: Would you like to give some testimony?

MS. FISCHER: Well, I don't know exactly what you mean by testimony, but I'd just like to have a say.

MS. ANSELL: Okay. Then that's testimony. So if you would state your name for us and address. And if you could just spell your name for us, that's helpful.

MS. FISCHER: It's Joyce Fischer, F-i-s-c-h-e-r. I own the Country Cottage Restaurant. My concern is if we were taken out by ODOT, that if we're given an alternative as to the right-of-ways into the property. Our concern, I guess, is that if they come this way, Terry was explaining to us, that they're going to do, possibly, a retainer wall. There's a possibility of doing that.

MS. HAYES: We should mention the fact that we would like a retaining wall there if we're left there. It doesn't seem like anybody knows whether or not we're going to stay there or not. We would like to stay there. Okay. We've built up a good business for ourselves, and we have some really good customers that would like to have us stay. You know, they took out all the businesses here, so there's really not

much restaurants over on this side left.

MS. FISCHER: It's a family-owned restaurant, we all live in town, it's myself and my two daughters, and we have a very good clientele. We would really like to stay. But if we're taken, then we want to make sure --

MS. HAYES: If we're taken?

MS. FISCHER: Well, I mean if he takes the building, that if we have to move, that we're in a location that is a good location. I mean, we probably have the best location in town at this point. And although ODOT put a barrier in the middle of the road so we've lost access from the east, we still, you know, have a pretty good business. So we just want to, you know, make sure that if it happens and we're taken out of there, that we're moved to a much better location.

MS. ANSELL: And did you meet with Ryan Brown and talk with him about right-of-way -- ODOT right-of-way?

MS. HAYES: Well, he didn't seem to be able to answer our questions.

MS. ANSELL: Okay.

MS. HAYES: Terry answered more of our questions than he did.

MS. ANSELL: Okay.

MS. HAYES: If we do stay, we're very concerned about the entrance to get in and out of the right-of-way somewhere, you know, either from Stacey Allison or from Lawson Avenue.

MS. ANSELL: Okay.

MS. HAYES: But, currently, they come in here.

MS. FISCHER: We only have one way in.

MS. HAYES: The only way in is a right in, there's not a left in. So you've got to go over -- a lot of our customers come from Taco Bell to access.

MS. ANSELL: Oh, I see.

MS. FISCHER: Now, it seems to me that they have to have in and out. You know, ODOT put the divider in the road without notifying us. Just one day it was there. So, you know, we need to -- I've tried to talk to someone about changing that. You know, it doesn't seem to make any difference. They're just not going to do that. So then we've talked about a right-of-way, you know, coming across the other property. And, in fact, I spoke with someone in morning, and he's in the process of selling it, so he can't do that. So at this point, you know, we just have that one way out. People

coming from the east can't get in. So I don't know if there's something that ODOT could do about that, if they can compensate you some way for the business you lost by doing that, I don't know. I can't seem to get any answers on that. So, basically, that's -- you know, that's the story, and --

MS. ANSELL: Well, your comments will be captured, and they'll be part of the record, and they'll go in with the rest of the documentation, as the EA, the document -- the big documents you have, is reviewed. And I see you have Lisa's phone number. She's the manager for right-of-way, and hopefully she'll be able to answer your questions regarding that particular instance.

MS. FISCHER: Okay. Okay.

MS. ANSELL: Okay. Thank you for coming.

(New Testimony.)

MS. ANSELL: If I could get you to state your name and spell it for us, and then your address.

MRS. CANHAM: Gertrude, G-e-r-t-r-u-d-e, and C-a-n-h-a-m, Canham. 3425 Camas.

MS. ANSELL: Okay. Thank you. And what --

MRS. CANHAM: Go ahead and give her your stuff.

MR. CANHAM: My solution would be an exit a

Crosby Road. With all the traffic that goes to the mall, the outlet stores, they exit and -- because we've seen it backed up clear past that mall. We live right behind the mall. And like if you have the Rose Festival or you have anything like that going on, that traffic's backed up clear past the mall. If they could exit up here and go to the mall or if they could exit up there and go out to the Tulip Festival, you know, it would be much better, I think.

MS. ANSELL: Okay. So put an exit at Crosby.

MRS. CANHAM: At Crosby Road, right.

MS. ANSELL: Okay.

MRS. CANHAM: And no more businesses would have to go out of business, you know? That, I think, is pathetic.

MS. ANSELL: Okay. Thank you. And you, sir?

MR. CANHAM: My name is Jesse Canham, J-e-s-s-e C-a-m-h-a-m. And I'm also at 3525 Camas. It seems to me that they could make either one or two off-ramps, you know, either at Crosby Road or Butteville Road, and either one of them would solve about 90 percent of the problems that they've got. The thing of it is Woodburn keeps growing, the

population is increasing, increasing, increasing, and no matter what they do here, they're going to have the same amount of people, and you're going to have more people and more people coming in all the time. And this idea that they can't have an exit within five miles is really ridiculous. You know?

MRS. CANHAM: Yeah, that could change.

MR. CANHAM: If you go to a larger city like Portland or whatever, they've got exits, and they're not five miles apart. If you go to Bend, Oregon, you're exits are not five miles apart coming off the main highway. And Woodburn, I would think, is probably getting pretty close to the same population as Bend, Oregon. And the way it's growing, you know, five years from now, it's going to be double.

MS. ANSELL: Okay.

MR. CANHAM: But, I mean, it's so simple, it's pathetic. I mean, why in the heck somebody can't come up with this, I don't know.

MRS. CANHAM: But then you have the malls. Where are the malls? Right in here?

MS. ANSELL: The mall's right here.

MRS. CANHAM: So right here.

MR. CANHAM: Yeah. Well, we live right here.

MS. ANSELL: Okay.

MRS. CANHAM: Well, yeah, right here. Have the exit up here, goes right to the malls. You know, instead of -- we've seen traffic lined up clear past the malls, and it's bad.

MS. ANSELL: It is bad.

MR. CANHAM: We don't actually live there.

MRS. CANHAM: Yeah, we do.

MR. CANHAM: We live on Camas Street. We live on Camas Street.

MRS. CANHAM: Right here, honey.

MR. CANHAM: Camas Street. Because here's Woodland right here.

MRS. CANHAM: Okay. Yeah, okay.

MR. CANHAM: And this is Camas Street.

MRS. CANHAM: So we should --

MR. CANHAM: We've lived here five years, and we've seen the traffic just keep increasing and increasing, and it's --

MRS. CANHAM: We got to leave out of town, so we got to get going. We appreciate you listening.

MS. ANSELL: Thank you.

MRS. CANHAM: I know it won't do any good, but at least you got our --

MS. ANSELL: Thank you for your comments.

MR. CANHAM: We've told people that before and nobody -- anyway.

(New Testimony.)

MS. ANSELL: Have a seat. And if I could get you to state your name, and spell it for us, and your address, that would be great.

MS. COX: J. Lorraine Cox, J.
L-o-r-r-a-i-n-e C-o-x.

MS. ANSELL: And your address?

MS. COX: 1700 Rainier Road, Woodburn,
Oregon.

MS. ANSELL: Okay. Thank you. Go ahead with your testimony.

MS. COX: Okay. I have a couple concerns. The sound wall is slated to be 12 feet. Is that 12 feet from the current property level or the elevation of what the road would be at the finished state? And the reason is if it's done from the property level versus elevation state, as it stands right now on 214, it would only be 6-foot above from my property level to the top of the wall, so I would still see all the cars, hear all the cars, hear all the trucks. So my concern is that it is brought up, the wall is -- takes -- considers that.

The second area is my neighbors have told

me that when the 214 elevation was changed, and it was banked differently last time in the '70s or early '80s, they started getting standing water into their property. There was some drains put in and storm water things done, but it didn't impact as fully as it should have. So the concern, again, and I don't see any language addressing that in there, it's just storm water and there will be something. I want to make sure that it truly addresses, that we don't have a lot of standing water and it changes our erosion and stuff like that in our properties.

MS. ANSELL: Okay.

MS. COX: Then the only other concern I have is more current, and I'm glad to hear that the bid will close on Tuesday for the contractors to do the demolition to get the Park & Ride done. We've had a lot of the homeless and the beggar issue, and they're using my back yard as a rest room, so I would really appreciate that getting finished. And I think the Park & Ride would be a real asset for Woodburn. A real asset. That would be nice to have SMART stop between Salem and Portland. That's it.

MS. ANSELL: Great. Thank you.

MS. COX: All right. Thanks.

(Whereupon, public testimony was closed at 7:30 p.m.)

CERTIFICATE

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I, Jea Oh, do hereby certify that the matter herein mentioned on the preceding title page was transcribed via tape recording. I transcribed all testimony adduced and other oral proceedings had in the foregoing matter; and that the foregoing transcript pages constitute a full, true and correct record of such testimony adduced and oral proceeding had and of the whole thereof.

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IN WITNESS HEREOF, I have hereunto set my hand this 29th day of July, 2005.

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Jea Oh

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APPENDIX E

Responses to Study Committee Comments on I-5 at Woodburn Interchange REA

Received No Comment e-mails from the following people: Marina Orlando: ODOT Air, Felix Martinez: ODOT Utilities, Dan Fricke: ODOT Planner, Kent Belleque: Interchange Engineer, and Anthony Boesen (FHWA).

1) Comment(s) Supplied By: Chris Bell, ODOT Region 2 Cultural Resources Specialist

| Section | Page | Paragraph | Line | Comments |
|---------|------|-----------|------|--|
| 4 | 12 | 4 | 1-4 | <p>According to July 2005 EA (cited to the left), there are no historic built environment impacts with the project area. Presumably, the appropriate reconnaissance led to such a statement and as such, the comment is sufficient to lead us to the next statement.</p> <p>Response: Agree with what has been stated,</p> |
| 6 | 3 | All | All | <p>"Cultural Resources" mitigation makes no mention of the above ground resources, likely since the EA noted no such resources, therefore the comments are sufficient as they pertain to the historic built environment.</p> <p>Response: Agree with what has been stated.</p> |

2) Comment(s) Supplied By: Kurt Roedel, ODOT Archeologist

| Section | Page | Paragraph | Line | Comments |
|---------------------------|------|-----------|------------------------------|--|
| Cultural Resources | 6-3 | | 1st Bullet | <u>Change to:</u> ODOT Inspectors should closely observe subsurface construction for archaeological resources in areas of intact, previously undisturbed soils. Response: Change will be incorporated. |
| Cultural Resources | 6-3 | | 2nd Bullet | <u>Change to:</u> ODOT archaeologist will attend preconstruction meeting to discuss archaeological site types that may occur in the project area and inadvertent discovery procedures and protocols. Response: Change will be incorporated. |
| Cultural Resources | 6-4 | | 1st Bullet | <u>Change to:</u> If cultural resources are discovered during construction, immediately stop all work in the area of discovery and contact an ODOT archaeologist. Response: Change will be incorporated. |
| Cultural Resources | 6-4 | | 2nd Bullet | Remove bullet. Response: Change will be incorporated. |
| Cultural Resources | 6-4 | | 3rd Bullet | <u>Change to:</u> If human remains are discovered during project construction, immediately stop all work in the area of the discovery, secure the area, and contact the Oregon State Police and an ODOT archaeologist. Response: Change will be incorporated. |
| Cultural Resources | 6-4 | | 4th Bullet | Remove bullet. Response: Change will be incorporated. |

3) Comments Supplied By: Dave Goodwin, ODOT Senior Acoustical Specialist

| Section | Page | Paragraph | Line | Comments |
|---------|------|-----------|------|--|
| Noise | 6-5 | 1 | | <p>This section is vague and does a poor job of documenting the noise mitigation strategy for this project. This section should bridge the gap between the Environmental Assessment and this REA. This section reads as follows:</p> <p>Noise</p> <p>For both build alternatives, noise barriers are proposed at four general locations in the project area: Woodburn Senior Estates, between Woodland Avenue and Willow Street, between Oregon Way and Astor Way, and at the Cascade Park Retirement Center. Once a preferred alternative is selected, specific noise barrier dimensions and costs would be identified.</p> <p>This is woefully inadequate!</p> <p><u>The noise study report identified:</u></p> <ul style="list-style-type: none"> The number of noise walls recommended. The amount of noise reduction provided by the recommended noise walls. The approximate height, length and cost of the mitigation. <p>None of that information was included in this Revised Environmental Assessment.</p> <p>The comment that “Once a preferred alternative is selected” is also confusing. The recommended alternative, in accordance with information provided in this REA, is a hybrid of the Widen North and Widen Equal Alternatives.</p> <p>This REA should identify the recommended noise barriers for this project. A reference may also be given that refers the reader wanting more information back to the Environmental Assessment and Noise Study Report. The Environmental Assessment was not included as an appendix to this REA, as advised earlier in the REA. The comment regarding preferred alternative being selected should also be removed or clarified.</p> <p>Response: Dave’s comments will be used to clarify this section. There is information in the EA and Noise Study Report that can be used to bolster this section on Noise in the REA. The reference to a “preferred alternative” was inadvertently not reworded and will be deleted as new text is inserted.</p> |

4) Comments Supplied By: Bob Cortright, DLCD Transportation Planning Coordinator

| Section | Page | Paragraph | Line | Comments |
|---------|------|-----------|------|---|
| | | | | <p>Earlier this year DLCD reviewed and commented on the Interchange Area Management Plan (IAMP) for this interchange. At that time we suggested that the IAMP do more to incorporate the "optional" measures that would limit direct property access to Highway 214 and provide for local access and circulation via local streets and through cross-access easements.</p> <p>We would encourage the study team to look at this issue again and incorporate appropriate measures into the project now. Interchange area properties are likely to be redeveloped to more intense uses over the planning period and additional steps to provide off highway access and circulation now are a worthwhile investment given the \$25 million expenditure to increase capacity at this interchange.</p> <p>Response: The actions listed in the IAMP and EA as "access options" simply illustrate where there are options for individual property access that ODOT can live with or without. They will not affect operations or safety on Oregon 214, one way or the other. They were shown to illustrate where ODOT ROW can have flexibility when negotiating property and access acquisition issues with the affected properties. Defining the limits of our flexibility for the ROW staff is important for them to be able to do their jobs fairly and effectively.</p> |
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