



## Staff Report

**File #:** 19-74

**Version:** 1

**Date:** 2/11/2019

**Item #:**

**TO:** Mayor and City Council  
**THROUGH:** Steve Powers, City Manager  
**FROM:** Peter Fernandez, PE, Public Works Director

### **SUBJECT:**

Council decision on how to proceed with Salem River Crossing Project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship; Safe Community; Safe, Reliable, and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

### **ISSUE:**

Shall the City Council authorize the Mayor to send a letter on its behalf to the Federal Highway Administration, Oregon Division Administrator, and Director of Oregon Department of Transportation indicating either;

- (1) Council intends to address all remaining City actions necessary to complete the Final Environmental Impact Statement for the Salem River Crossing Project; or
- (2) Council intends to take no further action toward completing the Final Environmental Impact Statement.

### **RECOMMENDATION:**

Authorize the Mayor to sign a letter indicating how Council intends to proceed with the Salem River Crossing Project.

### **SUMMARY:**

At issue before Council is the incomplete Final Environmental Impact Statement (FEIS) for the Salem River Crossing Project.

Completing the FEIS requires Council to address a remand that was issued in 2017 by the Oregon Land Use Board of Appeals, and for the City to concur with the preliminary finding by the Federal Highway Administration (FHWA) concerning the impacts of the Salem River Crossing Project on Wallace Marine Park.

Depending on how Council chooses to proceed and the subsequent actions of the Oregon Department of Transportation (ODOT) and FHWA, it is anticipated that FHWA will either issue a Record of Decision (ROD) that will support construction in the future of a new bridge and related approaches and roadways-currently the "Preferred Alternative"-or issue an ROD stating nothing is to be constructed, called the "No Build Alternative."

The FHWA Administrator has advised ODOT and the City that a definitive statement from Council indicating how it intends to proceed must be received by FHWA by mid-February 2019.

Attachment 1 is a draft letter to the FHWA Oregon Division Administrator and the ODOT Director stating Council intends to address all remaining actions necessary to complete the FEIS for the project.

Attachment 2 is a draft letter to the FHWA Oregon Division Administrator and the ODOT Director stating Council intends to take no further action toward completing the FEIS for the project.

## **FACTS AND FINDINGS:**

1. A Record of Decision is the final step in the Environmental Impact Statement (EIS) process per the National Environmental Policy Act.
2. FHWA has indicated that a Record of Decision must be issued no later than September 30, 2019, for the Salem River Crossing Project.
3. If a Record of Decision has not been issued by September 30, 2019, the EIS process will be considered incomplete and FHWA has stated its intentions to seek repayment of approximately \$8-\$9 million in federal funds expended to date by the project.
4. Should the EIS process not be completed, the funds for repaying FHWA would come from ODOT budget.

## **BACKGROUND:**

The EIS process for the Salem River Crossing Project began in 2006 when a Notice of Intent was published in the Federal Register. The stated purpose of the Salem River Crossing Project is:

*To improve mobility and safety for people and freight for local, regional, and through travel across the Willamette River in the Salem-Keizer metropolitan area while alleviating congestion on the Center Street and Marion Street Bridges and on the connecting highway and arterial*

*street systems.*

The City is a co-lead agency with Oregon Department of Transportation and the Federal Highway Administration.

The latest City Council work session on the Salem River Crossing Project was conducted on January 30, 2019.

Robert D. Chandler, PhD, PE  
Assistant Public Works Director

**Attachments:**

1. Mayor letter to FHWA, Oregon Division Administrator, and ODOT Director stating Council intentions to take action on remaining issues needed for FEIS
2. Mayor letter to FHWA, Oregon Division Administrator, and ODOT Director stating Council intends to take no further action on remaining issues needed for FEIS