

DOWD ARCHITECTURE INC.

January 31, 2011

Lake Oswego to Portland Transit Project
attn: Jamie Snook
Metro
600 NE Grand Avenue
Portland, Oregon 97232

**Re: Lake Oswego to Portland Transit Project
Draft Environmental Impact Statement Comments—Letter 1**

COMMENTS RELATED TO IMPACTS OF THE STREETCAR OPTION ON MY PROPERTY AND NEIGHBORHOOD

Dear Ms Snook:

I live at 0753 SW Miles Street, abutting the rail right-of-way at the south end of Willamette Park. My house is less than 30' from the right-of-way, and my front door faces the tracks. My carport is less than 5' from the right-of-way. I also work at home in a small detached studio less than 5' from the right-of-way. The right-of-way is only 26' wide abutting my property, and double tracks are proposed there.

This means the streetcar would literally be passing within a few feet of me all day and night. I am one of the people most affected by this project--and all the impacts are negative.

I oppose the streetcar option. I will submit a separate letter detailing why. But if the streetcar option is carried forward, I have the following requests:

- 1. Don't intrude beyond the right-of-way into my property**
- 2. Do everything possible to mitigate noise and vibration affecting my property**
- 3. Fix outdated, unreasonable, counterproductive zoning regulations affecting my property**
- 4. Don't forget about me and my neighborhood as the project proceeds**

Note that I bought my property several years ago with the intention of replacing the existing house with a new one. My property was a substantial investment as is, and will be an even larger one with the new house, which is already substantially designed. So any negative impacts on livability to me will also have extreme financial impacts to me.

Specific comments

- 1. Don't intrude beyond the right-of-way into my property**

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As I understand, there are no current plans to extend the project beyond the right-of-way and onto my property. I want to stress how important that is. My lot is very small. It is also a flag lot, with a connection to S.W. Miles Street that is only 15' wide. If I lose any of that width, I lose my carport, my parking, and my only access to the street. That would make my property unlivable and worthless. The project might as well condemn my entire property.

I also do not trust that the project will not encroach on my property. Several drawings of the project already have shown signals in the middle of my driveway. Also, the project has changed in substantial ways over time—for example the minimum operating segment, which earlier stopped short of my property, now extends past it. I want a promise that the project will not extend onto my property.

There are two very large trees on my property next to the right-of-way that provide privacy and shade for me. They are important because the OPB Building looms over my property, looking right into it (if the trees were not there) and they also block the west sun. I am concerned that those trees will be damaged or killed by the project. In that case, the project would in effect extend onto my property even if construction stays within the right-of-way. I want mitigation or compensation if that occurs.

2. Do everything possible to mitigate noise and vibration affecting my property

Because my home and office are both so close to the tracks, noise and vibration could destroy their livability. Note also that the Oregon Public Broadcasting building serves as a huge reflector to bounce streetcar sound towards me. That situation will be exacerbated when the commercial property west of my house is redeveloped. That makes noise an even greater concern, and one that was entirely missing from the DEIS noise analysis.

I want sound walls, vibration pads, and other mitigation to at least the level that is provided to any other property along the project route, since the impacts to me are at least as high as anywhere else. I also want no noisy signals next to my house at the Miles Street crossing, and no horns sounding from streetcars as they pass my property or the Miles Street intersection. I also understand from the DEIS that streetcars are proposed to run slower through other residential areas, in order to reduce noise and vibration, but that that is not proposed for the tracks next to my house. I want the same protection for my property—either a guaranteed speed reduction, or alternative measures to give me equivalent protection. My house and especially my office are as close to the proposed tracks as any along the route, and there is no reason I shouldn't have the same protections that are proposed for others.

The Environmental Noise and Vibration report that accompanies the DEIS almost ignores my neighborhood. The readings taken were minimal in comparison to other neighborhoods. I hope to submit further testimony on that. **However, I think the complete inadequacy of that report can be summed up in Table 3.10-2 in the DEIS. In Segment Three, in which my house is located, no properties are shown to have “severe” noise and vibration impacts. Eight are shown to have “moderate impacts, both with and without mitigation measures. However, that number reduces to zero with the Macadam In-street and Macadam Additional Lane options. That means that all eight properties are in the Johns Landing condominiums area.**

In other words, although my house is less than 30 feet from the tracks (not just from the right-of-way) and my office is less than FIVE FEET from the right-of-way, the noise and

**vibration “analysis” finds that I will have not even a moderate impact on my property.
That is stupefying!**

The Noise and Vibration analysis is shoddy in regard to my property and my neighborhood. I resent that the project team never met with me or my neighborhood’s residents, that very few readings were done in comparison to other areas, and that the noise and vibration impacts on our neighborhood are almost entirely absent within the text of the DEIS.

I want a promise that if the streetcar option is pursued, that the noise and vibration impacts on me and my neighbors are treated with at least equal attention as is true of other areas.

Remember again that I both live and work here, so I will be exposed to the noise and vibration around the clock. Remember also that these impacts cannot be described by a drawing. Unlike other impacts, we will not know how bad they will be until the first streetcar runs, and then it will be too late to make corrections.

3. Fix outdated, unreasonable, counterproductive zoning regulations affecting my property

The DEIS stresses that the streetcar option will increase development opportunities along the route. That’s not true for my property, or for the miles of other residentially-zoned land between Willamette Park and Lake Oswego. We get the negative livability impacts and reduced property values, period.

Moreover, the DEIS and for that matter the entire project to date has been silent on the idiocy of the current zoning affecting my property and others along the line relative to the streetcar. These regulations are critical to me because I bought my property with the intention of replacing the existing house with a new one, and all new work will be governed by the zoning regulations.

First, the current zoning requires that I provide a 40’ setback from the center of the rail alignment—or 27’ from my west property line, if measured as I assume from the center of the double tracks. (If measured from the center of the nearest track, the impact would be even greater.) That is over five times the standard 5’ side yard setback requirement for this single-family zone. The setback was created years ago when this right-of-way was identified as a potential light rail route. It never made sense even for light rail, and certainly doesn’t for streetcars, given that they travel within a few feet of buildings throughout the city.

This setback eliminates a huge percentage of my lot from being buildable. In addition, by forcing all new construction away from the tracks, it prevents me from replacing my current studio with a new, taller structure that would buffer my house and yard from the noise of the streetcar. Basically, the setback backfires. Instead of allowing a house or accessory structure to be built close to the tracks, turning its back on the tracks and orienting its windows and doors away from them, so the yard and openings are buffered from the tracks, it forces structures against the far ends of their lots, so that they must orient towards the tracks! In other words, the setback exacerbates the impacts of the streetcar rather than reducing them.

Secondly, if the right-of-way were a street, the zoning code would grant me development options that are not allowed with the right-of-way, such as the right to build a duplex. Or, if the right-of-way were eliminated, the zoning code would also allow me to build a duplex and possibly other development options due to it being a “transitional lot” (next to a commercial zone). **As it is, the streetcar will give me all the negative impacts of being next to a street and a commercial zone, but the zoning code gives me none of the advantages.**

I am not asking for a total rezoning of my lot to drastically increase the development density on my lot, although I certainly feel that would be justified, given that I am getting all the negative impacts of the streetcar but no benefits. What I want is reasonable:

--a reduction of the side yard setback to 5', which is the base zone standard

--a change in the zoning regulations to treat a streetcar right-of-way the same as a street, so that I could build a duplex instead of a single-family house

Note that I can by right build an accessory dwelling unit, which I plan to do on the ground floor of my new house. However, I am not allowed to have both that plus a home occupation permit that allows me to have clients or one staffperson. The accessory dwelling unit also requires that I live in the house. Having the second unit as a duplex unit rather than an accessory unit would allow me to have both.

These are entirely reasonable requests, and would not affect the size of the house I plan to build, or impact my neighbors. As I said, I believe it would be entirely reasonable to rezone my property to a higher density, given that I have commercial zoning to the west, multi-family zoning to the south, and a park to the north.

The thing that is appalling to me is that these zoning issues, especially the setback that was created for a full light rail alignment and never even made sense for that—and applies to properties along the entire right-of-way through the Macadam Design District, is not mentioned anywhere in the entire DEIS. These zoning issues are a central to any analysis of the project. Clearly, this project's analysis has been pathetically weak.

4. Don't forget about me and my neighborhood as the project proceeds

My neighborhood is small and people tend to forget it exists. **The DEIS virtually ignores impacts to my neighborhood in comparison to others. The fact that the DEIS splits my neighborhood in two—putting part in Segment 3 and the rest is Segment 4—is telling. It makes it nearly impossible to tell how our neighborhood is treated by the DEIS, since commentary is split by segment throughout the DEIS.**

The project runs past three main clusters of dwellings—the condominiums in the Johns Landing area, the houses in my Miles Street/Place neighborhood, and the houses along the right-of-way between Powers Marine Park and Lake Oswego. Both the first and third groups of dwellings are discussed extensively in the DEIS. The Johns Landing condominiums even had an alternative streetcar route—along Macadam--created specifically to limit impacts on them.

In contrast, my neighborhood is almost ignored by the DEIS. The same is true of the Environmental and Vibration Report accompanying the DEIS. There was minimal analysis of my neighborhood in comparison to the other two. While residents and businesses in other areas were able to talk to project members in regard to the noise and vibration analysis, neither I or any neighbors I've talked to were even told it was taking place.

In fact, the DEIS describes the South Portland Neighborhood, in which the Miles Street/Place neighborhood is located, in such detail that it includes the number of restaurants close to the streetcar alignment in the South Waterfront area. Yet it does not even mention that the whole community of houses on Miles Street/Place even exists!

One of the largest recent changes in the project—perhaps the largest—is the extension of the minimum operating segment all the way to the Sellwood Bridge. This is a huge impact to me and my neighborhood. It was done with no notice to me or my neighborhood, yet we are the people most affected by it. This epitomizes the lack of concern for our neighborhood.

Our neighborhood has literally only one access—Miles Street. During construction, access to our neighborhood—including emergency access--will be eliminated 100% at times, with no possible mitigation. This is never mentioned anywhere in the DEIS, although the DEIS does purport to analyze construction phase impacts.

Also in regard to the impact on me and my neighborhood, a station is proposed at SW Nevada, next to Willamette Park. I look directly at the station location from my house, as do my neighbors. The station has the potential to destroy the quiet and visual character of the south end of the park, which would also impact us significantly. I would like to have input on its design, and assurances that every effort will be made to reduce its impacts on the park.

I want promises that our neighborhood will be given consideration consistent with it being one of the neighborhoods most directly and negatively impacted by the streetcar.

These are the main issues I want addressed if the streetcar option is not dropped. I would like specific responses from the project in regard to each concern.

Sincerely,

Dowd Architecture Inc.

Michael Dowd, AIA, President

DOWD ARCHITECTURE INC.

January 31, 2011

Lake Oswego to Portland Transit Project
attn: Jamie Snook
Metro
600 NE Grand Avenue
Portland, Oregon 97232

**Re: Lake Oswego to Portland Transit Project
Draft Environmental Impact Statement Comments—Letter 2**

WHY THE STREETCAR OPTION SHOULD BE DROPPED

Dear Ms Snook:

I live and work alongside the proposed streetcar right-of-way, and am submitting separate testimony relative to the streetcar option's negative impacts on me and my neighborhood.

Here, I am addressing a few reasons why the streetcar—especially if it extends beyond Willamette Park—is not just a bad option for me, but is a bad option period. This isn't an exhaustive list or analysis—many people have pointed out many other compelling reasons to drop the streetcar option:

- 1. The need for the project is exaggerated**
- 2. The streetcar's development advantages are exaggerated**
- 3. The DEIS is biased towards the streetcar over buses**
- 4. The public involvement process has been flawed, to the advantage of the streetcar option**
- 5. The streetcar option is not socially equitable**
- 6. The DEIS's faults call into question its entire validity**

Specific Comments

1. The need for the project is exaggerated

Most of the day, every day, traffic flows very smoothly on Highway 43. In fact, speeding is a greater issue than congestion for nearly the entire day and night. I travel on Highway 43 at rush hour often, as I must use it to go either north or south from my house by car. I don't even bother adjusting my travel times to avoid rush hour. In comparison to other parts of the metro area, Highway 43 congestion is minimal. At the last hearing in Lake Oswego, I got from my garage next to Willamette Park into the doors of the meeting at the far end of downtown Lake Oswego in

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only ten minutes, traveling at the speed limit all the way into downtown. When there is congestion, it is a key points, such as the Taylors Ferry intersection and the Sellwood Bridge. Those points could be improved without spending hundreds of millions of dollars on a streetcar.

There is certainly not compelling public support for the streetcar option. At the public hearing in Lake Oswego, testimony was about equally split between support and opposition. This means that the overall public support is far lower. Why? Because if there is any segment of the public that would be likely to support the streetcar, it would be Lake Oswego residents, since it primarily serves them. With the meeting in Lake Oswego, and the majority of attendees from Lake Oswego, if the streetcar option were popular, there would have been hundreds of people testifying in favor of it.

And even among those supporting it, only a handful said they would use it themselves—not even ten people! And of these, one said he'd use it to go to Blazers games. Highway 43 is virtually empty during the evenings, when those games take place, and bus service would be just as fast then. In fact, it's available now, and not heavily used. Another said he'd use it to go out to dinner—again, that's a time when there is no traffic.

2. The DEIS is biased towards the streetcar over buses

Many people have commented that the Enhanced Bus Option is not well conceived, making the streetcar look good in comparison. The DEIS should be revised to compare the streetcar against the best possible enhanced bus service, not a straw man scheme.

Buses are flexible, streetcars are not. The streetcar takes a huge amount of money, leaving none to address changing future transportation needs.

The streetcar requires people to transfer—from cars to streetcar, or from bus to streetcar, or from streetcar to bus—while bus routes can be configured to eliminate many transfers. The DEIS analysis is biased in favor of the streetcar because it concentrates on showing point-to-point times between the Lake Oswego terminus and the Portland terminus. Most traffic on Highway 43 is starting from beyond downtown Lake Oswego, and much is not going just to the downtown Portland terminus. If routes people actually take are analysed, and transfer times factored in, the streetcar would look far worse. That's one reason why many people in areas such as Oregon City oppose the streetcar, because it not only doesn't address their needs, it actually reduces their bus service.

3. The public involvement process has been flawed, to the advantage of the streetcar option

It is no exaggeration to say that the streetcar would have the biggest impact on my neighborhood of any project in its history. Yet there has never been a meeting between my neighborhood's residents and any project staff in the history of the project---or if there has neither I nor anyone I've ever talked to has ever been aware of one.

I understand that there have been various meetings and open houses in regard to this project, and I have attended some. But has the Portland City Council ever met in regard to this project? I have no idea, because I have never got any notice of any such meeting, even though I live on property abutting the right-of-way in Portland.

It is wrong that the only public meeting for testifying about the DEIS was held in Lake Oswego. The vast majority of the streetcar alignment is outside Lake Oswego's city limits. No other area is more likely to support the streetcar than Lake Oswego, because it gets most of any advantages and few of the negative impacts. The public testimony there should be viewed in that light. This decision to hold the only hearing there calls into question the objectivity of the whole project.

This project should be voted on. Its expense and scope dwarf other projects that have had a public vote. There isn't likely to be much overall support for the streetcar option at a city or regional level. I would guess the streetcar option would fail by 90% in a regional vote.

4. The streetcar's development advantages are exaggerated

Arguments in favor of streetcars always stress that they encourage development. That may or may not be true when they run through lightly-developed commercial or mixed-use zones. But it is certainly wrong in areas when streetcars run through miles of developed single-family-zoned land.

A great percentage of the Lake-Oswego-to-Portland alignment is occupied by such land. From Willamette Park south, the alignment runs past miles of quiet single-family neighborhoods. **There are virtually no possibilities for redevelopment adjacent to the streetcar line along this stretch.**

If the rail alignment did not currently exist, nobody would **ever** consider putting a streetcar along the river's edge through single-family development. When there is already a major highway running parallel to the rail alignment from Willamette Park to Lake Oswego, **it makes no sense to build at tremendous cost a second parallel commuter system right past single-family homes**, rather than simply enhancing bus service on the highway.

Not surprisingly, no streetcar line in Portland runs more than incidentally—if at all—through areas developed with, or zoned for, single-family dwellings. Without the development advantage, streetcars make no sense. Plus, when there is no development advantage for abutting properties, there is nothing to balance the noise and other negative impacts of streetcars.

Additionally, the DEIS claims (p.3-8) that "The cemetery...land is unlikely to be redeveloped under any alternative". That is quite an assumption. That land is the largest piece of developable land along this entire stretch of the project. And since it is west of the highway, enhanced bus service or another streetcar route would serve it far better than would a streetcar along the river.

5. The streetcar option is not socially equitable

See my separate letter.

6. The DEIS's faults call into question its entire validity

With so many flaws that have been pointed out by so many people, the DEIS's validity can't be defended.

Sincerely,

Dowd Architecture Inc.

Michael Dowd, AIA, President

DOWD ARCHITECTURE INC.

January 31, 2011

Lake Oswego to Portland Transit Project
attn: Jamie Snook
Metro
600 NE Grand Avenue
Portland, Oregon 97232

**Re: Lake Oswego to Portland Transit Project
Draft Environmental Impact Statement Comments--Letter 3**

THE STREETCAR OPTION IS SOCIALLY INEQUITABLE

Contrary to the Draft Environment Impact Statement's claims that this project is "socially equitable", in reality it is one of the most **socially inequitable** projects in the region's history.

The DEIS states (p. S-12): *"Specifically, there will be no disproportionate high and adverse impacts from the project to low-income or minority populations."*

Even if that statement is true--in that those populations will not bear the brunt of the negative impacts along the streetcar route--it is nowhere near the same as showing that the project is socially equitable. The project's impacts are not just limited to what happens along the proposed route. They include what happens and does not happen elsewhere if the project proceeds. The DEIS's approach to analyzing social equity may or may not satisfy its legal obligations, but it certainly doesn't address the issue rationally.

View this streetcar option in a realistic context. Put simply, **it proposes spending nearly a half billion dollars to improve commute times by a few minutes on a route that already has less traffic congestion than many parts of the region, and will primarily serve one of the wealthiest and most racially segregated communities in the state.**

In contrast, traffic congestion is much worse in many areas of our region. These areas are overwhelmingly much less wealthy, and have much higher percentages of minorities than is true for neighborhoods served by a streetcar to Lake Oswego. Plus, being less wealthy, residents of these other neighborhoods are more dependent on public transportation. They lack the option of driving that is available to most of the population that a Lake Oswego streetcar would serve. Many of these areas currently lack basic bus service and safe bus shelters, let alone *fast* service. **For a fraction of the price of the streetcar—in fact for only the interest on a fraction of that price—transit service could be improved long term in many areas that really need improvement.**

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Furthermore, arguments for the streetcar always stress its importance for encouraging development in downtown Lake Oswego. Again, this is one of the wealthiest communities in Oregon. There are individual houses in Lake Oswego worth more than entire blocks elsewhere in Portland. Of all areas in need of incentives for development, downtown Lake Oswego should rank among the last in the state.

And all this does not even address the fact that the claims that the streetcar is faster than bus service are arguable for commuters who must transfer at or drive to the streetcar terminus, or that there is absolutely no congestion on Highway 43 for the vast majority of the time, or the fact that even if it is true that the streetcar will encourage development in Lake Oswego, many residents there **do not even want** that development.

By law, the DEIS by law must show that the streetcar is socially equitable. Viewed under any realistic, commonsense lens, it does not.

Sincerely,

Dowd Architecture Inc.

Michael Dowd, AIA, President

DOWD ARCHITECTURE INC.

January 31, 2011

Lake Oswego to Portland Transit Project
attn: Jamie Snook
Metro
600 NE Grand Avenue
Portland, Oregon 97232

**Re: Lake Oswego to Portland Transit Project
Draft Environmental Impact Statement Comments—Letter 4**

THE NOISE AND VIBRATION ANALYSIS IS POOR

Dear Ms Snook:

The noise and vibration analysis in the project Draft Environmental Impact Statement, including the related Environmental Noise and Vibration report of November 2010, is poorly done, and underestimates the negative impacts of noise and vibration of the streetcar option on my property and that of my neighbors.

Here are only a few problems, but they are major ones.

--The report makes the “assumption” that the streetcar noise is legal under City of Portland regulations, but never verifies that assumption. The report states that the streetcar specifications call for operating noise in excess of the regulations, so it will be illegal unless it falls under an exemption, without verifying whether the exemption applies. In other words, the anticipated streetcar noise could be illegal. The fact that such a huge issue as an unverified assumption calls into question the entire report.

--The DEIS (6-17) in its discussion of noise and vibration impacts, mentions only Segments 3 and 5. Segment 4, which contains the bulk of my neighborhood, is not even mentioned. Since several houses in my neighborhood are very close to the right-of-way, it doesn't seem possible that there will be no noise or vibration impacts. The commentary also conflicts with the illustrations showing locations of noise and vibration impacts.

--In DEIS Table 3.10-2, in Segment Three, in which my house is located, no properties are shown to have “severe” noise and vibration impacts. Eight are shown to have “moderate impacts, both with and without mitigation measures. However, that number reduces to zero with the Macadam

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In-street and Macadam Additional Lane options. That means that all eight properties are in the Johns Landing condominiums area. In other words, although my house is less than 30 feet from the tracks (not just from the right-of-way) and my office is less than FIVE FEET from the right-of-way, the noise and vibration “analysis” finds that I will have not even a moderate impact on my property.

--The analysis does not take into account in my area the effect of the Oregon Public Broadcasting building, or any future building to its south, of reflecting streetcar noise into my property, or that of my neighbors, or Willamette Park. That will be a significant amplifier of any streetcar noise.

--The analysis took very few readings of sound in my neighborhood in comparison to the Johns Landing condominiums area, or the stretch between the Sellwood Bridge and Lake Oswego. It interpolated results from “nearby areas” rather than doing full measurements as were done elsewhere. Furthermore, the areas used for interpolation (who knows where they are, because it is not stated, and none are “nearby”) may not reflect the sound levels in my neighborhood at all.

I would have liked to have seen this report prior to only a month ago, and would have liked to have been able to talk to the project staff about the analysis. Unfortunately, nobody ever told me or anyone else I’ve talked to in my neighborhood that the report was even being done, let alone talk to us or inform us about what was being done. My comments above are the result of a very cursory look at the analysis.

The streetcar option should not be considered for carrying forward until the noise and vibration analysis is corrected to a reasonable level, especially in regard to my neighborhood.

Sincerely,

Dowd Architecture Inc.

Michael Dowd, AIA, President

Submit via e-mail

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Print



Date 1-31-11

Lake Oswego to Portland Transit Project

Draft Environmental Impact Statement and preliminary Section 4(f) assessment comment

(Please print)

Name (required) William Erickson

Affiliation (if any) Foothills Business Owner

Address (required) 18516 S Ferguson Rd Oregon City, Or 97045

E-mail (optional) Bill@ericksonsautomotive.com

Include my e-mail in your project notification list.

Comment topic(s) (check all that apply)

- Land use and planning
- Economic activity
- Community Effects
- Public safety and security
- Environmental impacts
- Transportation
- Finance
- Alternatives and/or design options
- Section 4(f) preliminary findings of *de minimis* impacts to public parks
- Other _____

Comment (use back or attach additional sheets if necessary)

Regarding Lake Oswego Streetcar vs Enhanced Bus.:

I own Erickson's Automotive located at 101 Foothills Rd Lake Oswego Oregon 97034

I stand to benefit if a streetcar is built but... I am strongly against the LO Streetcar for several reasons.

The first and most important is the expense; Our country , state and counties are financially bankrupt. The costs to build this Streetcar would be on the backs of our grandchildren repaying more loans to China.

The streetcar can do very little more in regards to developing the foothills area over what enhanced bus service can do. Our countries financial deficit at over 14 Trillion dollars can be most affected on the city and county level by telling our federal government we do not want to spend money we don't have. What money we do have needs to be prioritized by needs first, wants second. A street car is clearly a want , enhanced bus can take care of the need when it arises at far less expense.

Second: The population studies used to make the assumptions in the DEIS report are based on outdated and invalid statistics. Lake Oswego's population has change less than 1% in the last 10 years. New studies show the Portland-Metro region will see a fraction of the increases estimated 10 years ago.

Please vote against the LO Streetcar

Sincerely,

William Erickson

**For questions about or problems with this form, call 503-797-1756 or email trans@oregonmetro.gov.
Mail to: Lake Oswego to Portland Transit Project, 600 NE Grand Ave., Portland, OR 97232**

Submit via e-mail

Print



Date 1-28-11

Lake Oswego to Portland Transit Project

Draft Environmental Impact Statement and preliminary Section 4(f) assessment comment

(Please print)

Name (required) Candace Jennings

Affiliation (if any) Pres - Jennings Insurance Agency

Address (required) 17285 Cornell St Lake Oswego, OR 97034

E-mail (optional)

Include my e-mail in your project notification list.

Comment topic(s) (check all that apply)

- Land use and planning
- Economic activity
- Community Effects
- Public safety and security
- Environmental impacts
- Transportation
- Finance
- Alternatives and/or design options
- Section 4(f) preliminary findings of *de minimis* impacts to public parks
- Other _____

Comment (use back or attach additional sheets if necessary)

As a small employer in downtown Lake Oswego, transportation is a key concern for my employees and clients. Often an employee is interested in what public transportation is available to bring them to the area. Currently there is no direct access from many surrounding areas to Lake Oswego. Transfers are required which adds commute time and often is so long that public transportation is not a viable option for employees to and from the area. Our business has been part of the community since 1968. We have been proud to be part of the new downtown development - located in the Lake View Village within walking distance of great restaurants and shopping. Often this parking lot is overflowing - we do not have enough assigned parking to accommodate even our small office staff of 7. If there were a more direct, convenient method to commute I believe at least one if not two of my employees would take the trolley.

I strongly believe that an investment in the trolley line will encourage good business and young families to move to our area... something we are all looking for. A vibrant community that attracts good jobs and citizens. Please don't sacrifice this opportunity - true leadership has a long range plan and vision for a community regardless of the static at the moment.

**For questions about or problems with this form, call 503-797-1756 or email trans@oregonmetro.gov.
Mail to: Lake Oswego to Portland Transit Project, 600 NE Grand Ave., Portland, OR 97232**

Jay McCaulley
1555 N Jantzen Avenue
Portland, OR 97217
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January 31, 2011

Lake Oswego to Portland Transit Project
attn: Jamie Snook
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Portland, OR 97232.

**RE: Comments-Lake Oswego to Portland Transit Project's Draft
Environmental Impact Statement (DEIS).**

Via E-mail: trans@oregonmetro.gov

Dear Sirs:

The following comments are made on behalf of KDH LLC; 10808 SW Riverwood Road
Portland, OR 97219.

In general terms, project planning has inadequately addressed fundamental elements required to go forward with the DEIS at this point and has fallen short in regard to providing information needed by those directly and indirectly impacted by the proposed project. What began as a possible alternative transportation project initiated by the project partners and the "coalition" of local governments that purchased portions of the Willamette Shoreline Right of Way in 1988, appears to have resorted to looking at the Foothills development project for justification of the project itself, without addressing design specifics and the projects purpose and need. Although there have been extensive public forums for discussion purposes, the basic information presented and structure of those meetings has failed to adequately address or clarify the concerns expressed, nor justify the public need for the project.

In short, those discussions as well as the Draft Environmental Impact Statement (DEIS) have failed to meet required local, state and federal standards for further consideration of the proposal as presented.

For the purposes of the DEIS there has been inadequate or non-existent consultation with local public service providers, as well as state and federal agencies in regard to impacts to

natural resources such as wetlands mitigation and the flood plain; transportation planning and design; realistic funding options and alternatives, as well as fundamental short and long term land use planning principals.

For example; METRO has presented population and employment growth assumptions for the region but has not produced substantive population growth figures specific to the areas to be served, let alone adequate study to justify the two build options as presented. While attempting to utilize the Foothills development project for a significant portion of the growth statistics, the fact that the majority of that project is proposed in the 100 year flood plain, an area that was inundated in the 1996 flood (erroneously presented to the CAC as a 500 year flood) and as such may be in conflict with METRO's own Title 3 requirements for flood plain development, balanced removal/fill and may well jeopardize federal funding due to FEMA and Federal Transportation Administration regulations regarding such. Project staff has been careful to restrict the DEIS scope to the route considerations pertaining to the flood zone and yet refer to the regional growth as well as the Foothills project for justification of the project. However, it must be noted that the Foothills project has not been proposed, funded, permitted nor applied for and there is no evidence that it can be built given the current regulatory scheme.

In more realistic terms their actual and predicted growth figures for Lake Oswego (6% population growth between 1990 and 2005 and 51% projected for 2035) equates to 460 new households in Lake Oswego from 1990 through 2005 and potentially 3,900 additional between 2005 and 2035. These figures are presumed to be based on the significant contribution of the Foothills development, however, the limitations in the development potential have not been considered nor has the development potential for the remainder of the area. In short, the development potential in actual numbers rather than a function of percentages do not justify the expenditure of \$458,000,000, if the Foothills project can be built at all. The outlying areas of the project terminus are unlikely to contribute significantly to ridership.

A 33% increase in population through 2035 for the Dunthorpe/Riverdale area is not realistic given the physical and regulatory limitations in play.

Although three choices have been presented for consideration, we believe these are false choices in that the enhanced bus alternative and no build option point solely to the only other option, the streetcar. The enhanced bus alternative does not appear to meet any ridership needs as designed and presented; and in fact significantly reduces services in the corridor. Consideration should be given to offer a more realistic option of expanding the current bus 35 route to better serve current and anticipated riders by placing stations in key locations, not subtracting from the existing service, and express buses to attract ridership at significantly less cost.

The project assumptions steadfastly adhere to an anticipated 60% federal match; given all current indicators the Federal Transportation Administration has not supported such. A 50% match would leave the project \$35,000,000 to \$45,000,000 short of predictions even if assuming that the "coalition" contribution of the Willamette Shoreline ROW is realistic

and accepted. Competition by other projects for the federal contribution locally and nationally (such as the I-5 bridge) does not appear to have been considered. We have not heard any discussion about contingencies.

Pursuant to the DEIS:

The Project Purpose

The Purpose of the Lake Oswego to Portland Transit Project is to optimize the regional transit system by improving transit within the Lake Oswego to Portland Transit Corridor, while being fiscally responsive and supporting regional and local land use goals. The project should maximize, to the extent possible, regional resources, economic development and garner broad public support. The project should build on previous corridor transit studies, analyses and conclusions and should be environmentally sensitive.

RESPONSE: Given the state of the transit and transportation needs in the region, this project will not optimize the regional transit system. The most significant transit and transportation limitations in the region will not be served by this project at all. The same argument was used to justify light-rail to the airport, a project that has not met expectations. There indeed are more significant transit and transportation needs that are certainly more fiscally responsible given known bottle necks on the interstate freeway system, the bridge infrastructure, planned growth areas and deferred maintenance to regional and local transit and transportation needs.

The Project Need

The Lake Oswego to Portland Transit Project is needed because of: 1) historic and projected increases in traffic congestion in the Lake Oswego to Portland corridor due to increases in regional and corridor population and employment; 2) lengthy and increasing transit travel times and deteriorating public transportation reliability in the corridor due to growing traffic congestion; 3) increasing operating expenses, combined with increasingly scarce operating resources, while demanding more efficient public transportation operations; 4) local and regional land use and development plans, goals and objectives that target the corridor for development to help accommodate regional population and employment growth; 5) previous corridor transit studies, analyses and conclusions; 6) the region's growing reliance on public transportation to meet future growth in travel demand in the corridor; 7) the topographic, geographic and built environment constraints within the corridor that limit the ability of the region to expand the highway and arterial infrastructure in the corridor; and 8) limited options for transportation improvements in the corridor caused by the identification and protection of important natural, built and socioeconomic environmental resources in the corridor.

RESPONSE: The project need for historic and projected traffic congestion has not been demonstrated let alone served by this proposal. As stated above, the regional growth information presented does not reflect the local growth pattern and potential, and certainly does not satisfy the needs of the regional transit and transportation system. The project sponsors have not established increased travel times and deteriorating public

transportation reliability in this corridor let alone growing traffic congestion. Significant growth (approximately 4000 households by 2035) along this corridor is not anticipated, thus local and regional land use and development plans will not be served by this project. Interestingly, one of the arguments for limiting the number of lanes regarding the I-5 bridge, the region's most significant and known intra and interstate bottleneck, is to limit development in targeted areas in Washington State. That notion may or may not work for the I-5 project, but the project Lake Oswego Streetcar Project will not serve the stated need. This project expects to spend an extremely significant amount of local infrastructure money for a project that will accommodate a modestly populated area, not expected to grow significantly, when known local and regional needs abound.

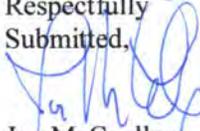
The topographic, geographic and built environment constraints within the corridor that limit the ability of the region to expand the highway and arterial infrastructure in the corridor have not been adequately studied or considered. The DEIS simply states these constraints but offers no substantiation for the position. To our knowledge, this option has not been vetted by the project or ODOT. According to the DEIS; *“limited options for transportation improvements in the corridor caused by the identification and protection of important natural, built and socioeconomic environmental resources in the corridor.”* A more thorough analysis by the project would reveal that the opposite is the reality. The area is along the corridor is already largely built out; the remaining “natural areas” will be impacted under the plan as presented by both the enhance bus and streetcar options, when the “no build” option would not, and widening of Highway 43 would not impact natural areas as much nor would it be built in the flood plain. To our knowledge, the socioeconomic considerations were very limited or not studied whatsoever.

On behalf of my client, we have asked several basic questions that have not been answered including disposition of the Right of Way in the event portions of the Willamette Shoreline Railway is not utilized. It has been represented that under certain route proposals the abandoned ROW would be used to build pedestrian trails and bikeways, in some venues that the ROW would revert to adjoining property owners. This question should be thoroughly vetted and disclosed prior to acceptance and certification of the DEIS. It is our position that if the railway, or portions of the ROW are indeed abandoned for rail purposes, the ROW would revert to the remaining property on either side of the ROW. During the January CAC meeting, it was revealed that staff has not looked into the “legal aspects” of converting the ROW to a non-rail use. This must be completed prior to adopting any of the design alternatives or DEIS.

Other areas of concern include study and disclosure of the following:

- Release of the underlying traffic analysis of Highway 43 and the neighborhoods impacted by the project and alternatives.
- Cost analysis of improving Highway 43 and comparison to options offered in DEIS.
- Route options may include closure of Riverwood Road; according to project staff, while they have apparently done traffic studies for this area, they have not considered the effect on traffic and public services (i.e. emergency services and

- the school bus) with only one entrance and egress at Military Road.
- Contingencies regarding;
 - Costs, cost assumptions and cost over-runs
 - Feasibility of what seems to be a driving source for the project, the Foothills development, including building within the flood plain.
 - Costs and impact analysis of the currently “undefined” route alternatives including Macadam and Riverwood Roads.
 - Completion of the CAC process prior to finalizing the DEIS.
 - Providing route selection and the Locally Preferred Alternative prior to finalizing the DEIS.
 - Appraisal of the current market value of the Willamette Shoreline ROW.
 - Specific mitigation considerations regarding;
 - Visibility
 - Vibration
 - Noise
 - Public Safety
 - Natural resources
 - Property values in impacted areas.
 - Flood plain considerations, feasibility, cost impacts and federal contributions when building in the flood zone.
 - Consultation including, but not limited to, pertinent local, state and federal agencies regarding:
 - Natural resources.
 - Service providers including emergency service providers.
 - ODOT Rail Division; regarding public crossing requirements.

Respectfully
Submitted,

Jay McCaulley

From: Brad Nase [naseco@comcast.net]
Sent: Monday, January 24, 2011 11:27 AM
To: Trans System Accounts
Subject: Lake Oswego to Portland Transit Project: Get involved

Metro and all concerned regarding this possible future transportation project,

I represent some property owners and businesses on SW Macadam Ave. near cross street SW Carolina, SW Dakota, and SW Texas Ave. I am also a member of the South Portland Business Association(SPBA) and the URAC for South Water front.

We believe the streetcar would be a better option for us and future development of the South Macadam area. The option of having the streetcar on portions of Macadam would have traffic calming effects and would be more resident useful. We also support stops on the North, central and South end for the benefit of residents, commuters and shoppers.

We also support the most efficient use of funds for this project. If it mean putting the streetcar on the existing rail bed then that is okay as long as we get the at least three stops North, Central, and South.

If the street car line goes on SW Macadam, then we support that no existing retail or commercial parking be removed for stops(possible Carolina Stop).

Bradford Nase
Naseco Macadam Market
6200 SW Virginia Ave., #202,
Portland, OR. 97239
503.977.1855
SWURAC, SPBA

Submit via e-mail

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1930

Print



Date December 13, 201

Lake Oswego to Portland Transit Project

Draft Environmental Impact Statement and preliminary Section 4(f) assessment comment

(Please print)

Name *(required)* Bradford Nase

Affiliation *(if any)* SPBA, SWURAC

Address *(required)* 6200 SW Virginia Ave., #202, Portland, OR 97239

E-mail *(optional)* naseco@comcast.net

Include my e-mail in your project notification list.

Comment topic(s) (check all that apply)

- Land use and planning
- Economic activity
- Community Effects
- Public safety and security
- Environmental impacts
- Transportation
- Finance
- Alternatives and/or design options
- Section 4(f) preliminary findings of *de minimis* impacts to public parks
- Other _____

Comment (use back or attach additional sheets if necessary)

Thank you for the opportunity to comment about the possible streetcar or enhanced bus service. My name is Bradford Nase and I represent my family group of land owners on SW Macadam Ave., I am also affiliated with SPBA and North Macadam or South Waterfront URAC.

I am in favor of:

An inexpensive version of the street car from Portland to Lake Oswego or Lake Oswego to Portland. If it means using the current rail bed then let us use it.

At least three stops in the Johns Landing/Macadam area. Located at North, south and central sites . If they are not added now we would have the option to add them later. Why have the service if the residents and future customers cannot come and go to the area?

Stops at sites that have minimum impact to current commercial business, parking.

**For questions about or problems with this form, call 503-797-1756 or email trans@oregonmetro.gov.
Mail to: Lake Oswego to Portland Transit Project, 600 NE Grand Ave., Portland, OR 97232**



January 28, 2011

Lake Oswego to Portland Transit Project
600 NE Grand Ave
Portland OR 97232

Re: Public Comment

Thank you for providing this opportunity for us to submit comments on the Lake Oswego to Portland Transit Project. OPB is particularly interested in this Project, as our headquarters is located at the corner of Nevada Street and Macadam Avenue, and directly abuts the Project's right-of-way and the proposed Nevada Street station.

We appreciate the positive working relationship that has developed with the Project team, and we are pleased that the Project could directly benefit OPB by providing enhanced transit options for our employees, volunteers, and community. We are concerned, however, that the Project could also have significant negative impacts on the safety of our employees and equipment, the quality of our work product and, ultimately, our ability to provide the important public services that are at the heart of our nonprofit mission. To be clear, OPB is not opposed to the Project. However, if the Project's proposed mitigation responses do not adequately negate the concerns described below, OPB would have to relocate our headquarters – a cost-prohibitive result that could bankrupt our organization.

Background

OPB is the largest cultural and educational institution in the region, delivering excellence in public broadcasting to more than 1.5 million people each week. From in-depth news to science, history, children's programs and the arts, OPB provides a unique and diverse schedule of television and radio programs that illuminates the wider world and makes a positive difference in people's lives. OPB's robust web site builds on the impact of its television and radio programs with video and audio archives, expanded program information, insights from producers and more. All of this content is freely available and accessible to the public and is generously supported by OPB's 117,000 contributors, making OPB one of the most-used and most-supported public broadcasting services in the country. All of this is accomplished at OPB's headquarters on Macadam Avenue in Portland. OPB's Macadam headquarters is the hub for our statewide primary news, radio and television system. We are on the air 24 hours a day, every day.

OPB places special emphasis on creating programs that feature the people, places and issues of importance to Oregonians – stories that simply would not be told elsewhere. On radio, local and regional news coverage is provided on a daily basis by a seasoned staff of journalists. *Think Out Loud*, a daily hour-long radio and online program produced at OPB, provides a venue

and outlet for conversation and community connection around key issues and ideas. On television, *Oregon Field Guide*, *Oregon Art Beat*, and *Oregon Experience* provide a thought-provoking weekly presence that builds awareness and inspires action. OPB manages KMHD Jazz Radio, a volunteer-hosted enterprise that brings exceptional jazz and blues to audiences in the Portland area via the airwaves, and to audiences worldwide via the web. And, *OPBMusic*, a 24-hour online music service, features emerging and independent artists with an emphasis on live performance and work created here in the Northwest.

Widely recognized as a national leader in the public broadcasting arena, OPB is a major contributor to the program schedule that serves the entire country. OPB produces and partners on the creation of television programs like *History Detectives*, *Travels in Europe with Rick Steves*, *Travels to the Edge with Art Wolfe*, and *Time Team America*. OPB is a frequent contributor to the *NewsHour* and to NPR's many daily radio news programs.

In sum, at the center of a uniquely engaged Northwest culture is OPB. We are the hub of a community that thrives on dialogue, public involvement, respect and a love for this place we call home.

Issues and Concerns

1. Noise & Vibration

We understand that only the preliminary engineering study has been completed, and that the bulk of the engineering will be completed at a later date. Nevertheless, we are very concerned that the preliminary mitigation plans, as implemented, may not be sufficient when applied to OPB's headquarters.

With regard to the ground-borne vibration mitigation responses, Section 3.10.3 of the Project's Draft Environmental Impact Report states that "possible operational vibration impacts could be mitigated to the level of no impact under FTA criteria"; however, that same section of the Draft EIR states that FTA criteria are based on the impact on locations more than 50 feet from the source, with a screening distance of 200 feet for sensitive locations. The existing trolley track leading up to the station runs parallel to, and within 19 feet of, OPB's building, and the current Project plan proposes a station platform within 50 feet of our headquarters building. It is our understanding that the right-of-way extends 13 feet from the center of the existing trolley tracks. The distance between the edge of the right-of way and our building is just over 14 feet. We question whether the FTA criteria and proposed mitigation responses adequately take into account sensitive recording studios as close as 14 feet from the source of noise and vibration.

We anticipate that for safety reasons, streetcar drivers would use mid- to high-frequency noises, such as horns and bells near the Nevada Street station. These noises, in addition to low-frequency rumble noise of 100hz or below, such as the noise generated from a streetcar braking to a stop, travels through walls, and the vibrations generated by that noise travels through both walls and windows. Any of these noises or vibrations could have significant negative effects on our recording and broadcasting activities.

Low frequencies in particular could be a problem because heavy streetcars will be coming to a stop and starting up again within 100 feet of our recording studios. This possibility -- with regard to the existing trolley line -- was such a concern when OPB built our building in 1988, that we designed a floating floor in the television studio that isolates it from the walls and ceiling. As anticipated, existing trolley trains now cause vibration in the building. In some cases, we have

noticed windows shifting sideways because of the vibration and have taken basic remedial measures to manage this problem. Fortunately, these trains are relatively light and run very few times during the day and mostly on weekends, keeping the physical building damage and our workflow disruption to a minimum.

We anticipate that this would not be the case with regard to the Project. The Project team¹ has advised us that the ballast mats that are the key proposed mitigation response to OPB's sensitive operations will mitigate frequencies above 50mhz. However, we anticipate that when streetcars slow to a stop at the Nevada Street station, they will generate frequencies below 50mhz. Movement and ground vibration at this low level could affect camera movement in our television studio.

Section 3.10.4 of the Draft EIR states that the "the use of ballast mats or similarly effective vibration-reducing technology in locations where the rail would be very near one or more potentially affected buildings [could avoid] all the potential operational vibration impacts." As stated previously, we appreciate the Project team's efforts to date and recognize the preliminary state of the Project's engineering plans, but Minnesota Public Radio's recent experience with a similar project leads us to be concerned that ballast mats may not be sufficient to protect OPB from all operational harm.²

2. Satellite Dishes

OPB's three satellite receiver dishes are located in a fenced lot near the corner of Nevada Street and Macadam Avenue. One receives our primary NPR feed, one receives our primary PBS feeds, and the third is a backup dish. These dishes are essential to our operations; we use them 24 hours/day, 7 days/week to receive the programs we distribute statewide. The edge of our NPR satellite dish is approximately 5 feet from the existing trolley right-of-way, and the satellite lot is directly adjacent to the proposed Nevada Street station.

Vibration is our first concern, in that the alignment of the dishes is critical. The dishes receive a low-power signal from a satellite 22,500 miles away. If streetcars are running within 10 feet of the dishes, the low frequency vibration may move the alignment and affect the signal level. Accordingly, we need to ensure that there is a mitigation plan in place for the dishes.

The other problem is security. The fence of our satellite lot is topped with barbed wire, which to date has been sufficient for existing risk levels. Foot traffic past the dishes is currently minimal, consisting primarily of neighborhood residents walking their dogs or taking their children to Willamette Park. With the addition of a streetcar station, that situation changes drastically. The very fact that the proposed station would be located within feet of such large and tempting equipment presents a unique opportunity (and a quick getaway) for potential vandals. As a nonprofit organization, OPB does not have the resources to hire private security personnel or to pay for enhanced security for the dishes, nor do we have reasonable alternatives with which to receive these essential programming streams if a dish is damaged or destroyed.

¹ Email correspondence with Joseph Recker, Planner, Capital Projects, Tri Met (Oct. 21, 2010).

² See *MPR and Met Council make deal on light-rail noise*, Star Tribune (April 8, 2009), available at <http://www.startribune.com/local/stpaul/42685187.html>; *MPR lawsuit third against Central Corridor project*, MPR News (Feb. 4, 2010), available at <http://minnesota.publicradio.org/display/web/2010/02/04/mpr-lrlawsuit/>.

3. Safety & Access

Safety and access is always an issue of concern to OPB. With regard to safety, we are a 24/7 facility, which means employees and volunteers are entering and leaving the building at all hours. As a broadcaster, we are sometimes targeted by angry members of the public and have occasionally had to obtain police assistance in this regard. We have spent many thousands of dollars installing cameras and security access equipment on our building and property. However, we did not take into consideration the possibility of a streetcar station within 50 feet of our front door and adjacent to our parking lots.

We frequently utilize volunteers and sponsor evening events for the general public, all of which require careful monitoring of both building access and parking by our staff. We currently do not have enough parking for our employees, volunteers and guests. Accordingly, any increase in foot traffic across our property, or people parking in OPB's lots while accessing the Nevada Street station could cause us to expend resources we do not have on additional security and parking enforcement. We have not, to date, seen any proposed mitigation response to these issues. Rather, Section 3.14.2.1 of the Draft EIR indicates that the proposed Nevada Street station's proximity to "a large, heavily programmed regional park and nearby office buildings" would "provide natural surveillance." To the extent that natural surveillance is effective, it does not address issues of parking enforcement or crimes that occur at night when the park and nearby office buildings are empty.

With regard to access, as stated above, our available parking is already extremely limited. More troubling, however, is that the parking structure in front of our building has weight limits that prevent large vehicles from accessing the building via the main doors. We have long relied on an alley that runs behind our building to access our below-level parking structure, our loading dock and television studio. The alley abuts (and, in part, overlaps with) the existing right-of-way. Cranes lifting air handlers to the roof utilize the back alley, as do semi trucks making deliveries of large equipment, and fire trucks in the event of a fire emergency. Fire trucks require a roadway that is at least 15 feet wide. As stated above, the distance between the edge of the existing right-of-way and our building is 14 feet. If construction and extension of the existing tracks utilizes the full right-of-way, it could endanger the safety and lives of our employees and our ability to conduct business.

In closing, OPB is enthusiastic about the Project but we also have significant concerns. We have operated from our Macadam Avenue location since 1988. If the Project impacts our business in a drastic way, we would need to relocate, which would cost tens of millions of dollars. Obviously, this is not an option for a publicly-supported nonprofit organization.

We would be happy to speak with the Project team about the possibility of relocating the proposed Nevada Street station to a location on or near OPB's contiguous property less than a block north of Nevada Street. This alternate location would decrease many of OPB's concerns about the current plan, and could provide an opportunity for expanded parking and similar benefits for the Project.

We thank you again for this opportunity to comment, and we look forward to working with the Project team as the engineering and planning process moves forward.

If we can provide additional information, please do not hesitate to contact us.

Sincerely,



Steven M. Bass
President & CEO



January 31, 2011

RE: Lake Oswego to Portland Transit Project/Oswego Lender, LLC dba Oswego Point Apartments

Attn. Jamie Snook

Metro

600 NE Grand Avenue

Portland, Oregon 97232

trans@oregonmetro.gov.

Dear Ms Snook,

We have reviewed the DEIS, specifically the impact that the proposed street car alignment in segment 6 will have on our property, Oswego Point Apartments.

We have the following concerns with the proposed alignment:

- 1) First and foremost, it has come to our attention that in order to gain access to the Albertson's parking lot, a portion of our property will be needed for the track right of way. We have not received formal notification from Metro as of this date. We did receive a sketch from Mr. Brant Williams on 1/21/2011 at our request. A preliminary review shows that the tracks at the terminus run so close to one of our 8 unit apartment structures at 5001 Foothill, that we would be forced to lower rents substantially (current rental value is \$114,500 per year). In addition, we would possibly lose 9 carport spaces and 17 open parking spaces which would leave this area of Oswego Pointe extremely under parked. These changes would have a severe impact on the quality of living in those units. We request that Metro work with Prime Group /Oswego Pointe Apartments to find another option for the right of way. We would like input on relocating the tracks at the terminus as well as measures to preserve the privacy of our residents in that portion of the property.(Please see the attached ALTA survey with comments as well as the sketch from Brant Williams)
- 2) The proposed 300 car parking garage at the terminus is a potential eyesore for our residents because of proximity and changes to views from units in that section of the property. It would also create noise; introduce additional exhaust and a heat island. The garage and terminus may also increase loitering and raise safety issue for our residents.
- 3) We are concerned about the vibration and noise impacting our property both long term and during construction. We expect Metro to do specific testing at our property and provide the necessary measures to mitigate these issues to the satisfaction of Oswego Pointe. We expect noise not only from the street car but also from the train platform and the parking garage. We also expect



vibration from the street car. Please be advised that we have had some settlement issues in the past. (please see attached GEOCHECK report). Vibration could exacerbate the settlement issues without proper mitigation.

- 4) The visibility and curb appeal of our property will be greatly impacted by the infrastructure that must be constructed to operate the street car. This infrastructure will run across the main entrance to Oswego Point Apartments and along the entire length of our property parallel to State Street. We would like input as to the measures that can be taken to minimize visual barriers created by the infrastructure. The State Street entrance is the main entrance to our property and our primary marketing window. It is extremely important that the curb appeal be maintained since we are a rental property.
- 5) Construction disruptions will have an impact on the ingress and egress from the property because of the tracks being laid along the entire length of our property parallel to State Street. In addition the terminus may have a welding yard nearby adding vehicles and eliminating parking. During the recent refurbishment of the sewer lines, it was extremely difficult to make a left hand turn into Oswego Pointe from State Street. This kind of congestion will deter potential renters. We request that Metro analyze signaling at the intersection and entrance to our property as well as coordinate the construction activity with Oswego Pointe management to minimize the inconvenience to our residents.

In closing, we are in favor of the Portland Lake Oswego Street Car as long as Metro is willing to discuss our concerns as stakeholders in the entire Foothills redevelopment process. We encourage Metro to contact Oswego Lender LLC dba Prime/Oswego Pointe Apartments to begin working out the issues above.

Sincerely,

Oswego Lender LLC/dba Oswego Point Apartments

Contact for the above:

Sara T. Hartley

Asset Manager

Prime Group, LLC

321 South Burnside Avenue

Los Angeles, CA 90036

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Permeability Rate (in/hr)	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	17 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 2.00 Min: 0.60	Max: 6.50 Min: 5.60
2	17 inches	32 inches	silty clay loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Clayey Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), Lean Clay	Max: 2.00 Min: 0.60	Max: 6.50 Min: 5.60
3	32 inches	68 inches	silt loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 0.20 Min: 0.06	Max: 6.50 Min: 5.60

OTHER SOIL TYPES IN AREA

Based on Soil Conservation Service STATSGO data, the following additional subordinant soil types may appear within the general area of target property.

Soil Surface Textures: loam
silty clay loam

Surficial Soil Types: loam
silty clay loam

Shallow Soil Types: silty clay loam
loam

Deeper Soil Types: silty clay loam
loam
loamy fine sand
silty clay
clay

ADDITIONAL ENVIRONMENTAL RECORD SOURCES

According to ASTM E 1527-00, Section 7.2.2, "one or more additional state or local sources of environmental records may be checked, in the discretion of the environmental professional, to enhance and supplement federal and state sources... Factors to consider in determining which local or additional state records, if any, should be checked include (1) whether they are reasonably ascertainable, (2) whether they are sufficiently useful, accurate, and complete in light of the objective of the records review (see 7.1.1), and (3) whether they are obtained, pursuant to local, good commercial or customary practice." One of the record sources listed in Section 7.2.2 is water well information. Water well information can be used to assist the environmental professional in assessing sources that may impact groundwater flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

Era:	Cenozoic
System:	Quaternary
Series:	Quaternary
Code:	Q (decoded above as Era, System & Series)

GEOLOGIC AGE IDENTIFICATION

Category: Stratified Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps. The following information is based on Soil Conservation Service STATSGO data.

Soil Component Name:	WOODBURN
Soil Surface Texture:	silt loam
Hydrologic Group:	Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.
Soil Drainage Class:	Moderately well drained. Soils have a layer of low hydraulic conductivity, wet state high in the profile. Depth to water table is 3 to 6 feet.

Hydric Status: Soil does not meet the requirements for a hydric soil.

Corrosion Potential - Uncoated Steel: MODERATE

Depth to Bedrock Min: > 60 inches

Depth to Bedrock Max: > 60 inches



JILL S. GELINEAU
Admitted in Oregon and Washington
Direct Line: 503-796-2887
E-Mail: jgelineau@schwabe.com

January 27, 2011

Lake Oswego to Portland Transit Project
600 NE Grand Ave.
Portland, OR 97232

Re: Portland to Lake Oswego Transit Project

To Whom it May Concern:

This office represents Public Storage, owner of the property at 801 N. State Street in Lake Oswego, regarding the Lake Oswego to Portland Transit Project (“the Project”).

Public Storage operates a self-storage facility in the northern portion of the Foothills Neighborhood between Highway 43 and the City of Lake Oswego’s water treatment facility. The property consists of 3.35 acres. With over 600 units of varying size, the facility has been used for self-storage for over 20 years. Public Storage provides a useful and necessary storage service to Lake Oswego residents and businesses.

We are submitting the following comments for consideration during the Project’s public comment period and selection of the Locally Preferred Alternative.

Public Storage opposes the selection of the Streetcar Alternative and intends to vigorously participate in this process in opposition.

Private Property Acquisition

The Project’s alternatives will have varying impacts to private property and existing uses. For instance, the Enhanced Bus Alternative will require only eight takings with no displacements, while the Streetcar Alternative will result in between 28 and 60 acquisitions with up to seven displacements. Public Storage is one of the properties that will be taken if the Foothills Option of the Streetcar Alternative is selected: Its business in its entirety will be eliminated. While Lake Oswego is an excellent market for Public Storage, much of the immediate area is already developed to its fullest extent, and relocation within Lake Oswego is not feasible because of a lack of available land, and because Oregon’s land use system makes development prohibitively expensive and complex.

Public Storage objects to the possible taking of its property and elimination of its business.

In addition, the selection of the Streetcar is not in the best interests of Public Storage and of many other stakeholders, for the reasons described below.

Challenges with Financing

The Draft Environmental Impact Statement (“DEIS”) (p. 5-3) estimates that the Streetcar Alternative will cost up to \$458 million, while the Enhanced Bus Alternative is estimated to cost only \$51 million. Yet the Streetcar option will have very limited benefits in terms of improvement of transportation (as discussed more below). During these difficult economic times which have adversely impacted businesses and governments alike, the region should be focused on issues other than a very expensive transportation luxury in the form of the Streetcar. Nor does the current or projected future condition of Hwy. 43 justify such an elaborate and expensive project.

Even if such a project made sense from an economic standpoint, the economic and funding assumptions in the DEIS are suspect.

First, the project overestimates the value of the previously acquired Willamette Shore Line Right-of-Way that is to be dedicated to the Project as a credit towards the required local funding match. (DEIS p. 5-5). Property values have declined over the last three years. Regardless of the specific devaluation of the right-of-way scheduled to be dedicated - which is impossible to determine at this point because of a lack of current and reliable appraisal information - it is unlikely that the value is anywhere near the assumed \$97 million. If the value of the right-of-way is determined to be substantially less - which is likely - this will lead to a significant reduction in federal funding, making financing of the streetcar option impossible.

The DEIS also suggests local funding will partially come from a source known as the Metropolitan Transportation Improvement Program (“MTIP”) which generates funding for all types of transportation projects in the region including bikes, pedestrian and freight. (DEIS p. 5-12). The MTIP is an effort by Metro to use federal funds in a flexible manner on any number of transportation projects meeting certain criteria. The DEIS states the Project will be utilizing these flexible funds for the Streetcar alternative despite the fact that the Streetcar alternative does not meet all of the policy objectives for receiving money from the MTIP. Specifically, objectives for utilizing these funds include “completing missing links, and developing a balanced system that provides transportation choices for people and businesses in the region.” (Metro, 2008). As one of the Project alternatives, the Streetcar is not a missing link to any existing transit line, and only helps develop a balanced transportation system in so far as it seeks to modify an already existing transportation choice. The intended use of this particular funding source is beyond the scope and stated intent of the MTIP, and will drain the region of flexible funds intended to meet those criteria.

In addition, proponents of the Streetcar selection assume that 60% of the Project’s cost will be paid by the Federal Transit Administration (“FTA”). (DEIS p. 5-11). Project staff



members have minimized the possibility that only 50% will be made available despite the recent decision by the FTA to provide the nearby Milwaukie Light Rail Project with only 50% of the funding necessary after a similar request for 60%. A real possibility is that a significant portion of a known funding source will not be available, putting additional stress on the local and regional governments to find new ways of filling the funding gap. This is not a desired scenario for businesses which desire to continue operating in the region, or local government agencies who must fund basic municipal operations.

Concerns for Safety

During our attendance at various meetings held to discuss the Project, we have learned of safety concerns associated with the geology of the area. The Highway 43 corridor lies between two known earthquake zones: the Oatfield Fault and Portland Hills Fault. The corridor's topography is unstable as evidenced by the rock slide on Highway 43 near the Sellwood Bridge on December 23, 2010. It is likely that a Streetcar project will be unable to withstand a major natural event. The flexibility of the current transportation and transit system in the corridor, or the implementation of the Enhanced Bus alternative, is far more likely to successfully cope with such an event than the fixed transit infrastructure of the Streetcar. At the end of the day, Public Storage's goal is to continue its operation as effectively and efficiently as possible, even in a worst-case-scenario event.

Concerns with Growth Projections

The DEIS assumes that by 2035 the number of Lake Oswego households will have grown by 51% and jobs will have grown by 89% from 2005. (DEIS p. 3-26). These estimates are too high for two reasons. First, growth in Lake Oswego is limited by a lack of readily developable land as a result of the City already being built-out and the difficulty in redeveloping more intensely due to challenging topography. Second, recent growth in Lake Oswego, and Oregon in general, is lower than expected. According to Portland State University's Population Research Center, Lake Oswego has grown by about 4% in the last 10 years, which hardly supports the assumption in the DEIS that Lake Oswego will grow by 51% in the next 30 years. Furthermore, data released by the Census Bureau states that Oregon grew by 12% over the last decade, which was the slowest rate in 20 years, and that most of that growth occurred between 2000 and 2005. This information suggests the Project's growth assumptions are faulty, and there is not a need to spend such extensive resources on transportation infrastructure.

Beyond Public Storage's concerns regarding the Project's growth assumptions, the DEIS shows (but fails to discuss) that the reduction in P.M. peak automobile volumes experienced by selecting the Streetcar alternative will occur almost entirely in the section of Highway 43 north of Lake Oswego. (DEIS p. 4-22). In other words, traffic in and out of Lake Oswego itself will not improve at all with the introduction of the Streetcar.

In conclusion, Public Storage objects to selection of the Streetcar alternative for the Lake Oswego to Portland Transit Project. It will continue to participate in this process to oppose it, and oppose it strenuously. Public Storage requests that either the no-build or Enhanced Bus



Lake Oswego to Portland Transit Project
January 27, 2011
Page 4

alternative be selected as the Locally Preferred Alternative for additional study and eventual implementation.

Very truly yours,

SCHWABE, WILLIAMSON & WYATT, P.C.



Jill S. Gelineau

JG:lrb

cc: Christopher Tucker (via e-mail)





January 31, 2011

VIA EMAIL ONLY

Lake Oswego to Portland Transit Project
Attn: Jamie Snook
Metro
600 NE Grand Avenue
Portland, Oregon 97232
trans@oregonmetro.gov

Re: Comments on Lake Oswego to Portland Transit Project Draft Environmental Impact Statement on Behalf of Terramar Retail Centers (Oswego Village)

Dear Ms. Snook:

On behalf of Terramar Retail Centers f/k/a GMS Realty LLC ("Terramar"), I offer these comments in response to the Lake Oswego to Portland Transit Project ("Project") Draft Environmental Impact Statement ("DEIS") dated December 2010 and prepared by Metro, Tri-Met, and the Federal Transit Administration (together, the "Agencies"). Terramar is the owner of approximately 8 acres of real property in downtown Lake Oswego that is improved by Oswego Village (the "Village"). Please place a copy of this letter in the official record for this matter and consider it prior to preparing the Final Environmental Impact Statement for the Project. As explained below in more detail, Terramar is prepared to support the Project, subject to various conditions.

Terramar has made a substantial investment in the Village by developing and leasing approximately 86,416 square feet of commercial uses, 251 parking spaces, and related landscaping at the Village, including an Albertson's, Ace Hardware, Moonstruck Chocolate Café, Tuesday Morning, Northlake Physical Therapy, and approximately 15 other retail and office businesses with long-term lease obligations encumbering the site. As reflected in the DEIS, under both the Enhanced Bus and Streetcar Alternatives, the Agencies propose that the Village serve as the southern terminus of the Project and that the Property be developed with a 300-space "Park and Ride" parking structure to serve riders of the Project ("Parking Structure"). The location of these Project components on the Village site creates operational challenges as well as potential opportunities for Terramar and the tenants, employees, and customers of the Village. The challenges include balancing the public use of the Property with the existing private

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5973 Avenida Encinas, Ste. 300, Carlsbad, California 92008 p: 760 804 8600 f: 760 804 8641

www.terramarcenters.com

improvements and the operational needs of our tenants, while the potential opportunities include increased potential for redevelopment of the Village and related public/private partnerships to provide enhanced infrastructure necessary to serve any such redevelopment.

Terramar's comments on the DEIS are primarily directed at these challenges and opportunities as follows:

- Subject to resolution of concerns noted below, Terramar acknowledges the potential appropriateness of the selection of the Oswego Village as the southern terminus of the Project. As stated on page 2-7 and Appendix C of the DEIS, this selection is consistent with local plans and policies and may serve to facilitate redevelopment of the Property. By comparison, the two alternative sites were either too costly or provide too few benefits to the local transportation system to warrant additional consideration.
- Terramar agrees with the conclusion in Chapter 3 of the DEIS that the Streetcar Alternative may create more intensive redevelopment opportunities on a more timely basis than either the No-Build or Enhanced Bus Alternatives. As such redevelopment furthers local land use policies, it likewise satisfies the Project objective to do the same.
- Based upon the limited discussion and depictions in the DEIS, it appears that the Parking Structure will displace much of the primary existing on-site parking field for the Village, and as a result make future operation of the Village in its present form impossible. Furthermore, a mere discussion of this possibility in the public forum impacts Village's ability to attract new tenants, and/or retain existing tenants in the project. Significant economic damages could be incurred unless immediate action is taken to further identify and propose mitigation measures to deal with potential impacts of the Project on the Village. Accordingly, Terramar anticipates the need to enter into a parking management plan between the Agencies and Terramar to ensure that the Village can accommodate the parking needs of both public (riders of the Project) and private (Village) users. This may include joint use of the Parking Structure, as appropriate, and/or developing separate parking facilities, provided that there are appropriate restrictions and enforcement mechanisms in place to preserve the primary purposes of the respective facilities. The plan should also ensure that satisfactory vehicular and pedestrian access and circulation is maintained for the Village. The parties could refer to the parking management plan entered at Hedges Green Shopping Center in Tualatin in conjunction with development of the Westside Express Service commuter rail project as one of several possible solutions to mitigating the potential impacts.model.
- Terramar requests that the Agencies ensure that there are adequate and concurrent public facilities and services to mitigate the Project's off-site impacts without foreclosing the



Lake Oswego to Portland Transit Project

Attn: Jamie Snook

January 31, 2011

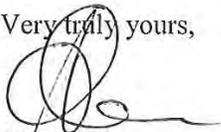
Page 3

possibility of additional expansion of these facilities, as needed, to accommodate redevelopment of the Property. Public/private partnerships to develop infrastructure improvements in the area may help achieve this objective. In addition, Terramar supports the proposal discussed at page 3-16 of the DEIS of amending the Oregon Transportation Planning Rule ("TPR") to allow "Safe Harbors" such as the City's designated Town Center where the strict requirements of the TPR are deemed secondary to other planning objectives.

- Terramar further believes that it is essential that the City adopt and apply to the Property a zoning designation that allows more intense development of the Property consistent with its proximity to a major transit station, the Project terminus, and the Parking Structure. Further, Terramar recommends that this zoning designation recognize the market reality that private economic development is dependent upon established Project ridership, which will only occur over time. As such, the zoning designation should permit the phased implementation of the increased station area density/intensity as Project ridership increases. Without this flexibility, the increased density may be impermissibly difficult to finance and construct in a single phase, which would frustrate the planning objectives of both the Project and any intensification of development at the Village.

Subject to the above comments and the final design and construction of the Project terminus and Parking Structure, Terramar is optimistic with regard to the Project. Terramar believes that enhanced transit alternatives serving the City and Portland may very well serve to stimulate economic redevelopment of our property and other sites consistent with the City's Town Center designation in Metro's 2040 Growth Concept. Terramar looks forward to continuing to work with the Agencies and the City to plan for and implement this exciting project. Thank you for your consideration of these comments.

Very truly yours,



Alex Liftis

cc: Tri-Met
FTA
City of Lake Oswego

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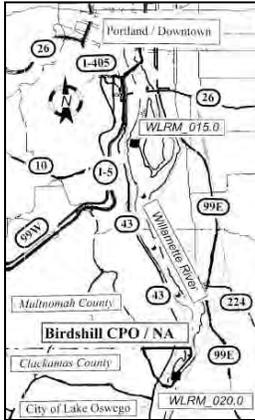
Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby

2011 January 31 Monday 16:00 U [4:00 PM PT]



Prepared By:
 Charles B. Ormsby
 (Skip), Acting Chair
 Birdshill CPO / NA

Birdshill Community Planning
 Organization (CPO) of
 Clackamas County and City of
 Lake Oswego Neighborhood
 Association (NA)



Location:
 The Birdshill CPO / NA (area) is a joint county and city community located on the west bank of the Willamette River between river miles 019.4 south to 020.2. This is about seven miles south of central Portland Oregon and immediately north of the City of Lake Oswego Oregon in Clackamas County.

Map at: Googleearth.com
North: Lat = 45° 25' 27.63" N,
 122° 39' 38.22" W = Lng

Contact Information:

Phone: 503.636.4483 Residence
 Mail: Clackamas County – Birdshill Area
 170 SW Birdshill Road
 Portland OR 97219-8052

Internet Presence – LOPT Disability Access Initiative

Email: sentinelskip@gmail.com
 Website 1: <http://sites.google.com/site/sentinelskip>
 Website 2: <http://sites.google.com/site/or43corr>
 Group: <http://group.google.com/group/sentinelskip>
 YouTube: <http://www.youtube.com/sentinelskip>
 Twitter: <http://twitter.com/sentinelskip>

Attached Files / Cross Referenced Files:

05 – World of Documents Referred to, & Hyperlinked, Page <9>.

Detail levels, pages, document files and disk space:

Detail Level	No Pages	No Files	Cum Disk Spc [kb-kilobytes]
L1 – Abstract ¹ :			kb
L2– Summary ² :			kb
L3 – Key Docs ³ :			kb
L4 – Total Outline ⁴ :			kb
L6 – World of Docs ⁵ :			kb

Notes on referenced documents:

- Files referenced have been posted to above website for download.
- Downloaded files require name change to enable hyperlinks.**
- Files available for at least 30 days from date at top of column.
- Files also available upon request by email to above address(es).

GLOSSARY & Terms – See spreadsheet: Edition Access

Website: <https://sites.google.com/site/loosswur/home/reptdeis>

Edition: L4 – Total Outline

Edition Access: L1 – Abstract, L2 – Summary, L3 – Key Documents, and L4 – Total Outline

Website for editions: <https://sites.google.com/site/loosswur/home/reptdeis>

Note: Navigate between most headers by Cltr + mouse click, to follow most links.

Note: CR = Cross Reference – Linked jump to Outline Section & then to endnotes.

Affected Parties(s):

Residents of LOPT Corridor including:

- Birdshill CPO / NA
- Lake Oswego UGMA

01 – Abstract of Report

The Draft Environmental Impact Statement (DEIS) for the Metro and “project partners” Lake Oswego to Portland Transit Project (LOPT) is fraught with serious flaws from many perspectives. The purpose of this commentary is to provide a minimalist catalogue of those flaws and thereby document upon the public record for this endeavor and the intertwined project of City of Lake Oswego Foothills District renewal. Items that should have been addressed in the past seven years since 2004 with the expenditure of about \$4.3 million dollars of federal state, regional, county, and municipal planning funds. All in a concerted effort to force citizens within the Metro region to live within the confines of the Metro 2040 Concept Plan. That within the LOPT corridor concentrates benefits upon an anointed few and disperses costs both unknowingly and unwillingly upon many. Costs that include financial encumbrances upon tax and fee bases without a public vote. Along with land use measures that limit private property utility in “uplands areas” through “offsite mitigation” to enable a TOD – Transit Oriented Development in a flood plain to support a streetcar alternative. The outline below guides the reader to salient topics, source documents, ultimately recommendations.

02 – Summary of Documents & Impact.

Introduction:

Time Context of Commentary, Purpose for LOPT,

Need for LOPT,

Birdshill CPO / NA:

Treatment of Residents, Denial of Requests,

Unresolved Issues Remedy by Public Referral / Vote
 Recommendations

03 – Key Documents

03.01 LOPT Status – 2010 March

Site: <https://sites.google.com/site/loosswur/home/reptstat>

File: FLYR_LSUR_LOPT_Status_2010_07Jul_26Mo_1000U.pdf

03.03 Cascade Policy Institute

Site: <https://sites.google.com/site/or43data01/home/bhdocsalt>

File: MTMN_BHCN_DRFT_2010_12.pdf

04 – Total Outline of Documents

05 – World of Documents Referred to, & Hyperlinked

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

02 – Summary of Documents & Impact

Introduction

Time Context of Commentary <CR 04.02.01.01.01>

This commentary is being drafted at the time of arising convulsions in the Middle East notably in the countries of Tunisia and Egypt. That have occurred since 2011 Jan 01 Saturday. With wary eyes watching developing events from both near and afar. The most likely immediate outcome will be a rise in energy prices in the United States of America due to an increase in the price of oil. Pegged at \$xx1 on 2011 Jan 01 Saturday that has risen to xx2 as of 2011 Jan 28 Friday. Similar arguments were made nearly thirty years ago when I was modeling transit networks for the Metro precursor agency called Columbia Region Association of Governments (CRAG) in conjunction with TriMet. At that date circa 1979 Americans were being held hostage in Iran and there was an “Oil Crisis” resulting in an almost 300% increase in the price of a gallon of gas. From about \$0.30 to \$1.00 / per US gallon. One result of those efforts is today’s MAX (Metropolitan Area Express) Light Rail (LR) lines [Blue, Red, Yellow and Green] that have had decidedly mixed results upon Portland (Oregon) – Vancouver (Washington) Standard Metropolitan Statistical Area or PVSMSA (hereafter referred to as Portland Metro) both in terms of quantifiable measurable land use efficiencies and energy savings. Let alone development benefits cited with installation of the Portland Streetcar Inc line between South Waterfront at Moody / Lowell north to NW Portland at 23 rd Ave / Lovejoy St. This latter line is proposed for extension to Lake Oswego in 2017 as an alternative of the LOPT.

Purpose for LOPT

Quoting the purpose statement from the DEIS on page S-1, Web Edition Page (wpage) 023/543:

“The Purpose of the Lake Oswego to Portland Transit Project is to optimize the regional transit system by improving transit within the Lake Oswego to Portland Transit Corridor, while being fiscally responsive and supporting regional and local land use goals. The project should maximize, to the extent possible, regional resources, economic development and garner broad public support. The project should build on previous corridor transit studies, analyses and conclusions and should be environmentally sensitive.”

Metro website for LOPTP shows meetings of the Steering favor streetcar & Lake Oswego land owners in Foothills District.

Need for LOPT

The financial report: Review Draft No 1, Lake Oswego to Portland Transit Alternatives Analysis Funding Options

Head_Lv_08.1_09.4

It was assumed throughout the Lake Oswego to Portland Transit.

Head_Lv_08.1_09.5

The financial effects illustrated from the above report, are briefly <CR 04.02.03.01.01>. Not to forget the finance impacts of urban renewal

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby

Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Birdshill CPO / NA

Treatment of Residents

The area and residents of the Birdshill CPO / NA have both been basically treated as drive “through territory” by both the LOPT and precursor LOPTTAAAS processes. This is akin to how certain sectors of the United States midwest states, notably the State of Kansas, feel because they are perceived as “fly over states” by people on either the east coast or west coast who only give their issues a glance out the window from passenger jets seats at 35,000 ft elevation (Angels 35). In the case of both LOPT and LOPTTAAAS the issues of residents of the Birdshill CPO / NA have not been identified, labeled, delineated, described and defined by any of the Metro representatives, groups or committees tasked with listening to residents. These include: Metro District 02 Councilors that include the area of the Birdshill CPO / NA Brian Newman (2004 & 2005, 2006-2010) and Carlotta Collette (2009 & 2010, 2011 - 2014). Program Management Group and Steering Committee. Along with Clackamas County Board of County Commissioners, 2005-2006, 2007-2008, 2009-2010, and likely 2011-2012 <CR 04.02.02.01.01>. This has been primarily due to the length of the “recognition” process that citizens of the Birdshill CPO / NA were required to endure. In order to attain a joint “recognition” status with taxlots that had been incorporated into the City of Lake Oswego. When contrasted with another area in Clackamas County, North Clackamas CPO that was granted an interim recognition in order to be heard on a variety of concerns. Some relating to the installation of the MAX Green Line to Clackamas Town Center and resulting densification of adjoining areas mandated by terms in the Metro Code, resulting from the Metro 2040 Growth Concept Plan that required new infrastructure including sewers resulting in possibly mandated Local Improvement Districts [LID(s)] that forced increases in property tax rates.

Denial of Requests

Many residents of the Birdshill area have simply been too preoccupied with the day-to-day necessities of survival in these precarious economic times since 2001. That is to maintain the integrity of their business, their position at their place of employment, their home and position of children in school. Thus time allocation for survival has simply kept them from properly supervising elected officials by compiling questions. Questions that are answered succinctly in a short period of time without obfuscation or the common government game of “Catch me if you can!” that I have been subjected to in four instances that can be documented with public records in the endeavor to endorse the streetcar alternative before federal officials.

1. Request for population figures that provide input into unknown models of ridership demand. <CR 04.02.02.02.01>
2. Request for Full Funding Grant Agreements [FFGA(s)] that delineated contract terms of funds and land use practices between TriMet – representing the common will of local governments in the Portland Region. And the Federal Transit Administration (FTA) <CR 04.02.02.02.02>

3. Request for connections between land use regulations applied to the Lake Oswego Foothills District and the evolving “Sensitive Lands” overlay code with offsite mitigation terms. Made verbally in meeting to LO Mayor Jack Hoffman <CR 04.02.02.02.03, 04.02.02.02.04 and 04.02.02.02.05>.
4. Request for release and public posting on government websites of **ALL** documents related to the Streetcar Summit held in Washington DC in 2010 February <CR 04.02.02.02.06>.

Unresolved Issues

Issues that are unresolved by the Public Involvement Program with respect to issues I have brought forth about the area of the Birdshill CPO / NA and the Oregon Highway 43 corridor from the Ross Island Bridge south to the “Arch Bridge” between West Linn and Oregon City include:

1. Surface Water Management primarily from OR 43 <CR 04.02.02.03.01>
2. Identification, Labeling, Delineation, Description and Validation of the System of Law Enforcement and Deterrence.
3. Noise and vibration analysis measurements in which the residents of the Birdshill CPO / NA participate, understand and are in agreement with both the methodology utilized along with the results obtained <CR 04.02.02.03.02>.
4. Interaction of bike ways with respect to the Willamette Shore Line (WSL) right-of-way (ROW) and area of the Birdshill CPO / NA <CR 04.02.02.03.02>.
5. Identification, Labeling, Delineation, Description and Validation of the system of pedestrian movement to and from households to station platforms or bus stops <CR 04.02.02.03.02>.
6. Identification, Labeling, Delineation, Description and Validation of Land Use initiatives required to support the Federal funding of the either the streetcar or enhanced bus alternatives.
7. Safety issues with respect to the “in-the-street” Macadam alternative <CR 04.02.02.03.04 >
8. Resolution of Transfer Issues with respect to streetcar alternative and a process of public examination and validation. <CR 04.02.02.03.05 and 04.02.02.03.06>

Remedy by Public Referral / Vote

One result of the collective regional, county and municipal government levels of intransigence to answer questions about computer models, code provisions, and likely encumbrances upon personal property and finances will simply be to force a public vote upon these issues.

Local government levels since the demise of the North South Light Rail initiative in the election of 1998 have never put forth another initiative since that date. Instead local governments have relied upon back door schemes of finance that do not or avoid a public referral. One can predict with the serious financial debt of \$14.3 T (trillion) days of dependency upon federal dollars without a referral vote affirming public support are fast coming to a close.

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby

Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Recommendations

Rational

The alternative analysis needs to be re-examined ethically prior to the federal government endorsing and spending upwards of \$180 million to “leverage” the value of Willamette Shoreline right-of-way acquired circa 1984. Reasons include changes since 2007:

1. No iterative analysis conducted with respect to Sellwood Br. alignment since selection by Metro Council, 2008 October.
2. Spending millions of dollars and no relief for bottle necks
New Sellwood Bridge will not relieve a bottle neck between west bridge head and OR Hwy 43 at Taylors Ferry Rd. Further intersections servicing South Waterfront District <CR 04.02.03.01.01>, including OR Hwy 43 / SW Bancroft St need \$80 m.
3. Meltdown of real estate / condo market nation wide and in the Portland South Water Front District
4. Operating requirements of High Capacity Transit encourages double track operations. Expensive switching and controls required with single track and “passing sidings”.
5. Collision of Streetcar with High Speed Rail alignment
Proposed Portland (Union Station) to Eugene intercity High Speed Rail alignment beginning in Milwaukie through Lake Oswego Foothills District & west to Tualatin. <CR 04.02.03.02.03>.
6. Assumed value of Willamette Shoreline ROW
I learned at Rocketdyne building the Space Shuttle Main Engine the government can throw \$100’s of millions and get a second supply source to reduce costs in the long term. The engine firms have now merged. Metro may be forcing US - DOT to do the same to “leverage” the value of WSL ROW.

Essence of Proposal

When briefed to a South Portland representative on LOPTTAAS at the John’s Landing Open house, 2009 June. He discredited it immediately stating the neighborhood would not accept it. If this is the case, why can Portland neighborhoods inflict their will on everyone south along the Oregon Hwy 43 corridor and not share in the “vision” of a green sustainable transit oriented commuting society. One based on, short travel times, effective schedules, safe access and transfers to attract “choice riders” from their vehicles.

Genesis and Maps

This proposal evolved in my head after the Sellwood Bridge alignment was set by Metro Council in 2008 October. It began with the desire to give regional bicyclists a moderate grade, public restroom access, and further connect Lewis & Clark College and Lewis & Clark Law School to South Portland, Sellwood, and Lake Oswego. The concept expanded when I realized a 2 to 4 percent grade that is great for bicyclists also is also great for the Streetcar. Upon further examination I saw by looking at the corridor roll maps. Metro had kindly provided Birdshill / Charles Ormsby for review, that issues with the “ivy desert” on north side of Lewis and Clark Griswold Stadium could be addressed. This got my interest since I had heard Riverview Cemetery may be looking to sell or develop this 140 acre parcel because it may not be suitable for ground plots of final resting spaces. This concept also borrowed an alternative suggested by a LOPTTAAS committee person to run Streetcar / Bus on Terwilliger and along (up and down) Taylors Ferry Road. I thought not at first, however taking second, third, fourth and fifth looks ...<CR 04.02.03.02>

Site: <http://sites.google.com/site/or43corr/Home/loptp0903-1> Files
PAKT_SNSK_Elevations_WRT_WLRV_2009_09Sep_10Th_1100U.pdf & MPUA_BH3606_ROW_ALT_2009_09Sep_15Tu_1400U.pdf

Proposal – Concept

OR Hwy MP (Mile Points) used as index / distance feature only.

Routing description beginning <BGN> north at Hamilton Court working south to Lake Oswego –Foothills District at North Shore Bv <END>:

1. <BGN>**OR Hwy MP 00.81 – OR Hwy 43 / Hamilton Court**
WSL ROW traverse to SW Landing Drive, run south to about SW Mitchell (MP 01.81) angle across parking lots and SW Boundary to SW Sweeney Street. Double track.
2. **OR Hwy MP 01.32 – OR Hwy 43 / SW Sweeney St**
Cross OR Hwy 43 at grade with protection barriers, jog to intersection at SW Sweeney St to SW Hood Ave at north end of Wells Fargo Bank tax lot. Avoid Portland BES tunnel access point in this area. Double track and run south to intersection at SW Carolina St.
3. **OR Hwy MP 01.68 – OR Hwy 43 / SW Carolina St**
From SW Hood Ave / SW Carolina St. turn and run one block east to SW Virginia Ave / SW Carolina St.
4. **OR Hwy MP 01.68 – OR Hwy 43 / SW Carolina St**
From SW Virginia Ave / SW Carolina St. turn south onto SW Virginia Av Double track. Run to SW Taylors Fry Rd.
5. **OR Hwy MP 02.20 – OR Hwy 43 / SW Taylors Ferry Rd**
From SW Virginia Ave / SW Taylors Ferry Rd cross Taylors Ferry Rd on to exclusive ROW. Deal with PGE substation and interface with west bridgehead of Sellwood Bridge. Run on exclusive ROW up 4% grade through 140 acres of “ivy desert”. To new north portal of cut and cover tunnel parallel to OR Hwy 43 / SW Radcliff Rd at about Palater & Palatine Hill Rd, nrth side of L& C College (LCC)
6. **OR Hwy MP 03.67 – OR Hwy 43 / SW Radcliff Rd**
North portal of cut and cover tunnel NE of SW Palatine Hill Rd / SW Palater Rd on north side of LCC. Run double track in cut and cover tunnel SW to South tunnel portal on west side of SW Terwilliger Bv in Tryon Creek State Park (TCSP).about parallel to OR Hwy 43 / SW Riverdale Rd.
7. **OR Hwy MP 03.87 – OR Hwy 43 / SW Riverdale Rd**
South Tunnel Portal in Tryon Creek State Park on west side of SW Terwilliger Bv between existing bike path and SW Terwilliger Bv. Run SE west of Terwilliger Bv to 1st St LO.
8. **OR Hwy MP 05.70 – OR Hwy 43 / None**
From west side of SW Terwilliger Bv cross Tryon Creek ravine on bridge to First Street / “E” Ave in Lake Oswego First Addition. Long intended location of pedestrian bridge.
9. **OR Hwy MP 05.82 – OR Hwy 43 / E Avenue <LO>**
Run south on 1st St in Lake Oswego to “C” Av turn east and run on “C” Ave to elevated viaduct routed through Foothills District to elevated terminal at OR Hwy 43 / North Shore Bv
10. <END>**OR Hwy MP 06.38 – OR Hwy 43 / No Shore Bv <LO>**

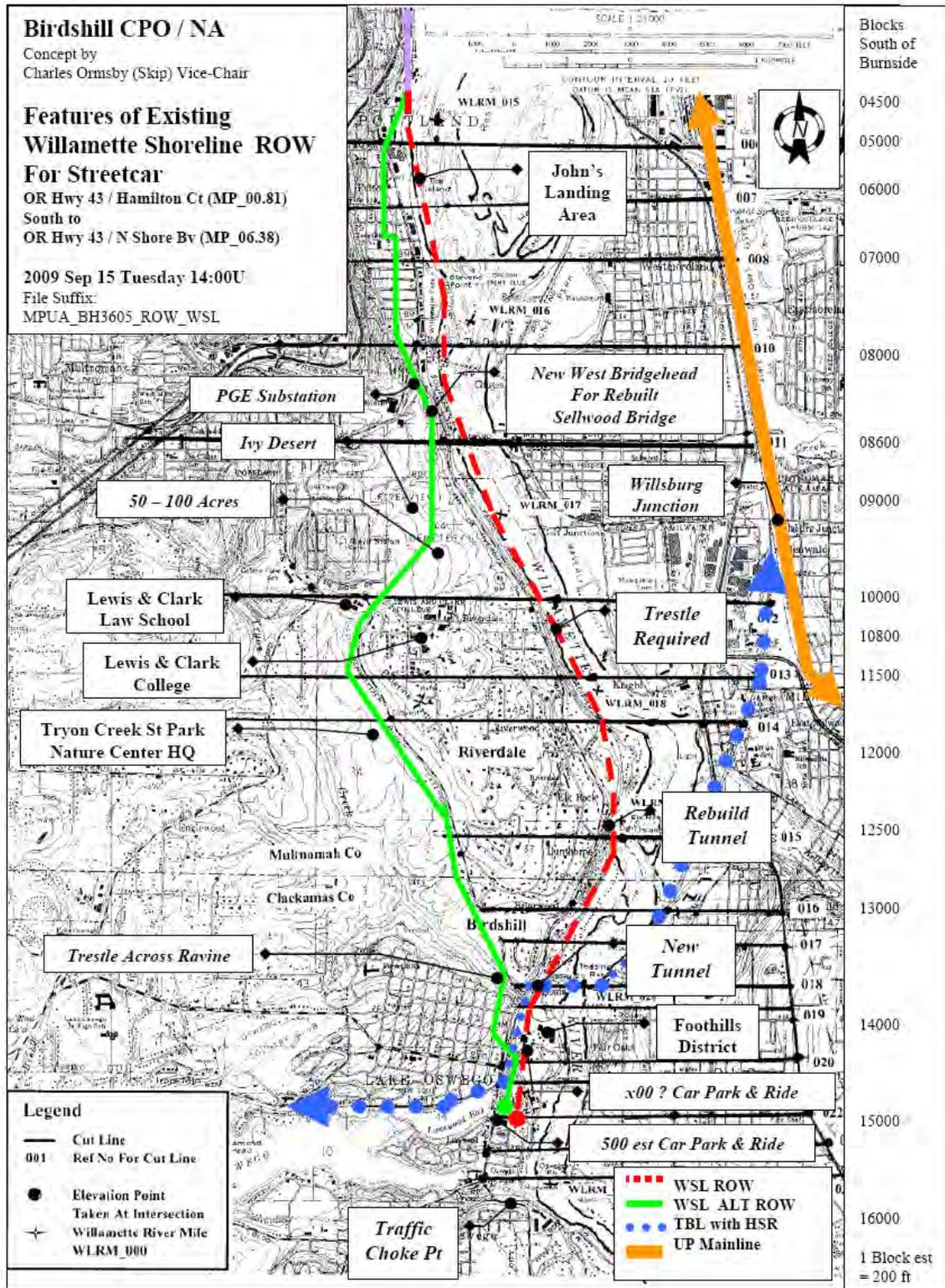
Plus Points

1. **Avoids all John Landing Condominium complexes**
2. Avoids streetcar running with traffic on OR 43.
3. Connects Lewis and Clark College to South Portland
4. Promotes dense development in “ivy desert” vacant cemetery taxlot
5. Connects Lewis and Clark College to Lake Oswego
6. Avoids tracks in Willamette Rv Greenway & Powers Marine Park.
7. Promotes rail connection to Tryon Creek State Park.
8. Provides for future connection to Sellwood area on east bank.
9. Avoids Class “A” earthquake zone at Riverwood Rd on cliff.
10. **Avoids Dunthorpe. (Riverdale NA and Birdshill CPO / NA)**
11. Good bike grade and public restroom access / regional bike traffic.
12. Double track operation without passing sidings.
13. Minimizes pedestrian issues – hill climbs & OR Hwy 43 crossings.
14. Avoids “under crossing” with Tillamook Branch at Tryon Cr.
15. Avoids bisecting Old Twn & G. Rogers Pk, in LO for future extmnt.

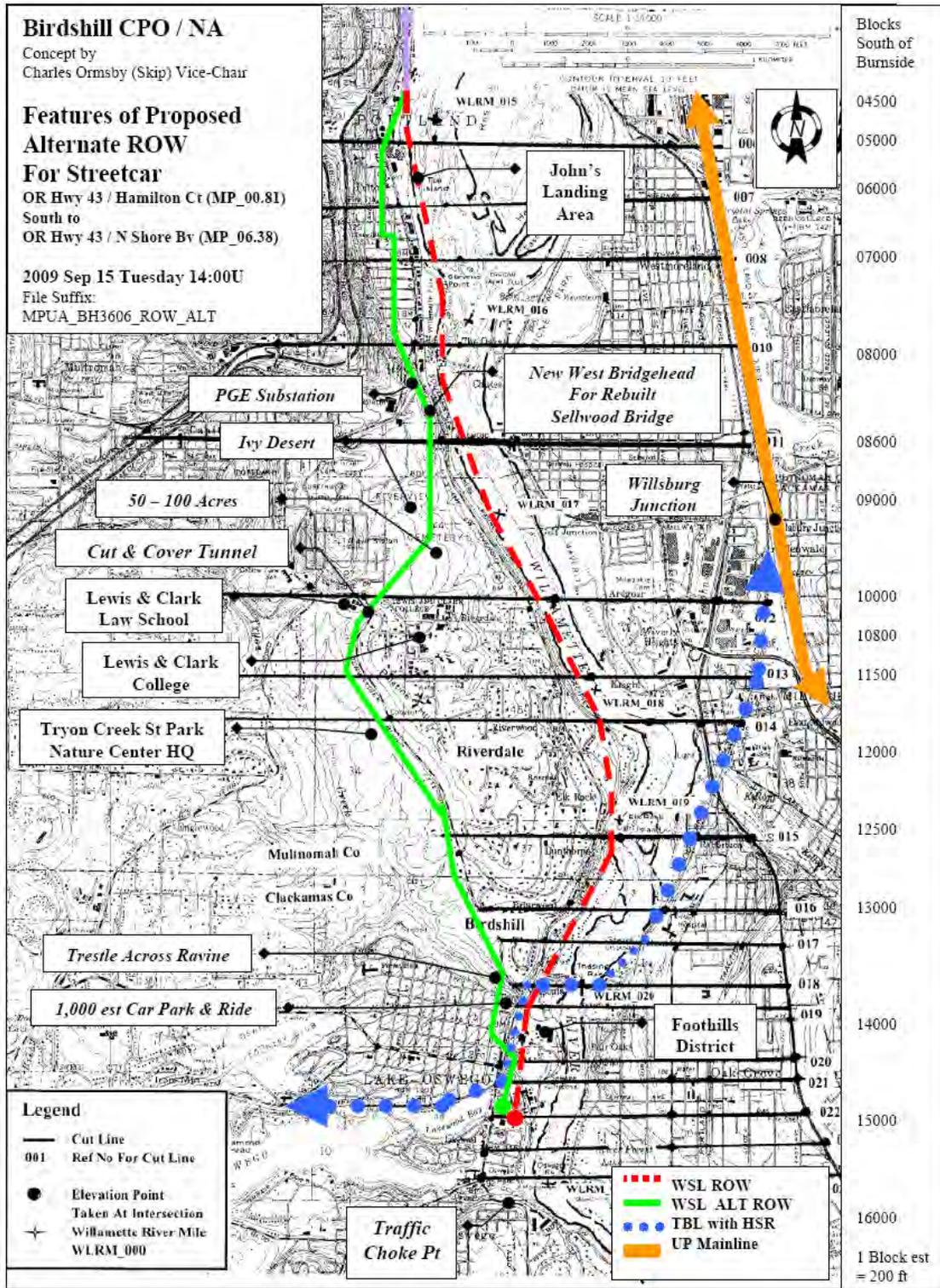
Minus Points

1. No “Leverage” utility value of Willamette Shoreline ROW.
2. Touches PGE substation at OR Hwy 43 / Taylors Ferry Road.
3. Touches Sellwood West Bridgehead creeping landslide area.
4. Minimal intrusion into South Portland west of OR Hwy 43.

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
 Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project



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Note: Documents are hyperlinked in endnotes.

1. Download attachments to email or documents downloaded from website into one common directory.
2. Have a PDF file reader installed on your computer and open (PC or MAC versions)
3. Navigate through document rapidly by clicking on headers (Bold type at beginning of section.) or “Bookmark tab”
4. To access an endnote reference, first record endnote number on a piece of scratch paper. Place cursor over superscript number carefully and left mouse click, once.
5. To access the source site for document referenced in endnote click on the blue or purple text with the label “**Dc_Source:**”. Links may not work due to changes in hyperlinked website URLs / addresses.
6. To access posting site for document referenced in endnote click on the blue or purple text with the label “**Dc_Access:**”. Links may not work due to changes in hyperlinked website URLs / addresses.
7. Rename downloaded file as required to conform to filename in hyperlink in endnote. Strip off characters “[1]” at end of filename.
8. To access a document referenced in the endnote left mouse click on the blue or purple text with the label “**Hlink_Prd:**”. This will open Adobe PDF file reader and you should see the referenced document.
9. To return to point in the document click on one of the previous view buttons (green button with left/right white arrows)
10. Periodically when viewing source documents close out viewed documents in Adobe reader separately.

Report:

Note Outline format is used to succinctly abstract the previous section summary and expose many more documents placed into endnotes. Due to limitations with my computer and software I have problems creating Adobe *.pdf (Portable Document Format) document files that provide full access to endnotes created in MS Word 2003 source files when the number of endnotes in the source document rises above 20 to 25 references. Endnotes in the PDF document can be accessed; however, but before performing a left mouse click you must record the endnote number on a scratch pad. Because in the PDF file you are dropped into the endnote section, and you must manually scroll backwards or forwards to the endnote number to point to document you desire and gain information about.

Elemental data likely to delineate and describe the “deal for the streetcar” exists in bits and pieces in many documents but remain fallow ground until the elements are placed in an order (hierarchy) and the orders within all dimensions are exposed. Then the “deal for the streetcar” can become information for the public to judge prior to elected officials signing an FFGA – Full Funding Grant Agreement, between local governments and the US Department of Transportation (USDOT) / Federal Transit Administration (FTA).

03 – Key Documents

<p>03.01 03.01.01 03.01.02 03.01.03 03.02 03.02.01 03.03 03.03.01 03.03.02 03.04 03.04.01 03.05 03.05.01 03.05.02 03.06 03.06.01 03.07 03.07.01 03.07.02 03.08 03.08.01 03.09 03.09.01</p>	<p>LOPTP Status – 2010 March LOOSSWUR Report Status 2010 July⁶ 2009 Dec LOPTP newsletter on DEIS phase and status⁷ PCA: PT Streetcar Walk Distances with Walk Egress⁸</p> <p>Metro – 2040 Concept Plan 2040 Plan History (plan elements explained)⁹</p> <p>Cascade Policy Institute 2003 Apr CPI Report on Orenco TOD¹⁰ 2010 May CPI Presentation to Birdshill CPO/NA^{11 12 13}</p> <p>Metro – Audit Report on Planning Outcomes 2010 Feb Metro Audit Report Project Outcomes¹⁴</p> <p>CBO (Skip) Request of TriMet For FFGA(s) FFGA(s) = Full Funding Grant Agreements Level 4 – Total Outline Access for documents¹⁵</p> <p>CBO (Skip) Meeting Report with TriMet Consultant Level 3 – Total Outline Access for documents¹⁶</p> <p>CBO (Skip) Report of Projects in OR Hwy 43 corridor Projects in the OR Hwy 43 Corridor¹⁷ NOTE: Last update 2007 May</p> <p>CBO (Skip) OR Hwy 43 Corridor – Libraries OR Hwy 43 Corridor – Libraries¹⁸ OR LU Goal 1 Citizen Involvement¹⁹</p>
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Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
 Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

04 – Total Outline of Documents

- 04.01
- 04.01.01
- 04.02
- 04.02.01
- 04.02.01.01
- 04.02.01.01.01
- 04.02.01.01.02
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- 04.02.01.03.03.01
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- 04.02.02.02.04
- 04.02.02.02.05
- 04.02.02.02.06
- 04.02.02.03
- 04.02.02.03.01
- 04.02.02.03.02
- 04.02.02.03.03
- 04.02.02.03.04
- 04.02.02.03.05
- 04.02.02.03.06
- 04.02.02.04
- 04.02.02.04.01
- 04.02.02.05
- 04.02.03
- 04.02.03.01
- 04.02.03.01.01
- 04.02.03.02
- 04.02.03.02.01
- 04.02.03.02.02
- 04.02.03.02.03
- 04.02.03.02.04

References from Abstract – page 1.

None

Summary of Documents & Impact

Introduction

Time Context of Commentary

Members LOPTPP Steering Cmte (LOPTPSC)²⁰
 Transcript of 2006 Metro Councilor Quote²¹

Purpose for LOPT

Restart of Steering Committee
 Webpage of LOPTP Steering Committee

Need for LOPT

Financial Report Draft 1 extract

Relief of Congestion on OR Hwy 43 / State Street?

2007 Map of LO Time Transfer Problem

Green Benefits of Electric Powered Streetcar?

PGE Power Sources

Birdshill CPO / NA

Treatment of Residents

20nn VARIES Vote Count Packet for LOPT²²

Denial of Requests

2007 Feb Request for Population Figures²³
 2010 Jan Request for FFGA(s)²⁴
 2009 Sep 21 Meeting on Sensitive Lands issues
 2010 Apr LO Stewards “Offsite Mitigation”²⁵
 2010 Apr Present of How to on Offsite Mitigation²⁶
 2010 Jun Resolution of Birdshill Release Documents²⁷

Unresolved Issues

2009 Jan CBO Complaint of Surface Water Mgmt²⁸
 2009 Aug CBO Report wrt TriMet Consultant²⁹
 2008 Jul CBO Complaint wrt Terwilliger Bv³⁰
 2010 Mar CBO Request wrt Macadam³¹
 2010 Jun Resolution to specify Target Destination³²
 2010 Jun Resolution to emulate Line 35³³

Remedy by Public Referral / Vote

Lake Oswego graph of Sewer Rate Increases

Recommendations

CBO (Skip) OR Hwy 43 Corridor – Bottle Necks

OR Hwy 43 Corridor – Bottle Necks³⁴

CBO (Skip) Alternate Routing Concept

Packet to illustrate WSL elevation profiles³⁵.
 Map of OR 43 / WSL / TBL / Tryon Cr & Willamette Rv.³⁶
 Features – existing WSL ROW streetcar routing³⁷.
 Features – proposed alternate ROW streetcar routing³⁸.

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

05 – World of Documents Referred to, & Hyperlinked

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ¹ Title: Report of Charles Ormsby wrt LOPT Documents Status 2009 September
Edition: L1– Abstract
Date: 2009 Oct 21 Wednesday 15:00 U (3:00 PM PT)
Desc: Abstract 1 page, Adobe 6.0 file format
Type: REPT – Report
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: REPT_SNSK_LOPTP_Stat_L1A_2009_10Oct_21We_1500U.pdf. Size: 90 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0902>
Hlink_Prd: [REPT_SNSK_LOPTP_Stat_L1A_2009_10Oct_21We_1500U.pdf](http://sites.google.com/site/or43corr/Home/loptp0902)
- ² Title: Report of Charles Ormsby wrt LOPT Documents Status 2009 September
Edition: L2– Summary
Date: 2009 Oct 21 Wednesday 15:00 U (3:00 PM PT)
Desc: Summary 6 pages, Adobe 6.0 file format
Type: REPT – Report
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: REPT_SNSK_LOPTP_Stat_L2S_2009_10Oct_21We_1500U.pdf. Size: 140 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0902>
Hlink_Prd: [REPT_SNSK_LOPTP_Stat_L2S_2009_10Oct_21We_1500U.pdf](http://sites.google.com/site/or43corr/Home/loptp0902)
- ³ Title: Report of Charles Ormsby wrt LOPT Documents Status 2009 September
Edition: L3– Key Document Outline Access
Date: 2009 Oct 21 Wednesday 15:00 U (3:00 PM PT)
Desc: Summary 14 pages, Adobe 6.0 file format
Type: REPT – Report
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: REPT_SNSK_LOPTP_Stat_L3K_2009_10Oct_21We_1500U.pdf. Size: 210 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0902>
Hlink_Prd: [REPT_SNSK_LOPTP_Stat_L3K_2009_10Oct_21We_1500U.pdf](http://sites.google.com/site/or43corr/Home/loptp0902)
- ⁴ Title: Report of Charles Ormsby wrt LOPT Documents Status 2009 September
Edition: L4 – Total Outline for Document Access
Date: 2009 Oct 21 Wednesday 15:00 U (3:00 PM PT)
Desc: Outline 27 pages, Word 1997, 2003, and Adobe 6.0 file formats
Type: REPT – Report
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: REPT_SNSK_LOPTP_Stat_L4T_2009_10Oct_21We_1500U.pdf. Size: 390 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0902>
Hlink_Prd: [REPT_SNSK_LOPTP_Stat_L4T_2009_10Oct_21We_1500U.pdf](http://sites.google.com/site/or43corr/Home/loptp0902)
- ⁵ Title: Document List Supporting Report of Charles Ormsby wrt LOPT Documents Status 2009 September
Date: 2009 Oct 21 Wednesday 15:00 U (3:00 PM PT)
Desc: Document List Supporting Report LOPT Documents
Type: SPSH – Spreadsheet
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: SPSH_SNSK_DocList_LOPTP_Stat_2009_10Oct_21We_1500U.xls. Size: 500 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0902>
Hlink_Prd: [SPSH_SNSK_DocList_LOPTP_Stat_2009_10Oct_21We_1500U.xls](http://sites.google.com/site/or43corr/Home/loptp0902)

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ⁶ Title: LOOSSWUR Report on Lake Oswego to Portland Transit Project Status: 2010 JUL
Date: 2010 Jul 26 Monday 10:00 U (10:00 AM PT)
Desc: Flyer on status and issues wrt LOPT in DEIS phase and WSL Tour Guide 2010 JUL
Type: FLYR – Flyer, LSUR – LOOSSWUR
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: FLYR_LSUR_LOPT_Status_2010_07Jul_26Mo_1000U.pdf Size: 82 kb, Page(s): 2
Dc_Source: Archives Birdshill
Dc_Access: <https://sites.google.com/site/loosswur/home/reptstat>
Hlink_Prd: FLYR_LSUR_LOPT_Status_2010_07Jul_26Mo_1000U.pdf
- ⁷ Title: Environmental analysis moves forward Winter 2009
Date: 2009 Dec 15 Tuesday 14:00 U (2:00 PM PT)
Desc: News letter regarding the status of the Metro LOPT study during Draft Env Impact Statement (DEIS) phase
Type: NWLT – News letter
Auth: Metro
File: NWLT_MTRO_LOPTP_Winter_09_2009_12Dec_15Tu_1400U.pdf, Size: 3,571 kb, Page(s): 4.
FRn: lopt_newsletter-112409-web.pdf
Dc_Source: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=227/level=3>
Dc_Access: <https://sites.google.com/site/loosswur/home/reptdeis>
Hlink_Prd: NWLT_MTRO_LOPTP_Winter_09_2009_12Dec_15Tu_1400U.pdf
- ⁸ Title: PCA: Comparison Evaluation – Walk Distance with Walk Egress Access to Portland Streetcar
Date: 2010 Apr 08 Thursday 17:00 U (5:00 PM PT)
Desc: Comparison image of map Streetcar walk distances with Walk Egress Access
Type: MPUA – Map US Size “A”, WxH (11 in x 8.5 in) Landscape
Auth: Charles B. Ormsby (Skip) Sentinel Birdshill
FILE BHCN: MPCM_BH7795_PSDWEg_2010_04Apr_08Th_1700U.pdf. Size 324 kb, Page(s): 1
Dc_Source: Birdshill CPO / NA Archives, MPCM_BH7795_PSDWEg_2010_04Apr_08Th_1700U.ppt
Clip Images MPUA_BH7706_DstPSI_2010_03Mar_29Mo_1900U.pdf and
MPUA_BH7720_PCWKEG_2010_03Mar_29Mo_1900U.pdf
Dc_Access: <https://sites.google.com/site/or43data01/home/maps01>
Hlink_Prd: MPCM_BH7795_PSDWEg_2010_04Apr_08Th_1700U.pdf
- ⁹ Title: The Nature of 2040, The regions 50-year plan for managing growth
Date: 2000 Jun 01 Friday 17:00 U (5:00 PM PT)
Desc: Oregon Metro 50 year plan outline for managing growth.
Type: REPT – Report
Auth: Oregon Metro aka Metro
File: REPT_MTRO_2040_History_2000_06Jun_01Fr_1700U.pdf. Size 782 kb
FRn: 2040history.pdf
Dc_Source: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=29882>
Dc_CrRef: Metro Code most recent available <CR Endnote Not Annotated/Cross Referenced (Doc End note Limits)>
Dc_Access: <http://sites.google.com/site/or43corr/Home/rqtmffga03>
Hlink_Prd: REPT_MTRO_2040_History_2000_06Jun_01Fr_1700U.pdf
- ¹⁰ Title: The Mythical World of Transit Oriented Development
Date: 2007 Jan 22 Monday 14:00 U (2:00 PM PT)
Desc: Report from Cascade Policy Institute on Orengo
Type: Report from Cascade Policy Institute
Auth: John A. Charles, MPA and Michael Barton, PhD
File: CPI_Myth_TOD_Orengo.pdf (Source documents for extract), Size: 895 kb, Page(s):42.
File: EXTR_PopContract_2007_01Jan_22Mo_1400U.pdf (Extract)
FRn: REPT_CPIX_Myth_TOD_Orengo_2003_04Apr_01Tu_1700U.pdf
Dc_Source: <http://www.cascadepolicy.org/2003/04/23/the-mythical-world-of-transit-oriented-development-light-rail-and-the-orengo-neighborhood-hillsboro-oregon/>
Dc_Access: <https://sites.google.com/site/trimetffga/home/resultpro>
Hlink_Prd: REPT_CPIX_Myth_TOD_Orengo_2003_04Apr_01Tu_1700U.pdf

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ¹¹ Title: Meeting Minutes DRAFT Birdshill CPO / NA 2010.12 Special Meeting
Date: 2010 May 26 Monday 19:00 U (7:00 PM PT)
Desc: DRAFT Meeting minutes of Birdshill CPO / NA special presentation by Cascade Policy Institute
Type: MTMN – Meeting Minutes, BHCN – Birdshill CPO / NA
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: MTMN_BHCN_DRFT_2010_12.pdf Size: 185 kb, Page(s): 23
Dc_Source: Archives Birdshill
Dc_Access: <https://sites.google.com/site/loosswur/home/reptdeis>
Hlink_Prd: [MTMN_BHCN_DRFT_2010_12.pdf](#)
- ¹² Title: Comments on the Lake Oswego to Portland Transit Project
Date: 2010 Jun 03 Thursday 16:27 U (9:00 PM PT)
Desc: Comments revised on material presented to Birdshill CPO / NA at 2010 May 26 Wed 19:00 U (7:00 PM PT)
Type: CMMT – Comments, CPIX – Cascade Policy Institute
Auth: John A. Charles, Cascade Policy Institute, President and CEO
File BHCN: CMNT_CPIX_Birdshill_2010_05May_26We_1900U.pdf. Size: 1,226 kb, Page(s): 3.
File CPIX: S10060400270.pdf
Dc_Source: [EMAL_2010_06Jun_16We_1755U_LNAC_SNSK_CPI_Birdshill_Present.pdf](#)
Dc_Access: <https://sites.google.com/site/loosswur/home/reptcomm>
Hlink_Prd: [CMNT_CPIX_Birdshill_2010_05May_26We_1900U.pdf](#)
- ¹³ Title: Testimony to TriMet Board
Date: 2010 Jun 03 Thursday 16:27 U (9:00 PM PT)
Desc: Comments revised on material presented to Birdshill CPO / NA at 2010 May 26 Wed 19:00 U (7:00 PM PT)
Type: CMMT – Comments, CPIX – Cascade Policy Institute
Auth: John A. Charles, Cascade Policy Institute, President and CEO
File BHCN: CMNT_CPIX_Birdshill_2010_05May_26We_1900U.pdf. Size: 1,226 kb, Page(s): 3.
File CPIX: S10060400270.pdf
Dc_Source: [EMAL_2010_06Jun_16We_1755U_LNAC_SNSK_CPI_Birdshill_Present.pdf](#)
Dc_Access: <https://sites.google.com/site/loosswur/home/reptcomm>
Hlink_Prd: [CMNT_CPIX_Birdshill_2010_05May_26We_1900U.pdf](#)
- ¹⁴ Title: Tracking Transportation Project Outcomes
Better information needed to measure effectiveness
Date: 2010 Feb 03 Wednesday 12:00 U (12:00 PM PT)
Desc: Audit 2004 – 2008, Transportation Projects and Outcomes wrt Metro 2040 Concept Plan and predicted outcomes.
Type: REPT – Report
Auth: Suzanne Flynn, Metro Auditor;
Brian Evans, Sr. Management Auditor; Mary Hull Caballero, Sr. Management Auditor
File: REPT_MTRO_Trans_Outcomes_Audit_2010_02Feb_03We_1200U.pdf. Size: 3,427 kb. Page(s): 42.
FRn: Transportation_Outcomes_FINAL.pdf
Dc_Source: <http://www.oregonmetro.gov/index.cfm/go/by.web/id=464/level=3>
Dc_Access: <https://sites.google.com/site/trimetffga/home/resultproj>
Hlink_Prd: [REPT_MTRO_Trans_Outcomes_Audit_2010_02Feb_03We_1200U.pdf](#)
- ¹⁵ Title: REQUEST FOR DOCUMENTS by Charles B. Ormsby (Skip) from TriMet
Edition: L4–Total Outline Access
Date: 2009 Jun 19 Friday 12:00 U (12:00 PM PT)
Desc: Outline Access 38 pages, Adobe 6.0 file format for FFGAS for all rail projects of TriMet
Type: RQST – Request
Auth: Charles B. Ormsby (Skip), Birdshill Sentinel
File: RQST_BHNSN_TMET_FFGA_L4T_2009_06Jun_21Su_1200U.pdf. Size: 468 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/rqtmffga02>
Hlink_Prd: [RQST_BHNSN_TMET_FFGA_L4T_2009_06Jun_21Su_1200U.pdf](#)

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ¹⁶ Title: Meeting Report with TriMet Consultant wrt Willamette Shore Line
Edition: L3– Key Documents (Outline Access)
Date: 2009 Aug 27 Thursday 22:00 U (10:00 PM PT)
Desc: Outline Access 20 pages, Adobe 6.0 file format
Type: MTRP – Meeting Report
Auth: Charles B. Ormsby (Skip), Birdshill Sentinel and Vice - Chair
File: MTRP_BHNS_TMETS_WSL_ROW_L3K_2009_08Aug_29Sa_0900U.pdf. Size: 327 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/sentinelsskip/home/mtrpcnst02>
Hlink_Prd: MTRP_BHNS_TMETS_WSL_ROW_L3K_2009_08Aug_29Sa_0900U.pdf
- ¹⁷ Title: Encapsulation of Government Projects Along OR Hwy 43 and in Lake Oswego UGMA
Date: 2007 May 25 Friday 14:00 U (2:00 PM PT)
Desc: Encapsulation Presentation of projects and cost history in OR Hwy 43 Corridor
Type: PPEP – MS Power Point Encapsulation Presentation
Auth: Charles B. Ormsby (Skip), Birdshill Sentinel
File: PPEP_GVPI_OR43_LKOS_2007_05May_25Fr_1400U.pdf. Size 884 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/rqtmffga03>
Hlink_Prd: PPEP_GVPI_OR43_LKOS_2007_05May_25Fr_1400U.pdf
- ¹⁸ Title: Oregon Hwy 43 Libraries
Date: 2009 Sep 15 Tuesday 18:00 U (6:00 PM PT)
Desc: Map Portland to West Linn with callouts of Libraries along OR Hwy 43
Type: PPEP – MS Power Pt Encapsulation Presentation
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: PPEP_SNSK_OR43_Libraries_2009_09Sep_15Tu_1800U.pdf. Size 438 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0903-1>
Hlink_Prd: PPEP_SNSK_OR43_Libraries_2009_09Sep_15Tu_1800U.pdf
- ¹⁹ Title: Oregon’s Statewide Planning Goals & Guidelines
GOAL 1: CITIZEN Involvement, OAR 660-015-0000(1)
Date: 1988 Mar 31 Thursday 17:00 U (5:00 PM PT)
Desc: Goal One: Citizen Involvement
Type: OARX – Oregon Administrative Rule
Auth: Citizens of Oregon. Land Conservation Development Commission
FILE ODLC: goal1.pdf. Size 12 kb
FILE BHCN: OARX_LCDC_GOAL01_CI_1988_03Mar_31Th_1700U.pdf. Size 12 kb
FRn: goal1[1].pdf
Dc_Source: <http://www.lcd.state.or.us/LCD/goals.shtml>
Dc_Access: <http://sites.google.com/site/or43corr/Home/rqtmffga03>
Hlink_Prd: OARX_LCDC_GOAL01_CI_1988_03Mar_31Th_1700U.pdf
- ²⁰ Title: Government Level: 0070 – Oregon Metro, 04LOTPSC – LOPTP Steering Committee
Date: 2009 Sep 18 Friday 20:00 U (8:00 PM PT)
Desc: Members and Staff of Metro LOPTP Steering Committee
Type: (GVLV) – Government Level
Auth: Metro Public Affairs and information compiled by Charles Ormsby (Skip) Sentinel Skip
File: GVLV_0070_MTRO_04LOTPSC_2009_09Sep_18Fr_2000U.pdf. Size 50 kb.
Dc_Source: From Birdshill Archives
Dc_Access: <http://sites.google.com/site/sentinelsskip/home/a01govlev>
Hlink_Prd: GVLV_0070_MTRO_04LOTPSC_2009_09Sep_18Fr_2000U.pdf

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby

Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ²¹ Title: TRANSCRIPT (Partial) of Metro Council Meeting 2006 Jul 20 Th 14:00 U
Date: 2006 Jul 20 Thursday 14:00 U (2:00 PM PT)
Desc: Partial Transcript of Metro Council meeting of 2006 Jul 20 Th 14:00 U for 2:00 minutes
Type: (TSCP) – Transcript Partial, used as primer to Metro LOPT processes.
Auth: Transcriber, Charles Ormsby (Skip) Sentinel Skip
File: TSCP_MTRO_CounMtg_2006_07Jul_20Th_1400U.pdf. Size 79 kb.
Dc_Source: PRLS_BRDH_Hidden_Agrmnt_2006_10Oct_26Th_1100U.doc, From Birdshill Archives
Dc_Access: <http://sites.google.com/site/or43corr/Home/lopt0906> (PARTIAL TRANSCRIPT)
Hlink_Prd: [TSCP_MTRO_CounMtg_2006_07Jul_20Th_1400U.pdf](http://sites.google.com/site/or43corr/Home/lopt0906)
- ²² Title: Packet Calendar and Vote Count Tables For LOPT
Date: VARIES – Check heading on calendar sheet upper left hand corner
Desc: Packet of document related to vote count status for WLSC entities members & committees
Type: PAKT – Packet, SNSK – Sentinel Skip (aka Charles Ormsby)
Auth: Charles Ormsby, 2010 Vice Chair of Birdshill CPO / NA and Sentinel
FILE: PAKT_SNSK_VCNT_WSLC_LOPT.pdf. Size: 240 kb+. Page(s): 6+
Dc_Source: Birdshill CPO / NA Archives
File 01: Calendar Extract from file: SPSH_SNSK_VCNT_WSLC_LOPTP_<Date>.xls Tab Sheet 5
File 02: Vote Count Tables from file: SPSH_SNSK_VCNT_WSLC_LOPTP_<Date>.xls Tab Sheet 7901, 7902, 7003, 7904.
File 03: Packet Handout – PKHO_MTRO_New_Starts_Prg_2005_03Mar_07Mo_1900U.pdf
Dc_Access: <https://sites.google.com/site/sentinelskip/home/a01govlev>
Hlink_Prd: [PAKT_SNSK_VCNT_WSLC_LOPT.pdf](https://sites.google.com/site/sentinelskip/home/a01govlev)
- ²³ Title: Encapsulation of Issues Regarding Metro TAZ, Neighborhoods and Population Density
Date: 2007 Feb 22 Thursday 09:00 U (9:00 AM PT)
Desc: Issues regarding Metro Transportation Analysis Zones (TAZ) & Nbrhds, Population Density
Type: PPEP – MS Power Point Encapsulation Presentation, MTRO – For Metro by SNSK – Sentinel Skip (aka Charles Ormsby)
Auth: Charles Ormsby, Sentinel
FILE: PPEP_MTRO_TAZNbrhd_2007_02Feb_22Th_0900U.pdf. Size: 968 kb. Page(s): 15
Dc_Source: Birdshill CPO / NA Archives
Dc_Access: <http://sites.google.com/site/or43corr/Home/lopt0906>
Hlink_Prd: [PPEP_MTRO_TAZNbrhd_2007_02Feb_22Th_0900U.pdf](http://sites.google.com/site/or43corr/Home/lopt0906)
- ²⁴ Title: Resolution Proposed for Birdshill CPO / NA:: Expose TriMet Full Funding Grant Agreement(s) [FFGA(s)]
Edition: L4 – Total Outline for Document Access
Date: 2009 Nov 10 Tuesday 21:00 U (9:00 PM PT)
Desc: None
Type: Document 4 Char Abbreviation Type – Expansion of Document Type Abreviation
Auth: Charles Ormsby (Skip), Vice-Chair Birdshill CPO / NA
File: RSLT_SNSK_BH_XPS_FFGA_L4T_2009_11Nov_11We_1200U.pdf Size: 350 kb
Dc_Source: Birdshill Archives
Dc_Access: <http://sites.google.com/site/rsltsnsk/home/rsbhffga02>
Hlink_Prd: [RSLT_SNSK_BH_XPS_FFGA_L4T_2009_11Nov_11We_1200U.pdf](http://sites.google.com/site/rsltsnsk/home/rsbhffga02)
- ²⁵ Title: Key question needs to be addressed
Date: 2010 Apr 08 Thursday 08:00 U (8:00 AM PT)
Desc: Article LO Sensitive Lands uplands taxlot encumbrances tradeoffs with economic development of Foothills area taxlots
Type: EDCV – Editorial Citizens Viewpoint, LORV – Lake Oswego Review
Auth: LO Stewards
File: Sensla_EDCV_LORV_LOStewards_2010_04Apr_08Th_0800U.pdf, Size: 98 kb, Page(s): 1.
Dc_Source: Birdshill Archives
Dc_Access: <https://sites.google.com/site/or43data01/home/article01>
Hlink_Prd: [Sensla_EDCV_LORV_LOStewards_2010_04Apr_08Th_0800U.pdf](https://sites.google.com/site/or43data01/home/article01)

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ²⁶ Title: Deed Restriction Concealment and Transit Oriented Development
Date: 2010 Apr 24 Saturday 12:00 U (12:00 PM PT)
Desc: Display presentation to discern location of off site mitigation phrase in Metro Code and T03 and T13 model ordinances
Type: PPDP – Power Point Display Presentation, SNSK – Sentinel Skip aka Charles Ormsby
Auth: Charles Ormsby (Skip) aka Sentinel Skip
File: PPDP_SNSK_Eval_T03_Ord_n_Deed_Restr_2010_04Apr_24Sa_1200U.pdf, Size: 3,136 kb, Page(s): 38.
Dc_Source: Birdshill Archives
Dc_Access: <https://sites.google.com/site/or43data01/home/article01>
Hlink_Prd: PPDP_SNSK_Eval_T03_Ord_n_Deed_Restr_2010_04Apr_24Sa_1200U.pdf
- ²⁷ Title: RESOLUTION Abstract Sheet from the Membership of the Birdshill CPO / NA
Resolutions Passed at Annual Meeting – 2010 Jun 17 Thursday 7:00 PM PT (19:00 U) Meeting 2010.13
Date: 2010 Jun 22 Tuesday 13:00 U (1:00 PM PT)
Desc: Abstract of Resolutions passed by Birdshill CPO / NA at Annual Meeting 2010 Jun 17 Th
Type: RSAB – Resolution Abstract, BHCN – Residents of the Birdshill CPO / NA
Auth: Charles Ormsby (Skip) aka Sentinel Skip
File: RSAB_BHCN_An2010x13_Res_2010_06Jun_22Tu_1300U.pdf, Size: 471 kb, Page(s): 3.
Dc_Source: Birdshill Archives
Dc_Access: <https://sites.google.com/site/or43data01/home/bhdocsalt>
Hlink_Prd: RSAB_BHCN_An2010x13_Res_2010_06Jun_22Tu_1300U.pdf
- ²⁸ Title: COMPLAINT of Charles B. Ormsby (Skip) on Birdshill Area Watershed Surface Water Management
Date: 2009 Jan 19 Monday 12:00 U (12:00 PM PT)
Desc: Complaint filed by Charles Ormsby with regard to Birdshill and lack of Surface Water Management System with Oregon Dept of Environmental Quality.
Type: CMPT – Complaint
Auth: Charles Ormsby (Skip) Birdshill CPO / NA and Sentinel
File: CMPT_CBOX_ODEQ_MS4_Issues_2009_01Jan_19Mo_1200U.pdf. Size: 232 kb.
Dc_Source: Birdshill Archives
Cross Ref: Cited in DEQ MS4 Complaint of 2009 Jan 19 Monday 12:00 U
Dc_Access: <http://sites.google.com/site/sentinelskip/home/mtrpcnst03>
Hlink_Prd: CMPT_CBOX_ODEQ_MS4_Issues_2009_01Jan_19Mo_1200U.pdf
- ²⁹ Title: Report of Charles Ormsby wrt LOPT Documents Status 2009 September
Edition: L4 – Total Outline for Document Access
Date: 2009 Oct 21 Wednesday 15:00 U (3:00 PM PT)
Desc: Outline 27 pages, Word 1997, 2003, and Adobe 6.0 file formats
Type: REPT – Report
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: REPT_SNSK_LOPT_Stat_L4T_2009_10Oct_21We_1500U.pdf. Size: 390 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/lopt0902>
Hlink_Prd: REPT_SNSK_LOPT_Stat_L4T_2009_10Oct_21We_1500U.pdf
- ³⁰ Title: Complaint: Bicyclists on Terwilliger Blvd Clackamas County Road 212092 – Charles B. Ormsby
Date: 2008 Jul 14 Monday 12:00 U (12:00 PM PT)
Desc: Complaint abstract about bikes on Terwilliger Blvd
Type: CMPT – Complaint
Auth: Charles Ormsby (Skip) Vice-Chair Birdshill CPO / NA
File: CMPT_CBOX_DSTTR_Bike_n_TerwBv_2008_07Jul_14Mo_1200U.pdf. Size 61 kb.
File: PPEP_CLMP_TRWB_Enforce_2008_07Jul_14Mo_1200U.pdf. Size 1,805 kb.
Dc_Source: Birdshill Archives
Dc_Access: <http://sites.google.com/site/or43corr/Home/lopt0906>
Hlink_Prd: CMPT_CBOX_DSTTR_Bike_n_TerwBv_2008_07Jul_14Mo_1200U.pdf

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby

Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ³¹ Title: Request by Charles B. Ormsby for Uniform Vehicle Stopping Distance Information
Edition: L4 – Total Outline for Document Access
Date: 2010 Mar 14 Sunday 10:00 U (10:00 AM PT)
Desc: Request about imbedded rail safety issue on Macadam Ave / OR Hwy 43, 11 pages Adobe 6.0 file formats
Type: RQST – Request, SNSK – Sentinel Skip aka Charles Ormsby
Auth: Charles Ormsby, Vice Chair Birdshill CPO / NA 2010 and Sentinel Birdshill area
File: RQST_SNSK_Vehicle_Braking_L4T_2010_03Mar_14Su_1000U.pdf. Size: 300 kb, Page(s): 11.
Dc_Source: Archives Birdshill
Dc_Access: <https://sites.google.com/site/or43data01/home/safety01>
Hlink_Prd: [RQST_SNSK_Vehicle_Braking_L4T_2010_03Mar_14Su_1000U.pdf](https://sites.google.com/site/or43data01/home/safety01)
- ³² Title: Request Specification of Target Destination For DEIS
RESOLUTION 2010.13.11.03 From the Membership of the Birdshill CPO / NA
Approved At: Annual Meeting 2010 Jun 17 Thursday 7:00 PM PT (19:00 U) Meeting 2010.13
Edition: L5 – Total Outline for Document Access
Date: 2010 Jul 14 Wednesday 23:00 U (11:00 PM PT)
Desc: Approved Resolution 2010.13.11.03 by Birdshill CPO / NA at Mtg 2010.13 on 2010 Jun 17 Th to request LOPTP Project Partners to designate Pioneer Courthouse as the Target Destination for modeling of No Build, Enhanced Bus, and Streetcar alternatives in all reports including Draft Environmental Impact Statement
Type: RSPK – Resolution Approved by membership of Birdshill CPO / NA 2010 Jun 17 Th 7:00 PM PT (19:00 U) and imbedded in Resolution Packet with support material.
Auth: Charles Ormsby, Vice Chair Birdshill CPO / NA 2010
File: RSPK_BHCN_Target_Dstn_DEIS_L5T_2010_07Jul_14We_2300U.pdf. Size: 400 kb. Page(s): 24.
Dc_Source: Birdshill Archives
Dc_Access: <https://sites.google.com/site/rsltbirdshill/home/2010/131103>
Hlink_Prd: [RSPK_BHCN_Target_Dstn_DEIS_L5T_2010_07Jul_14We_2300U.pdf](https://sites.google.com/site/rsltbirdshill/home/2010/131103)
- ³³ Title: Request TriMet Line 35 Routing to Emulate Streetcar
RESOLUTION 2010.13.11.04 From the Membership of the Birdshill CPO / NA
Approved At: Annual Meeting 2010 Jun 17 Thursday 7:00 PM PT (19:00 U) Meeting 2010.13
Edition: L5 – Total Outline for Document Access
Date: 2010 Jul 15 Thursday 08:00 U (8:00 AM PT)
Desc: Approved Resolution 2010.13.11.04 by Birdshill CPO / NA at Mtg 2010.13 on 2010 Jun 17 Th to request TriMet and Project Partners to reroute Line 35 to emulate and physically demonstrate streetcar alternative operations with supporting materials.
Type: RSPK – Resolution Approved by membership of Birdshill CPO / NA 2010 Jun 17 Th 7:00 PM PT (19:00 U) and imbedded in Resolution Packet with support material.
Auth: Charles Ormsby, Vice Chair Birdshill CPO / NA 2010
File: RSPK_BHCN_LN35_Emulate_SC_L5T_2010_07Jul_15Th_0800U.pdf. Size: 300 kb. Page(s): 18.
Dc_Source: Birdshill Archives
Dc_Access: <https://sites.google.com/site/rsltbirdshill/home/2010/131104>
Hlink_Prd: [RSPK_BHCN_LN35_Emulate_SC_L5T_2010_07Jul_15Th_0800U.pdf](https://sites.google.com/site/rsltbirdshill/home/2010/131104)
- ³⁴ Title: Oregon Hwy 43 Bottle Necks
Date: 2009 Sep 15 Tuesday 18:00 U (6:00 PM PT)
Desc: Map Portland to West Linn with callouts of bottle neck areas along OR Hwy 43
Type: PPEP – MS Power Pt Encapsulation Presentation
Auth: Charles B. Ormsby (Skip), Sentinel Skip
File: PPEP_SNSK_OR43_Botl_Necks_2009_09Sep_15Tu_1800U.pdf. Size 437 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0903-1>
Hlink_Prd: [PPEP_SNSK_OR43_Botl_Necks_2009_09Sep_15Tu_1800U.pdf](http://sites.google.com/site/or43corr/Home/loptp0903-1)
- ³⁵ Title: Packet of WSL Elevation Profile
Date: 2009 Sep 10 Thursday 11:00 U (11:00 AM PT)
Desc: Map, Table and Graphs of WSL Elevation Profile
Type: PAKT – Packet
Auth: Charles B. Ormsby (Skip), Birdshill Sentinel
File: PAKT_SNSK_Elevations_WRT_WLRV_2009_09Sep_10Th_1100U.pdf. Size 884 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0903-1>
Hlink_Prd: [PAKT_SNSK_Elevations_WRT_WLRV_2009_09Sep_10Th_1100U.pdf](http://sites.google.com/site/or43corr/Home/loptp0903-1)

Comments on LOPT DEIS wrt Birdshill CPO / NA and Charles B. Ormsby
Issues wrt DEIS – Draft Environmental Impact Statement for LOPT – Lake Oswego to Portland Transit Project

Documents can be downloaded from website specified by label: “Dc_Access:” or “Dc_Source:”

- ³⁶ Title: Birdshill CPO / NA Southern Portion Topographic Map View of OR Hwy 43 / Terwilliger Blvd / Tryon Creek / Willamette River Mile 20.0
Date: 2009 Oct 16 Friday 14:00 U (2:00 PM PT)
Desc: Map with features of existing southern portion of Birdshill Area Watershed and Tryon Creek
Type: MPUA – Map US Size A (HxW 11 in x 8.5 in)
Auth: Charles B. Ormsby (Skip), Birdshill Sentinel
File: MPUA_BH_OR43_TryonCr_2009_10Oct_16Fr_1400U.pdf. Size 372 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0903-1>
Hlink_Prd: MPUA_BH_OR43_TryonCr_2009_10Oct_16Fr_1400U.pdf
- ³⁷ Title: Features of Existing Willamette Shoreline ROW for Streetcar
Date: 2009 Sep 10 Thursday 14:00 U (2:00 PM PT)
Desc: Map with features of existing WSL ROW
Type: MPUA – Map US Size A (HxW 11 in x 8.5 in)
Auth: Charles B. Ormsby (Skip), Birdshill Sentinel
File: MPUA_BH3605_ROW_WSL_2009_09Sep_15Tu_1400U.pdf. Size 291 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0903-1>
Hlink_Prd: MPUA_BH3605_ROW_WSL_2009_09Sep_15Tu_1400U.pdf
- ³⁸ Title: Features of Proposed Alternative ROW for Streetcar
Date: 2009 Sep 10 Thursday 14:00 U (2:00 PM PT)
Desc: Map with features of Alternative Route for Streetcar. Hamilton CT (MP_00.81) South (N Shore Blvd (06.38) through L&C Law School.
Type: MPUA – Map US Size A (HxW 11 in x 8.5 in)
Auth: Charles B. Ormsby (Skip), Birdshill Sentinel
File: MPUA_BH3606_ROW_ALT_2009_09Sep_15Tu_1400U.pdf. Size 515 kb
Dc_Source: Archives Birdshill
Dc_Access: <http://sites.google.com/site/or43corr/Home/loptp0903-1>
Hlink_Prd: MPUA_BH3606_ROW_ALT_2009_09Sep_15Tu_1400U.pdf

Comments on the Lake Oswego-to-Portland Transit Project Draft EIS

John A. Charles, Jr.
President & CEO
Cascade Policy Institute
January 30, 2011

The draft EIS is deficient and should be re-written because it does not consider all reasonable alternatives, as required by federal law. Most notably, the so-called “Enhanced Bus” option is so poorly crafted that one can only conclude that it was ***deliberately designed to fail as a viable option.***

The specific flaws of the enhanced bus options are as follows:

First, it calls for an expensive park-and-ride lot in downtown Lake Oswego. There is no reason to include this. There are only about 3800 daily riders on the #35 line, and many of them live outside of Lake Oswego. There is no particular reason to think that improved bus service would suddenly generate so much consumer demand as to necessitate a parking garage.

Second, the Enhanced Bus option is not very “enhanced” from the perspective of a transit rider. It still has too many stops to be called an express bus version, and it includes a detour off of HW 43 to connect with the Lake Oswego Transit Center, which adds seven minutes of travel time by itself. For riders, that seven-minute detour is a significant disincentive to take transit.

Third, by replacing the #35, the Enhanced Bus option ***degrades*** transit service for many current riders of that line by eliminating their stop. This lowers the estimated ridership for this option.

The option that should have been analyzed is to ***augment the #35 line with Express Bus service operating from Oregon City to Portland on HW 43, only at the morning and afternoon peak periods.*** If the current stop at the Lake Oswego transit center were eliminated on the #35 Express, and the total number of stops between Lake Oswego and the South Waterfront District were reduced from 26 to 5, express service would shave roughly 15 minutes off the trip for the Lake Oswego-Portland segment. None of the options outlined in the EIS equal this kind of improved performance. And with no park-and-ride lot, the total capital costs would be restricted to the purchase of some new buses.

Pre-ordained outcome: The DEIS is also deficient because the conclusion was pre-determined by the Regional Transportation Plan. This is explicitly stated on page 6-12: “...***The Enhanced Bus Alternative...would not comply with the RTP because it would not encourage 2040 Growth***”

Concept development types and intensities would not provide rapid streetcar in the corridor, as the RTP calls for.”

According to this section, the **only** option that complies with the RTP is the streetcar option. If that’s the case, there was never a need to write the DEIS, in which case the project does not qualify for federal funding. If the project sponsors intend to seek federal funding, the DEIS must either be re-written or the RPT needs to be changed so that some transit project other than the streetcar can be reasonably considered.

Other comment:

The supposed operating cost savings associated with the streetcar are overstated. Proponents are confusing light rail with streetcars; a two-car light rail train **may** have efficiencies in reduced labor, but that advantage is lost in a one-car streetcar.

Moreover, a bus brings in much more fare revenue at lower operational cost than a streetcar, because the bus operator is also the fare inspector. For light rail or the streetcar, operators are hidden away in locked compartments, so expensive fare inspectors must be hired. In fact, the cost of fare enforcement has been so expensive for the streetcar that for most of the past 9 years, there have been no fare inspectors at all, so it has generated little revenue, as noted below:

**Summary Operating Statistics for Streetcar Operations
2005-2010**

	Annual boardings	Total annual fares	Total operating cost	Cost per/boarding	Revenue per/boarding
FY 05-06	2.59 million	\$100,605	\$3,727,014	\$ 1.44	\$.04
FY 07-08	3.55 million	\$ 145,817	\$ 4,891,560	\$1.28	\$.04
FY 08-09	4.00 million	\$ 120,000	\$ 5,417,947	\$ 1.34	\$.03
FY 09-10	3.91 million	\$ 211,914	\$5,306,451	\$ 1.36	\$.05

In contrast, riders on the #35 bus pay much more per/boarding:

Summary Operating Statistics for #35 Bus Line

	Average weekday boardings	Estimated total daily fares	Daily operating cost	Cost per/boarding	Revenue per/boarding
Fall 2010	3,790	\$5,040	\$13,492	\$3.56	\$1.33

Thus, replacing the #35 means that the **farebox recovery ratio for transit service in that corridor would drop from 37% of operations cost on bus to 4% on rail.**

Moreover, the farebox recovery ratio for express bus service could be raised even higher on the notion that premium service requires premium fares. Express bus service operated by C-TRAN of Vancouver currently recovers 60% of operating costs from the farebox, and some routes offered by NJ Transit recover 100% or more of costs from user fees. This would be both possible and desirable for a new and improved express bus #35 in the HW 43 corridor.

Imposing such premium fares for the streetcar would be impossible because once the streetcar enters the city center, fares are “free.” Moreover, the streetcar by definition is not premium service, because it includes too many stops and the traveling speed is too slow. Therefore the streetcar will continue to be perceived by users as free and if any fare revenue is collected at all, it is likely to be minimal.

Alleged redevelopment benefits of a streetcar: this project is really being pushed as a property redevelopment concept, not a transit concept, based on the assumption that high-density neighborhoods with streetcar service generate high levels of transit ridership. But that assumption is false. Over the past several months researchers from Cascade Policy Institute have collected actual travel data on all trips entering and leaving the South Waterfront District, an area widely considered by planners to be a streetcar success story.

As seen below, the market share for streetcar use is quite modest, at 9%, and most of that use is concentrated at one building, the OHSU Health and Healing Center. For the rest of the district, auto use represents more than 90% of all trips.

**Trip Counts for the South Waterfront District
Average Weekday, 6:00 a.m. – 10:00 p.m.**

	All passenger-trips	Market share of trips by mode
Auto/truck	17,023	79%
Streetcar	1,832	9%
Bicycle	1,076	5%
Bus	926	4%
Pedestrian	642	3%

Note: Research was conducted on various good-weather weekdays during the months of May-January, 2010-2011.

Conclusion

The least-cost transit improvement option for the Macadam Avenue corridor would be to offer express bus service during the peak hours, while retaining some version of the #35 local. No further decisions should be made until this option is thoroughly considered and compared with the streetcar options.

Citizens for Stewardship of Lake Oswego Lands
PO Box 573
Lake Oswego, OR 97034
info@LOStewards.org

January 28, 2011

Lake Oswego to Portland Transit Project
600 NE Grand Ave.
Portland, OR 97232

Dear LOPTP Project Partners:

We have read the LOPTP Draft Environmental Impact Statement (DEIS) and the technical reports for hydrology and water quality, ecosystems, and parks and recreational areas. We have several concerns and questions about the impacts of the streetcar alternative.

The project purpose states that this project ***“should be environmentally sensitive”***. If so, then **the streetcar alternative can not be selected as it is the most environmentally damaging of the options and does not provide benefits in CO emissions or traffic reduction on Highway 43**. Our areas of specific concern are:

1.) Ecosystems (section 3.8)

The damage outlined to Ecosystems is alarming. The primary damage will occur in the section of the corridor from the Sellwood Bridge south to Lake Oswego. This is because this southern section currently contains many natural areas and is not as developed as the high-density section north of the Sellwood Bridge in Portland. Community research studies indicate that Lake Oswego residents value natural areas and prefer to live in a more natural setting, unlike that of the area north of the Sellwood Bridge.

According to the DEIS, the proposed streetcar corridor is habitat for several protected species. **Fifteen species with Federal and/or State status for protection would be negatively impacted by the streetcar option**. These involve four avian species including **bald eagles** and peregrine falcons, and ten fish species including **Coho and Chinook salmon, Steelhead, green sturgeon, Pacific lamprey, Western brook lamprey and cutthroat trout**. The Western painted turtle would also be impacted.

It should also be noted that the analysis of the wildlife present in the corridor is incomplete as Portland BES was not able to provide bio-monitoring information and the DEIS acknowledges lack of field study to see if other protected species are present in the corridor. Only the obvious documented species were identified. A Biological Assessment, per the Endangered Species Act, has not been conducted.

The DEIS indicates that areas critical to wildlife breeding, shelter and foraging would be impacted long term **resulting in the mortality of birds, small mammals, invertebrates and terrestrial organisms**. The impacts are the direct result of the construction and operation of the streetcar that would significantly damage (long

term) areas with “high habitat values”. Retaining walls ranging from 1 ft to 15 ft with a fence on top would impact wildlife: *“The presence of retaining walls could result in animals falling into the rail alignment, resulting in injury or mortality, or becoming trapped within the alignment, possibly resulting in mortality from streetcar activity.”* Additionally, these fences would preclude species movement from adjacent habitats, resulting in an increase in habitat fragmentation and loss of connectivity and disturbance of existing nesting/denning. Wildlife movement between upland and riparian habitat would also be impacted.

Fisheries would be impacted via permanent stream channel alteration, in-stream construction work, permanent loss of riparian vegetation and aquatic habitats. If the streetcar alignment were constructed, fish salvage/exclusion plans would be required; but unfortunately, Lake Oswego has not had strong performance in that area during the recent draw down of the lake for the sewer construction project. Many fish were killed during that project, including 60-year-old sturgeon. We are concerned about a repeat situation.

Additionally, **several rare Oregon White Oak trees would have root zone impact.** The DEIS indicates: *“At this level of design, specific avoidance and minimization measures have not been evaluated, but will be developed and employed to the extent practicable.”* We are concerned that there are no viable measures for protecting these rare trees.

The DEIS makes the argument that the bus alternatives are more damaging to the ecosystems as they do not offer the opportunity to restore habitat, repair culverts, etc... and that the traffic associated with bus use, including residue from brake pads/discs, is polluting. This argument is weak because restoration projects could be funded and accomplished at any time independent of a transit project. Additionally, the streetcar option does not provide any significant decrease in traffic on Highway 43 so the argument about traffic is not compelling and we would assume that streetcars require brakes and would impact the environment more so than vehicles on Highway 43 as the streetcar alignment is closer to the riverfront than the Highway.

2.) Parkland and Recreation Areas (section 3.6)

The Parklands and Recreation Areas report indicates that the streetcar alignment would cross by/through/near 18 park, recreation and natural areas. The majority of these areas are Section 4 (f) resources. **We are concerned that the evaluation of these areas is incomplete and does not take into account the actual “use” that the streetcar alternative would impose on these areas and that the DEIS evaluation has not been done in keeping with Section 4(f) requirements.** We would want to see an independent evaluation of this project related to Section 4 (f) standards. It appears that Section 4(f) standards have been bypassed by the local jurisdictions indicating the areas are either “insignificant”, that development meets *de minimus* standards or that areas are not subject to 4(f) standards for other reasons. **Land that was purchased with public money for use as natural areas is indicated to be used as construction staging areas because those properties are currently NOT designated Section 4 (f) due to the technicality of the**

properties not being part of an adopted parks plan. We question the use of this technicality given the natural condition of these properties and their location to the environmentally significant Tryon Creek Cove area.

There is also an issue with some trees in Willamette Park that are designated “trees of merit” and were considered for the “Heritage Tree” designation. Because these trees did not receive Portland’s Heritage Tree status, they are not protected and can be cut down.

The evaluation also does not take into account the noise and vibration impacts of the streetcar alternative on the wildlife in the corridor. Noise and vibration studies indicate significant impact on the housing and businesses in the area so we would assume the impact on wildlife would be significant and damaging.

We also do not see adequate evaluation of the impacts to the Willamette River Greenway per State Goal 15.

We also question the “proximity impacts” the streetcar option will have on these public parks with streetcars rolling by every 7 to 12 minutes. Certainly this doesn’t provide a serene park setting as would be expected in public parks and natural areas along the riverfront. Visual changes would also occur in many of these park areas due to the construction of the streetcar and wildlife would be impeded from crossing the streetcar line due to the frequency of the streetcar traffic.

Lastly, we are concerned about the 2005 SAFETEA-LU revisions regarding the DOT ACT and the manner in which these amendments allow this project to skirt the intent of Section 4(f). Given the viable bus alternatives, we question whether the streetcar option meets the Federal requirement of being “*very unusual circumstances*” in order to allow these areas to be imposed upon for the streetcar construction and operation. We do not believe the construction and operation of the streetcar alternative results in a “*de minimus*” impact in these areas.

3.) Hydrology and Water Quality (section 3.9)

The Hydrology and Water Quality report indicates that the entire project corridor runs along the western side of the Willamette River. This river is already considered “water quality limited” due to high-density urban development. **The bus alternatives do not negatively impact the hydrology and water quality of the area. However, the streetcar alternative would impact the 100-year floodplain by filling 6.5 to 10.1 acres of the floodplain. And, up to 18.22 acres of additional impervious surfaces would be created** which also impacts water quality. The DEIS indicates that these changes are minimal in relation to the entire Lower Willamette Watershed; however, perhaps these impacts should be considered more in relation to the actual area being impacted rather than the entire watershed. The DEIS also indicates that floodplain alterations would impact wildlife by providing less areas of refuge during high water events.

The DEIS indicates that 4 wetland areas and 23 “observed waterways” would be impacted, including **crossing over the very sensitive Tryon Creek area.**

Also of concern is that the City of Lake Oswego uses the “sensitive lands” program (section 50.16 of the CDC) to comply with Metro Title 3. However, the sensitive lands program does not regulate the areas along this corridor (other than a small segment by Tryon Creek) despite these areas being part of the 100 year Floodplain and within the area that Metro indicated on Title 3 maps for regulation. Instead, the City of Lake Oswego has “traded” upland treed areas and small upland drainage areas as off-site mitigation sites for Title 3 compliance.

Lake Oswego City Council also revised the sensitive lands ordinance (50.16) in December 2010 to exempt rail side ditches from sensitive lands regulations and the DEIS indicates that there are many rail side ditches that convey water in the area, eventually ending in the river. Therefore, portions of the streetcar alignment in Lake Oswego are not regulated as was intended by Title 3.

Also of concern is the significant acreage that will be disturbed for construction of the streetcar: 56 to 71 acres—all within an area that fronts the Willamette River.

Given that the Willamette River is already compromised, this unnecessary streetcar project would only compound the environmental issues in the area.

4.) Earthquake/Landslide Area (section 3.7)

The streetcar alternative would be built in an area categorized as “*greatest hazard*” for earthquakes and landslides. Use of the existing Highway 43 would not alter this area and the bus option would not create further damage to the area. However, the streetcar construction would result in significant impact to this steep area that is already prone to landslides. **22,050 to 27,450 linear feet of new retaining walls are required to support the streetcar alternative.** The impact of these walls on the ability of wildlife to be able to move around the corridor is concerning.

5.) Mitigation Measures

Mitigation measures and costs for impacts to wildlife, fisheries, parks/natural areas/habitat, streams, wetlands hydrology, water quality and the floodplains have not been fully or adequately addressed. The DEIS also says: “*If the project enables future development or redevelopment to occur, water quantity and quality mitigation would likely be required in addition to the proposed water quality mitigation for this project.*” This seems to be alluding to the Lake Oswego Foothills area development requiring separate specific mitigation for the impacts of high-density development in the Foothills floodplain.

The streetcar construction and operation is the most environmentally damaging of the three DEIS options and will require significant additional engineering and construction work, environmental evaluations and mitigation measures, none of which seem to be included in the cost of the project. Mitigation at the site will also not be possible in many instances, requiring off-site mitigation. Given Lake Oswego’s past history with using off-site mitigation via the “sensitive lands” program, we have concerns about the impending mapping of more residential

properties and the not so coincidental timing with this and the Foothills development project.

Ironically, many citizens of Lake Oswego are regulated beyond reason in their own backyards for so called habitat that is nothing like what would be destroyed by the streetcar alternative. Our true “sensitive lands” are along this proposed streetcar corridor; however, these areas are not part of Lake Oswego’s “sensitive lands” program and will not be subjected to the same rigorous regulations that 10% of Lake Oswego private property owners (and soon to be more) have on already developed private backyards zoned for residential use. **This double standard towards environmental protection is not a responsible or valid approach to caring for natural resources.**

We encourage all parties involved in selecting the locally preferred alternative to approach this project in a manner that addresses the realities of the current economy and the facts of the DEIS which indicate the streetcar alternative does not provide Highway 43 congestion relief, does not have meaningful CO emissions benefits, and the construction and operation is extremely damaging to the wildlife, fish, and their habitat areas along this sensitive riverfront corridor.

Best regards,

Dr. David Streiff
Bob Thompson
Carolyn Jones
Lauren Hughes
Board Members, Citizens for Stewardship of Lake Oswego Lands

Note: Citizens for Stewardship of Lake Oswego Lands is a private non-profit organization founded by residents of Lake Oswego. Our mission is to preserve the beauty and livability of our community while championing the equal rights of all Lake Oswego property owners to make reasonable use of their land. We seek to promote fair, equitable and scientifically valid approaches to environmental protection.

**Disability Services Advisory Council of Clackamas County
4382 International Way, Suite C. Milwaukie, Oregon 97222**

January 31, 2011

Re: Planning for the Portland to Lake Oswego Streetcar and Possible Changes to Line 35

To Oregon Metro:

The Disability Services Advisory Council of Clackamas County is a citizen's advisory group that advocates for the rights and needs of people with disabilities. We understand that you are just in the planning stages for the Portland streetcar to go to Lake Oswego, but we feel that we need to speak up regarding bus lines which might be affected by this addition.

We are concerned about the future of the #35 bus line. We request that you plan to continue line #35 into Portland as it is. Having access to the Portland streetcar is fine, but is more physically difficult for seniors and people with mobility disabilities to transfer; it takes more time and is more difficult to find appropriate seating on the streetcar. Many of the seniors and people with disabilities who travel to Portland on the #35 bus line are going to doctor or medical appointments. If they have to transfer to the streetcar and then transfer again, it will make riding fixed route prohibitive at some point. We believe that if the #35 bus route does not travel into Portland as usual, there will be more para-transit riders because of the added difficulty and their lack of stamina.

Access to important services for seniors and persons with disabilities will be impacted if there are changes to the #35. Seniors and people with disabilities use mass transit or Para-transit for many, if not all, of their transportation needs; in fact, many of those we advocate for have no other form of transportation. Please consider keeping convenient access to employment, schooling, senior centers, shopping, and other important services a priority.

Thank you for your consideration of these important matters.

Sincerely,



Robin Grimm, Chair
Disability Advisory Council of Clackamas County
ReRobin.@comcast.net

CC: Gene Sundet, District Manger, Clackamas County Office of DHS/SPD
Brenda Durbin, Director, Social Services of Clackamas County
Theresa Christopherson, Program Manager, Clackamas County Social Services
Committee on Accessible Transportation

On behalf of the Fair Housing Council of Oregon, I would like to submit the following comments on the proposal for expansion of the Portland Streetcar to the City of Lake Oswego. The Fair Housing Council of Oregon (FHCO) is a private, non-profit agency with the mission of providing equal access to housing in Oregon and southwest Washington. The FHCO has been in operation since 1990. The mission of the agency is accomplished through education, outreach, and enforcement of fair housing laws.

As planning continues for this important project for our community, I want to remind the Federal Transit Administration, Metro, and Trimet that Title VI requires that a comprehensive Equity Analysis be completed on this project to examine whether the project's benefits and burdens fall fairly on all affected communities. This project presents our region with an opportunity to affirmatively further fair housing through the creation of sustainable and equitable projects and planning requirements that benefit all members of our community.

An analysis of trends regionally and nationwide shows that segregation in our communities is unsustainable; creating inequalities in education, increased carbon dioxide pollution, and inequalities in delivery of health services, amongst many other community problems. The explicit goal of the Fair Housing Act of 1968 was to combat segregation and eliminate these types of inequalities.

It is important that regional planning bodies complete an Equity Analysis and study the potential impact of the Streetcar expansion on minority communities, families with children, and the disabled throughout the region to assess whether this project will be beneficial in further integrating our community or conversely will benefit one segment of the population disproportionately to another.

The City of Lake Oswego is also presented with a unique opportunity during this process to expand their current housing stock with the Foothills Development. As evidenced by the 2005 Lake Oswego Affordable Housing Task Force Report, the City has struggled to provide adequate housing stock for all members of the community. In the letter presenting the document, Dan Vizzini, the Taskforce Chairperson states, "Current housing trends raise particular concerns for seniors, employees of local businesses and public agencies, persons with disabilities, first-time homebuyers, and single parents." I would add that an analysis of race and ethnic demographic trends is also necessary, and will likely yield similar concerns.

Current housing stock in Lake Oswego is unaffordable to even most moderate- and middle-income households in the Portland metro area. This trend excludes most families headed by teachers, law enforcement officers, and nurses – vital members of any community. The Fair Market Rent (FMR) for the Portland Metropolitan Statistical Area for 2009 was \$809, while the median rent in Lake Oswego for 2009 was \$1092 – 135% of the FMR. Similarly Median Household Income in Lake Oswego in 2009 was 140% of that of the MSA.

The Equity Analysis for the Streetcar project needs to address these issues and should recommend that in developing this new housing stock, it is vital that the City of Lake Oswego and regional planning bodies make all efforts to create housing that provides for a mix of incomes, is accessible, and which is marketed to a diverse population. I would also add that it is imperative that construction of affordable units takes a priority, unlike recent projects in the Metro region where affordable units were promised and subsequently delayed.

Thank you for providing a forum for public comment on this transit project. I urge you to remember the obligations that federal funding of projects creates under Title VI of the 1964 Civil Rights Act, and create an Equity Analysis to ensure that this funding is being properly used to create a more integrated and sustainable Metro Region.

Respectfully,

Moloy K. Good
Executive Director
Fair Housing Council of Oregon



Date January 13, 2011

Lake Oswego to Portland Transit Project

Draft Environmental Impact Statement and preliminary Section 4(f) assessment comment

(Please print)

Name (required) Jeannie McGuire, Chair of the Historic Resources Advisory Board
Affiliation (if any) City of Lake Oswego Historic Resources Advisory Board
Address (required) 144 Wilbur Street
E-mail (optional) McGuire15@Hevanet.com

Include my e-mail in your project notification list.

Comment topic(s) (check all that apply)

Land use and planning Economic activity Community Effects Public safety and security
 Environmental impacts Transportation Finance Alternatives and/or design options
 Section 4(f) preliminary findings of *de minimis* impacts to public parks Other Historic Resources

Comment (use back or attach additional sheets if necessary)

See Attached Letter



For questions about or problems with this form, call 503-797-1756 or email trans@oregonmetro.gov.
Mail to: Lake Oswego to Portland Transit Project, 600 NE Grand Ave., Portland, OR 97232

January 12, 2011

METRO: Lake Oswego to Portland Transit Project
600 NE Grand Ave.
Portland, OR 97232

Dear Transit Project Members:

The members of the Lake Oswego Historic Resources Advisory Board have previously expressed our concerns about the terminus for the streetcar project to Brant Williams.

Previously, we shared that the Richard Sundeleaf –designed building which now houses Starbucks at 47 North State Street, while not a city landmark at this time, is an iconic building to generations of Lake Oswego residents. It is one of the buildings that helps define our city, and that is recognized by residents and travelers on Highway 43 as an icon of the “Lake Oswego style”. This building and the buildings immediately north of the Starbucks on State Street (from the former Hollywood Video store northward through the Wanfu Restaurant which is located at 141 N. State Street) along with the Lake Twin Theater and restaurant across State Street were all designed by Richard Sundeleaf. Together, these buildings along both sides of State Street form a distinctive corridor that generations of Lake Oswegans have come to love and recognize as their home town. At a time when change and redevelopment is common, those buildings have stood sentry in our city for generations of residents and are beloved. To lose or diminish in any way the 47 North State Street building and the other Sundeleaf buildings to the north, in planning for the streetcar, would be a heartbreaking preservation catastrophe for our city. It is imperative for the sake of our city that we should preserve the most prominent of renowned Lake Oswego architect Richard Sundeleaf’s commercial buildings for posterity. **See Exhibits A-D.**

The Starbucks building at 47 North State Street originally housed the offices of Paul F. Murphy. Paul F. Murphy was the son of Paul C. Murphy of the Ladd Estate Company. Paul F. Murphy built the Sundeleaf-designed office on North State Street in the 1940’s and used it as a Murphy Real Estate office. Not only was this building designed by a famous Lake Oswego architect, Richard Sundeleaf, it has associations with the Murphys, which makes it doubly important to our city. **See Exhibit C.**

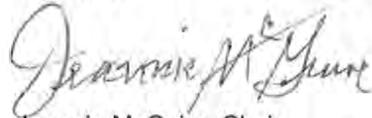
At this time, we would like to formally go on record objecting to the findings of the streetcar project’s historic consultant regarding the properties at 141 North State Street, 117 North State Street, and 47 North State Street. The consultant did reconnaissance level survey forms that found none of these three surveyed buildings eligible for listing on the National Historic Register. This incomplete information was included in the DEIS. The survey performed by the consultant was cursory at best. The consultant identified only one of the buildings as designed by Richard Sundeleaf when in fact all three of these buildings are Richard Sundeleaf designs. The consultant bases her findings that the buildings are not National Register eligible because the buildings have had some minor alterations and window replacement, losing some of the original architectural details. In fact, the facades of all three of these buildings could easily be returned to their original appearances by adding the right architectural elements. These are some of the few remaining examples of Sundeleaf’s work. Together with the Lake Twin Theater and restaurant, the Sundeleaf buildings on the other side of State Street, this area could become a Sundeleaf Historic District,

enhanced by the city's new Sundeleaf Plaza adjacent to the theater. These are local historic buildings and deserve an intensive level survey that would reveal these facts for proper recording by SHPO for case #09-2299. We take a firm stand that Lake Oswego cannot lose these buildings.

We also want to repeat our concerns that the streetcar terminus not impinge on the residential character of the Old Town neighborhood. As Lake Oswego's oldest neighborhood, the charm and character of Old Town needs to be safeguarded from redevelopment that will damage its historic significance.

We ask that you receive this testimony under consideration during the public comment period before the final Environmental Impact Statement is issued.

Sincerely,



Jeannie McGuire, Chair
Historic Resources Advisory Board

Cc: City Council Members

Mayor Hoffman

Attachments:

Exhibit A: Historic photo of the East side of North State Street

Exhibit B: Historic photo of the West side of North State Street (from page 100 of Iron, Wood and Water)

Exhibit C: Listing from University of Oregon Archives showing Sundeleaf is the architect of the buildings on North State Street

Exhibit D: Richard Sundeleaf's drawings of the State Street Shopping Center showing 47 N. State Street

Exhibit A

**Historic Photo of the buildings designed by Richard Sundeleaf on the
east side of North State Street**

Taken in the 1950's

47 N. State Street (Starbucks) is on the right outside the frame.



Exhibit B

Historic Photograph of the west side of North State Street

Lake Theatre Building and Oswego Downtown Business District, c.1930



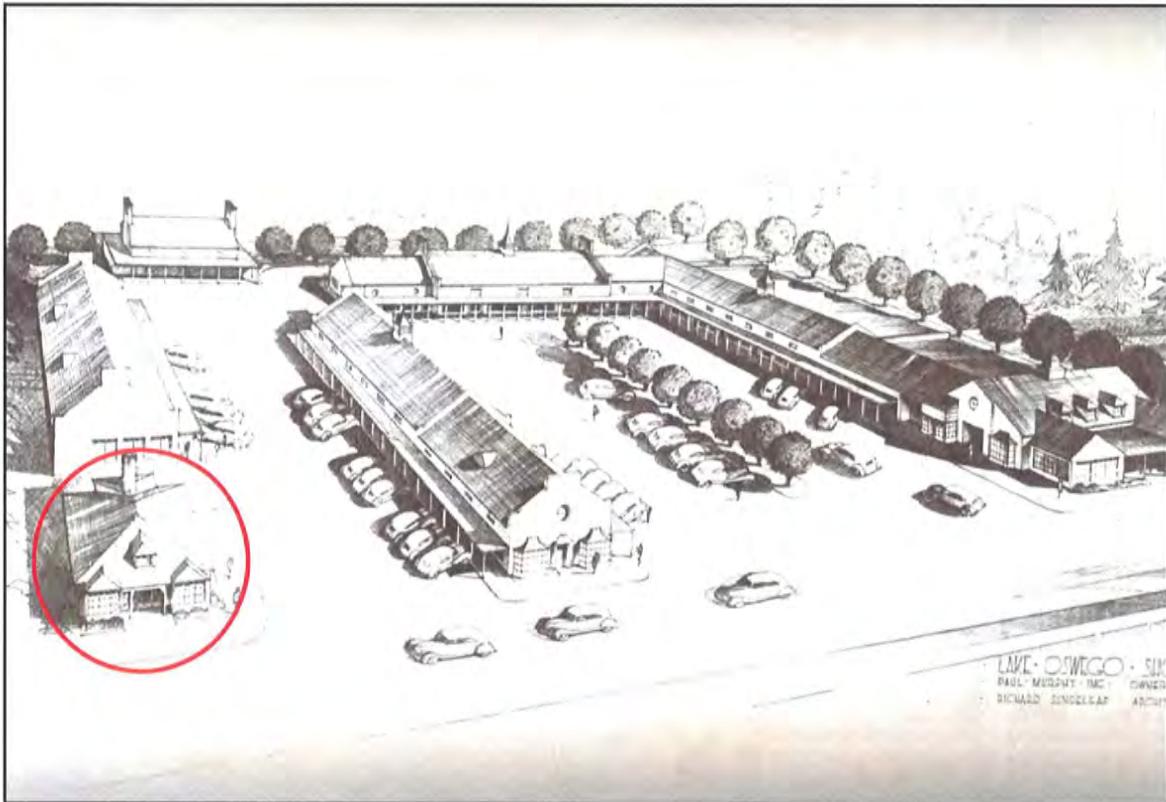
Exhibit C

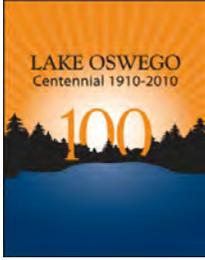
Building Information from the University of Oregon Historic Preservation Department Archives

- 47 Murphy, (Paul F.) Inc. August 23, 1940
Building type: Real Estate Office, Pacific Highway, Oregon
Architect: Sundeleaf
First drawing: 274-37
Last drawing: 274-49
- 47 Murphy, (Paul F.) Inc. Store Building November 1940
Building type: Store, Oregon
Architect: Sundeleaf
First drawing: 274-54
Last drawing: 274-55
- Citizen's Bank
Building type: Bank, Oswego, OR
Architect: Sundeleaf
First drawing: 047-04
Last drawing:
- 7 Clener Cleaners March 29, 1954
Building type: Commercial, Oswego,
OR
Architect: Sundeleaf
First drawing: 049-01
Last drawing: 049-05
See also: Murphy, (Paul F.) Inc-
Store Building

Exhibit D

Richard Sundeleaf's drawing of the State Street Shopping Center showing
47 N State Street (circled below)





CITY OF LAKE OSWEGO

NATURAL RESOURCES ADVISORY BOARD

380 A Avenue
PO Box 369
Lake Oswego, OR 97034

503-635-0290
www.ci.oswego.or.us

MEMORANDUM

To: Lake Oswego to Portland Transit Project
CC: Jack Hoffman, Mayor, and Lake Oswego City Council Members
Alex McIntyre, City Manager
Brant Williams, Director of Capital Projects
Date: January 31, 2011
From: Natural Resources Advisory Board
Douglas Rich, Chair
RE: Lake Oswego to Portland Transit Project DEIS

The Lake Oswego Natural Resources Advisory Board's mission is to "review trends in air, water, and land quality within the Urban Service boundary of the Comprehensive Plan, and to assist in the development and implementation of plans and policies to protect, restore and enhance the environmental quality" of Lake Oswego.

The NRAB has reviewed the Lake Oswego to Portland Transit Project Draft Environmental Impact Statement. NRAB believes the streetcar option is the cleaner, environmentally preferable transportation option compared with the enhanced bus option or with existing transportation options--primarily passenger cars and diesel buses.

If the street car option is selected, the streetcar would cross Tryon Creek. This crossing must be designed to avoid negative impacts to the important fish and wildlife habitat in and around Tryon Creek.

NRAB intends to stay informed of environmental issues associated with the streetcar plan as it develops.

Thank you for the opportunity to comment on this issue.

Douglas Rich, Chair ■ Denise Dailey, Vice Chair
Kara Warner ■ William Gaar ■ Stephanie Wagner ■ Ben Clark
Samantha Silbert ■ Craig Stephens ■ Mary Olson, Council Liaison

January 13, 2011

Metro Councilor Carlotta Collette, Committee Co-Chair
Lake Oswego to Portland Transit Project
600 NE Grand Avenue
Portland, OR 97232



Dear Ms. Collette,

Thank you for this opportunity to provide comment on the Locally Preferred Alternative for the Lake Oswego to Portland Transit Project. The following summarizes input from the North Macadam Urban Renewal Advisory Committee (URAC), a committee convened by the Portland Development Commission (PDC) to provide public input related to implementation of the North Macadam Urban Renewal Area (URA). The URAC represents a diverse set of district and City interests including businesses, residents, neighbors, institutions, and property owners.

On behalf of the URAC, our comments are limited to the URA which terminates at the south end of the South Waterfront area.

- The URAC appreciates the project's goals to improve transit connections to South Waterfront and supports extending the city's existing streetcar system, leveraging past public and private investment in the system, and providing improved access into and out of the district.
- However, the URAC has significant concerns regarding financing of a streetcar option. Our concerns are twofold:
 - **Cost Effectiveness of Alignment.** The streetcar option has a very significant capital investment at potentially more than \$400 million. The North Macadam area has numerous transportation infrastructure needs with exceptionally limited transportation and tax increment funds, especially due to the district's recent \$20 million contribution to the Portland-Milwaukie Light Rail regional transit project. Metro and its partners should pursue the most cost effective alignment – ensuring maximum leverage of transit efficiency, land use and development goals at minimum cost.

Ms. Collette
Lake Oswego to Portland Transit Project
January 13, 2011
p. 2 of 2

The URAC also requests Metro provide improved communications regarding the true cost impact and costs/benefit analysis of the alignment options prior to their final alignment selection.

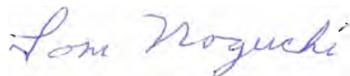
- o **Property Owner Cost Sharing.** Many URA property owners are already contributing to a Local Improvement District (LID) created in 2006 for the SW Gibbs to SW Lowell streetcar extension and do not want to experience undue additional costs related to any additional streetcar extension.

As you are likely aware, the City of Portland Ordinance No. 180345, creating the Gibbs-Lowell LID, allows property owners to credit their assessment against any future new assessment on the same property if a new assessment is formed within ten years from the time of the Gibbs-Lowell LID

We are greatly concerned that your current project schedule reflects a final funding commitment and agreement in late 2015. If any delay should occur, the credit due under the Gibbs-Lowell LID Ordinance may be lost. If an LID is being considered as part of the final funding package for the Lake Oswego to Portland project, we request Metro work with the City of Portland to extend the LID credit for an additional 10 year term through 2026.

Thank you again for this opportunity to submit comment.

Sincerely,



Tom Noguchi, Chair
North Macadam Urban Renewal Advisory Committee

cc:

Susan Keil, Director, Portland Bureau of Transportation
Tom Miller, Mayor's Office and appointed Director, Portland Bureau of Transportation
Bruce Warner, Executive Director, PDC
Patrick Sweeney, Portland Bureau of Transportation
Lisa Abuaf, PDC



Lake Oswego to Portland Transit Project Health Impact Assessment

Executive Summary

Health Impact Assessment (HIA) is an emerging practice that evaluates the impact of specific plans, policies, and projects on the health of individuals and population groups, and suggests ways to improve the health outcomes of the policy, plan, or project in question. HIA analyses can inform decision makers as they make choices that affect the communities in which they work. In winter, 2009, Oregon Public Health Institute (OPHI) received a grant from the National Network of Public Health Institutes and the U.S. Centers for Disease Control and Prevention to conduct some HIAs in the Portland metro region. In spring, 2010, OPHI and Metro, the Portland area's tri-county regional government, agreed to partner on a pilot HIA focusing on the Lake Oswego to Portland Transit Project and the three transit alternatives—no-build, enhanced bus service, and streetcar—being considered in the Draft Environmental Impact Statement (DEIS) recently released by Metro.

As with many Environmental Impact Statements (EIS) prepared in conformity with the requirements of the National Environmental Protection Act (NEPA), the DEIS for this project contains substantial information useful for understanding how the different scenarios directly and indirectly impact the health of individuals and populations. However, the connections between the DEIS information and health outcomes are not always identified or fully assessed, particularly with respect to indirect impacts on health via direct impacts on health determinants. Health determinants refer to those features of the built, social, and natural environment that are known to impact the overall mental and physical health outcomes of a particular population, as well as influence the distribution of health outcomes within a population. The primary goal of this HIA is not to recommend the selection of a particular alternative, but to complement the DEIS information by more explicitly and more fully assessing the impacts of the different DEIS transit scenarios on known health determinants. In cases where adverse impacts are identified, this HIA will also offer recommendations for mitigating adverse impacts.

Based on the anticipated outcomes of the three transit scenarios being considered in the Transit Study, on available evidence in the DEIS and from other sources, and on input from the HIA Advisory Committee and Project Team, this HIA focused on assessing the study outcome's probable impacts on the following four health determinants:



- Opportunities for physical activity
- Air quality
- Access to health supportive resources
- Safety from traffic crashes

Below are the summary findings and recommendations for each of these four subjects. Lists of more detailed findings are provided in the assessment chapters of the main report. Copies of the full report can be downloaded from OPHI's website, www.orphi.org/healthy-community-planning/health-impact-assessments. Hard copies will be mailed out on request by contacting Steve White at steve@orphi.org, or (503) 227-5502 x228.

Opportunities for Physical Activity

Physical activity levels are associated with multiple health outcomes, and an individual's physical activity level can be influenced by a wide number of personal, social, and environmental variables. There are three primary pathways through which the different transit scenarios are likely to variously impact opportunities for physical activity: by providing an incentive and destination for walking; by improving or impeding physical access to parks and trails in the study corridor; and by providing additional bicycle and pedestrian infrastructure.

Based on an assessment of the three scenarios' impacts on these pathways, this report finds that both of the build scenarios increase opportunities for physical activity when compared to the no-build scenario. When comparing the enhanced bus scenario to the streetcar scenario, the streetcar scenario would provide the greatest improvement in opportunities for physical activity because of its higher level of service, greater improvements in park and trail accessibility, and provision of greater amounts of bicycle and pedestrian infrastructure in the corridor.

Air Quality

The impact of air quality on multiple health outcomes is well-documented. Each of the build scenarios has the potential to impact the level of air pollutant-related health outcomes in the short-term and the long-term. In the short term, construction activities can produce substantial amounts of air pollutants that increase the health risks of construction workers and nearby area residents and users. In the long term, local and regional amounts of pollutant levels will likely be variously impacted by the different transit scenarios because of their potential to produce differing levels of passenger vehicle use and related emissions.



Based on an assessment of construction activities related to the two build scenarios, this report finds that, while both build scenarios would result in temporarily elevated levels of certain hazardous air pollutants, the streetcar scenario would produce the greatest temporary increases in air pollutants as a result of the relatively high magnitude of construction activities related to infrastructure construction. In addition, this assessment also found that the amount of air toxics produced during construction for either scenario can vary greatly depending on the age and condition of construction equipment used.

Based on an assessment of anticipated long-term changes in air quality, this report finds that the two build scenarios would produce modest improvements in future air quality as a result of decreased vehicle miles traveled. Because the streetcar would produce the greatest increase in transit use, it would also produce the greatest reductions in future air pollutant levels.

Recommendations for mitigating adverse impacts:

If either of the build scenarios is chosen, TriMet should:

- Work with the State DEQ Clean Diesel program to develop more stringent emissions-based equipment fleet requirements or incentives for contractors and sub-contractors working on the project;
- Work with DEQ to identify and apply for grants to improve construction equipment emissions;
- Develop information and outreach programs to alert area residents and users of construction schedules and locations, and inform them of the potential health effects of being close to construction activities. Particular efforts should be made to reach the corridor's significant elderly population, as well as children, and the users of the corridor's parks since these groups are more likely to suffer adverse health impacts as a result of elevated pollutant concentration levels;
- Work with county health departments to educate area residents and users on how to avoid exposure to air toxics generated by construction; and
- Work with DEQ and OSHA to develop monitoring programs to better assess construction site concentrations of air toxics.



Access to Health Supportive Resources

Good health requires access to resources such as healthy food retail, healthcare, employment, education, parks and recreation facilities, publicly accessible gathering spaces, and social services. Research has shown that a person's ability to access each of these resources can influence their health. While the three scenarios would not directly change what services and resources are easily accessible via transit, they would impact the level of transit service connecting people to these resources.

Based on an assessment of the relative levels of transit service provided by the three scenarios, this report finds that the enhanced bus and streetcar scenarios would provide improved access to health supportive resources relative to the no-build scenario. Since the streetcar scenario would provide the highest level of service, it would also provide the greatest improvement in access to health supportive resources.

Safety from Traffic Crashes

Traffic crashes are one of the leading causes of injury and death, both locally and nationally. There are a wide variety of conditions that have been identified as influencing motor vehicle-related crash rates. Two of these that would likely be impacted by the Transit Project are transit ridership rates and levels of bicycle and pedestrian activity. Transit ridership rates impact injury and death rates because transit is a much safer mode of transportation; as people switch to public transit, they lower their chances of getting injured. Bicycle and pedestrian rates influence crash rates because crash rates for these modes generally decrease as bicycle and pedestrian activity increases.

Based on an assessment of the relative levels of transit ridership and bicycle and pedestrian activity resulting from the different scenarios, this report finds that the two build scenarios would reduce traffic crash rates as a result of increased transit use and increased bicycle and pedestrian activity relative to the no-build scenario. Since the streetcar would generate the highest levels of transit ridership and bicycle and pedestrian activity, it would provide the greatest reduction in traffic crash rates.

Copies of the full report can be downloaded from OPHI's website, www.orphi.org/healthy-community-planning/health-impact-assessments. Hard copies will be mailed out on request by contacting Steve White at steve@orphi.org, or (503) 227-5502 x228.

Portland Bicycle Advisory Committee

Working to Make Bicycling a Part of Daily Life in Portland

1120 SW 5th Avenue, Room 800
Portland OR 97204



24 January 2011

Project Steering Committee
Lake Oswego to Portland Transit Project
600 NE Grand Avenue
Portland, OR 97232

Portland Planning and Sustainability Commission
1900 SW Fourth Ave, Ste 7100
Portland, OR 97201

Re: Letter of Support for the Lake Oswego to Portland Transit Project

To the Project Steering Committee and Members of the Portland Planning and Sustainability Commission:

With this letter, the City of Portland Bicycle Advisory Committee (BAC) expresses its support for the extension of streetcar from South Waterfront to Lake Oswego. On behalf of the BAC, I am writing to comment on the options as presented as a part of the Lake Oswego to Portland Transit Project Draft Environmental Impact Statement.

In general, the BAC supports the Lake Oswego to Portland Transit project as a critical link in the regional transit system, connecting local and regional transit service and improving mobility through the constrained Macadam Avenue corridor. The BAC also supports the streetcar as the preferred mode and “Macadam-in-Street” as the preferred alignment in the City of Portland. In particular, the BAC:

- Believes that high quality transit in the corridor, with added passenger capacity, increased frequencies and upgraded bicycle-friendly station amenities, is fundamental to maintain our region’s quality of life and provide an effective and convenient connection between bicycle and transit trips;
- Recommends that streetcar design, as it relates to the stations and particularly bike-streetcar track crossings, supports safe bicycle and pedestrian access and enhances the neighborhoods in which they are located;
- Supports streetscape and greenway path improvements that will improve bicycle, pedestrian, and transit access along the Willamette River/Macadam Avenue corridor;
- Emphasizes the importance of this project’s relationship to the South Portal project and improvements to Macadam Avenue. The active transportation network in the South Waterfront

and John's Landing neighborhoods needs to be integral with transit facilities to achieve transit/active transportation mode share objectives;

- Recommends using any unused portions of the Willamette Shore Line ROW for safety, access and circulation improvements to the bicycle and pedestrian multi-use path;
- Recommends that, should the "Macadam-in-Street" alignment be selected, the project enhance the Macadam right-of-way in this segment to provide for the safe operation of a bicycle along this section of Macadam (in accordance with the Portland Bicycle Plan for 2030). The BAC strongly recommends consideration of a separated, in-road facility (such as a cycle-track) to provide safe and comfortable bicycle access along this section.

The BAC would also like to draw attention to the health benefits of the streetcar option. A Health Impact Assessment completed by the Oregon Public Health Institute showed that the streetcar option, when compared to the no-build and enhanced bus options, would:

- Provide the greatest improvement in opportunities for physical activity because of its higher level of service, greater improvements in park and trail accessibility, and provision of greater amounts of bicycle and pedestrian infrastructure in the corridor;
- Would add or improve more bicycle and pedestrian facilities at numerous points along its route, and would result in the most improvements to bicycle and pedestrian infrastructure in the corridor.

In closing, we thank you for your consideration of our support and recommendations. We look forward to watching the project move forward and hope that the BAC can be an active participant in the design and implementation to transportation improvements in this corridor.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew C. Arnold', with a long horizontal flourish extending to the right.

Matthew C. Arnold
Chair, Portland Bicycle Advisory Committee



Portland Pedestrian Advisory Committee

1120 SW5th Avenue Suite 800
Portland OR 97204

January 24, 2011

Members

David Aulwes

Roger Averbeck

Don Baack

Carolyn Briggs

Betsy Clapp

Ali Corbin

Daniel
Friedman

Marianne
Fitzgerald

Rebecca
Hamilton

Erin Kelley

Doug Klotz

Rod Merrick

Elizabeth
Mros-O'Hara

Ellison Pearson

Marian Rhys

Project Steering Committee
Lake Oswego to Portland Transit Project
600 NE Grand Avenue
Portland, OR 97232

Portland Planning and Sustainability Commission
1900 SW Fourth Ave, Ste 7100
Portland, OR 97201

Re: Letter of Support for the Lake Oswego to Portland Transit Project

Dear Steering Committee and Planning and Sustainability Commission Members:

On behalf of the City of Portland Pedestrian Advisory Committee (PAC), I want to express support for the extension of streetcar from South Waterfront to Lake Oswego. I am writing to comment on the options as presented in the Lake Oswego to Portland Transit Project Draft Environmental Impact Statement.

In general, the PAC supports the Lake Oswego to Portland Transit project as a critical link in the regional transit system, connecting local and regional transit service and improving mobility through the constrained Macadam Avenue corridor. The PAC also supports the streetcar as the preferred mode. In particular, the PAC:

- Recommends the transit project and alignment not preclude use of the Willamette Shore Line Right-Of-Way for a pedestrian and bicycle multi-use path, particularly north of the Sellwood Bridge. Include safety, access, and circulation improvements to reach the path.
- Emphasizes the importance of this project's improvements to the pedestrian environment along Macadam Avenue in the Johns Landing neighborhood, including wider sidewalks, more frequent marked crosswalks, and enhanced crossings near streetcar stations;
- Believes that high quality transit in the corridor with added passenger capacity, increased frequencies, and upgraded station amenities, is fundamental to maintaining our region's quality of life and providing an effective and convenient connection between pedestrian and transit trips;
- Recommends that streetcar design, especially as it relates to the stations, supports safe pedestrian and bicycle access and enhances the neighborhoods in which they are located; and
- Supports streetscape and greenway path improvements that will improve pedestrian, bicycle, and transit access along the Willamette River/Macadam Avenue corridor.

In closing, we thank you for your consideration of our support and recommendations and look forward to watching the project move forward.

Sincerely,

David Aulwes
Chair, Portland Pedestrian Advisory Committee



South Portland Neighborhood Association

**Representing the Lair Hill, South Waterfront, Corbett, Terwilliger, John's Landing,
and Fulton communities**

7688 SW Capitol Hwy.
Portland, OR 97219

January 17, 2011

**Project Steering Committee
Lake Oswego to Portland Transit Project
600 NE Grand Avenue
Portland, OR 97232**



Re: Letter of Support for the Lake Oswego to Portland Transit Project

Dear Steering Committee:

On behalf of the South Portland Neighborhood Association (SPNA), I want to express support for the extension of streetcar from South Waterfront to Lake Oswego. I am writing to comment on the options as presented as a part of the Lake Oswego to Portland Transit Project Draft Environmental Impact Statement.

In general, the SPNA supports the Lake Oswego to Portland Transit project as a critical link in the regional transit system, connecting local and regional transit service and improving mobility through the constrained Macadam Avenue corridor. The SPNA also supports the streetcar as the preferred mode and the "Macadam-in-street" as the preferred alignment in the City of Portland. In particular, the SPNA,

- **Believes that high quality transit in the corridor, with added passenger capacity, increased frequencies and upgraded station amenities, is fundamental to maintain our region's quality of life and provide an effective and convenient connection between active transportation and transit trips;**
- **Recommends that streetcar design, especially as it relates to the stations, supports safe pedestrian and bicycle access and enhances the neighborhoods in which they are located;**
- **Supports streetscape and greenway path improvements that will improve pedestrian, bicycle,**

and transit access along the Willamette River/Macadam Avenue corridor;

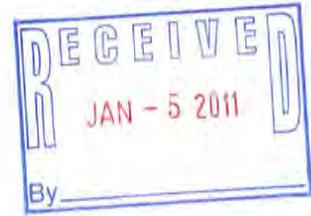
- **Supports future pedestrian and transit oriented-development investments that would leverage the public investment in transportation infrastructure into main-street, mixed-use development in the John's Landing neighborhood;**
- **Emphasizes the importance of this project's physical improvements to the pedestrian environment along Macadam Avenue in the John's Landing neighborhood, including wider sidewalks and more frequent pedestrian crosswalks.**
- **Recommends using any unused portions of the Willamette Shore Line ROW for safety, access and circulation improvements to the pedestrian and bicycle multi-use path**

In closing, we thank you for your consideration of our support and recommendations and look forward to watching the project move forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Love", written in a cursive style.

**Ken Love
President
South Portland Neighborhood Association**



December 20th, 2010

Lake Oswego to Portland Transit Project,
600 NE Grant Avenue,
Portland, Or 97232

Re: Draft Environment Impact Statement and Preliminary Section 4 (F)
assessment comment

Stampher Road Home Owners Association, representing the owners of homes on Stampher Road, Lake Oswego, appreciate the opportunity to voice our concerns and objections to the proposed street car alternative contained in the DEIS.

Two of the stated goals of the Portland to Lake Oswego Transit Project are to “Increase mobility and accessibility within the geographically-constrained Highway 43 corridor” and to “Support and Enhance the neighborhood character in an environmentally sensitive manner” (page 2 .1.2.1. page 2 – 3)
We submit that the street-car alternative will negatively impact Stampher Road residents and negate the above mentioned objectives for the following reasons:

The Stampher Road areas is a unique, secluded and environmentally sensitive area which does not abut the existing Willamette Shore Line Right of Way. This right of way currently runs parallel to highway 43, on the west-side on the Union Pacific Right of Way. The configuration for the new street-car alignment in the Stampher Road neighborhood as outlined in the DEIS, falls into Segment 6 – Lake Oswego (page S – 11 C).

In the plan for both the UPRR Right of Way and the Foothills Design Option, a tunnel is cut through the UPRR right of way to bring a double track for the street-car directly into our neighborhood. It should be noted that where attempts have been made to mitigate the impact of the street car on residences in close proximity to the right of way, (Macadam In-Street Design Option and the Riverwood Road Option) Stampher Road suffers the opposite fate as the street car is deliberately brought into our area over the express objections of its residents. Further more, there is no discussion or disclosure about the significant interference, hardship and encroachment on the quality of life in the Stampher neighborhood anywhere in the DEIS. This neighborhood is only mentioned in passing in reference to the UPRR.

We believe that the Street-car Alternative will have severe negative Environmental consequences for our neighborhood for the following reasons:

page 2

Double tracks will cross our only access road into our neighborhood (see Map – page E 23) which will negatively impact the safety of drivers, pedestrians, children and pets. In addition it reduces our neighborhood mobility (page 3 -45) by limiting our safe and unfettered access to Highway 43.

The street-car route comes through a tunnel, into a gully and onto our road at a very sharp angle in the road. Traffic will have limited warning or views of an approaching street-car. Any of the usual remedies used to mitigate safety and security, such as audible warnings, signing, striping signalization etc will have profound negative impact on all Stampher Road residences as all the usual warning devices will be visible or audible from all the homes in the neighborhood. We note that Stampher Road area has been excluded from discussions of impacts of noise and vibrations on pages 3-155 through 3-160., nor has it been identified with respect to safety options.

We believe that the street car will dramatically and negatively change the character and nature of this neighborhood, and offers no corresponding positive trade-offs of increased access to transit for residents. The street car, is in effect, all burden and offers no benefit to the residents of Stampher Road, and as such we strongly oppose the street-car option.

The Stampher enclave is an environmentally sensitive area as this is where Tryon Creek (page 1 – 12), habitat for federally-listed threatened and endangered species, enters the Willamette. It is also home to eagles, osprey, hawks, numerous other birds, a variety of small animals and the occasional deer. The landscape consists of natural native grasses, giant oaks, cottonwoods and other natural vegetation consistent with the goals of the Willamette Greenway.

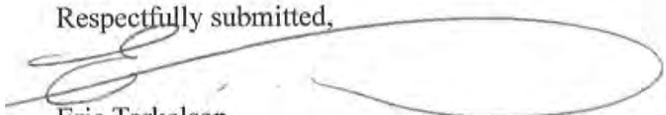
Statements on page 3-130, 3.8.3.3.3. Wildlife, highlights considerable direct and indirect impacts to wildlife for breeding, shelter or foraging, and long term mortality to birds, small mammals etc. Paragraph 3.8.3.3.4, page 3-313- discusses the potential adverse impact on fish and fish habitat, plus the construction of the Tryon Creek trestle within a 100-year flood plane.

The DEIS does not supply sufficient information regarding the destruction and disturbance of this environment with the construction of a tunnel, (freight under crossing) a trestle over Tryon Creek, (page 3-58, Table 3.4-3) double tracks, electric overheads, noise, light and barrier intrusions, retaining walls, vibrations and the street-car itself.

Kindly note that if the street-car does become an unfortunate and costly reality, the Stampher Road residents request that certain improvements be made to their access onto Highway 43. Specifically we request the removal of the tracks that run along side highway 43, which were installed to extend the right of way into Lake Oswego at the time of the consortium purchase in 1988.

This extension limited the turning radius for cars entering from the south into Stampher Road, and by doubling the size of the UPRR trestle, narrowed our road and limited our visibility. As these tracks will no longer be used, their removal will greatly enhance the safety of this crossing for all users.

Respectfully submitted,



Eric Torkelson,
President, Stampher Road Home-Owners Association

January 14, 2011

Lake Oswego to Portland Transit Project
600 NE Grand Ave.
Portland, OR 97232

Dear Lake Oswego to Portland Transit Project Partners:

As the destination marketing organization for the Portland area, Travel Portland takes a keen interest in transportation developments that can impact the ability of visitors to get to and around our region. We have been following the Lake Oswego to Portland Transit Project, and now that the DEIS has been released, we would like to provide input from the tourism perspective.

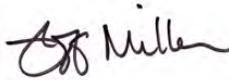
With its spectacularly scenic route along the Willamette River, the Lake Oswego Streetcar could become a visitor destination in itself. This would open up the southern section of our region as an attractive day-trip destination from Portland, and would connect this region to amenities like OMSI, the Oregon Convention Center blocks, South Waterfront, RiverPlace, the Pearl District and Northwest Portland. Enhanced Bus Service does not offer the visitor appeal that the Streetcar does.

In addition, because the Streetcar offers higher ridership, faster travel times, better congestion relief, more carbon reduction, and increased development potential along the line, it is in keeping with Portland's strong brand as a sustainability and transportation leader.

In a choice between Enhanced Bus Service and a Streetcar, we believe the Streetcar is the better alternative from a visitor standpoint.

Thank you for the opportunity to provide input on this project.

Sincerely,



Jeff Miller
President & CEO
Committee



Adam Berger
Chair, Community Action
Owner, Tabla Restaurant

cc Portland Planning and Sustainability Commission

WILLAMETTE SHORES CONDOMINIUMS

1500 NE IRVING STREET, SUITE 414
PORTLAND, OREGON 97232
503-222-7073



December 30, 2010

Lake Oswego to Portland Transit Project
600 NE Grand Avenue
Portland, OR 97232

Dear Metro,

I am the Chair of the Board of Directors of the Willamette Shores Condominiums. We are located on the east side of SW Macadam Avenue between SW Macadam Avenue and the Willamette Shoreline right of way. The right of way runs between our condominium and the west bank of the Willamette River.

As with other condominiums, businesses, and single family homeowners in similar locations to ours, we are extremely concerned about the viability of the Johns Landing neighborhood, and our property values. The Shoreline Right of Way option would negatively impact property values up and down the west bank of the river.

Our Board of Directors voted to support what is known as the in-street Macadam option for the streetcar planned for our neighborhood. Owners expressing an opinion, and supporting the Board decision strongly favor the option that has minimal impact on our property values and neighborhood livability. We do understand the need to provide the most effective and reasonable transit access for our neighborhood as a whole. This in-street alternative also affords our neighborhood the most redevelopment opportunity.

Very truly yours,

A handwritten signature in blue ink that reads "Diana Lee Holuka". The signature is fluid and cursive.

Diana Lee Holuka
Board Chair
Willamette Shores Condominium Association
5620 SW Riverside Lane, #2
Portland, Oregon 97239

Metro Transit Project BoD decision 12-30-10

Lake Oswego to Portland Transit Project - DEIS Review

No.	Page	Subsection Number/Heading	Commenter	Comment
1	S-7	Table S-2, Line 2	Jeff Graham	Why does the DEIS measure transit times from Lake Oswego to PSU? Aren't the proposed Streetcar alternative termini the Lake Oswego and SW Bancroft Stations?
2	S-7	Table S-2	Jeff Graham	What are the in-vehicle automobile travel times relative to the No-Build, Enhanced Bus, and Streetcar alternatives? This is useful information to help readers understand, and reach conclusions about, the effectiveness of the project.
3	S-8	Third bullet under The Streetcar Alternative	Jeff Graham	What is the automobile travel time between Lake Oswego and PSU. Why are transit travel times between Lake Oswego and PSU are reported? Isn't the northern termini for the streetcar at the SW Bancroft station?
4	Chapter 1 Page 7	Table 1.5-1	Jeff Graham	Average weekday PM peak period auto and transit times are reported between Lake Oswego and Pioneer Square. Transit travel times in the Summary were reported between Lake Oswego and PSU. Since the northern termini for the streetcar is at SW Bancroft I would expect that as a termini. At the very least the travel times, whether SW Bancroft or PSU or Pioneer Square, should use the same termini otherwise it is not possible to compare performance between alternatives.
5	Chapter 2 Page 10	Table 2.2-2	Jeff Graham	What is the in vehicle automobile travel time between Lake Oswego and SW Bancroft? In this table the streetcar round trip travel time is reported between Lake Oswego and SW Bancroft. See Footnote 3. Streetcar headways are report from Lake Oswego to PSU. Why is this not reported from SW Bancroft? The DEIS is not consistent in the termini it uses to report travel times for the alternatives and readers cannot compare the performance of the alternatives if different termini are used.
6	Chapter 2 Page 11	Roadway Capital Improvements	Jeff Graham	Please include Sellwood Bridge in this list
6	Chapter 2 Page 11	Bicycle and Pedestrian Capital Improvements	Jeff Graham	Please include Sellwood Bridge in this list

Lake Oswego to Portland Transit Project - DEIS Review

No.	Page	Subsection Number/Heading	Commenter	Comment
7	Chapter 2 Page 12	Figure 2.2-1	Jeff Graham	Please include Sellwood Bridge project on this figure
8	Chapter 2 Page 24	Sellwood Bridge Segment	Jeff Graham	It may be worth mentioning that the design for the new Sellwood Bridge can accommodate an alignment for a Tacoma Streetcar line if that is so desired in the future.
9	Chapter 3 Page 231	Sellwood Bridge Segment	Jeff Graham	3.17.2.1 Sellwood Bridge Segment should be changed to read 3.17.2.2 Sellwood Bridge Segment as 3.17.2.1 was used for the South Waterfront Segment.
10	Chapter 4 Page 4-16	Table 4.2-2	Jeff Graham	This table is reporting transit and automobile travel times to Lake Oswego from PSU and SW Lowell Street. Why not use Bancroft Station rather than SW Lowell Street?
11	Appendix G		Jeff Graham	Appendix G is upside down in my document.



Oregon

John A. Kitzhaber, MD, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregonstatelands.us

January 28, 2011

State Land Board

LAKE OSWEGO TO PORTLAND TRANSIT PROJECT
ATTN: JAMIE SNOOK
METRO
600 NE GRAND AVENUE
PORTLAND OREGON 97232

John A. Kitzhaber, MD
Governor

Kate Brown
Secretary of State

Re: Comments on DEIS
Lake Oswego to Portland Transit Project
Multnomah and Clackamas County

Ted Wheeler
State Treasurer

Dear Ms. Snook,

Thank you for the opportunity to review the DEIS. Under the Oregon Removal-Fill Law (ORS 196.800-196.990), removal, filling, or alteration of 50 cubic yards or more of material below the ordinary high water line of waters of this state (including wetlands) or any amount of material within Essential Salmonid Habitat, such as the Willamette River and Tryon Creek, requires a permit from the Oregon Department of State Lands (DSL). Additionally, DSL implements the Lower Willamette River Management Plan; this plan applies to activities on the Willamette River between the Columbia River and to above the Sellwood Bridge, up to the level of bankfull stage on each riverbank.

Based on the information in the DEIS there may be impacts to waters of the state, including wetlands. With regard to our permitting process, we will look at the Need for the project and associated Range of Alternatives; each alternative shall have a mitigation sequence addressing avoidance and minimization of direct and indirect impacts. Please consider submitting a wetland delineation to us far in advance of the removal-fill permit application in order to avoid slowing the permitting process down. Any compensatory mitigation concepts for impacts to riverine or wetland impacts should be coordinated with the appropriate agencies, ideally in an interagency setting.

Best Regards,

Michael V. McCabe, MS
Senior Resource Coordinator
Wetlands and Waterways Conservation Division

C: James Holm, ACOE (Portland)

January 31, 2011

Metro
Lake Oswego to Portland Transit Project
600 NE Grand Ave.
Portland, OR 97232

**RE: ODOT Region 1 Comments to Lake Oswego to Portland Transit Draft
Environmental Impact Statement**

Metro:

Thank you for the opportunity to comment on the Lake Oswego to Portland Transit (LOPT) Draft Environmental Impact Statement (DEIS). The Oregon Department of Transportation (ODOT) appreciates the efforts of TriMet and Metro in keeping us involved in this important regional process.

Over the past several years, local governments have increasingly voiced their interest in taking over jurisdiction of OR43¹. Recently this interest led to a series of Metro sponsored OR43 Working Group meetings. It has become clear from these meetings and other on-going conversations with local leaders, and through a number of recent planning processes that there is a local desire to see the function of OR43 change from its origin as a farm to market road into a new role as a multimodal facility serving local community needs. Due to the changing function, it may be appropriate for OR43 to be transferred to local control.

The transfer of OR43 to the local governments may occur as early as this year. Our agency comments are listed in two categories; those comments that only apply if the project moves ahead while OR43 continues to be owned and managed by the State of Oregon, and comments that apply regardless of the ownership status of OR43.

COMMENTS THAT APPLY REGARDLESS OF OR43 Ownership:

According to the DEIS, “a new storage facility that would accommodate eight streetcars would be located adjacent to the streetcar alignment under the Marquam bridge” for the Streetcar Alternative. ODOT currently has utilities and parking lot easements under the structure. In the future, the City of Portland plans to do an extension of Bond Street under the Marquam Bridge and ODOT plans to do seismic retrofits for the bridge supports, so a storage facility will require ongoing negotiation to accommodate the competing demands for this limited space and require ODOT approval prior to moving forward.

The traffic analysis in the Final Environmental Impact Statement (FEIS) should determine if construction work on OR43 will temporarily impact parallel facilities by receiving diverted trips from OR43. If such diversion impacts ODOT facilities mitigation measures will be required subject to State Traffic Engineer approval.

¹ Oregon State Highway 43 (also known as Oswego Highway, Macadam Avenue, Riverside Drive, and State Street)

If the project creates a permanent or temporary vertical and/or width reduction on OR43 for the Streetcar Alternative In-Street Macadam Design Options, the project should coordinate with the Portland Freight Committee and Motor Carrier Traffic Division to obtain the appropriate permits and required approvals.

COMMENTS THAT APPLY ONLY UNDER CONTINUED STATE OWNERSHIP OF OR43:

Highway Design Elements

The Streetcar Alternative In-Street Macadam Design Options will trigger ODOT’s *Highway Design Manual* 4R design requirements based on the reconstruction of the highway and addition of a new transportation mode. The LOPT Project will be required to design and build to these dimensions as shown in Table 1 on OR43 between SW Boundary Street and SW Carolina Avenue or obtain design exception approvals from the State Traffic Engineer. The LOPT project will also need to build the horizontal curve, superelevation, vertical profile, and cross-slopes of the highway in accordance with ODOT design requirements.

Table 1: ODOT’s Highway Design Manual Design Requirements for Special Transportation Areas

Streetcar Alternative In-Street Macadam Design Option	Streetcar Alternative In-Street Macadam with Additional Lane Design Option
<ul style="list-style-type: none"> • Four 12-foot travel lanes • One 15-foot median • Two 6-foot shoulders • Two 10-foot sidewalks 	<ul style="list-style-type: none"> • Four 12-foot travel lanes • One 13-foot exclusive streetcar lane and right-turn lane that includes 1 foot for shy • One 15-foot median • Two 6-foot shoulders • Two 10-foot sidewalks

The addition of streetcar tracks onto OR43 under the Streetcar Alternative In-Street Macadam Design Options will need further research, analysis, and development of bicycle and vehicle safety measures for installation on a State Highway, and obtain ODOT’s approval prior to construction.

The Streetcar Alternative Riverwood Design Option locates the new streetcar alignment adjacent to OR43 between SW Riverdale Road and SW Riverwood Road. A permit and/or easement will be required if the streetcar alignment enters onto ODOT right-of-way.

Bicyclists are currently allowed to use the travel lanes on OR43. Oregon Revised Statute 366.514 states, “Footpaths and bicycle trails, including curb cuts or ramps as part of the project, shall be provided wherever a highway, road or street is being constructed, reconstructed or relocated.” The Streetcar Alternative In-Street Macadam Design

Options will be ‘reconstructing’ the roadway when placing streetcar tracks on OR43. For both design options, the LOPT Project will need to either provide bicycle facilities or provide a suitable alternate parallel bicycle facility and obtain an approved design exception from the State Traffic Engineer.

Traffic Signals and Intersections

The proposed traffic signal installation and modifications listed in Table 2 will require State Traffic Engineer approval and compliance with Oregon Administrative Rule 734-020. A progression analysis using the methodology listed in ODOT’s *Analysis Procedures Manual* is needed in order to seek approval for these signal installation and modification requests. The LOPT project may also need to obtain design exceptions from the State Traffic Engineer for ODOT’s *Highway Design Manual* design-life volume-to-capacity ratio requirements at some of these intersections.

Table 2: Proposed Signal Installation and Modifications listed in the LOPT DEIS

OR43 Intersection	Type of Alteration	Alternative / Design Option
SW Boundary St	Modification	Streetcar Alternative In-Street Macadam Design Options
SW Carolina Ave	Installation	Streetcar Alternative In-Street Macadam Design Options
SW Military Road	Modification	Streetcar Alternative Riverwood Design Option
SW North Shore Rd	Modification	Enhanced Bus Alternative
SW Middlecrest Road	Modification	All Build Alternatives
SW McVey Ave	Modification	All Build Alternatives

Streetcar stop locations at the OR43 / SW Boundary Street intersection as shown in Appendix D of the DEIS may need to be relocated to address operational and safety issues with the intersection.

The LOPT FEIS needs to provide an AM peak hour traffic analysis (e.g. volume-to-capacity ratio, queuing, travel time, and progression analysis) for all studied OR43 intersections. The queuing analysis should consider mitigation for the following scenarios:

1. Creation of a spillback queue under the build alternatives that does not exist under the no-build alternative;
2. Further degradation of spillback queue under build alternatives;
3. Creation of an overflow queue under the build alternatives that does not exist under the no-build alternative; and
4. Further degradation of an overflow queue under build alternatives.

The LOPT Project staff needs to work with ODOT staff to ensure the catenary wires on OR43 do not obstruct the sight distance and/or location of the traffic signal heads on the highway.

Construction and Traffic Control Plan

During construction, the LOPT project will maintain mobility on OR43 by keeping two lanes of travel in each direction on the highway on weekdays from 6am to 8pm.

Drainage and Stormwater Treatment

All additional impervious surfaces must be treated to the satisfaction of permitting and regulatory agencies at project cost, including any additional right-of-way that may be required to modernize the drainage and stormwater treatment facilities on OR43.

Sincerely,



Andrew Johnson
Major Projects Manager, Region 1
Oregon Department of Transportation

From: Bill Fujii [fujiiwh@wrđ.state.or.us]
Sent: Monday, November 29, 2010 3:00 PM
To: Trans System Accounts
Cc: Kris Byrd; Sabrina White-Scarver; Darrell Hedin
Subject: Lake Oswego to Portland Transit Project
Attachments: Comment to metro.doc

Jamie - thank you for your notice on the Lake Oswego to Portland Transit Project. The Water Resources Department does not have any specific comments related to the materials on your CD. The geographic scope of your project transects two of our Watermaster Districts. Their contact information is contained at the end of our general comments attached to this email.

Environmental Protection related to OWRD

As development overtakes lands on which wells are located, it is important to protect the ground water resource through proper abandonment of unused water wells. Improperly abandoned wells can serve as a conduit for contamination or can cause loss of artesian pressure. Contamination from improperly abandoned wells can threaten wells over a large geographical area. Domestic uses and even municipal uses can be threatened by even one improperly abandoned well.

OWRD assumes that there will be monitoring wells or other geotechnical holes in the ground related to this project. Please contact us prior to drilling of these features.

Water use for construction or monitoring

OWRD assumes that the project will be getting water from a municipal provider.

If you have any questions please contact me or any of the folks mentioned on the attached.

Best Regards -

Bill Fujii 503 986 0887

Comment to Local Governments

Water rights

Applicants for land use changes should make themselves aware of any existing water rights appurtenant to their lands and limitations for new water right applications. Water users must have legal access to water such as connection to a municipal system, or have a permit or water right certificate from the Water Resources Department to use water from any source— whether it is underground (see exemption below), or from lakes or streams. Generally speaking, landowners with water flowing past, through, or under their property do not automatically have the right to use that water without a permit from the Department.

In most areas of the state, surface water is no longer available for new uses on a year-round basis. Ground water supplies may also be limited in some areas. Allowing new uses of water is done carefully to preserve the investments already made in the state, whether in farms, factories, or improvement of fish habitat.

Ground water uses exempt from water right application process

Under ORS 537.545 the following uses of ground water *do not* require an application for water right permit:

- Group and single-family domestic use up to 15,000 gallons per day.
- Stock watering.
- Watering any lawn and/or non-commercial garden totaling one-half acre or less in area.
- Down-hole heat exchangers.
- Any *single* industrial or commercial development up to 5,000 gallons per day.
- Watering the lawns, grounds and fields not exceeding 10 acres in area of schools located within a critical ground water area established pursuant to ORS 537.730 to 537.740

Please keep in mind that well construction standards require specific distances from drain fields and wastewater lines; this may limit the practical number of parcels that can be developed even with exempt use wells.

Protecting Ground Water Through Proper Abandonment of Wells

As development overtakes lands on which wells are located, it is important to protect the ground water resource through proper abandonment of unused water wells. Improperly abandoned wells can serve as a conduit for contamination or can cause loss of artesian pressure. Contamination from improperly abandoned wells can threaten wells over a large geographical area. Domestic uses and even municipal uses can be threatened by even one improperly abandoned well.

For developments on which the future use of existing wells is not anticipated, proper abandonment of wells (permanent or temporary) is very important to protect the ground water resource. Any well that is not going to be used should be abandoned to standards established by the State of

Oregon. Also if there is a suspicion that there are contaminants in any well, the Department of Environmental Quality should be contacted before any action is taken.

All too often the land is already graded and the wells damaged before the local jurisdiction is notified of the intent to subdivide. The damage to the resource and the associated liability risks can be avoided. Public information and education is very important. The Department also publishes a brochure, "A Consumer's Guide to Water Well Construction, Maintenance and Abandonment" which provides additional well abandonment information. Anyone interested in a copy of this brochure or for further information may contact the local Watermaster's office or the Enforcement Division in Salem.

The Oregon Water Resources Department encourages agencies to protect the ground water resource, public health and safety by adopting policies and/or procedures to insure proper well abandonment program. Proper well abandonment procedures are outlined in OAR 690 Division 220.

Local jurisdictions should be aware that the Water Resources Department is not asking anyone to adopt any ordinance or procedure that will conflict with ORS 537.769:

“ORS 537.769 Local regulation of wells and water well constructors. The Legislative Assembly finds that ground water protection is a matter of statewide concern. No ordinance, order or regulation shall be adopted by a local government to regulate the inspection of wells, construction of wells or water well constructors subject to regulation by the Water Resources Commission or the Water Resources Department under ORS 537.747 to 537.795 and 537.992. [1989 c.129 s.3]”

If there is any technical question about inspection of wells, construction of wells or water well constructors the Water Resources Department will cooperate with any jurisdiction or individual to ensure the protection of the ground water resource.

Local Jurisdictions may wish to consider the following criteria for determining their policies.

- 1) Unused water wells must be permanently abandoned if the well:
 - Will no longer meet well construction standards.
 - Poses a threat to health and safety (hand dug and shallow wells are of particular concern)
 - Will no longer meet local set-back requirements

- 2) Unused water wells with the following risk factors are of concern because of the increased risk of contamination:
 - Proximity to roads, large parking lots, sewer lines, certain industrial uses, feed lots, quarries, nursery and greenhouse operations, liquid fuel transmission lines and flood plains.
 - Any system remnants that may provide the opportunity for cross connections.
 - Any unsecured large diameter well (also a public safety concern).

- 3) Not all unused wells should be abandoned permanently. If there would be an opportunity to put the well to beneficial use within the foreseeable future status quo or temporary abandonment may be an option that local jurisdictions may wish to leave open.

The advantages of maintaining an un-used well include:

- Diversification of sources (such as irrigation or industrial use of raw water rather than finished water).
- Future use by the land owner or a municipality.
- Transfer from surface water source to ground water (specific state standards would apply).
- Often these wells may offer a source for a back-up supply
- Use of the well for monitoring.

Here are some criteria to consider for allowing “status quo” and/or temporary abandonment:

- The well meets all current well construction standards.
- The well location provides minimum risk (see above).
- There is a proposed plan to utilize the well - which includes recognition of federal, state and local regulations.
- The connection to the municipal system is protected by a back-flow protection device.

4) Range of options for local jurisdictions:

- Adopt ordinances to ensure that state well abandonment requirements are met before development occurs (please see caution above).
- Adopt internal procedures to insure that state well abandonment requirements are met before development occurs.
- Assist in public education efforts including distribution of the Consumer's Guide to Water Well Construction, Maintenance and Abandonment
- Refer all well questions to the local water master’s office

Contact Persons:

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1400 SW Walnut St, Suite 240
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Bill Fujii (503) 986 0887



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
620 SW Main Street, Suite 201
Portland, Oregon 97205-3026



9043.1
IN REPLY REFER TO:
ER10/1015

Electronically Filed

January 31, 2011

Ms. Jamie Snook
Principal Planner
Lake Oswego to Portland Transit Project
600 NE Grand Avenue
Portland, Oregon 97232

Dear Ms. Snook:

The U.S. Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the Lake Oswego to Portland Transit Project. On August 27, 2009, the U.S. Fish and Wildlife Service (Service) signed a memo with the Federal Transportation Administration (FTA), Metro, and Trimet accepting the role as a participating agency. Through this agreement, the Service established coordination and collaboration procedures, and has submitted written advisory comments on the early draft of this DEIS. The Department offers the following comments for use in the development of the Final Environmental Impact Statement (FEIS).

The DEIS provided analyses of the following three alternatives: 1) the No Build alternative, 2) the Bus Rapid Transit Alternative, and 3) the Streetcar Alternative. A preferred alternative was not identified. Alternative 2 proposes to modify buslines between King City and Lake Oswego and Lake Oswego to Portland and to construct a 300-space park-and-ride in Lake Oswego. Alternative 3 would extend existing streetcar tracks and service between Southwest Bancroft Street and downtown Lake Oswego, generally parallel to Highway 43, adding approximately six miles of new streetcar track, 10 new streetcar stations, and two new park-and-ride lots. For the most part, the streetcar tracks would be extended into exclusive right of way purchased by the Willamette Shore Line Consortium in 1988. Buslines 35 and 36 service and bus stops would both cease operations north of Lake Oswego.

Based on the available information, the implementation of the No Build and Enhanced Bus alternatives does not appear to result in short- or long-term direct effects to wetlands, vegetation, wildlife, fisheries, or threatened and endangered species; however, it does appear that the implementation of Alternative 3 will result in impacts to the environment. If the FTA determines, based on a Biological Assessment or evaluation, that threatened and endangered species and/or critical habitat may be affected by the project, the FTA is required to consult with the Service following the requirements of 50 CFR 402 which implements the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.).

In June, 2010, the Service participated in a fieldtrip to the project area and submitted comments on the draft DEIS. At that time, the Service suggested that the DEIS identify specific mitigation measures and a conceptual mitigation plan based on the level of direct, indirect, and cumulative impacts analyzed for the proposed Streetcar Alternative. While the DEIS does identify a number of potentially adverse impacts to fish and wildlife species and resources and a number of potential mitigation proposals, the level and extent of mitigation has not been specifically identified. The Department recommends that the FEIS include specific information regarding the level and extent of the proposed mitigation. If the Streetcar Alternative is selected as the preferred alternative, the Department also recommends that the Service be included in any discussions regarding the selection of mitigation measures. In addition, we offer the following general recommendations to reduce the overall impacts and improve habitat for fish and wildlife resources:

- The project team should develop specific best management practices to avoid and minimize impacts to terrestrial and aquatic species. In particular, avoid the removal of Oregon white oak (*Quercus garryana*) and other mature native trees of the Pacific Northwest, evaluate and implement measures to provide travel corridors to maintain and enhance aquatic and wildlife connectivity, and develop construction practices that minimize unavoidable impacts, such as in-water work timing, and isolation of in-water work areas;
- Compensatory mitigation should concentrate on those areas where success is most likely to be achieved and provides the best benefits. For example, two culverts that convey Tryon Creek and Stephens Creek within the project corridor have been identified in the DEIS as partial or permanent barriers to upstream fish passage. The Service supports the removal of these barriers because they will provide passage for a number of anadromous salmon species and Pacific lamprey (*Lampetra tridentate*). The Tryon Creek culvert in particular, is ranked as city of Portland's highest fish passage priority by the Bureau of Environmental Services (DEIS 3-119).

Thank you for the opportunity to review and comment on this DEIS. If you have questions regarding comments related to fish and wildlife resources, please contact Kathy Roberts at (503) 231-6179. If you have any other questions, please contact me at (503) 326-2489.

Sincerely,

A handwritten signature in black ink that reads "Allison O'Brien". The signature is written in a cursive, flowing style.

Allison O'Brien
Acting Regional Environmental Officer



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

January 31, 2011

Mr. John Witmer, Community Planner
Federal Transit Administration, Region 10
915-2nd Avenue, Suite 3142
Seattle, Washington 98174

Ms. Jamie Snook
Metro
600 NE Grand Avenue
Portland, Oregon 97232

Re: Lake Oswego to Portland Transit Project
EPA Region 10 Project Number 08-046-FTA

Dear Mr. Witmer and Ms. Snook:

The U.S. Environmental Protection Agency (EPA) has reviewed the Lake Oswego to Portland Transit Project Draft Environmental Impact Statement (DEIS). We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Thank you for this opportunity to participate.

The DEIS presents a No Action Alternative and two action alternatives for improving transit service between Lake Oswego and Portland: an Enhanced Bus Alternative, and a Streetcar Alternative, which includes three design options in Segment 3, two design options in Segment 5, and two design options in Segment 6. No preferred alternative is identified.

Because no preferred alternative has been identified, the Draft EIS does not provide as much information as is generally needed in some subject areas to sufficiently disclose and mitigate potential project impacts. We find this to be the case with respect to the analyses for aquatic resources, environmental justice/elderly and disabled populations, and air toxics construction impacts. For this reason, we are rating the DEIS as EC-2, Environmental Concerns, Insufficient Information. An explanation of this rating is contained in the enclosed description of EPA's rating system for NEPA Environmental Impact Statements.

We support the project purpose to provide enhanced transit in the project corridor. Ultimately the decisions regarding selection of an alternative and potentially of design options will be locally based. We encourage that the selected alternative be designed to achieve maximum benefits to the environment and to the local community, particularly the neighborhoods most affected by project impacts. We offer the following comments with these priorities in mind.



Aquatic Resources

Least environmentally damaging practicable alternative (LEDPA). Based solely on the potential aquatic resources impacts of the two action alternatives, it seems likely that the Enhanced Bus Alternative would be considered the Least Environmentally Damaging Practicable Alternative (LEDPA). However, when all environmental and transportation impacts, benefits, and outcomes for the Streetcar Alternative are compared to the Enhanced Bus Alternative (Table S-2), it appears that the Streetcar Alternative may be environmentally preferred overall. If further analysis considers compensatory mitigation that would provide benefits/enhancements to low value or degraded aquatic resources, and if continued discussions with resource agencies during the permitting/consultation process support that analysis, it is possible that the Streetcar Alternative could be considered the LEDPA.

Among the design options for the Streetcar Alternative, it appears that the environmentally preferred options would be the Willamette Shore Line option in Segment 3, and the UPRR Right of Way option in Segment 6 based primarily on their smaller areas of impervious surface. In Segment 5, Riverwood Road Design option would avoid impacts to 2.7 acres of floodplain but would result in more impervious surface (2+ acres) than the Willamette Shore Line option. Site visits and consultation with resource agencies are likely needed to clarify an environmentally preferred alternative in Segment 5.

Recommendation: In addition to avoiding and minimizing impacts, when identifying a preferred alternative, work closely with resource agencies to explore possible solutions that would maximize overall environmental benefits of the proposed project, including but not limited to those for aquatic and other ecological resources.

Hydrology, water quality, floodplain. The discussion of potential mitigation measures for impacts to hydrology, water quality, and floodplains (p. 3-154) states that local, state, and federal requirements and design guidelines for stormwater treatment and volume would be implemented. There is also mention of Low Impact Development (LID) techniques, minimization of impervious surfaces, and removal of existing structures in the floodplain as possible mitigation measures, but there is no indication of intent to adopt these measures. We understand that this is likely due to the fact that a preferred alternative has not yet been identified. Once this decision is made, mitigation methods mentioned that we would particularly encourage be pursued include Low Impact Development (LID) techniques, removal of existing structures in the floodplain, and incorporating floodplain cuts with projects that improve water quality and improve wildlife habitat, such as revegetating degraded riparian areas. There are a wide variety of LID techniques that could be incorporated, which would provide urban interest and beauty as well as natural function, such as, rain gardens, pervious pavement, ecoroofs, and pocket parks.

Recommendation: In consultation with resource agencies, fully explore the above mitigation concepts and include any feasible measures as commitments in the Final EIS.

Environmental Justice, Elderly, and Disabled Populations

We commend FTA and Metro for including analysis and discussion of potential project impacts to elderly and disabled populations as well as low income and minority populations. This acknowledgement is appropriate and necessary for the proposed project, and we encourage that it be continued in future NEPA analyses. In compliance with E.O. 13045, children should also be included among the vulnerable population segments that are given special attention in this and other NEPA analyses.

Recommendation: Include analysis of potential environmental health and safety impacts to children from the proposed project, and include mitigation to address the impacts.

Construction impacts. We are pleased to note that mitigation for construction impacts would be provided for persons with disabilities (p. 3-221), but the DEIS provides no information describing what would be provided. Children, especially those walking to and from schools, and the elderly are also of concern and may require special provisions to ensure their health and safety during project construction.

Recommendation: Include more information in the Final EIS regarding mitigation measures during construction to ensure public safety and security for children, the elderly, and the disabled.

Transit access. We believe the impacts associated with reduced access to transit in project Segments 3, 4, 5, and 6 should receive more attention in the EIS. From a project planning and design perspective, having fewer transit stops improves travel time while riding transit, but does not necessarily reduce overall trip time for people who must travel further to reach a transit stop. The neighborhoods and populations within the project area would experience the project-related construction and operation impacts while, depending on the distance to their nearest transit access point, they would potentially experience reduced project benefits.

The reduced transit access impacts would potentially be more severe for the elderly, disabled, and possibly children, than for less vulnerable populations. While the DEIS acknowledges the added time and difficulty required for the elderly and disabled to reach transit stops (p. 3-242), there is no discussion of mitigation for these effects. The DEIS provides no information about whether or not the public participation process has produced comment on these issues, and if so, what is being done to address them in project planning and design.

Recommendation: In the Final EIS, provide more analysis regarding the effects of reduced access to transit due to elimination of transit stops. Include public comments on this subject, and describe the geographic extent and demography of most affected neighborhoods/residents with respect to elderly, disabled, and children. Consider providing mitigation where needed, including potential addition of transit stops to the preferred alternative and/or other means, to ensure that vulnerable residents have suitable access to transit.

Neighborhood mobility. The DEIS states (p. 3-45) that new bicycle and pedestrian facilities would be provided in Segments 4, 5, and 6. It may be that these facilities already exist in Segment 3, but it would be helpful to indicate why new bike/pedestrian facilities would not be provided in Segment 3, which has the highest concentration of low income residents.

Recommendation: If it is not already mentioned in the DEIS, describe the existing non-motorized transportation facilities within Segment 3. If no bicycle/pedestrian facilities exist, consider including them as part of the proposed project.

Outreach. The DEIS provides good information about public outreach methods, including those for low income, and elderly populations (p. 7-5), but does not indicate to what extent project sponsors believe they were successful in reaching vulnerable/disadvantaged populations. The EIS should disclose what was heard from the public on transit access, neighborhood mobility, project benefits, impacts, and other topics, and in keeping with directives of the Executive Orders, should highlight what was heard from the most vulnerable population segments, including the low income, minority, elderly, and disabled members, as well as spokespersons for children, and report on how the comments are being incorporated into the proposed project. It would also be useful to share any lessons learned for improving current and future outreach efforts.

Recommendation: Provide the needed analysis, disclosure, and response as discussed above.

Air Quality during Construction

The DEIS states (p. 3-217) that the Final EIS will describe the project commitments for mitigation during construction and these will depend on the selection of the preferred alternative. We appreciate the general range of mitigation measures included on page 3-218, particularly those that would serve to minimize traffic and construction related vehicle and equipment emissions. To supplement the listed measures, we would refer you to the project scoping comments on air toxics we submitted on 7/18/08, which includes two lists of potential construction mitigation measures to reduce air toxics emissions during construction. In addition, we recommend you visit the Clean Construction USA website at <http://www.epa.gov/otaq/diesel/construction/>. At this website are examples of construction mitigation measures not included in the Draft EIS. The website also includes case studies and examples of institutional arrangements for implementing this mitigation.

Recommendation: Augment the construction mitigation measures listed in the Draft EIS to include additional mitigation measures listed in the EPA project scoping letter and/or on this website, and commit to their implementation.

Thank you for the opportunity to offer comment for the Lake Oswego Transit Project. If you have questions or would like to discuss these comments, please feel free to contact Elaine Somers of my staff at (206)553-2966 or by electronic mail at somers.elaine@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment, February, 1987.