

SALEM-KEIZER AREA TRANSPORTATION STUDY



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November 13, 2018

Salem City Council 555 Liberty St SE RM 220 Salem OR 97301

Re: Salem River Crossing and Environmental Impact Statement (EIS)

With this letter, the Salem-Keizer Area Transportation Study (SKATS) Policy Committee respectfully requests that the Salem City Council undertake the required actions to respond to the Land Use Board of Appeals (LUBA) remand and support the completion of the Final Environmental Impact Statement (FEIS) for the Salem River Crossing.

SKATS is the designated Metropolitan Planning Organization (MPO) for the Salem-Keizer area. An MPO is a federally mandated body for any urban area over 50,000 in population. MPOs are responsible for regional transportation planning that is continuing, cooperative, and comprehensive. The SKATS MPO is directed by a Policy Committee composed of elected representatives from the cities of Keizer, Salem, and Turner; Marion and Polk Counties; the Salem Area Mass Transit District; the Salem-Keizer School District; and a manager from the Oregon Department of Transportation's (ODOT) Region 2 office.

The SKATS Policy Committee and staff have been extensively involved throughout the Salem River Crossing Study and Environmental Impact Statement (EIS) process. Over the last 12 years, the Policy Committee has had numerous updates about the Salem River Crossing study. SKATS provided about half the funds used for the study. Five elected officials of the Policy Committee are also members of the Salem River Crossing study's Oversight Team.

This project has a long history that spans over a decade. Because SKATS has been involved since the outset, this letter begins with a history and milestones of the Salem

River Crossing Study and the EIS, and the SKATS Policy Committee's interest in seeing it completed.

Previous Willamette River Crossing Studies by SKATS.

SKATS has been the leading body for examining issues related to crossing the Willamette River in the Salem-Keizer area with studies completed by SKATS and its predecessors in the 1970s, 1980s, 1990s, and 2000s. In 1997-98, SKATS led the *Bridgehead Engineering Study;* and several projects from the study's recommendations have been constructed. The *Willamette River Crossing Capacity Study (1999)* and the *General Corridor Evaluation (2002)* evaluated 16 potential river crossing corridors from north of Keizer to south of Salem. Those two reports concluded that among those 16 corridors, the Tryon/Pine corridor best met the goals for reducing traffic congestion with the least negative impacts and should be studied in greater detail as part of an EIS.

History of the Salem River Crossing Study and EIS

The Salem River Crossing Study began in 2006 with funding agreements between the Oregon Department of Transportation (ODOT) and both the city of Salem and SKATS. Because a new bridge would have wide-ranging impacts for the Mid-Willamette Valley region, an Oversight Team was created that included key local jurisdictions and districts: City of Salem, City of Keizer, Polk County, Marion County, the Salem-Keizer Transit District, and ODOT. The Oregon Division of the Federal Highway Administration (FHWA) participated as a non-voting member. The city of Salem's representative on the Oversight Team began with Councilor Dan Clem, who was later succeeded by Councilor Jim Lewis.

Between 2006 and 2014, the Oversight Team met multiple times each year to guide the work of ODOT and local staff and the project consultants; define the purpose and need of the project; examine (and narrow) a wide range of alternatives; review traffic forecasts and impacts; discuss options for how roads should function; review bridge types; discuss potential funding options with affected local jurisdictions, stakeholders, and the community; and oversee many other aspects of the project during development of the EIS. A project management team (PMT) composed of staff from the city of Salem (Julie Warncke), ODOT (Dan Fricke), Polk County (Austin McGuigan), and SKATS (Mike Jaffe) collaborated on the EIS and coordinated the work of the consultant team. SKATS staff provided the numerous travel model forecasts used in the traffic analysis and was involved in many other aspects such as public outreach, document reviews, and numerous public and project meetings.

Before developing the alternatives evaluated in the draft EIS, in 2006 the PMT and consultant initially analyzed 17 crossing concepts (along 10 potential alignments) for a new river crossing between the existing bridges and Tryon Avenue (Salem Parkway),

including several concepts for either widening and/or reconfiguring the existing Center Street and Marion Street Bridges. Over 400 people attended and submitted comments during Open Houses in 2007. A Stakeholder Task Force met over 20 times between 2006 and 2008; and in September 2008, the Task Force narrowed the alternatives to three corridors: the existing bridges corridor, a Hope Street to Tryon Street corridor, and a Hope Street to Pine/Hickory Street corridor.

The draft Environmental Impact Statement (**DEIS**) evaluated a total of eight build alternatives in those three corridors plus a no-build alternative. After extensive analysis, the DEIS (700+ pages) was published in April 2012. Two well-attended Open House events in May 2012 and an online questionnaire were used to gather public comments. After three more meetings of the Stakeholder Task Force – including consideration of public comments and a joint Oversight Team/Task Force meeting – in August 2012, the Task Force voted to advance Alternative 1 (No-Build), 2A, 4A, and 4D as the top four alternatives.

In August 2012, the Oversight Team selected Alternative 4D as a preliminary recommendation of the Locally Preferred Alternative (LPA) and requested additional feedback from individual jurisdictions and the public. Between 2012 and 2013, Salem City Council had a combination of 12 work sessions, public hearings, or project updates about the project. In June 2013, Salem City Council rejected Alternative 4D and endorsed the "Salem Alternative," which was presented to the Oversight Team in August 2013.

Based on that input from Salem and direction by the Oversight Team, the project team designed a new LPA to align with all the major elements of the Salem Alternative, including reducing the number of lanes on the bridge span from six to four; changing the approaches on both the east and west ends of the proposed bridge from elevated ramps (as proposed in Alternative 4D) to surface street connections; changing the north-south connection in west Salem from an elevated roadway to an at-grade road (Marine Drive in the Salem Transportation System Plan); and developing additional bicycle and pedestrian facilities as part of the project. In February 2014, the Oversight Team unanimously recommended to advance the LPA based on the Salem Alternative as the preferred alternative for the Final Environmental Impact Statement (FEIS). Because the Salem Alternative wasn't specifically included as one of the alternatives in the 2012 DEIS, additional public outreach (mailers to 5000 addresses in the study area and an Open House) occurred in May and June of 2014 to get community responses to the new LPA.

With the choice of the LPA for the FEIS selected by the Oversight Team and the local governments, the next step was to adopt the LPA into the local land use and transportation plans including adoption into the Polk County and city of Salem

Transportation System Plans. It would also require exceptions to Statewide Planning Goals or an Urban Growth Boundary expansion.

On October 12, 2016, there was a Joint Public Hearing of the various decision-making bodies (city of Salem, city of Keizer, Marion County, Polk County, and their corresponding Planning Commissions) for the proposed land use actions needed to accommodate the revised footprint including expanding the Urban Growth Boundary, City of Salem TSP amendments, and taking an exception to Statewide Planning Goal 15 (Willamette River Greenway). City of Salem passed Ordinance 14-16 on December 5, 2016 to approve these actions.

As you know, Salem's ordinance was appealed to the state Land Use Board of Appeals (LUBA). In its final order of 8/9/17, LUBA denied the majority of the petitioners' assignments of error except for three relatively minor issues that could be corrected by the city: adjustment of population forecasts, the zoning for the land to be added to the UGB, and making findings addressing the Willamette River Greenway Policies 2 and 6. To date, the Salem City Council has taken no action to address the LUBA remand.

In early 2018, the Salem City Council formed a Congestion Relief Task Force and retained a consultant to evaluate potential infrastructure improvements to reduce congestion on the bridges and connecting streets in downtown Salem and West Salem. The study examined every feasible idea from previous studies or newly submitted by the community but concluded that "no single project at a specific location significantly reduced congestion" on the two bridges. Ideas were then grouped into solution packages. The final report found that the costlier, long-term infrastructure options in these solution packages for widening the existing bridges — which were evaluated but not recommended by the Task Force — would have "benefits that may not be long lived." Instead, the final report's recommendation of 14 short-term projects and programs (signage, minor infrastructure and operational projects, and travel demand management) will have a limited (and unquantified) result for solving congestion on, and around, the two bridges.

Since 2006, the Salem River Crossing Study and work on the EIS has cost over \$8 million (including \$3.9 million from SKATS). Thousands of hours of have been put in by city of Salem, ODOT, and MPO staff and the elected officials on the Oversight Team. The public has been extensively involved during the entire process.

An ODOT memorandum of October 30, 2018 (*attached*) outlines the remaining tasks to complete the FEIS and for FHWA to issue a record of decision (ROD). As noted, the ROD could be issued for the preferred alternative, but only if the land use and LUBA remand issues are resolved by the city of Salem. The other option would be that FHWA issue a ROD for the No-build alternative. FHWA's deadline to complete the FEIS and

ROD was extended to September 30, 2019. After that time, ODOT and SKATS may be required to payback all or a portion of the federal funds expended on the project; both ODOT and SKATS are strongly opposed to being in a position requiring us to payback any federal funds.

Past and Future SKATS Support of Improvements to the Existing Bridges River Crossing Area

SKATS shares the city's goal of identifying and funding projects and programs that reduce congestion on the existing bridge and extend its useful life and resiliency. Over the last 20 years, SKATS has provided a portion of its discretionary federal funds (matched with local funds and state funds) for multimodal programs and improvements to the reduce congestion on the existing bridges and connecting system including these projects:

- Improvements at the Center Street Bridge ramp exits to northbound and southbound Front Street (projects from the *Bridgehead Engineering Study*)
- Wallace Road @ Glen Creek Road intersection widening
- Multi-use path in Wallace Marine Park that connects to the Union Street Bicycle and Pedestrian Bridge
- New traffic signal and bike/pedestrian crossing at the Commercial Street and Union Street intersection.
- \$2.3 million for the Union Street NE (Commercial Street to 12th Street) Family Friendly Bikeway (construction in 2020)
- Annual funding (about \$500,000/year) for the Regional Traffic Signal Control System operated by city of Salem staff
- Approximately \$20 million in bus replacements, bus shelters, transit centers, and smart technology systems
- Regional Travel Options Program to promote/assist with ridesharing, vanpools, and other travel demand management (\$250,000/year from SKATS plus additional ODOT and Cherriots' funds).
- Center Street Bridge Seismic Retrofit Study: \$179,460 from SKATS plus match from Salem/ODOT
- SKATS advocated for the Center Street Seismic Retrofit \$60 million was provided in *Keep Oregon Moving* (HB2017)

These projects have helped reduce or will reduce, either directly or indirectly, traffic congestion on the bridges as well as provide alternative options to using a vehicle for crossing the river. However, they have not been enough to significantly solve the traffic congestions problems that exist on the bridges today or the worse congestion forecast for the future.

Position of the SKATS Policy Committee

As noted above, we are rapidly approaching the end of our time limit for completing the FEIS for a new Salem bridge, and the process has been suspended until Salem finishes addressing the land use remand from LUBA.

It seems to be the right time, perhaps the last time, to ask the city to move the FEIS process onward in view of current and ongoing realities, such as;

- 1. Latest traffic volume numbers over the two Salem bridges are the highest ever and rising. In 2017, 72% of all weekday (Monday-Friday) traffic counts exceeded 100,000 vehicles per day! Population in the region is continuing to grow, and traffic demand on the bridges will increase.
- 2. As noted, the 2018 Congestion Relief study conducted by Salem showed no substantial congestion enhancements would occur from that study's short-term or long-term recommendations. <u>After a decade of study, the LPA based on the Salem Alternative was selected as the best option available for substantially reducing congestion on the existing bridges and improving mobility for people and freight across the river.</u>
- 3. There may not be any long-term answers to seismic threats that our current bridges can address. By next year we'll have a better understanding whether a seismic upgrade is feasible for the Center Street Bridge and approaches. Due to its design and age, the Marion Street Bridge is not being considered for any seismic upgrades. As noted in the DEIS, mitigation for seismic hazards using modern standards would be part of the structural design of the LPA's new bridge and structures.
- 4. We continue to see accidents or events at the bridge (such as the overturned hay truck on October 19th of this year) in which the traffic flow of goods and services is halted, not to mention the mobility needs of our residents. These blockages impact emergency services, traffic, and access since there is no nearby vehicle bridge to function as emergency response routes. We need an alternative crossing for the region to better ensure the provision of emergency services; and in the case of a Cascadia earthquake event, to be better prepared for a potential catastrophic failure of the existing bridges.

Completion of the Final EIS and a Record of Decision is only a first step in the process. It gives us permission from FHWA to take the next steps. Construction of a new bridge and other parts of the LPA will take many years and potentially be done in several phases, as demonstrated by other major regional projects like the Newberg-Dundee bypass. There will be future opportunities for the elected officials in the region to decide on funding and phasing for the actual construction of the LPA's new bridge and other

infrastructure. Abandoning the process now sets back our region for many years (or decades) to come.

Please don't let our region suffer from an inadequate and congested transportation system for generations. Please keep the process moving before time to complete the FEIS runs out.

Respectfully yours,

Cathy Clark
Cathy Clark

Chair, Salem-Keizer Area Transportation Study (SKATS)

CC:lm

Attachment

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Department of Transportation Region 2 Headquarters

455 Airport Road SE Building B Salem, Oregon 97301-5395 Telephone (503) 986-2600 Fax (503) 986-2630

MEMORANDUM

DATE: October 30, 2018

TO: SKATS Policy Committee

FROM: Dan Fricke, Senior Transportation Planner

SUBJECT: Salem River Crossing – Remaining Tasks to Complete the Environmental

Impact Statement

At your October 23 meeting, the Policy Committee had an extended discussion about the Salem River Crossing and how to characterize the project in the update of the Regional Transportation Plan currently in preparation. To inform that and future discussions, you asked that I provide a summary of the remaining tasks to complete the Final Environmental Impact Statement (FEIS) and issue a record of decision (ROD). The following describes those remaining steps and additional information required to complete each.

- Project staff and the consultant team are working to complete drafting the FEIS document based on the preferred alternative identified by the Project Oversight Team. Drafting the document should be completed early next year.
- The City of Salem and other local partners adopted an urban growth boundary amendment to accommodate the future alignment of the preferred alternative. Project opponents appealed the City of Salem's adoption to the Land Use Board of Appeals (LUBA) which subsequently remanded the decision back to the city based on three technical issues. The city has not acted on resolving the remand issues to date. ODOTs State Agency Coordination agreement and administrative rule require, at OAR 731-015-0075(3):

"The Department shall rely on affected cities and counties to make all necessary land use decisions necessary to achieve compliance with the statewide planning goals and compatibility with local comprehensive plans after completion of the Draft Environmental Impact Statement or Environmental Assessment and before completion of the Final Environmental Impact Statement or Revised Environmental Assessment. These shall include adoption of general and specific plan provisions necessary to address applicable statewide planning goals."

Based on this, ODOT is not in a position to publish the FEIS and recommend adoption of the ROD for the preferred alternative to the Federal Highway Administration (FHWA) until the remand issues are resolved.

- FHWA has issued a preliminary "de minimis" finding for impacts from the project to Wallace Marine Park. This requires approval by the City of Salem as the park operator, documenting their concurrence as the "Official With Jurisdiction." To date, the city has not provided that concurrence to ODOT and FHWA. This is necessary to complete compliance with the requirements of Section 4f of the 1965 Highway Act. While lack of concurrence would not stop the project, it would result in an adverse impact finding that would require extensive (and expensive) revision to the FEIS and 4f report which we do not have the time or budget to complete.
- FHWA has extended the deadline to complete the FEIS and ROD to September 30, 2019. After that time, we may be required to payback all or a portion of the federal funds expended on the project. This would be a substantial financial impact on ODOT and SKATS – the agencies that have provided the majority of federal funds for the project.

To complete the process, FHWA must issue a ROD. The ROD could be issued for the preferred alternative, but only if the land use and LUBA remand issues are resolved by the City of Salem. The other option would be that FHWA issues a ROD for the No-build alternative. As I have stated on previous occasions to the Policy Committee, it would take an extraordinary set of circumstances for ODOT to put our partners in a position to have to payback any federal funds. Therefore, we will continue to work with our local partners and FHWA to reach a decision and issue a ROD prior to our September 2019 deadline.

Please let me know if you need additional information.

DLF:

cc: Sonny Chickering

Lisa Nell Terry Cole Sean O'Day Mike Jaffe 24014 Vehicles Site Name: Salem Bridges (24-014) Region: Vehicle Type County: Mile Point: 25.90 1/1/2017 Combined 30 Start Date: Lane / Direction / Flow ADT: 95036 Avg Weekdays (Mon - Thu): 99841 Avg Day: 94960 Max Hour: 8967 Day: Fri Date: 4/21/2017 Hour: 17 113119 Dav: Fri Date: 6/2/2017 Max Day Monday Tuesday Wednesday Friday Saturday Sunday Thursday Date Value 1/1 53442 1/2 58108 1/3 90091 1/4 89476 1/5 95908 1/6 101441 1/7 32643 1/8 26923 1/9 87961 1/10 95021 1/11 56086 1/12 90305 1/13 97447 1/14 77748 1/15 63712 1/16 84216 1/17 90349 1/18 95765 1/19 98509 1/20 101321 1/21 80084 1/22 64014 1/23 94946 1/24 97344 1/25 98787 1/26 100298 1/27 102330 1/28 83728 2/1 2/2 1/29 66697 1/30 94499 1/31 98207 100070 97954 2/3 95561 2/4 80788 2/6 2/9 99741 2/5 59664 93568 2/7 96909 2/8 97402 2/10 106079 2/11 89512 72043 2/13 99919 2/14 2/15 97524 2/16 97831 2/17 107517 2/18 86493 2/12 101091 2/19 68452 2/20 86792 2/21 99234 2/22 99833 2/23 102650 2/24 105480 2/25 90428 2/26 68218 2/27 96810 2/28 3/1 103491 3/2 101540 3/3 106504 3/4 87076 101120 3/5 72283 3/6 84054 3/7 98435 3/8 100216 3/9 101616 3/10 109168 3/11 86388 3/12 75498 3/13 96424 3/14 99542 3/15 101664 3/16 106491 3/17 106991 3/18 86085 101349 3/22 3/23 3/19 77015 3/20 97567 3/21 101278 103289 3/24 102770 3/25 84624 3/26 67016 3/27 92315 3/28 95107 3/29 95626 3/30 99408 3/31 106482 4/1 85013 4/2 77981 4/3 102342 4/4 103622 4/5 105371 4/6 105115 4/7 104644 4/8 90875 4/9 73960 4/10 100843 4/11 102978 4/12 103106 4/13 105669 4/14 111476 4/15 93951 4/16 72339 4/17 99480 4/18 103963 4/19 102751 4/20 105930 4/21 112878 4/22 90312 4/23 71920 4/24 97932 4/25 100363 4/26 102084 4/27 104907 4/28 111268 4/29 92364 4/30 5/1 77577 101061 5/2 103255 5/3 107330 5/4 107937 5/5 110950 5/6 91006 5/7 78276 5/8 103161 5/9 106231 5/10 107446 5/11 103130 5/12 110185 5/13 93588 5/14 80759 5/15 100393 5/16 102089 5/17 103736 5/18 105861 5/19 112005 5/20 95426 5/21 5/22 103571 5/23 104563 5/24 105622 5/25 107989 5/26 110259 5/27 88933 82053 5/28 77673 5/29 74034 5/30 103176 5/31 104990 6/1 108257 6/2 113119 6/3 92997 6/4 78700 6/5 104475 6/6 107130 6/7 107653 6/8 107935 6/9 110581 6/10 89595 6/12 6/13 6/15 88010 6/11 76280 103169 6/14 106001 104937 6/16 110701 6/17 101129 6/18 82002 6/19 100906 6/20 103343 6/21 104202 6/22 105395 6/23 109778 6/24 92530 6/25 79401 6/26 101379 6/27 102328 6/28 103815 6/29 105643 6/30 109988 7/1 89291 7/2 76287 7/3 97240 7/4 71103 7/5 104047 7/6 104879 7/7 109223 7/8 90692 7/9 78901 7/10 103103 7/11 104849 7/12 7/13 105619 7/14 110412 7/15 91625 7/17 7/19 7/20 7/21 89441 7/16 78415 102181 7/18 105382 109084 7/22 105403 7/23 79046 7/24 101015 7/25 103948 7/26 105779 7/27 105924 7/28 108190 7/29 89609 7/30 78774 7/31 103915 8/1 107024 8/2 8/3 8/4 8/5 93481 106244 105284 111227 8/6 80955 8/7 102896 8/8 103070 8/9 104701 8/10 105550 8/11 107991 8/12 90091 8/13 76037 8/14 102129 8/15 106619 8/16 107301 8/17 105101 8/18 101670 8/19 80005 67213 8/22 8/24 93887 8/20 74323 8/21 104755 8/23 106874 108113 8/25 8/26 111743 8/27 78454 8/28 102190 8/29 103594 8/30 105242 8/31 109195 9/1 111245 9/2 88393 9/3 78753 9/4 74876 9/5 9/6 102987 9/7 103428 9/8 110427 9/9 91273 104768 9/10 76981 9/11 101046 9/12 102512 9/13 104198 9/14 105840 9/15 110516 9/16 90719 9/17 9/18 98189 9/19 9/20 9/21 103324 9/22 9/23 91302 75445 100801 101794 109465 9/28 9/24 76534 9/25 100383 9/26 102815 9/27 103941 105946 9/29 110080 9/30 88616 10/1 75707 10/2 100384 10/3 103399 10/4 105047 10/5 106095 10/6 109988 10/7 90486 10/8 75410 10/9 101015 10/10 102529 10/11 103028 10/12 103222 10/13 107841 10/14 89690 10/15 76044 10/16 100655 10/17 101926 10/18 102049 10/19 100904 10/20 107606 10/21 82305 10/22 69024 10/23 99426 10/24 101122 10/25 103451 10/26 103591 10/27 109608 10/28 89016 10/29 72168 10/30 99353 10/31 102610 11/1 102372 11/2 102188 11/3 107783 11/4 84512 11/5 71094 11/6 98476 11/7 100066 11/8 99041 11/9 102433 11/10 100137 11/11 84222 11/15 102497 11/12 70214 11/13 95659 11/14 99802 99209 11/16 11/17 107519 11/18 85206 11/19 71214 11/20 98474 11/21 101316 11/22 99850 11/23 64566 11/24 82298 11/25 73328 11/27 97417 11/28 11/29 11/30 12/2 84011 11/26 66428 98120 101460 100721 12/1 108866 12/3 71188 12/4 98277 12/5 101548 12/6 101982 12/7 102247 12/8 106101 12/9 87745 12/10 72456 12/11 98120 12/12 99940 12/13 100642 12/14 102438 12/15 106193 12/16 84723 12/17 12/18 96598 12/19 95988 12/20 100416 12/21 98764 12/22 12/23 79976 71363 99878 12/24 64628 12/25 52209 12/26 81744 12/27 88403 12/28 89755 12/29 92627 12/30 76827 63626 12/31 72516 Avg: 95199 Avg: 100313 Avg: 101405 Avg: 102448 Avg: 106820 Avg: 86551 Avg: