



MARION COUNTY BOARD OF COMMISSIONERS

## Board Session Agenda Review Form

Meeting date: November 30, 2016

Department: Public Works Agenda Planning Date: 11/23/16 Time required: 5 min

☐ Audio/Visual aids None

Contact: Brandon Reich Phone: 503-566-4175

Department Head Signature:

**TITLE** Consider whether the Marion County Board of Commissioners should approve an ordinance adopting amendments to the Salem/Keizer Urban Growth Boundary.

**Issue, Description & Background**

As part of the process for considering approval of a third bridge crossing the Willamette River in Salem, the City of Salem must add approximately 35.7 acres of land in Polk County into the city urban growth boundary for right-of-way for roads associated with the bridge and its connection into the roadway network in West Salem. The county participated in the joint public hearing with the City of Salem on October 12, 2016, and on October 26, 2016, the board considered the amendments at its regularly scheduled meeting and approved concurring in the proposed amendments.

Marion County must adopt its ordinance concurring in the amendments before the city's final hearing on the matter, which is anticipated to take place December 5, 2016. Because of the city's time frame for receiving the county's concurrence, staff recommends the ordinance be adopted by emergency procedure.

**Financial Impacts:** None

**Impacts to Department & External Agencies** None

**Options for Consideration:**

1. Approve the ordinance and adopt it by emergency procedure by reading by title twice.
2. Direct staff to make changes to the ordinance and return at a later date.

**Recommendation:** Public Works staff recommends that the Marion County Board of Commissioners approve the ordinance and adopt it by emergency procedure by reading by title twice.

**List of attachments:** Ordinance

**Presenter:** Brandon Reich

*Copies of completed paperwork sent to the following: (Include names and e-mail addresses.)*

**Copies to:** Brandon Reich, breich@co.marion.or.us

**BEFORE THE BOARD OF COMMISSIONERS  
FOR MARION COUNTY, OREGON**

|                                                   |   |           |
|---------------------------------------------------|---|-----------|
| In the matter of an Ordinance amending the        | ) | LA 16-004 |
| Marion County Comprehensive Plan by adopting      | ) |           |
| amendments to the Salem-Keizer Urban Growth       | ) |           |
| Boundary by including approximately 35.7 acres    | ) |           |
| of land in Polk County into the Salem-Keizer      | ) |           |
| Urban Growth Boundary and declaring an emergency. | ) |           |

**ORDINANCE NO. \_\_\_\_\_**

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

**SECTION I.        Purpose**

This ordinance is enacted pursuant to the authority granted general law counties in the State of Oregon by Oregon Revised Statutes (ORS) Chapter 203, and the comprehensive land use planning and coordination with local government provisions under Chapters 195 and 197, by amending the Marion County Comprehensive Plan by adopting amendments to the Salem-Keizer Urban Growth Boundary by including approximately 35.7 acres of land in Polk County into the Salem-Keizer Urban Growth Boundary.

**SECTION II.       Authorization**

The Marion County Board of Commissioners initiated a legislative amendment to the Marion County Comprehensive Plan by Resolution No. 16R-24 dated August 10, 2016. The legislative amendment came before the Board at the request of the City of Salem for concurrence in and adoption of urban growth boundary amendments being considered by the City, pursuant to the planning coordination and concurrence provisions under ORS Chapters 195 and 197, and the provisions of the Salem Comprehensive Plan that establish procedures for addressing land use matters of regional concern to the cities of Salem and Keizer and the counties of Polk and Marion, including amendments to the Salem-Keizer Urban Growth Boundary. The Board participated in a joint public hearing on October 12, 2016 for which proper public notice and advertisement was given. The Board closed the hearing on October 12, 2016 and left the record open for all testimony until October 19, 2016. All persons present during the public hearing and those provided notice of the hearing, were given the opportunity to speak or present written statements on the proposed amendments.

**SECTION III.     Evidence and Findings**

The Board has reviewed the evidence and testimony in the record. Based on the facts and findings in the record, as contained in Exhibits A, B and C, which are incorporated herein by this reference, the Board determines that the amended Salem/Keizer Urban Growth Boundary conforms with the requirements under ORS Chapter 197 and the Statewide Land Use Planning Goals and Administrative Rules for the development and revision of comprehensive plans and urban growth

boundaries, with ORS Chapter 195 for county coordination with local comprehensive plan activities, and the applicable policies in the Salem Comprehensive Plan.

**SECTION IV.            Amendments to Marion County Comprehensive Plan**

The Marion County Comprehensive Plan is amended to adopt amendments to the Salem-Keizer Urban Growth Boundary by including approximately 35.7 acres of land in Polk County into the Salem-Keizer Urban Growth Boundary, as shown on the map attached as Exhibit D to this ordinance, which is incorporated herein by this reference.

**SECTION V.            Amendment Of Portions Of Existing Ordinances**

To the extent they are inconsistent with this ordinance, those portions of Marion County Ordinance No. 588 adopting a Salem/Keizer Urban Growth Boundary and a Comprehensive Plan for the area outside the city but within the growth boundary or amendments pertaining to the City of Salem Comprehensive Plan, are hereby amended as set forth in this ordinance through the adoption of the amended Salem/Keizer Urban Growth Boundary and City of Salem Comprehensive Plan amendments, which by reference are incorporated into this ordinance.

**SECTION VI.            Severability**

Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or any policy, provision, findings, statement, conclusion, or designation to a particular land use or area of land, or any other portion, segment or element of this ordinance or of any amendments thereto and adopted hereunder, be declared invalid for any reason, such declaration shall not affect the validity and continued application of any other portion or element of this ordinance or amendments to the Urban Growth Boundary or Comprehensive Plan, as amended herein; and if this ordinance or any portion thereof should be held to be invalid on one ground, but valid on another, it shall be construed that the valid ground is the one upon which this ordinance of any portion thereof was enacted.

**SECTION VII.            Effective Date**

This ordinance amending the Marion County Comprehensive Plan by adopting amendments to the Salem-Keizer Urban Growth Boundary by including approximately 35.7 acres of land in Polk County into the Salem-Keizer Urban Growth Boundary, being necessary to protect the public health, safety, and welfare, an emergency is declared to exist and this ordinance shall become effective upon its passage.

SIGNED and FINALIZED this \_\_\_\_\_ day of November, 2016 at Salem, Oregon.

MARION COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

### JUDICIAL NOTICE

Oregon Revised Statutes (ORS) Chapter 197.830 provides that land use decisions may be reviewed by the Land Use Board of Appeals (LUBA) by filing a notice of intent to appeal within 21 days from the date this ordinance becomes final.

## **Facts and Findings**

This matter comes before the Marion County Board of Commissioners at the request of the City of Salem for concurrence in and adoption of amendments to the Salem/Keizer Urban Growth Boundary.

On August 10, 2016, the Board of Commissioners approved Resolution 16R-24 initiating the review process to amend the Marion County Comprehensive Plan by adopting amendments to the Salem/Keizer Urban Growth Boundary. On September 21, 2016, the Board of Commissioners agreed to participate in a joint public hearing on October 12, 2016 to receive testimony on the proposed amendments. The Board closed the public hearing and left the record open for written testimony to October 19, 2016. No testimony was received during that open-record time.

The Salem Area Comprehensive Plan was first adopted by Salem, Marion and Polk Counties in 1973. Subsequent to the adoption of the State Land Use Goals in 1974, Salem adopted revisions to its comprehensive plan, which was subsequently acknowledged by the Land Conservation and Development Commission (LCDC) in May 1982. The Marion County Board of Commissioners adopted the revised Salem Urban Growth Boundary and Comprehensive Plan for the area outside the city but within the boundary on August 20, 1980 (Ordinance No. 588). Since the original acknowledgement, the City of Keizer was formed and the Salem comprehensive plan was revised to include provisions for each of the cities' respective urban areas and coordination on regional policies.

The Salem Comprehensive Plan establishes procedures and policies both regionally and for the urban area of Salem. (Keizer's Comprehensive Plan contains the same language relating to Keizer's urban area and regional policies). Salem's Comprehensive Plan, Section III (G) states that changes to the Salem/Keizer urban growth boundary must be adopted concurrently by all four affected jurisdictions, Salem, Keizer, Polk County and Marion County. Marion County is therefore concurring in the proposed amendments to the Salem/Keizer Urban Growth Boundary.

### **SALEM/KEIZER URBAN GROWTH BOUNDARY AMENDMENTS**

#### **Population Coordination**

Oregon Administrative Rule (OAR) 660-024-0040 provides a means to coordinate a population forecast for a city. Salem utilized the forecast developed for the Salem/Keizer Area Transportation Study Regional Transportation System Plan in 2015. The forecast coordinated by this plan distributed the population of the Salem/Keizer Urban Growth Boundary into separate components: Keizer Urban Area, Salem Urban Area (Polk County), and Salem Urban Area (Marion County). Utilizing the SKATS forecast for this proposed UGB amendment related to a transportation facility is consistent with the requirements in state law.

#### **Urban Growth Boundary Amendment**

#### **Oregon Revised Statutes, Oregon Administrative Rules and Statewide Land Use Planning Goals**

The City of Salem is proposing to expand the Salem/Keizer Urban Growth Boundary in order to include in the boundary land needed for a third bridge over the Willamette River. In its analysis, the

city reviewed the proposal against applicable statutes, administrative rules and land use planning goals. The Board finds that the urban growth boundary expansion is consistent with all applicable state laws.

#### Salem Comprehensive Plan

The city reviewed its proposal for an urban growth boundary expansion against the criteria for considering an urban growth boundary expansion in its comprehensive plan and development code. The Board finds that the proposal is consistent with those criteria. In addition, the city reviewed the proposal for consistency with the Salem Transportation System Plan, the Polk County Transportation Plan, the Regional Transportation Plan and applicable state transportation plans. The Board finds that the proposed action is consistent with the goals and intents of those plans.

#### **DECISION**

The Board concurs in the amendments to the Salem/Keizer Urban Growth Boundary, adopting amendments to the Marion County Comprehensive Plan by adopting the amendments to the Salem/Keizer Urban Growth Boundary.

# Findings Report

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## Salem River Crossing Preferred Alternative

Becky Hewitt, Mary Dorman

10/4/2016

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# 1 Overview of Plan Amendments Package

## 1.1 Introduction

This report (Findings Report) provides findings of fact and reasons to support the consolidated Comprehensive Plan amendments required for the Salem River Crossing Project (SRC Project).

The SRC Project Draft Environmental Impact Statement (DEIS) was prepared to comply with the National Environmental Policy Act of 1969 (NEPA), a federal law that governs all projects receiving federal funding or receiving approvals from federal agencies. Three agencies are leading the NEPA process for this project – the Federal Highway Administration (FHWA), the Oregon Department of Transportation (ODOT), and the City of Salem.

The DEIS evaluated a No Overview of Plan Amendments Package Build Alternative and eight Build Alternatives (2A, 2B, 3, 4A, 4B, 4C, 4D, and 4E).<sup>1</sup> The project Oversight Team<sup>2</sup> initially recommended Alternative 4D as the Preferred Alternative to the partner jurisdictions. Alternative 4D provided the largest increase in vehicle carrying capacity, but it also created larger environmental and community impacts and had a higher cost relative to other alternatives.<sup>3</sup>

After the initial Oversight Team recommendation, the Salem City Council conducted a public hearing and convened a series of work sessions between November 2012 and May 2013 to discuss the preliminary recommendation of 4D, its potential impacts, and various options and alternatives.

Ultimately, the City Council rejected Alternative 4D and instead proposed a hybrid alternative (Salem Alternative). The Council concluded that the social, environmental and fiscal costs of Alternative 4D outweighed the benefits that the recommended improvements would provide. The revised alternative was intended to focus transportation improvements on what is most important to the City of Salem, and to minimize the negative impacts associated with the project.<sup>4</sup>

As articulated by the City Council, the most important goal of the SRC Project is improvement of multi-modal access and connectivity between the east and west parts of the city. Specifically, the Salem Alternative:

<sup>1</sup> Chapter 2 of this report includes additional information on the DEIS, including descriptions and maps of the alternatives.

<sup>2</sup> The Oversight Team is comprised of elected or appointed officials representing the cities of Salem and Keizer, Marion and Polk counties, Salem-Keizer Transit, and the Oregon Department of Transportation.

<sup>3</sup> DEIS, Executive Summary, Table ES-2, pages 27-34.

<sup>4</sup> Salem City Council packet for June 24, 2013, *Salem River Crossing Preferred Alternative – Input from City Council to Regional Partners*, Agenda Item 4(d). <http://www.cityofsalem.net/CouncilMeetingAgenda/Documents/273/4d.pdf>

- Improves Salem area street connectivity by providing residents with direct access between northeast and west Salem.
- Provides regional mobility through its inclusion of ramps connecting Marine Drive and OR 22, and direct surface street connections from the east bridgehead to the Salem Parkway.
- Improves cross-river bicycle and pedestrian access and connectivity by providing for complete multi-modal facilities that will allow citizens in neighboring areas access to regional parks and commercial areas on both side of the Willamette River. The Salem Alternative also prioritizes maintaining multi-modal connectivity for Front Street traffic.

The Salem Alternative also seeks to minimize potential negative impacts by limiting the size of the bridge (4 lanes instead of 6 lanes), and reducing the amount of elevated structure on both sides of the river. On February 6, 2014, the project Oversight Team endorsed the alternative recommended by the City of Salem as the Preferred Alternative to advance to the SRC Project Final Environmental Impact Statement (FEIS). Figure 1 shows the footprint for the Preferred Alternative.

The SRC Preferred Alternative (Preferred Alternative) represents a hybrid and refinement of build alternatives evaluated in the DEIS.

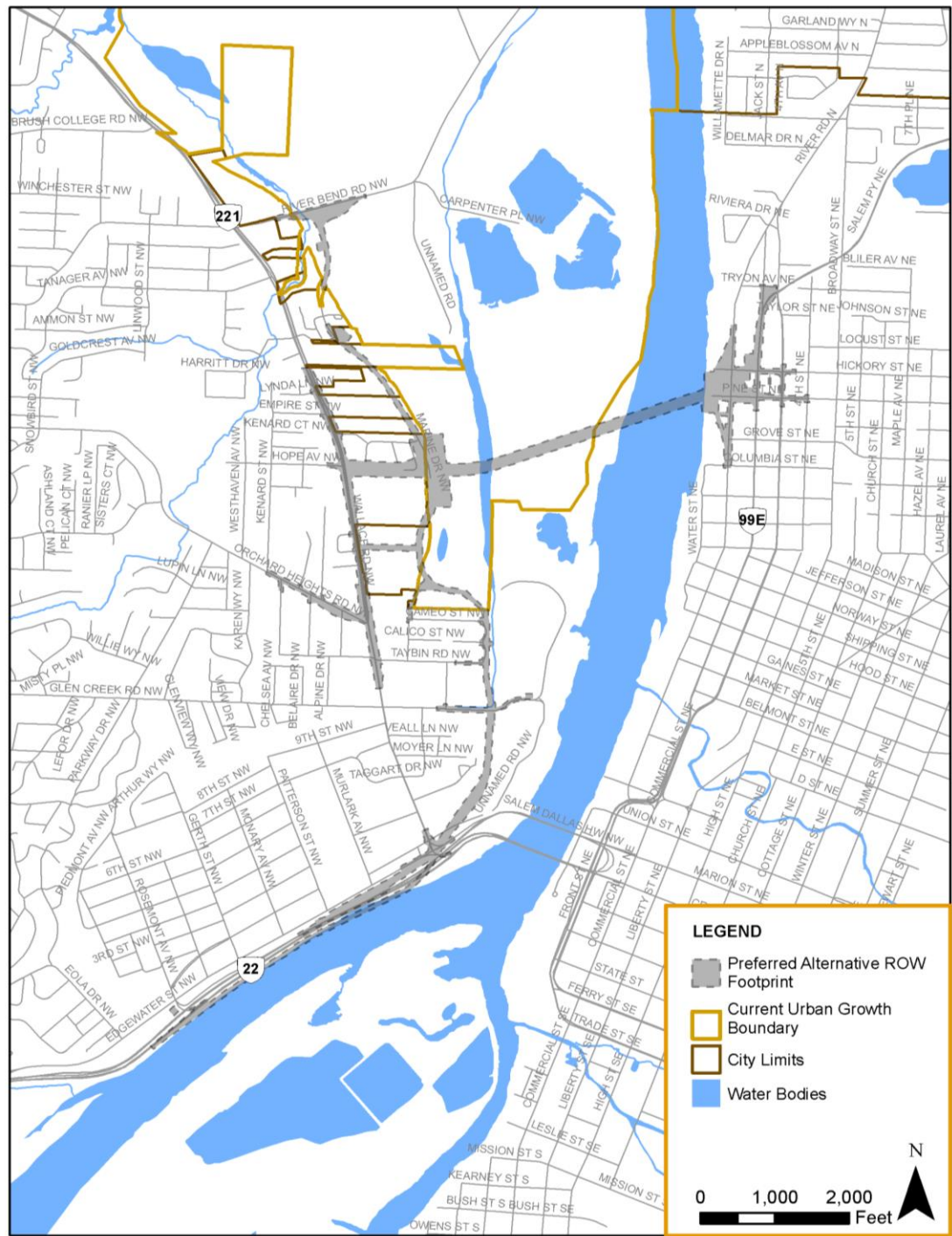
- The Preferred Alternative includes a bridge crossing in the Hope Avenue to Pine Street/Hickory Street crossing location. The Preferred Alternative is most similar to Alternative 4A in terms of the location of the bridge crossing and the bridgehead and distribution network on the east and west sides of the Willamette River.
- The Preferred Alternative includes construction of Marine Drive (at grade) from River Bend Road on the north to Glen Creek Road in the south, with a connection to OR 22 south of Glen Creek Road via elevated fly-over ramps. Some of the alternatives in the DEIS facilitated, but did not include this connection (4A and 4B). Other alternatives (4C, 4D and 4E) included the OR 22 connector on a viaduct/structure, with Marine Drive underneath. The Preferred Alternative eliminated this lengthy viaduct/structure.
- The preferred alternative assumes that the potential relocation of the Rosemont Interchange to Eola will be deferred pending development of a Facility Plan for OR 22 prepared by ODOT.

The Final Environmental Impact Statement (FEIS) will focus on the transportation performance, impacts and mitigation measures for the Preferred Alternative. It will not revisit the DEIS evaluation of other alternatives, with one key exception. FHWA is requiring updated transportation modeling and analysis for the Preferred Alternative and all alternatives evaluated in the DEIS. The updated transportation modeling and analysis extends the forecast horizon year from 2031 (used in the DEIS) to 2040 (used for the FEIS).

The plan amendments (UGB amendment, TSP amendments and Greenway goal exception) have a broader focus than the FEIS, and place consideration of the Preferred Alternative in

the context of all alternatives evaluated in the DEIS. The project team is proceeding with work on the consolidated plan amendments and the FEIS on a parallel track. The findings of fact and conclusions in this Findings Report draw from the DEIS and other evidence. However, because the Preferred Alternative represents a hybrid and refinement of alternatives evaluated in the DEIS, the technical reports developed for the Preferred Alternative/FEIS will be entered into the public hearing record to support the consolidated plan amendments.

**Figure 1**  
*Preferred Alternative Footprint*



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## 1.2 Timing of Plan Amendments

Under Oregon's land use planning program, state and federal agency plans and actions related to land use must be coordinated and consistent with the acknowledged comprehensive plans of cities and counties. ODOT has adopted administrative rules (OAR 731, Division 15) to implement the provisions of its State Agency Coordination Program. These rules assure that ODOT land use programs are carried out in compliance with the statewide planning goals and in a manner compatible with acknowledged comprehensive plans.<sup>5</sup>

OAR 731-015-0075 outlines ODOT's coordination procedures for adopting plans for projects carried out under NEPA.

*(2) Goal compliance and plan compatibility shall be analyzed in conjunction with the development of the Draft Environmental Impact Statement or Environmental Assessment. The environmental analysis shall identify and address relevant land use requirements in sufficient detail to support subsequent land use decisions necessary to authorize the project.*

*(3) Except as otherwise set forth in section (4) of this rule, the Department shall rely on affected cities and counties to make all plan amendments and zone changes 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 the adoption of general and specific plan provisions necessary to address applicable statewide planning goals.*

As described in Section 1.1 above, the DEIS evaluated a No Build Alternative and eight Build Alternatives (see overview in Section 2.4 of this Findings Report, page 63). The DEIS, and the supporting Land Use Technical Report, analyzed plan compatibility and addressed relevant land use requirements for all of the alternatives evaluated in the DEIS.<sup>6</sup> As summarized in the Land Use Technical Report,<sup>7</sup> the Build Alternatives evaluated in the DEIS would require the following plan amendments:

- Seven of the eight Build Alternatives (2B, 3, 4A, 4B, 4C, 4D and 4E) would require either a UGB amendment or exceptions to Statewide Planning Goals 3 (Agricultural Lands), 11 (Public Facilities and Services) and 14 (Urbanization) to authorize the portions of the project that extend outside the UGB on rural/resource lands.
- All Build Alternatives (including Alternative 2A) would require a Greenway Goal Exception to authorize the transportation improvements (improvements to the existing bridge or new bridge) within Salem's Willamette River Greenway Overlay.

<sup>5</sup> Required by ORS 197.180 and OAR 660, Divisions 30 and 31.

<sup>6</sup> DEIS Section 3.2, Land Use. [http://www.salemrivercrossing.org/wp-content/uploads/2014/02/Salem\\_DEIS\\_3.02\\_LandUse.pdf](http://www.salemrivercrossing.org/wp-content/uploads/2014/02/Salem_DEIS_3.02_LandUse.pdf)

<sup>7</sup> Land Use Technical Report for Salem River Crossing Project DEIS (Angelo Planning Group, 2012).

- All Build Alternatives (including Alternative 2A) would require amendments to Salem’s Transportation System Plan (TSP) to authorize the components of the Preferred Alternative that are not currently reflected in the acknowledged Salem TSP. With the exception of 2A, other Build Alternatives would also require amendments to the Polk County Transportation System Plan (TSP) to reflect the Preferred Alternative.

An exception<sup>8</sup> means a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan, that:

- (a) Is applicable to specific properties or situations and does not establish a planning or zoning policy of general applicability;*
- (b) Does not comply with some or all goal requirements applicable to the subject properties or situations; and*
- (c) Complies with standards for an exception.*

Alternative 2A (expand the existing bridges) is the only Build alternative located entirely within the current UGB. All other Build alternatives, including the Preferred Alternative, would require approval of a UGB amendment or exceptions to Goals 3, 11 and 14. As summarized in Section 1.3 below, the City of Salem is initiating a plan amendment to expand the Salem-Keizer UGB to accommodate the portions of the Preferred Alternative that are outside of the UGB. Therefore, exceptions to Goals 3, 11 and 14 are not required.

An exception to the Statewide Planning Goal 15 (Willamette River Greenway) is required for all of the Build alternatives, including Alternative 2A and the Preferred Alternative.

No zone changes are required for the SRC project prior to issuance of the FEIS and Record of Decision (ROD) by FHWA. As allowed by the Goal 14 administrative rule<sup>9</sup> and the Polk County Comprehensive Plan, the current Polk County Exclusive Farm Use (EFU) zoning can be maintained for the land added to the UGB until annexation. Per Section 4 of the Polk County Comprehensive Plan:

*The Urban Reserve designation applies to lands lying within urban growth boundaries but outside of city limits. The Urban Reserve designation may be implemented through a number of zones, but primarily through the Suburban Residential (SR) zone or the Exclusive Farm Use (EFU) Zone.*

## 1.3 Summary of Plan Amendments

The plan amendments required to accommodate the Preferred Alternative are briefly described below and decision authorities are shown in Table 1. The Preferred Alternative is largely located within the City of Salem’s jurisdiction. Therefore, Salem is initiating the UGB Amendment, Greenway Goal Exception and amendments to the Salem TSP. All of the plan amendments within Salem’s jurisdiction will be processed as Major Comprehensive Plan

<sup>8</sup> Goal 2, Part II and OAR 660-004-0005(1).

<sup>9</sup> OAR 660-024-0050(6) and (7).

Amendments in accordance with the procedures and criteria in Salem Revised Code 64.020. Additional procedures will apply to the UGB amendment because it requires concurrence and approval by the City of Salem, the City of Keizer, Polk County and Marion County. Polk County will initiate amendments to the Polk County TSP in accordance with the procedures and criteria for legislative plan amendments in Chapter 115 of the Polk County Zoning Ordinance. Local adoption of all plan amendments, including findings to address applicable statewide planning goals, will occur prior to publication of the FEIS and ROD for the SRC Project as required by OAR 731-015-0075(3).

**Table 1**

*Land Use Decision Authorities for SRC Project Plan Amendments*

| Plan Amendment                | Salem City Council | Keizer City Council | Polk County Commission | Marion County Commission |
|-------------------------------|--------------------|---------------------|------------------------|--------------------------|
| UGB Amendment                 | Yes                | Yes                 | Yes                    | Yes                      |
| Greenway Goal Exception       | Yes                | No                  | No                     | No                       |
| Amendments to Salem TSP       | Yes                | No                  | No                     | No                       |
| Amendments to Polk County TSP | No                 | No                  | Yes                    | No                       |

### 1.3.1 UGB Amendment

The cities of Salem and Keizer share a regional Urban Growth Boundary (UGB) that encompasses a total of about 43,464 acres. The UGB includes land on both sides of the Willamette River. The UGB was acknowledged by LCDC in 1982, and it has been amended twice in the past 34 years.<sup>10</sup>

The City of Salem is initiating the plan amendment to expand the UGB by about 35 acres to accommodate the portions of the Preferred Alternative that are outside of the current UGB. The proposed UGB expansion includes two components:

- Approximately 19 acres associated with the Marine Drive Extension (which is included in Salem's acknowledged TSP); and

<sup>10</sup> In 1998, the UGB was amended to remove about 5 acres at the request of the property owner. In 2014, the UGB was amended to add 58 acres of parkland (Keizer Rapids Park) at the request of the City of Keizer.

- Approximately 16 acres associated with the segment of the new bridge extending from the west side of the Willamette River to Marine Drive and Wallace Road.

Figure 2 shows the location of the current UGB for regional context and Figure 3 provides a zoom in view of the proposed UGB expansion. As shown in both figures, there is a notch in the UGB at this location, with a distance of approximately 2,200 lineal feet to bridge the notch. The portion of the new bridge across the Willamette River is within the current UGB and Salem city limits.

As shown on Figure 1, the majority of the “footprint” for the Preferred Alternative is already inside the UGB, largely within existing right-of-way, and most of the traffic the project would accommodate would originate in or be destined to urban areas. The project is clearly regional in scale and scope. Multiple jurisdictions and agencies were involved in the extensive NEPA process that led to selection of the Preferred Alternative.<sup>11</sup> The proposal to amend the UGB puts the land use decision in a regional context as well, and requires that elected officials in Salem, Keizer, Polk County and Marion County all concur in the decision based on the standards for amendment of a UGB in Statewide Planning Goal 14 (Urbanization) and the Goal 14 administrative rule (OAR 660, Division 24).

The UGB amendment will authorize transportation improvements to connect and support development of lands that are already within the current UGB. The amendment is based only on the need for transportation improvements and no land is being added to the UGB for housing, employment or other forms of urban development.

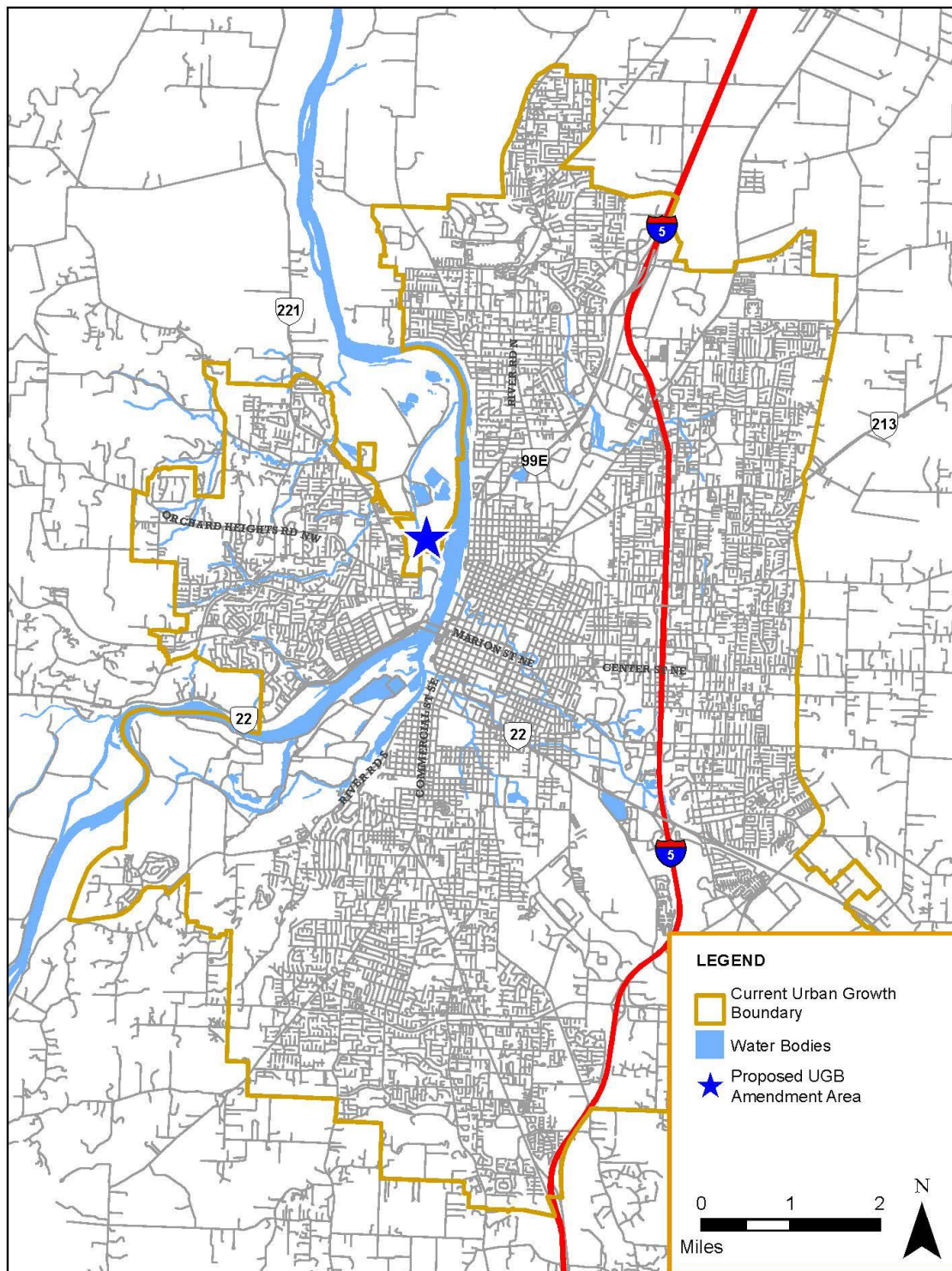
There are three unique characteristics associated with the proposed UGB amendment, the transportation improvements, and the rural land affected (see Figure 1).

- The segment of the new bridge west of the river to Marine Drive will be elevated on structure and no direct access will be provided to rural land. While the land under the proposed bridge is and will remain zoned for Exclusive Farm Use (EFU), much of that land is approved and used for a large aggregate mining operation.
- From Riverbend Road on the north to about Cameo Street on the south, the Marine Drive alignment will largely define the easterly edge of the UGB in the west Salem area. Access from Marine Drive to lands outside of the UGB will be limited to uses authorized in the EFU zone.
- Rural lands under the new bridge crossing and east of the Marine Drive extension are largely within the floodplain and development is restricted. In addition, the City of Salem will include a new policy in the Salem TSP to limit access from Marine Drive to agricultural lands outside the UGB (as amended) to uses authorized in the EFU zone.<sup>12</sup>

<sup>11</sup> The Oversight Team that selected the Preferred Alternative included elected officials from the City of Salem, City of Keizer, Polk County, and Marion County; the Board Chair of Salem-Keizer Transit District; and ODOT’s Region 2 Manager.

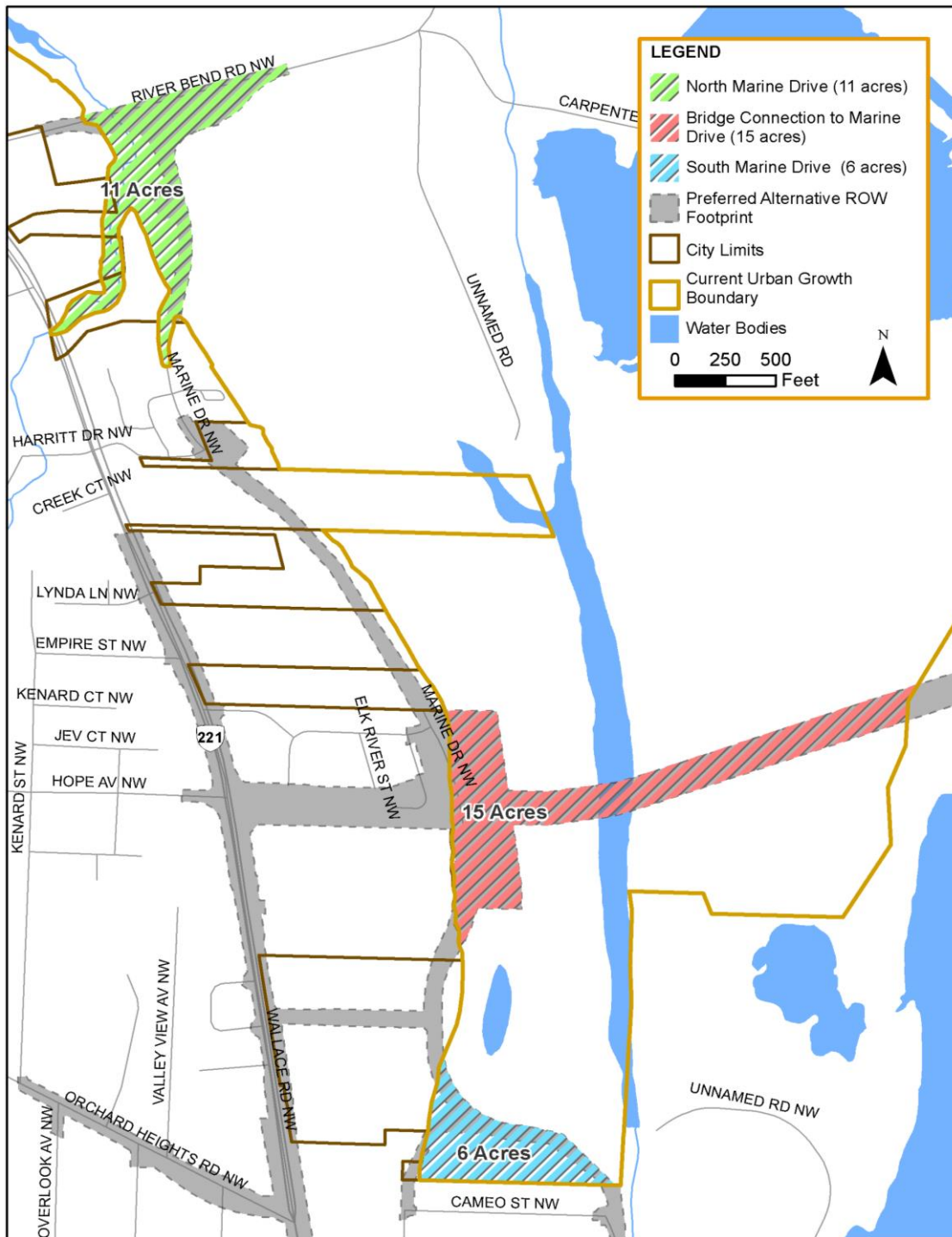
<sup>12</sup> Proposed text amendment to Salem TSP, included in Post-Acknowledgement Plan Amendment (PAPA) Notice to DLCD.

**Figure 2**  
*Current Urban Growth Boundary*



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**Figure 3**  
Proposed Urban Growth Boundary Amendment



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Chapter 3 of this report includes the findings in support of the UGB amendment.

### 1.3.2 Greenway Goal Exception

As shown on Figure 4, the footprint of the Preferred Alternative within the Willamette Greenway Boundary is entirely within the existing UGB and Salem city limits. About 25 acres of the footprint of the Preferred Alternative are within Salem's Willamette Greenway Overlay Zone Boundary (Greenway Overlay).<sup>13</sup>

The Preferred Alternative would impact land and water areas protected by Statewide Planning Goal 15 (Willamette River Greenway). Within urban areas, Goal 15 and OAR 660-004-0022(6) prohibit the siting of uses or structures that are not considered water-dependent or water-related within the Greenway setback line<sup>14</sup> without a "goal exception". Except as necessary for water-dependent or water-related uses or facilities, roads and highways are not generally considered water-dependent or water-related uses. Therefore, an exception to the Willamette River Greenway Goal is required to allow construction of a new bridge and related transportation improvements within the Greenway Overlay.

Under state law, a goal exception is considered a plan amendment and this step must be completed prior to issuance of the FEIS and ROD for the SRC Project.

Chapter 5 of this report includes the findings in support of the Greenway goal exception.

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<sup>13</sup> As defined by SRC 600.005(v) and 600.0010(a), the Willamette Greenway Boundary and the Willamette Greenway Overlay Zone Boundary are defined as that edge of the area adjacent to the Willamette River mapped as the Willamette Greenway by the Oregon Department of Transportation.

<sup>14</sup> Goal 15, Implementation Measure F.3.a – "Such boundaries in urban areas shall not be less than 150 feet from the ordinary low water line of the Willamette River."



### 1.3.3 Salem Transportation System Plan (TSP) Amendments

Figure 5 shows the proposed Salem TSP amendments for the Preferred Alternative (Street System). The figure illustrates that the footprint of the Preferred Alternative is largely within the current UGB and Salem city limits. The Salem TSP includes numerous maps, policies and text provisions that are relevant to the Preferred Alternative and many components of the Preferred Alternative are consistent with the acknowledged Salem TSP (e.g., Marine Drive Extension).

Concurrent with the proposed UGB amendment, the City of Salem is initiating related amendments to the Salem TSP to authorize and establish the general location, functional classification(s) and cross-sections for the Preferred Alternative – with a focus on components that are not already included in or acknowledged as part of the existing Salem TSP. The City of Salem will provide an underline/strikeout version of the amendments to highlight all TSP text, policy and map provisions that will be revised, added or deleted as part of the Post-Acknowledgement Plan Amendment (PAPA) notice to DLCD. Brief highlights of the proposed Salem TSP amendments are provided below.

- Updates to Map 3-1 (Street Plan) to reflect purple dashed line (Major Arterial) for new bridge; Front Street realignment; minor changes to functional classifications for Pine, Hickory and Commercial in the eastside bridgehead area; and blue dashed line (Minor Arterial) for Marine Drive south of Hope to OR 22.
- Insert a new map in the Street System Element: Salem River Crossing Preferred Alternative.
- Update Maps 3-5, 3-6, and 3-7 (Street Improvement Projects) to incorporate the Preferred Alternative.
- Update Maps 7-1, 7-2, 7-5, 7-6, 7-7, and 7-10 (Bicycle Network) to show bicycle facilities on new bridge and on ramps connecting Marine Drive NW to Edgewater Street NW as high priority associated with the Preferred Alternative.
- Update Maps 8-1, 8-3, 8-4, 8-7, 8-8, 8-9, and 8-12 (Pedestrian Network) to show pedestrian facilities on new bridge and on ramps connecting Marine Drive NW to Edgewater Street NW as high priority associated with the Preferred Alternative.
- Update street improvement project maps for West Salem and Northeast Salem to highlight intersection improvements associated with the Preferred Alternative.
- Update several text provisions in the TSP to reflect the EIS process and the Preferred Alternative.
- In addition to the maps listed above, the following maps will be amended to reflect the new UGB boundary: Map 1-1; 1-2; 3-2; 3-3; 3-4; D-1, and D-2.

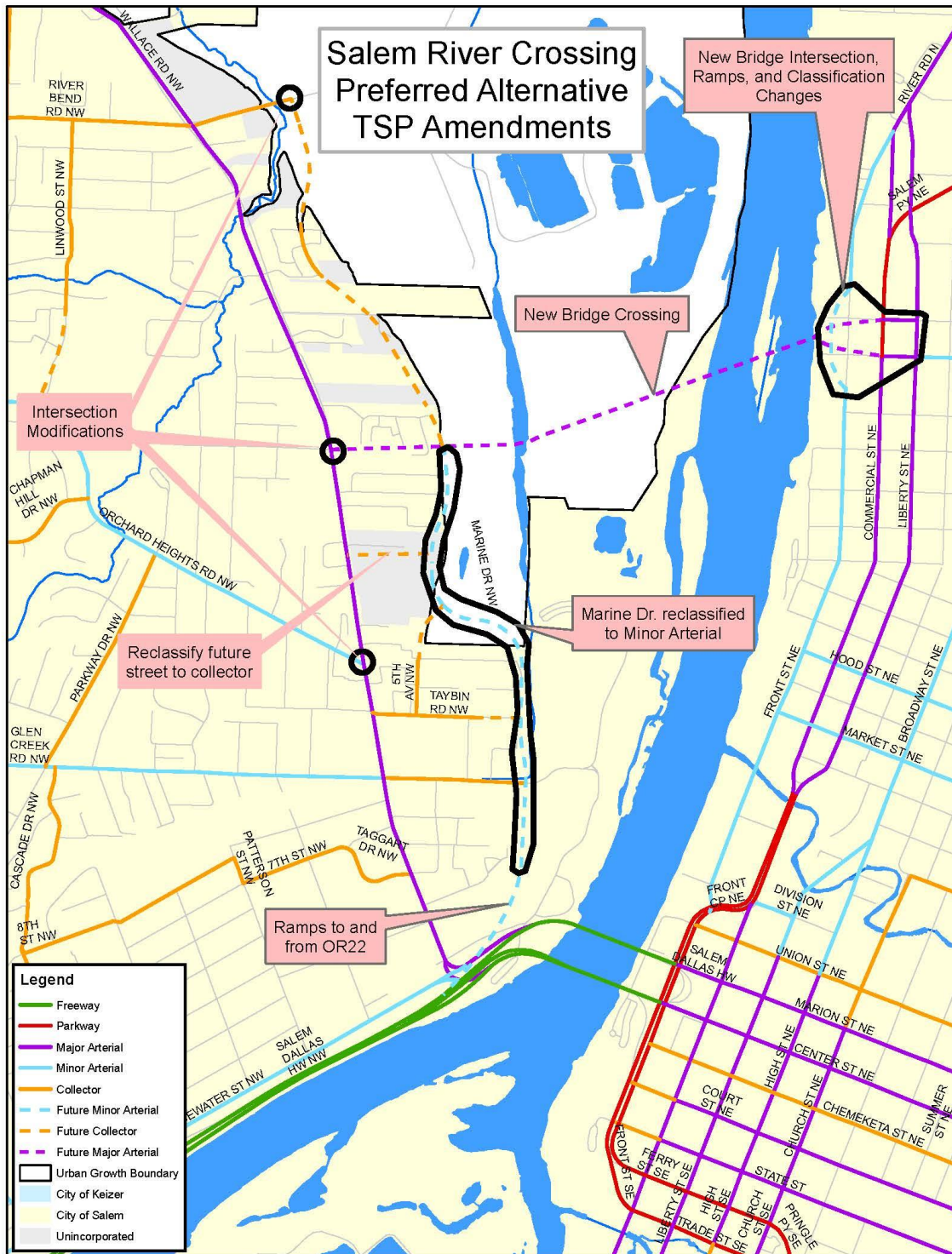
Chapter 4 of this report includes the findings in support of the Salem TSP amendments.

### 1.3.4 Polk County Transportation System Plan (TSP) Amendments

If the four jurisdictions (Salem, Keizer, Polk County and Marion County) concur in the decision to amend the UGB, the City of Salem will be the lead jurisdiction on future planning and implementation actions related to the Preferred Alternative. However,

because Polk County zoning will be retained for the 35 acres added to the UGB, at least on an interim basis, Polk County is initiating targeted updates to the Polk County TSP to reflect the Preferred Alternative. This will assure coordinated functional classifications for the components of the Preferred Alternative that cross jurisdictional boundaries.

**Figure 5**  
Salem River Crossing Preferred Alternative TSP Amendments



Polk County will provide an underline/strikeout version of the amendments to highlight all TSP text, policy and map provisions that will be revised, added or deleted as part of the Post Acknowledgement Plan Amendment (PAPA) notice to DLCD. Brief highlights of the proposed Polk County TSP amendments are provided below. Existing Policy 3.6 states that: *“Polk County supports planning for and construction of, a third bridge over the Willamette River.”* This policy will be supplemented to state that Polk County supports the Preferred Alternative and will adopt plan amendments to authorize the project.

- Update text on pages 4-12 to 4-13 of the TSP that references Marine Drive. Note that Polk County is coordinating with the City of Salem to expand the UGB by about 35 acres to include the components of the Preferred Alternative that are currently outside of the UGB, including segments of Marine Drive.
- Include new figure depicting the Preferred Alternative design just before page 10-1 of the TSP. Note the future bridge from the Polk County line to Marine Drive and Wallace Road as a Future Arterial (dashed line). Identify Marine Drive as a Collector with a ramp connection to OR 22.
- Update action item 2 of Table 18  
*Greenway Impacts* that currently states Polk County will: *“Participate in the ODOT planning process for the 3<sup>rd</sup> bridge across the Willamette.”* This action item will be supplemented to reference Polk County plan amendments to support the Preferred Alternative and continued coordination with local, regional, state and federal partners on project delivery during the 2015-2035 planning horizon.

Chapter 4 of this report includes the findings in support of the Polk County TSP amendments.

## 1.4 Report Organization

This Findings Report is organized into the following chapters:

Chapter 1 – Overview of Plan Amendments Package

Chapter 2 – Project Background

Chapter 3 – Findings in Support of UGB Amendment

Chapter 4 – Findings in Support of TSP Amendments (Salem and Polk County)

Chapter 5 – Findings in Support of Greenway Goal Exception

Chapter 6 – Findings addressing Statewide Planning Goals

Chapter 7 – Findings addressing other Relevant Local Policies and Regulations

There is significant overlap between approval criteria for the different plan amendments. For example, each plan amendment requires findings of compliance with the Statewide Planning Goals. To minimize redundancy, the majority of the background information relating to the history of the project, the purpose and need, and the affected environment is presented in Chapter 2 of this report. Background information in Chapter 2 is cross-

referenced and incorporated to support specific findings for the plan amendments in Chapters 3 through 5.

Findings to address the Statewide Planning Goals are presented in Chapter 6. The statewide goal findings generally address the consolidated plan amendments as a package for the Preferred Alternative as a whole. The findings in Chapter 6 are incorporated by cross-references to support the findings for the plan amendments in Chapters 3 through 5.

Findings to address relevant goals and policies in acknowledged comprehensive plans are presented in different chapters:

Chapter 3 – addresses relevant Salem Area Comprehensive Plan and Polk County Comprehensive Plan provisions applicable to the UGB Amendment.

Chapter 4 – addresses relevant Salem TSP, Polk County TSP, Regional TSP and State Transportation Plan provisions applicable to the Salem and Polk County TSP Amendments.

Chapter 5 – addresses relevant Salem Area Comprehensive Plan provisions applicable to the Greenway Goal Exception.

Chapter 7 – addresses relevant local plan and code procedures applicable to the consolidated plan amendments package as a whole.

Throughout this Findings Report, *indented italic font* is used for goal, policy and statutory language.

## 2 Project Background

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Information in this background chapter is cross-referenced in the findings and supports the conclusions for the consolidated plan amendments for the SRC Preferred Alternative.

### 2.1 Project Context, History & Purpose

#### 2.1.1 Setting and Context

The Salem River Crossing Project area is located in the mid-Willamette Valley in northwestern Oregon (see Figure 6). Salem is the capital of Oregon and lies about 45 miles south of Portland, the largest metropolitan area in Oregon. The Willamette River is the dominant geographic feature in the region. The river bisects the city of Salem and defines the boundary between Marion County on the east side of the river and Polk County on the west side. Within the city limits, the portion of Salem situated on the west side of the Willamette River in Polk County is referred to as west Salem. The greater urban area includes the cities of Salem and Keizer (adjacent to Salem to the north) and portions of unincorporated Marion and Polk Counties.

The Salem-Keizer UGB abuts the Willamette River for a distance of about 8.7 river miles. The existing Marion and Center Street Bridges were built at a relatively narrow point of the river and linked the early settlement areas on both sides of the river. This crossing location made perfect sense for cost and other reasons – and the efficiency and capacity of the existing crossing location has been maximized with substantial public investment and improvements over more than 100 years. North and south of the existing bridges, the floodway of the Willamette River is much wider. In addition, large and regionally significant parks and natural areas (Wallace Marine Park and Minto Brown Island Park) are located on the river immediately north and south of the existing bridges.

#### 2.1.2 Regional Traffic Patterns

The pronounced pattern of traffic movement through the project area is eastbound from west Salem, Dallas, Independence, Monmouth, and Rickreall in the morning, and westbound in the evening. Because these communities are also within commuting range of Portland, some of the traffic pattern moves from east to northbound and south to westbound. OR 22 carries pivotal truck freight traffic movements between I-5 (located east of the project area) and the Oregon Coast (located west of the project area), as well as to businesses in the Salem metropolitan area. This route also provides key access for mid-Willamette Valley and north-Willamette Valley recreationists bound for the Oregon Coast, two of the state's major gaming casinos, and a growing number of wineries - all of which are top recreation destinations in the state.

American Community Survey (ACS) Census data for 2013 provides an overview of journey-to-work data of workers coming from residences west of the Willamette River, primarily in

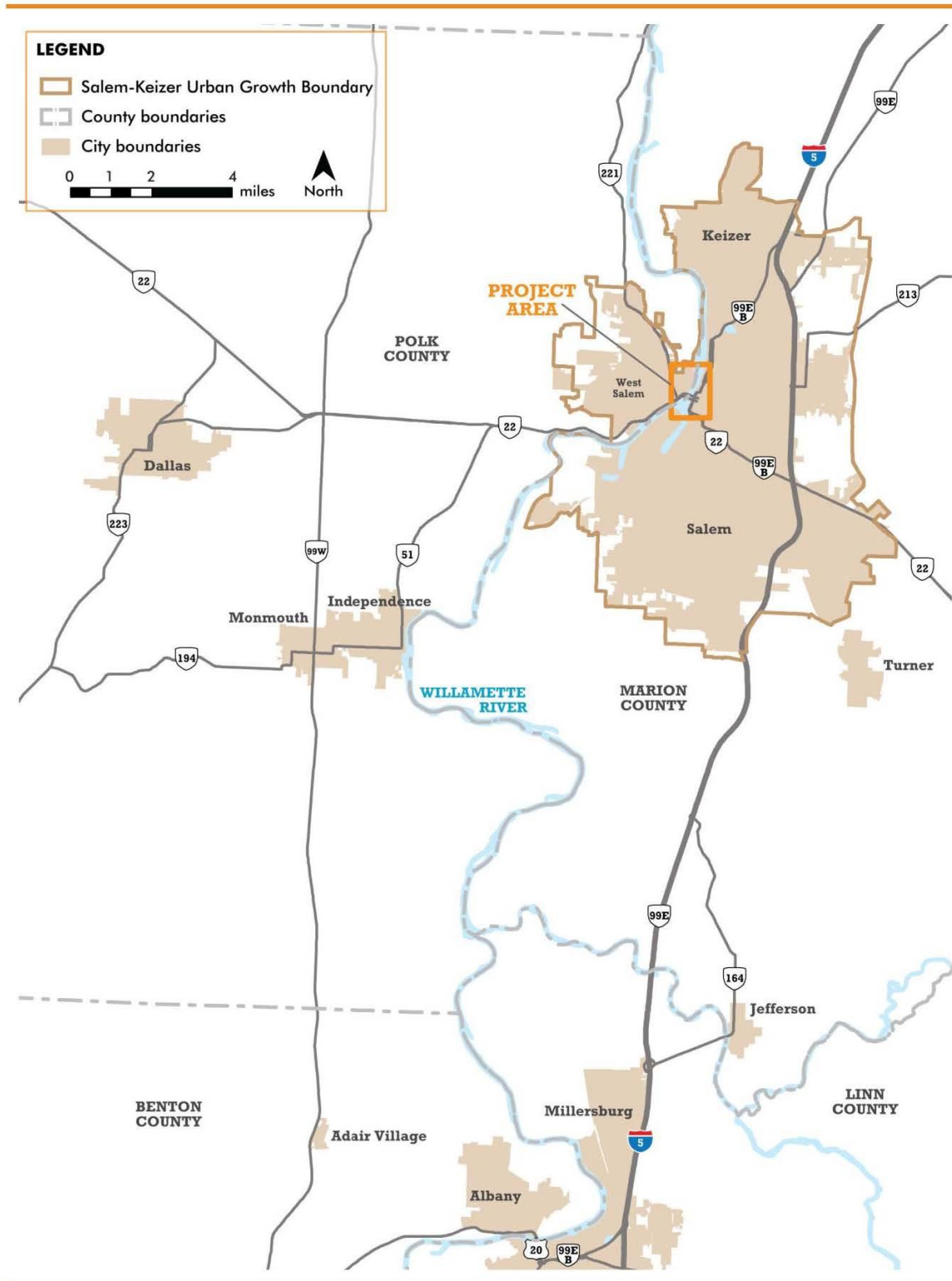
west Salem and Polk County communities, and likely to use the Center and Marion Street bridges for their journeys to and from work.<sup>15</sup> Key findings are highlighted below.

- Traffic counts on the Marion and Center Street bridges are significantly higher during the AM peak and PM peak periods and show the effect of commuting trips.
- The highest number of commuters that cross the bridge to work in Salem-Keizer (east of the river) or other parts of Marion County or the Portland area come from west Salem (about 8,000 workers).
- A large number of commuters also crossing the bridge come from Dallas, Independence, Monmouth and rural Polk County (about 5,000 workers). Some of these likely use the 2-lane bridge between Independence and south Salem. An estimate (based on a 3-day hourly count) is 200-400 commuters use this bridge.
- About 500 workers from McMinnville (located in neighboring Yamhill County) commute to Salem-Keizer (east of the river).
- There are commuters from other areas (Corvallis, Newberg) that were not analyzed.

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<sup>15</sup> Memo from ECONorthwest to Kim Sapunar and Mike Jaffe, MWVCOG, *Information from Census CTP data on Journey-to-Work*, October 13, 2014.

**Figure 6**  
*Project Vicinity*



## 2.1.3 Importance of the Existing Bridges

### 2.1.3.1 Regional Significance

The Willamette River is a major east-west travel barrier in the central Willamette Valley and in the Salem-Keizer metropolitan area. The Center Street and Marion Street Bridges together form a two-way connection across the Willamette River, linking west Salem to the rest of Salem, Polk to Marion Counties, and I-5 to the Coast. These bridges are part of State Highway 22 (OR 22) and are owned, managed, and maintained by the Oregon Department of Transportation (ODOT). The bridges are part of the National Highway System, on a state designated freight route, State-designated Expressway, and have a statewide level of importance.

The two existing four-lane bridges – the Center Street Bridge (one-way eastbound) and the Marion Street Bridge (one-way westbound) – have been in service together, in their current configuration, since 1982. They function as a couplet (that is, paired one-way streets) across the Willamette River in Salem.

The existing two bridges are the only Willamette River crossings within the Salem-Keizer metropolitan area. The next closest crossings are at Independence (a two lane bridge approximately 11.5 miles southwest along the river) and a ferry crossing at Wheatland Crossing (approximately 11 miles north along the river). The next bridge to the north is at Newberg, another two-lane bridge approximately 23 miles north along the river. None of these crossings provides a reasonable alternative route for daily travel. They entail substantially long detours and, in the case of the ferries, sporadic crossing times. The result is that traffic from a large area has only one point to cross the Willamette River.

### 2.1.3.2 Emergency Response

The Center Street and Marion Street Bridges are critical east-west transportation links for local travel, regional travel, and emergency vehicle response. Polk County has designated these bridges as Priority 1 Lifeline Routes, which means they are considered essential for emergency vehicle response during the first 72 hours after an event. The only hospital in the Salem-Keizer metropolitan area, the City of Salem Police Department, and 9 of the 11 existing City of Salem fire stations are located east of the river (two fire stations are in west Salem, and only one is in full time operation).

“Redundancy” refers to a duplication of river crossings to provide for the continued function of the overall transportation system in case either or both of the existing bridges are rendered unusable. Past events have closed one or both bridges, which substantially disrupted traffic for emergency vehicles, passenger vehicles, public transportation, and freight.

Following two incidents in 2005 that closed the Marion Street Bridge, the city and ODOT jointly developed plans for converting each of the bridges to two-way operation in the event of a bridge closure.<sup>16</sup> The plans, completed in 2007, are very complex and would take approximately three hours and dozens of staff to implement. The equipment needs for converting each bridge based on this 2007 plan are listed in Table 2

<sup>16</sup> Memo and attached bridge closure plans from Julie Warncke and Kevin Hottman, Salem Public Works, July 13, 2015.

*Estimated Equipment Need (based on 2007 Bridge Closure Plans).* Depending on the time of day, it may be very difficult to get the crews and equipment to the affected areas.

**Table 2**

*Estimated Equipment Need (based on 2007 Bridge Closure Plans)*

| <b>Resource</b>      | <b>Marion Street Conversion</b>                                 | <b>Center Street Conversion</b> |
|----------------------|-----------------------------------------------------------------|---------------------------------|
| Cones                | 364                                                             | 465                             |
| Signs                | 44                                                              | 53                              |
| Barriers             | 14                                                              | 18                              |
| Flaggers (long-term) | 3                                                               | 3                               |
| Reader Boards        | Along main access routes; number and placement to be determined |                                 |

The difficulty in converting these bridges to two-way operation stems from their design as one-way bridges with several directional ramps feeding and off-loading traffic from the bridge spans. The one-way street pattern on the east side of the bridge adds to the complexity of a conversion to two-way operation.

Implementation of these plans would allow for continued two-way flow across the Willamette River, but with significant limitations. The capacity to move vehicles would be severely impacted, resulting in gridlock that could extend well beyond the area of the bridges. Safety would be compromised due to the complex nature of the conversion and resulting congestion. If a long-term closure is anticipated, additional modifications to the plans would be needed.

The Union Street Pedestrian Bridge was not open to use when these conversion plans were developed in 2007. Since that time, the former railroad bridge was opened for use by bicycles and pedestrians. The bridge deck is 14 feet wide connecting to a 12-foot-wide path. The bridge decking is designed to accommodate most emergency vehicles, with the exception of certain specialty fire trucks such as ladder or tanker trucks. This bridge provides an opportunity to enhance river crossing capacity and emergency vehicle response in the event of a prolonged closure of one of the existing bridges. However, given the width of the bridge and limited roadway connections, it is likely that this facility would only be used for limited emergency vehicles and pedestrian and bicycle travel.

## **2.1.4 Growth and Congestion**

### **2.1.4.1 Population Growth Trends**

The population of the Salem metropolitan area has grown significantly in the past two decades. The Salem metropolitan area grew at an annual average growth rate of 1.2% from 2000 to 2013, higher than the annual average growth rates for the Eugene-Springfield (0.8%), Corvallis (0.9%) and Medford (1.1%) metropolitan areas during the same time period. According to the most recent PSU certified population data, the Salem metropolitan statistical area (MSA) had a population of 403,885 in 2014. Additionally, as the state capital and largest urban area in the mid-Willamette Valley, Salem attracts many workers (commuters) who live outside the Salem metropolitan area.

Within the larger Salem MSA, the population of the Salem-Keizer UGB is forecast to grow from 230,118 (2010) to 316,479 (2035), with Salem's portion of the UGB forecast to grow to from 193,640 in 2010 to 273,902 by 2035 (see Table 3).

**Table 3**  
*Salem-Keizer Urban Growth Boundary Population Forecast*

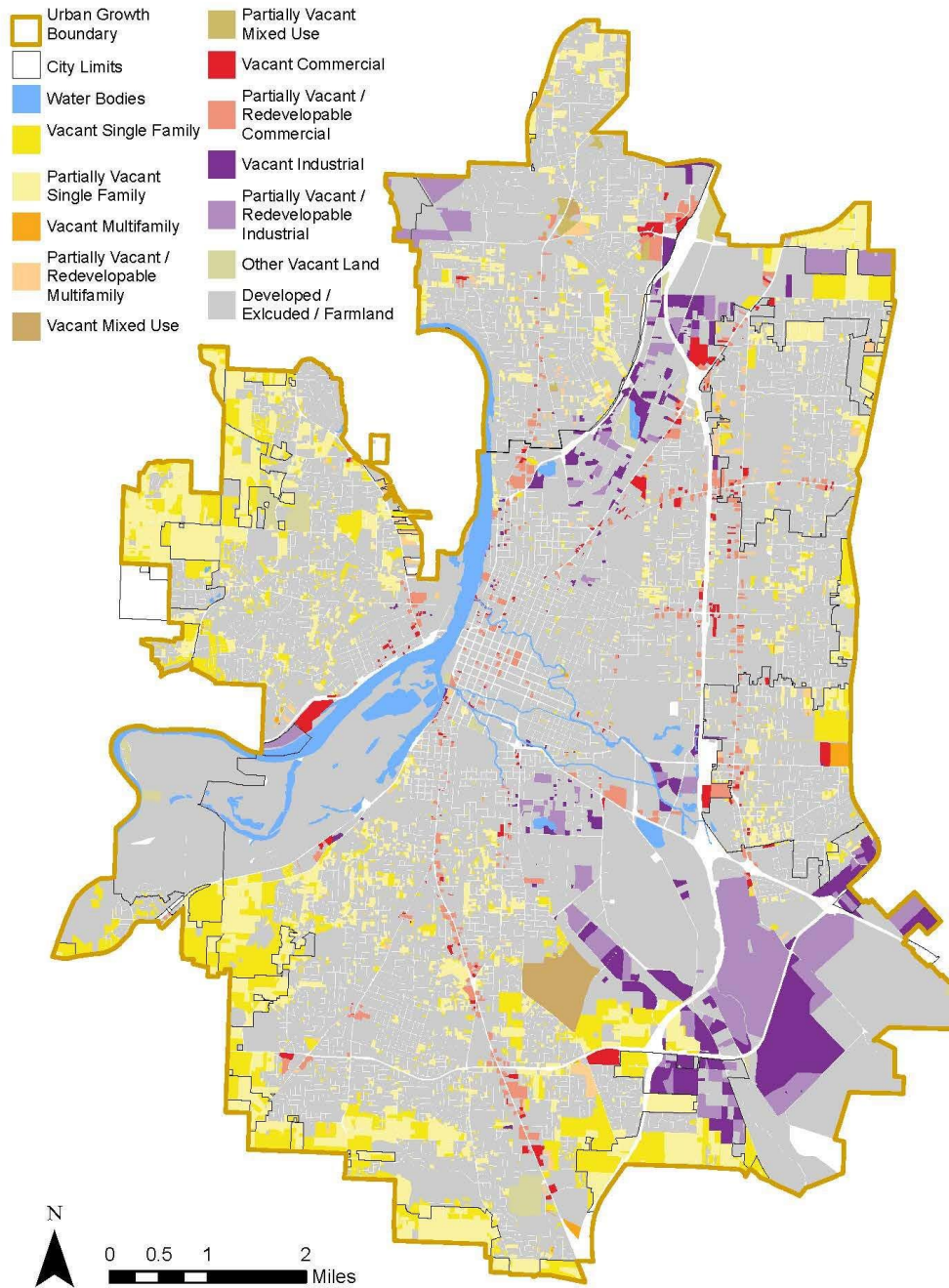
|                       | <b>2000</b> | <b>2010</b> | <b>2015</b> | <b>2035</b> |
|-----------------------|-------------|-------------|-------------|-------------|
| Salem portion of UGB  | 171,072     | 193,640     | 199,030     | 273,902     |
| East Salem            | 151,189     | 167,499     | 171,394     | 230,138     |
| West Salem            | 19,883      | 26,141      | 27,636      | 43,763      |
| Keizer portion of UGB | 32,203      | 36,478      | 37,086      | 42,577      |
| Total UGB             | 203,275     | 230,118     | 236,116     | 316,479     |

Sources: SKATS Regional Transportation System Plan (2015) and Salem Transportation System Plan.

As shown in Figure 7, much of the remaining buildable residential land in the Salem-Keizer UGB is located in west Salem. It is forecast that west Salem will accommodate 22 percent of the population growth in Salem's portion of the UGB from 2010 to 2035 (over 17,600 new residents). By comparison, west Salem accommodated about 13 percent of Salem's UGB population in 2010.<sup>17</sup>

<sup>17</sup> SKATS, 2015-2035 Regional TSP, Appendix A Population Forecasts. The RTSP population forecasts for 2035 have been incorporated into the Salem TSP and are acknowledged.

**Figure 7**  
*Development and Redevelopment Potential within the UGB*



X:\Projects\002043 CH2M Salem Willamette River Crossing EIS\Figures\GIS\BuildableLands\_UGB.mxd BDANN 2/16/2010

### 2.1.4.2 Traffic Growth and Congestion

The significant growth of the Salem-Keizer metropolitan area since the existing bridges were last expanded in the early 1980's<sup>18</sup> has led to an increase in traffic that the Center Street and Marion Street Bridges can no longer efficiently accommodate.

The Center Street Bridge carries traffic eastbound across the Willamette River. This bridge has a four-lane cross-section with two lanes originating from OR 22, and two lanes from the Wallace Road & Edgewater Street intersection. Four lanes arrive at the Center Street & Commercial Street intersection on the east side of the river, with ramps to southbound Front Street and northbound Front Street.

The Marion Street Bridge carries westbound traffic across the Willamette River. It has a four-lane cross-section with three lanes originating at the Commercial Street & Marion Street intersection and one lane from northbound Front Street. The bridge arrives on the west side of the Willamette River with two lanes to OR 22 and two lanes to the Wallace Road & Edgewater Street intersection. Under existing conditions, traffic on the Marion Street Bridge experiences a large amount of weaving from vehicles traveling from Commercial Street to OR 22 (crossing two lanes). Additional weaving occurs because of vehicles traveling from northbound Front Street to Wallace Road (crossing two lanes as well).

Total Marion + Center Street Bridge Annual Average Daily Traffic (AADT) volumes were flat in the early 1980's (less than 50,000 AADT), but then increased from 61,280 AADT in 1990 to a peak of 88,808 AADT in 2006 (+45%). Volumes decreased during the recession and declined by about 5.6% from the 2006 peak to 83,816 AADT in 2011. AADT on the two bridges is beginning to climb again, with AADT back up to 84,600 in 2014.

The bridges and associated ramps are commonly congested during morning and evening peak travel periods. Traffic congestion extends from the bridges onto connecting highway and local street systems on both sides of the Willamette River.

Generally, intersections with existing volume/capacity (v/c) ratios greater than the mobility targets are located in areas of Salem with active business/ commercial districts that also serve as regional travel facilities. These areas include Commercial Street and Liberty Street in the Central Business District area; Wallace Road in the West Salem area near the intersection with Glen Creek Road; and Salem Parkway near Broadway Street.

Roadways surrounding the Center Street and Marion Street Bridges experience congestion during the AM and PM peak hours. This congestion is associated with people getting on and off the bridges. Stop-and-go conditions on the Marion Street Bridge cause Marion Street to back up several blocks into the downtown grid.

Wallace Road carries the greatest volume of trips in the west Salem area. This facility receives heavy directional loading during the AM and PM peak hours. In the mornings, the majority of trips travel southbound towards OR 22 and the Center Street Bridge. In the evenings, this movement is reversed, as the majority of trips travel northbound.

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<sup>18</sup> Marion Street Bridge widened to four lanes in 1981-82; Center Street Bridge reconstructed to four lanes in 1982-83. Neither bridge was constructed to withstand a major Cascadian subduction zone earthquake.

The study intersections in the North Salem area dictate operations along OR 99E-B (which is Salem Parkway and the Commercial Street/Liberty Street couplet). Based on the intersection operational results conducted for the DEIS, OR 99E-B appears to operate well during the AM and PM peak-hour analyses in the North Salem area.

## 2.1.5 Existing Land Use Overview and Urban Renewal Plans

The FEIS Land Use Technical Report Addendum (Angelo Planning Group, 2016) describes existing land uses and multiple special area plans that have been adopted to guide land use and investments in the project area. Highlights of some of the key plans are summarized below. For additional details, see the FEIS Land Use Technical Report. Right-of-Way Impacts by Comprehensive Plan Designation are shown on Figure 8.

### 2.1.5.1 Eastside Bridgehead and Central Business District

The Eastside bridgehead and Central Business District encompasses the most intensive concentration of land uses and jobs within the city, and is served by a well-connected grid of streets. This solid base of economic activity, institutions, parks and public spaces, infrastructure, and managed parking is the result of continual public and private investment in Salem's downtown core area. A seven-block area of the Central Business District is within the Salem Downtown Historic District, which was officially listed in the National Register of Historic Places in 2001.

Two urban renewal areas (Riverfront Downtown and South Waterfront) are located in the Eastside Bridgehead area and have supported substantial improvements to infrastructure (including bicycle, pedestrian and open space connections) and facilitated new private investment such as housing, mixed use development and storefront improvements. The City of Salem, the City's Urban Renewal Agency and many businesses and community groups have worked together over the years to ensure that downtown Salem stays vibrant and active and continues to be a desirable place for investment.

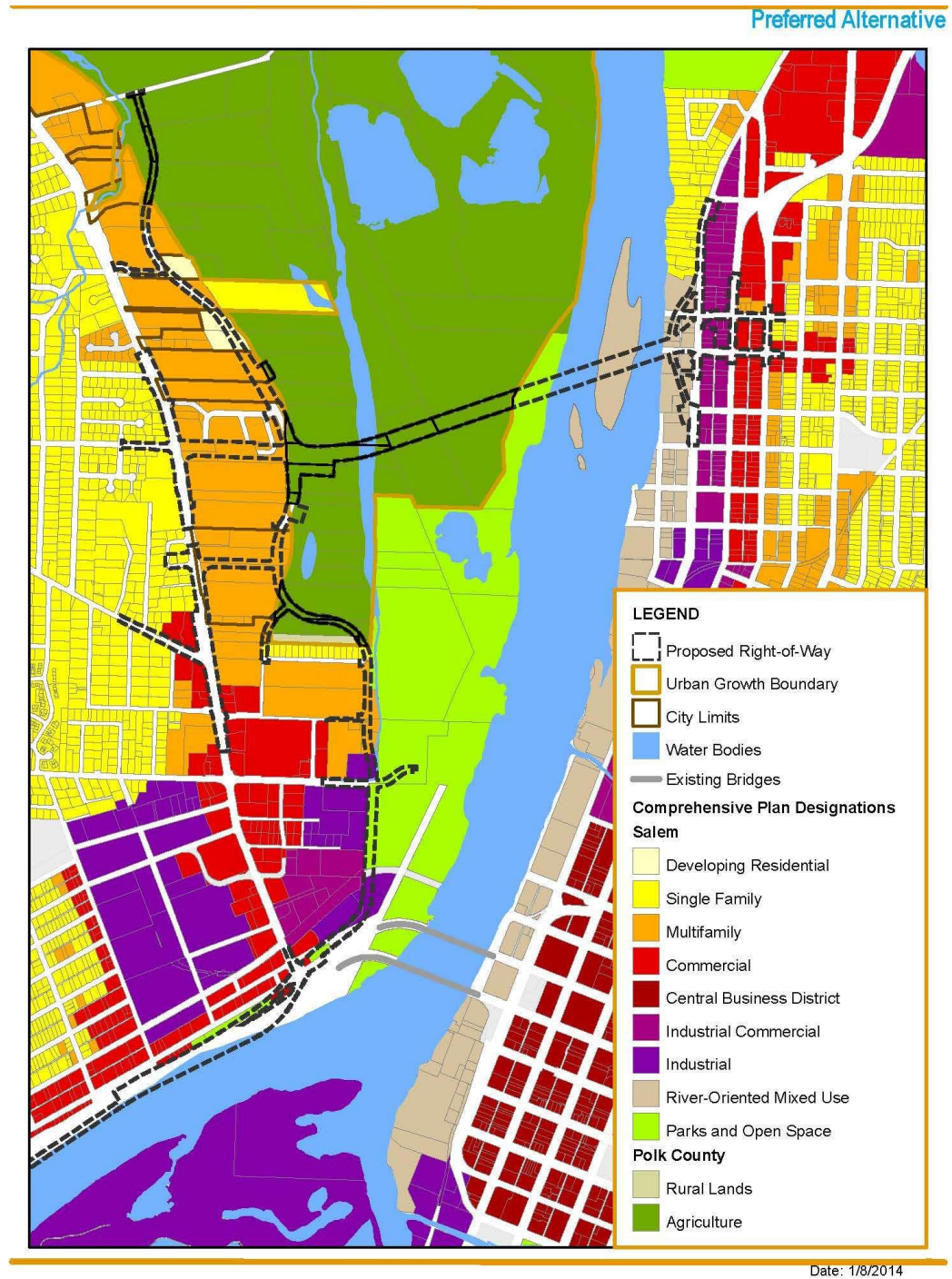
The primary objectives of the *Riverfront-Downtown Urban Renewal Plan*<sup>19</sup> are to:

- Encourage a variety of river-oriented uses
- Sustain and improve the economic vitality of the Central Business District
- Relieve traffic congestion and railroad conflicts
- Encourage the use of mass transit

Numerous projects have been completed in the Riverfront-Downtown URA, including but not limited to: 1) Front Street Improvements, 2) Salem Convention Center, 3) Riverfront Park, 4) North Downtown Broadway Street Redevelopment, and 5) Union Street Railroad Bridge Conversion Project. Other recent projects include a focus on the area north of downtown, including the Central Salem Mobility Study, and the North Downtown Housing

<sup>19</sup> *Riverfront-Downtown Urban Renewal Plan*, last updated by the Urban Renewal Agency Board in April, 2014.

**Figure 8**  
*Right-of-Way Impacts by Comprehensive Plan Designation*



Investment Strategy. These two projects are intended to investigate ways to improve the vitality of the downtown and north downtown area through improving multimodal access to these areas and encouraging multifamily residential development. In addition, construction of the Peter Courtney Minto Brown Island bicycle/pedestrian bridge project is expected to be completed in 2016 and will provide a direct link from downtown Salem to the 1,200+ acre Minto Brown Island Park and natural area.

The *South Waterfront Urban Renewal Plan*<sup>20</sup> aims to encourage redevelopment of waterfront industrial properties adjacent to downtown, focusing on the former Boise-Cascade facilities, and to increase accessibility to Minto-Brown Island. Plan goals include promoting a mix of retail, commercial, and residential uses along the waterfront; increasing access to and mitigating traffic impacts within the area; enhancing the pedestrian environment; and providing opportunities for public access to the Willamette River.

### **2.1.5.2 Northeast Salem and Salem Parkway**

Land use patterns, from the north edge of the Central Business District along the Commercial/Liberty couplet, include older residential housing, much of which has been converted to commercial and professional uses over the past several years. Between the couplet and the river, there is a mixture of industrial and commercial uses. The Portland & Western rail line runs through downtown Salem on and along Front Street. The area of the Highland Neighborhood east of the couplet is primarily residential and related uses, including but not limited to a park, school and church. Two major east-west crossing streets, Market and Pine Streets, intersect the Commercial/Liberty couplet. On the northern end of the project area, land use is primarily commercial, particularly where the couplet joins Salem Parkway. The area north of Salem Parkway is comprised of residential uses, with some large retail commercial uses near the Commercial/Liberty couplet (such as Fred Meyers); land uses south of Salem Parkway are predominantly commercial and industrial. Salem Parkway provides direct access to I-5 and Oregon Highway 99 North.

The *North Gateway Urban Renewal Plan*<sup>21</sup> covers an area bounded by the Salem Parkway on the north and generally located east of Cherry Avenue. The footprint for the Preferred Alternative does not directly impact land in this urban renewal area. Recent activities in the North Gateway Urban Renewal Area have focused on stimulating private development and improving traffic circulation in the area. Completed projects include:

- Hollywood Station Redevelopment – commercial & town homes
- Hollywood Station – Senior Center
- Northgate Extension (Bill Frey Drive NE) – provide second means of ingress/egress for the industrial park. This project attracted the Kroc Center
- Phase I of Portland Road Improvement Project

### **2.1.5.3 Westside Bridgehead and Wallace Road Corridor**

The land use pattern in west Salem strongly reflects the topography of the area. Wallace Road is on a bench (elevated area just above the floodplain). The area between the edge of

<sup>20</sup> *South Waterfront Urban Renewal Plan*, last updated by the Urban Renewal Agency Board in 2013.

<sup>21</sup> *North Gateway Urban Renewal Plan*, plan and map corrections by Urban Renewal Agency in June 2009.

the Marine Drive alignment and the Willamette River is zoned for exclusive farm use, gravel extraction, and park use on the northern end of the project area. Wallace Marine Park stretches along the bank of the Willamette River for a little more than a mile to the north of the existing bridge crossings.

Commercial uses are clustered along Wallace Road near the existing westside bridgehead and along Edgewater Street – the historic commercial area of West Salem. The industrial area in west Salem is concentrated in an area west of Wallace Road and north of Edgewater Street. Areas of multiple family housing are located between Wallace Road and Wallace Marine Park.

Large housing developments feed into roads that extend east and west from their intersections with Wallace Road. As shown in Figure 8, the area immediately west of Wallace Road is primarily designated for single-family residential, and the area immediately east of Wallace Road is primarily designated for multiple family residential.

The *West Salem Urban Renewal Plan*<sup>22</sup> was adopted to eliminate blight and depreciating property values within the 453 acre project area. The objectives of the West Salem URA Plan include:

- Upgrading the existing building stock
- Improving the auto, pedestrian and bicycle circulation system
- Enhancing the streetscape
- Conserving open spaces
- Promoting new quality housing opportunities for a range of household incomes

The *Edgewater Second Street Action Plan* was completed in 2010 and gathered the many proposed project, visions and goals identified for the Edgewater/Second Street area and organized them into a prioritized framework to assist in setting budget priorities in the broader West Salem URA.

The vision for Edgewater/Second Street supports the evolution of the area into a mixed-use, pedestrian-oriented district with a ‘Main Street’ feel and a wide range of neighborhood amenities. A summary of some of the key vision elements is summarized below:

- Develop commercial and mixed-use areas that encourage people to live near shopping, neighborhood services and employment;
- Increase local and regional connectivity. In particular, improve bicycle and pedestrian connections to Downtown Salem and the riverfront;
- Provide transportation and public facilities infrastructure that enables people to access employment, recreational, cultural and educational services, and other day-to-day needs using a variety of convenient modes of transport, including walking, biking, transit and the automobile; and

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<sup>22</sup> *West Salem Urban Renewal Plan*, adopted by City Council August 27, 2001, last amended August 22, 2011.

- Preserve and expand green assets, natural resources and parks and open space areas, including the Willamette River Greenway.

The *West Salem Business District Action Plan* (2015) shifts the focus of future West Salem URA investments to the area east of Patterson Street after two recent milestones:

- Completion of major actions in the Edgewater/Second Street Action Plan
- More certainty regarding the Salem River Crossing Preferred Alternative

Action Plan recommendations are designed to improve traffic circulation and access, encourage redevelopment, and improve property values, maximizing the development potential of the area. The Action Plan is intended to advance the next level of engineering design detail to understand the potential for the Second Street undercrossing of Wallace Road. The Action Plan notes that this undercrossing does not remove the need for a third vehicular bridge across the Willamette River.

Several projects have been completed in the West Salem URA based on adopted plans, including: 1) River access trail 2) Wayfinding signage, 3) Edgewater pedestrian safety improvements (curb extensions and lighting), 4) Union Railroad Bridge Conversion Project, 5) Edgewater/Rosemont Project, and 6) Second Street Project (Rosemont Avenue NW to Gerth Avenue NW).

## 2.1.6 Existing Bicycle and Pedestrian System

The existing bicycle and pedestrian system is composed of a variety of facilities that include bike lanes, shoulder bikeways, multi-use paths, and sidewalks. These facilities are located along both the local and regional street network and are owned and maintained by the cities of Salem and Keizer, Marion and Polk counties, and the state of Oregon.

### 2.1.6.1 Bicycle

Salem's existing designated bikeway network largely consists of on-street bike lanes on major streets, though low volume streets not part of the designated system may also attract riders. Salem's TSP includes maps of existing and planned bicycle and pedestrian facilities in the study area. The designated bikeway network is more complete east of the Willamette River with bike lanes located along several streets in downtown Salem and surrounding areas.

Currently, the bicycle system in west Salem is not complete. Bike lanes or shoulders are located along most of the arterial streets in west Salem including Edgewater Street, OR 22 (shared-use path), Eola Drive, Glen Creek Road, Orchard Heights Road, Wallace Road, and portions of Brush College and Doaks Ferry Roads. Bike lanes and/or bicycle routes are also proposed for most of the collector streets in west Salem, including Marine Drive. The expansion and completion of the bicycle system should encourage greater use of this transportation mode.

Existing pedestrian and bicycle facilities on the Center Street and Marion Street Bridges are minimally adequate and, in some cases, substandard. A barrier-separated, 10-foot-wide concrete path on the north side of the Center Street Bridge provides pedestrian and bicycle access across the bridge. The Marion Street Bridge has a 5-foot-wide sidewalk separated from traffic lanes by a barrier and railing, but no designated bicycle lanes. The Marion Street

Bridge accommodations do not meet *Highway Design Manual* (ODOT, 2003) bridge cross-section standards for bicycle/pedestrian facilities.<sup>23</sup>

The conversion of the Union Street Railroad Bridge to a pedestrian and bicycle facility (Union Street Pedestrian Bridge) has greatly enhanced pedestrian/bicycle access across the river in the vicinity of the existing bridges since it was opened in 2009. The bridge crossing, and associated trail spurs, connect to Wallace Road and Glen Creek Road on the west side of the river and to Union Street and Front Street on the east side of the river (plus other connections via Salem Riverfront Park), where the trail provides a connection to the network of bicycle lanes in Salem's downtown. Funded projects over the next few years along Union Street will make crossing busy downtown arterials (Commercial Street and Liberty) by bicycle safer and more convenient.

### 2.1.6.2 Pedestrian

Salem's existing walkway network consists primarily of sidewalks, though pedestrians use roadway shoulders, or the roadway itself, on streets lacking dedicated pedestrian facilities. Crossing treatments, including marked crosswalks, pedestrian-activated signals, curb extensions, and other treatments also accommodate foot traffic in many locations. Downtown Salem and areas immediately east, north, and south benefit from a generally complete sidewalk system, while some portions of west Salem lack sidewalks. A shared use path following Edgewater Street (between Wallace Road and Rosemont Avenue and west of Eola Drive NW) also serves non-motorized users in west Salem.

As noted in the discussion about bicycles above, the existing pedestrian facilities across the Willamette River are provided on the Center and Marion Street Bridge and the Union Street Pedestrian Bridge.

The sidewalk system in west Salem is approximately 60 percent complete. Sidewalks are lacking in the hilly areas north of Edgewater Street and outside of the older developed residential and commercial areas.

### 2.1.6.3 Barriers

Natural and man-made barriers limit system connectivity for cyclists and pedestrians in the Salem-Keizer UGB. Natural barriers include topography, particularly in west Salem, and the Willamette River. Man-made barriers consist of difficult bicyclist and pedestrian crossings of railroads and major streets. For instance, while the Union Street Bridge has dramatically improved bicycling and walking across the Willamette River, users encounter major streets with limited crossing provisions at both bridgeheads.

The *Alternate Modes Study*<sup>24</sup> identified several major site-specific and general barriers for bicycling in the study area. Common pedestrian crossing challenges throughout the study area include wide roadways with multiple vehicle travel lanes, intersections lacking ADA-compliant curb ramps, and relatively long distances between signalized or other controlled street or railroad crossings.

<sup>23</sup> DEIS Chapter 3, Traffic and Transportation, page 3-17.

<sup>24</sup> *Salem Willamette River Crossing Alternate Modes Study*, prepared for City of Salem, ODOT, MWVCOG and Cherriots, April 2010.

It should be noted that some deficiencies in the bicycle and pedestrian system have been addressed in recent years. Moving the signal to Taggart Drive resulted in more evenly spaced signalized crossings of Wallace Road. About five years ago, the city constructed curb extensions and created “sharrows” throughout much of downtown Salem. A new bicycle-pedestrian path was completed in 2014 that connected the Union Street Bridge bicycle and pedestrian path north through Wallace Marine Park to Glen Creek Road. The 2014 modifications to the intersection of Wallace Road and Glen Creek Road included opening the crosswalk on the south side of the intersection. A funded project to add a signal at Union Street and Commercial Street will also make bicycle and pedestrian travel across this busy intersection safer and more convenient.

### 2.1.7 Existing Transit Service

Salem-Keizer Transit (SKT) (also known as “Cherriots”) provides local and regional transit service in Marion and Polk Counties. The agency provides four types of service: 1) Cherriots - a fixed-route service within the Salem-Keizer UGB; 2) CherryLift - a curb-to-curb ADA para-transit program; 3) CARTS - a fixed and flexible route program that serves other urbanized areas of Marion and Polk County outside of the Salem-Keizer UGB; and 4) Cherriots Rideshare - a vanpool and rideshare program.<sup>25</sup>

Cherriots operates 14 bus routes in Salem and Keizer, one AM and PM peak period express bus to Wilsonville (in cooperation with South Metro Area Rapid Transit), and one express bus to Grand Ronde. CARTS operates five fixed routes and three flex routes (Dallas, Independence/Monmouth, Woodburn, Stayton, etc.).<sup>26</sup>

Yearly ridership on Cherriots increased from 1995-2005, and reached a peak ridership in 2006 of just over 5.5 million. Numerous expansions in service occurred during this decade, from extending bus routes into new areas to running the buses more frequently. The addition of service on weekends and in the evening hours allowed more people the option of using transit as its availability and convenience increased. Programs designed to encourage people to take transit to work, such as employers providing reduced or free bus passes, also contributed to the increasing ridership from 1995-2005.

Since the peak in 2006, there has been a decrease in Cherriots ridership each year. Ridership reductions were likely due to service changes in 2009 that eliminated all weekend service, reduced service hours, and redesigned the route network. SKT implemented these changes as a result of declining operating funds with levy requests defeated by voters and elimination of an agreement with the State of Oregon to provide State-paid monthly permits for state employees.

Cherriots Rideshare provides Transportation Demand Management (TDM) services that assist people in accessing alternatives to driving alone to work. Rideshare services include a region-wide carpool matching service, a vanpool referral service, an emergency ride home program, and bus pass discounts. These programs are designed to reduce congestion on the region’s roads and to help those that participate in them save time and money. The City of

<sup>25</sup> Salem-Keizer Transit, *Long-Range Regional Transit Plan*, July 2013.

<sup>26</sup> 14 routes based on 2015 service. Four of the 14 routes have “branches” (e.g., 9 & 9A at the end of route take a slightly different path).

Salem supports these programs by offering preferential parking for carpools at locations in the Salem downtown core.

## 2.2 Summary of Previous Transportation Studies

Multiple stakeholders in the Salem metropolitan area have discussed ways to relieve traffic congestion on the Marion and Center Street Bridges and in bridgehead areas for more than thirty years. Brief highlights of some of the relevant transportation studies and key outcomes are provided in this section, followed by a summary of the Salem-River Crossing EIS in Section 2.4 (page 41).

More detailed information on the previous studies is included in Chapter 1 (Purpose and Need) of the DEIS and excerpts of key studies will be included in the record for the consolidated plan amendments (with links provided on the Salem web site).

### 2.2.1 Wallace Road Local Access and Circulation Study (1997)

The purpose of this study was to relieve traffic congestion and improve safety along the Wallace Road corridor in west Salem. One cause of traffic congestion along Wallace Road was the numerous driveways for commercial properties along the corridor with few or no parallel streets for local circulation. Consequently, local traffic was becoming a larger percentage of the traffic volume on Wallace Road.

**Key outcomes:** Several of the recommendations from the Wallace Road Local Access and Circulation Study have been implemented, including:

- Construction of a median within the north portion of the corridor
- Salem TSP was amended in 1998 to include planned north-south collector (Marine Drive) to help reduce congestion on Wallace Road and improve connectivity for the area east of Wallace Road. The alignment has been surveyed, portions of the road have been constructed in conjunction with development, and an approved bond authorizes acquisition of right-of-way for additional improvements.

### 2.2.2 Willamette River Crossing Capacity Study (1999, 2002)

SKATS initiated the *Willamette River Crossing Capacity Study* in 1997 as part of the planning process required by the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. The study resulted in two planning documents – the Willamette River Crossing Capacity Study: Draft Phase I Report (March 1999) and the Willamette River Crossing Capacity Study: General Corridor Evaluation (June 2002). The basic premise behind this planning process was that before a community makes a major investment in its transportation facilities, it must first consider other reasonable alternatives for solving identified transportation problems. Before the decision to proceed with the construction of a new bridge can be made, a thorough analysis must be undertaken of alternatives that include:

- Making the existing bridges and connecting transportation system work as effectively as possible; and
- Evaluating non-bridge construction approaches to solving the river crossing capacity problem.

**Key outcome:** This study included a robust public process and set the framework for the subsequent bridgehead engineering and corridor evaluation studies.

### 2.2.3 Bridgehead Engineering Study (1998)

The primary goal of the *Bridgehead Engineering Study* was to devise and report on possible operational and physical improvements that would improve traffic conditions and prolong acceptable levels of service on the Center Street and Marion Street Bridges. The study focused on improvements to the bridge ramps and other streets and facilities in the study area. Based on analysis of a No Build scenario and five Build options (not including the addition of general purpose travel lanes), the study recommended a list of local system improvement projects. Most of the simple, relatively low-cost improvements identified in the *Bridgehead Engineering Study* have been implemented and have maximized the efficiency and capacity of the existing bridges.

**Key outcomes:** Many of the feasible and cost-effective options identified in the Bridgehead Engineering Study were included in the RTSP and Salem TSP and have been implemented, including but not limited to:

- Replacement of stop sign with a traffic signal at Center Street NE bridge exit to northbound Front Street NE.
- Construction of stepped pedestrian crossing at Center Street bridge exit to southbound Front Street NE.
- Median built at the Edgewater and Wallace Road intersection which eliminated left turns from Edgewater onto Wallace Road. This reduced congestion, especially in the more heavily congested AM peak hour.

### 2.2.4 General Corridor Evaluation (2002)

The Willamette River Crossing Task Force was established in 1997 to address longer-term river crossing solutions in the Salem-Keizer area. The *General Corridor Evaluation* was completed in 2002 as part of the Willamette River Crossing Study planning process. It built on the findings of the *Willamette River Crossing Capacity Study: Draft Phase I Report (March 1999)* and was designed to:

1. Analyze the travel demand across the river.
2. Identify and document the components and problems associated with river crossing travel demand.
3. Identify a wide range of potential “build” and “non-construction” alternatives.
4. Evaluate the feasibility of the alternatives to meet existing and projected long-term travel demand.
5. Identify alternatives with “fatal flaws” and recommend remaining options for consideration in a more detailed corridor alignment EIS.

The General Corridor Evaluation Report provided an initial framework for identifying characteristics necessary for land to be suitable for the identified transportation need. The report documents a systems-level evaluation of the no-build condition, fifteen general new bridge corridors, plus a “beltway” alternative.

The transportation analysis conducted as part of the *General Corridor Evaluation* was based on a 1995-2015 planning horizon and documented the following findings:

- Congestion levels on the Willamette River Bridge approaches and connecting infrastructure were significant in 1995 (during the peak hours) and will worsen in magnitude and duration over time.
- A new bridge in conjunction with aggressive improvements in the use of alternate modes is the only alternative that will provide sufficient river crossing capacity to meet future travel demand.
- No potential location for a new bridge is perfect; all would have some negative impacts that would need to be ameliorated.
- The location for a new bridge that best meets the goals related to reducing traffic congestion with the least negative impacts is the Tryon/Pine corridor.
- The Tryon/Pine corridor should be studied in greater detail to determine whether to begin preserving right-of-way in the next twenty years for the long-term eventual construction of a new bridge in the corridor.

**Key outcomes:** There were several key outcomes of the *General Corridor Evaluation*:

- The study included a robust evaluation of non-construction alternatives (including alternate modes, transit demand management (TDM), transit system management (TSM), parking management, and pricing strategies).
- The study concluded that non-construction alternatives could not accommodate the need for additional river crossing capacity, but must be an important part of any new or improved bridge crossing.
- The *General Corridor Evaluation* considered potential corridors that were within the current UGB (six corridors)<sup>27</sup> as well as ten other corridors that were partially or largely outside of the UGB. The six corridors within the UGB were dismissed largely because: 1) several corridors had significant adverse impacts on Wallace Marine Park, 2) several corridors would continue to funnel traffic through congested downtown Salem, 3) significant adverse impacts on federally protected historic properties (Mission Street corridor), and 4) lack of connections to the arterial street system and impacts on established neighborhoods (Cross Street corridor).
- The City of Salem and SKATS took specific actions to include and reference the Tryon/Pine corridor as the priority corridor for a new crossing in the Salem TSP and the RTSP, respectively. Salem's acknowledged TSP specifically referenced the need for the additional bridge crossing.
- The November 2008 Streets and Bridges General Bond package of projects approved by Salem voters included approximately \$3.6 million for use in acquiring street right-

<sup>27</sup> The six corridors within the UGB included Market Street, Division Street, Union Street, Pringle Parkway, Mission Street, and Cross Street.

of-way for a future Willamette River Bridge and Marine Drive, and associated street and ramp connections. SKATS included \$20 million in its financially constrained RTSP for the purpose of preserving and purchasing right-of-way associated with the new bridge (R001).<sup>28</sup>

### 2.2.5 Alternate Modes Study (2010)

The *Alternate Modes Study* was developed on a separate but parallel track with the SRC Project DEIS. The Study goals were to:

- Reduce single occupancy vehicle (SOV) travel across the Willamette River
- Lengthen the service life of any Salem River Crossing improvements

The *Alternate Modes Study* identified specific TSM recommendations relating to bicycle, pedestrian and transit modes. It also identified specific TDM recommendations, including but not limited to parking concepts, carpool/vanpool concepts, marketing and education concepts, etc. Evaluation criteria for concepts included, but were not limited to: 1) effectiveness in reducing auto trips, 2) consistency with state and local policy, 3) ease of implementation, 4) community and political acceptance, 5) sustainability, 6) cost to user, and 7) equity.

**Key outcomes:** The *Alternate Modes Study* was presented to stakeholder groups, including but not limited to the City of Salem, the City of Keizer, and SKT.

- Some of the strategies have been or will be implemented in the near future (e.g., sharrows, green bicycle lanes, a safe crossing for Commercial Street at Union Street, 15-minute transit service connecting the Edgewater District to downtown and east Salem).
- Other strategies are being studied (e.g., undercrossing of Wallace Road; review of CARTS routes).

### 2.2.6 Long-Range Transit Planning (2013)

The Transit District completed a *Long-Range Regional Transit Plan* (2013) and a *Comprehensive Service Analysis* (2014) in the years following service cuts. The public involvement process for the Long-Range Regional Transit Plan revealed several common themes regarding existing transit service in the study area:

- **No Weekend Service:** The lack of weekend service throughout the system is a major issue that reduces mobility, especially for transit-dependent populations that do not have viable alternatives to transit when service is not running.
- **Need for Improved Marketing:** Many respondents were unaware of the availability of existing transit service, suggesting a need to more aggressively market Cherriots and CARTS as viable modes of transportation, particularly for commuters who work in Salem.

<sup>28</sup> 2015-2035 RTSP, see Map 5-4 and Committed and Included Projects Table at end of Chapter 5.

- **Infrequent Service:** There are no CARTS routes with more than five roundtrips per day, and most respondents felt that the schedule was too inflexible for midday or evening travel. Most trips are scheduled to coincide with the morning and afternoon peak periods.
- **Increase Travel Opportunities to Portland:** Transit-dependent people in all communities in Marion and Polk Counties seek more reliable, frequent, and direct service to both Salem and Portland.

The Long-Range Regional Transit Plan and Comprehensive Service Area Analysis resulted in *Moving Forward*, a plan to revamp bus service to create a more robust system (approved by Transit Board in February 2015). The first phase of *Moving Forward* was implemented in September 2015 and involved significant changes to routes and frequency throughout the service area but did not require new funding. Phase I increased service frequency to portions of west Salem, but also significantly reduced coverage to the lower density residential areas that occupy most of the west Salem hills.

Cherriots launched the West Salem Connector in 2015 as a pilot project. The West Salem Connector is flexible: the bus comes to a point near your home when you request it, and takes you to another Connector point within the service zone, or connects you to regular Cherriots bus routes. The West Salem Connector runs from 6 am to 9 pm. Trips can be booked from as little as one-half hour in advance to up to two weeks in advance.

A November 2015 ballot measure proposed an employer payroll tax at 0.21 percent of total payroll on businesses in the Salem-Keizer Transit service area. The tax would have raised an estimated \$5 million in revenue per year to restore weekend bus service, extend bus service operating hours and restore the student bus pass program. Voters rejected the ballot measure.

**Key outcomes:** Long-range transit planning completed since 2013 has:

- Resulted in increased service frequency to portions of west Salem but reduced coverage in other areas.
- Positioned SKT with clear plans and guidance to improve transit service and continue to pursue funding options.

## 2.3 History of Improvements to Existing Facilities

Over more than 100 years, regular public investments have been made to protect the existing bridges over the Willamette River in the Salem area; improve the efficiency of the bridges and connecting facilities; and add capacity to the existing bridges. Because of the extremely high cost associated with constructing a new bridge and constraints on available transportation funding at all levels, the highest priority has always been to maintain and enhance the transportation infrastructure that is already in place. A brief summary of the

history of the Center and Marion Street bridges and related events is provided in Table 4 below in chronological order.<sup>29</sup>

**Table 4**

*History of Center and Marion Street Bridges and Related Events*

| Year    | Event                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1886    | Wooden truss bridge built over the Willamette in Salem. This bridge was washed out by a flood in 1890 and replaced by a steel bridge in 1891.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 1917-18 | Construction of the Center Street Bridge.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 1949    | West Salem (originally a separate city) voted to become part of the City of Salem.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 1952-53 | Construction of the Marion Street Bridge, modifications to the Center Street Bridge.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 1963-77 | I-305 was first proposed in 1963 to connect I-5 to the Salem CBD and continue over the Willamette River. Opposition to I-305 led the City of Salem and Marion County to opt for a trade-in of federal funds in 1976. This trade-in eventually totaled \$85 million and was used for the following projects:<br>Salem Parkway<br>North River Road improvements<br>South Commercial Street improvements<br>Mission Street improvements (12th to 24th Streets)<br>Parts of other projects (Front Street Bypass, Marion Street Bridge improvements, Kuebler Boulevard) |
| 1979    | Salem Area Mass Transit District created.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 1981    | Front Street bypass constructed (including ramps to Center Street Bridge).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 1981-82 | Marion Street Bridge widened to four lanes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 1982-83 | Center Street Bridge reconstructed to four lanes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 1997    | Wallace Road Local Access and Circulation Study completed to address capacity, safety, congestion and access management issues. Study recommended construction of Marine Drive to improve local circulation and relieve congestion on Wallace Road                                                                                                                                                                                                                                                                                                                 |
| 1998    | Marine Drive collector included in Salem TSP and listed as “high priority” project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 1998    | Bridgehead Engineering Study completed to identify short-term and cost-effective improvements to existing bridges. Completed projects include:<br>Improvements to Center Street Bridge off-ramp at Court Street (2005) and Front Street crossing to Riverfront Park<br>Removal of left turn from Edgewater Street to Wallace Road (2006)<br>Replacement of stop sign with signal at Center Street Bridge off-ramp to northbound Front Street (2009)                                                                                                                |
| 2002    | Willamette River Crossing Capacity Study completed, examining the potential of 16 corridors for a new river crossing. The major finding is that the Tryon/Pine corridor “best meets the goals related to reducing traffic congestion with the least negative impacts.”                                                                                                                                                                                                                                                                                             |
| 2004-05 | Salem completes work on Wallace Road local access improvements, including construction of new east-west collector (Taggart Street) and moving signal on Wallace                                                                                                                                                                                                                                                                                                                                                                                                    |

<sup>29</sup> Based on handout prepared by the MWVCOG, *History of the Bridges and Bridge Facts*, December 17, 2012.

**Table 4**  
*History of Center and Marion Street Bridges and Related Events*

| Year      | Event                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           | Road from 7th Street to Taggart Street.                                                                                                                                                                                                                                                                                                                                                                                               |
| 2005      | Tryon/Pine corridor identified as the preferred location for the eastern terminus of a new bridge across the Willamette River. To protect the right-of-way that might result from the EIS process, \$20 million was allocated in the RTSP.                                                                                                                                                                                            |
| 2006      | Salem River Crossing EIS work begins.                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2009      | Union Street Railroad Bridge converted to a pedestrian/bicycle bridge (with on-going improvements to connections on both sides of the river).                                                                                                                                                                                                                                                                                         |
| 2008-2014 | Design and construction work for intersection widening at Glen Creek/Wallace Road, including improvements for cyclists and pedestrians.                                                                                                                                                                                                                                                                                               |
| 2010      | Salem River Crossing Alternate Modes Study completed. Some of the recommendations and strategies have been or will be implemented in the near future (e.g., sharrows, green bicycle lanes, a safe crossing for Commercial Street at Union Street, 15-minute transit service connecting the Edgewater District to downtown and east Salem) and others are being studied (e.g., undercrossing of Wallace Road; review of CARTS routes). |
| 2012      | Salem River Crossing Project DEIS released. Oversight Team forwarded its preliminary recommendation for a preferred alternative (Alternative 4D) to the partner jurisdictions.                                                                                                                                                                                                                                                        |
| 2012-13   | Salem City Council conducts work sessions and public hearing on the preferred alternative. Council rejects 4D and proposes a revised alternative (Salem Alternative) that limits the new bridge to four travel lanes (two in each direction) and eliminates grade-separated interchanges and ramp connections in favor of at-grade intersections.                                                                                     |
| 2014      | Oversight Team and partner jurisdictions recommend advancing the preferred alternative (as revised) to the FEIS.                                                                                                                                                                                                                                                                                                                      |

Source: Land Use Technical Report Addendum, Salem River Crossing Project FEIS

As noted in Section 2.2.3 (page 34), the *Bridgehead Engineering Study* evaluated a range of options to improve the capacity and safety of the existing bridges. Table 5 summarizes the status of the projects recommended in the *Bridgehead Engineering Study*.

**Table 5**  
*Major Improvements to Existing Facilities*

| Area | Location                                                   | Minimum build solution                  | Maximum build solution                                       | Status and Notes*                                                                                                                                                                                                                                                                                                                                                                                            |
|------|------------------------------------------------------------|-----------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1    | Center Street NE bridge exit to northbound Front Street NE | Replace stop sign with a traffic signal | Free flow ramp with third lane on northbound Front Street NE | <u>Traffic signal added in 2009 and it has helped with traffic flow, although queues on ramp and bridge still occur.</u> Free flow ramp was not pursued due to:<br>1. Cost/funding, which in 1998 was an estimated \$4.4 million, and did not include the cost of any improvements north of Union Street NE. Without additional improvements, the congestion “bottleneck” would occur at Division Street NE. |

|   |                                                         |                                                                                                                                                                     |                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   |                                                         |                                                                                                                                                                     |                                                                             | 2. Recognition that building the free-flow ramp would require reconstructing the Marion Street NE bridge spans in stages, plus require a detour bridge, all of which would have a significant effect on traffic during construction.                                                                                                                                                                              |
| 2 | Commercial Street NE at Marion Street NE                | Change lane configuration and radius to provide two right-turn lanes (instead of a right and right-through)                                                         | Same as minimum build                                                       | <u>The lane configuration has not been implemented.</u> It should be noted that the lane configuration would make only a minimal change to southbound Commercial Street capacity.                                                                                                                                                                                                                                 |
| 3 | Center Street bridge exit to southbound Front Street NE | Stepped pedestrian crossing                                                                                                                                         | Remove signal, build bike and ped underpass                                 | <u>The stepped pedestrian crossing was constructed.</u> The new crossing plus widening the southbound ramp from the Center Street bridge has significantly reduced congestion on the Center Street bridge, particularly during the AM peak hour. The proposed underpass of Front Street was considered but rejected by the Salem City Council following a public hearing on the design.                           |
| 4 | Marion Street NE bridge exit ramp                       | Option lane for Marion Street NE exit ramp to Wallace Road NW                                                                                                       | New ramp from Marion Street NE bridge to Glen Creek Road NW/Marine Drive NW | <u>Neither solution pursued.</u> Microsimulation of option lane showed it would create weaving on the option lane. The new ramp to Glen Creek Road NW was rejected by ODOT because it would create additional weaving on the bridge (a safety issue) plus there were concerns about the new ramp's impacts to the adjoining Marion Street bridge pedestrian walkway and impact to Wallace Marine Park.            |
| 5 | Wallace Road NW at Edgewater Street NW                  | Double lanes for Edgewater Street NW on-ramp (to eastbound bridge) and off-ramp from westbound bridge. Remove left turn from Edgewater Street NW to Wallace Road NW | Round-about                                                                 | <u>A median was built in 2006 at the Edgewater and Wallace Road intersection;</u> it prevents left turns from Edgewater Street NW to Wallace Road NW. This provided more green time for southbound Wallace Road NW traffic, reducing congestion especially in the more heavily congested AM peak hour. More of the minimum build solution could still be done, but it would have limited improvement on capacity. |

\*Updated status provided by Mike Jaffe, Mid-Willamette Valley Council of Governments, 2013.

## 2.4 Salem River Crossing EIS

A brief overview of the SRC Project EIS<sup>30</sup> is included in this section. The build alternatives evolved from an iterative process of engineering, planning, and environmental analysis combined with review and comment by project stakeholders and public input. The DEIS is available on the SRC Project web site.

### 2.4.1 Purpose Statement

The 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.

Primary measures to satisfy the purpose statement include:

- Reducing congestion levels at the existing bridgeheads and
- Remediating safety and operational deficiencies on the existing bridges and in the study area in locations where crash rates are higher than average

### 2.4.2 Need Statements

The following statements identify the need for the Salem River Crossing Project:

- **Need Statement #1.** Based on available data, the existing river crossing facilities and local bridge system in Salem are inadequate for current and future traffic demand, resulting in a need to improve traffic operations in the study area over the No Build Alternative conditions.
- **Need Statement #2.** Based on available data, the existing river crossing facilities and local bridge connections in Salem are inadequate for current and future users (vehicles, freight, bicycles, and pedestrians) with regard to safety conditions, resulting in a need to improve traffic safety for all these users.
- **Need Statement #3.** Based on available data, the existing river crossing facilities and local bridge system in Salem are inadequate for current and future freight-vehicle capacity, resulting in a need to improve freight mobility in the area of the Center Street and Marion Street Bridges.
- **Need Statement #4.** Congestion levels on the existing river crossing facilities result in unreliable public transportation service, thereby necessitating an improvement in transit travel time and reliability from/to West Salem.
- **Need Statement #5.** The existing river crossing options in Salem are inadequate to accommodate emergency response vehicles in the event of restricted access to and/or closure of the existing bridges because of an emergency or other incident,

<sup>30</sup> SRC Project DEIS (2012). See Chapter 1 – Purpose and Need for the Project and Chapter 2 – Alternatives.

resulting in the need to provide improved crossings or an additional crossing in case the Center Street and Marion Street Bridges are closed or limited because of an incident.

Additional background on the Need Statements from DEIS Chapter 1, Purpose and Need is provided below.<sup>31</sup>

### **Need Statement #1**

Based on available data, the existing river crossing facilities and local bridge system in Salem are inadequate for current and future traffic demand, resulting in a need to improve traffic operations in the study area over the No Build Alternative conditions.

Increased congestion across the river has negatively affected vehicle mobility for local, regional, and through trips. Travel demands are expected to increase in the future, which would further deteriorate vehicle mobility on the bridges.

The Center Street and Marion Street Bridges are among the most critical transportation links in Salem. A little over half of the bridge traffic (54 percent) originates, or has its destination in, West Salem. This indicates that the bridges are a critical link, not only between West Salem and the remainder of Salem, but also for regional travel within the Willamette Valley.

In 2007, average daily traffic (ADT) on the two bridges was approximately 88,000 vehicles, which was higher than the ADT on I-5 at Market Street for that year. Local trips (within the Salem-Keizer metropolitan area), regional trips (between the urban area and outside the urban area), and through trips (originating from a point outside the urban area, through the urban area, ending at another point outside the urban area) represent the three major types of travel demand across the bridges.

The region's growing population and employment has increased travel demand across the river. Between 1995 and 2007, the average annual growth in ADT on the bridges was approximately 2 percent. Performance at key intersections is at, or exceeds, state or local mobility standards. Existing afternoon peak-period traffic exceeds capacity at the Commercial Street & Marion Street, Front Street & Center Street, and Liberty Street & Ferry Street intersections in downtown Salem, and at the Wallace Road & Glen Creek Road intersection in West Salem.

Afternoon peak-period traffic volumes are forecast to double by 2031, which would increase the duration of the peak period considerably. The adopted Oregon Highway Plan (ODOT, 1999; amended 2006) mobility standard for the bridges is a volume-to-capacity ratio of 0.80. Year 2031 volume-to-capacity ratios for the bridges are forecast to be 1.07 eastbound and 1.66 westbound during the afternoon peak period, with approximately 300 vehicle hours of delay. These ratios indicate substantially congested conditions. This would require more time for the extra traffic to get through the area. Without additional transportation capacity

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<sup>31</sup> The information that follows is a direct excerpt from the DEIS (SRC Project DEIS (2012), Chapter 1, pages 1-18 to 1-25).. The traffic analysis summarized in the statements above draws on the existing conditions and No Build Alternative transportation analysis provided in Section 3.1 (Traffic and Transportation) of the DEIS, including Tables 3.1-4 (Existing Conditions Operational Results [2008 Analysis Year]) and 3.1-9 (No Build Alternative [Alternative 1] Operational Results [2031 Analysis Year]).

across the river, mobility conditions on the bridge system and the connecting infrastructure east and west of the river would continue to deteriorate.

With the No Build Alternative (2031) conditions, the following four study intersections in the West Salem area would fail to meet mobility standards during the PM or both AM and PM peak-hour conditions:

- Wallace Road & Orchard Heights Road (in PM peak-hour)
- Wallace Road & Glen Creek Road (in both AM and PM peak-hours)
- Wallace Road & Taggart Drive (in both AM and PM peak-hours)
- Wallace Road & Edgewater Street (in both AM and PM peak-hours)

These intersections are all on Wallace Road and carry traffic to/from OR 22 and the existing bridges. These intersection failures would be due mainly to increased traffic demand and lack of capacity. With the No Build Alternative, the following six study intersections in the CBD area would fail to meet mobility standards during the AM, PM, or both AM and PM peak-hour conditions (2031):

- Front Street (northbound) & Center Street (Bridge Off-ramp) (in both AM and PM peak-hours)
- Commercial Street & Center Street (in both AM and PM peak-hours)
- Front Street & Union Street (in AM peak-hour)
- Commercial Street & Marion Street (in both AM and PM peak-hours)
- Liberty Street & Marion Street (in PM peak-hour)
- Front Street (OR 99E-B) & Front Street (in PM peak-hour)

Of these intersections, Front Street (northbound) & Center Street (Bridge Off-ramp), Commercial Street & Center Street, and Commercial Street & Marion Street have the worst operations. These three intersections represent entry/exit locations for the existing bridges, which receive heavy traffic with the No Build Alternative.

With the No Build Alternative, the following four study intersections would fail to meet mobility standards in the North Salem area during the PM peak-hour condition:

- Commercial Street & Market Street
- Salem Parkway & Liberty Street
- Salem Parkway & Broadway Street
- Salem Parkway & Cherry Avenue

The majority of the failing intersections are located at the northern-most part of the project study area on Salem Parkway, with the worst operating intersection located at the intersection of Salem Parkway & Broadway Street.

## **Need Statement #2**

Based on available data, the existing river crossing facilities and local bridge connections in Salem are inadequate for current and future users (vehicles, freight, bicycles, and pedestrians) with regard to safety conditions, resulting in a need to improve traffic safety for all these users.

Increasing congestion has negatively affected safety conditions for passenger and freight vehicles on the bridges. ODOT assesses roadway safety using the Safety Priority Index System (SPIS). Both the Center Street and Marion Street Bridges scored in the top 10 percent of the ODOT 2010 SPIS list. A majority of the crashes reported on the bridges were rear-end property-damage-only crashes, a common result of congested conditions.

Overall in the project study area, the following corridors had segments that were in the top 10 percent of ODOT Region 2 SPIS scoring:

- Center Street and Marion Street Bridges
- Wallace Road corridor
- Salem Parkway corridor
- Commercial/Liberty couplet corridor (north of downtown Salem)

Existing pedestrian and bicycle facilities on the Center Street and Marion Street Bridges are minimally adequate and, in some cases, do not meet *Oregon Highway Design Manual* standards for bicycle/pedestrian facilities. Improvements to these facilities would make walking and bicycling more feasible travel options in Salem. The existing pedestrian and bicycle facility across the river on the north side of the Center Street Bridge is a two-way, 10-foot-wide, barrier-separated concrete path. In addition, sight distance and illumination are limited along the segment of the existing bike path located between Wallace Road and the Marion Street Bridge.

The Marion Street Bridge has no on-street bicycle facilities. It does have a 5-foot-wide sidewalk on the north side of the bridge that is separated from traffic lanes by a barrier and railing. This width is significantly below ODOT standards. Consequently, the sidewalk presents safety hazards to users, such as from two-way traffic or mixed pedestrian-bicycle traffic.

Pedestrian and bicyclist connections to and from the bridges are indirect. On the east side, the two ramps from the barrier-separated path on the Center Street Bridge terminate at Front Street and Water Street, and do not provide direct connections to the downtown Salem street system. The westside connection at the Wallace Road intersection is indirect and awkward, in particular for users traveling to and from the west side of Wallace Road.

The recent conversion of the Union Street Railroad Bridge to a pedestrian/bicycle facility (Union Street Pedestrian Bridge) only partially addresses the pedestrian/bicycle needs noted previously. This bridge and associated pathways currently stop at Wallace Road (at the west end) and Union Street (at the east end). Therefore, no clear and/or convenient connections exist to the Edgewater Street corridor in West Salem or to downtown Salem.

### **Need Statement #3**

Based on available data, the existing river crossing facilities and local bridge system in Salem are inadequate for current and future freight-vehicle capacity, resulting in a need to improve freight mobility in the area of the Center Street and Marion Street Bridges.

Increased congestion across the river has negatively affected freight mobility for local, regional, and through trips. Travel demands are expected to increase in the future, which would further deteriorate freight mobility on the bridges.

Truck mobility and circulation across the bridges are critical to the local, regional, and state economy. The existing bridges are designated as Freight Routes in the Oregon Highway Plan (ODOT, 1999; amended 2006) and as Regional Freight Roadways in the RTSP. These designations recognize the importance of the bridges' role as an access and circulation route for the delivery of goods and services into, out of, and within the Salem-Keizer metropolitan area.

In 2009, truck trips accounted for 4.5 percent of traffic flow across the bridges. Because of the region's growing population and employment, freight travel demand across the river increased an average of approximately 1.8 percent per year between 1995 and 2009. High traffic levels are resulting in increasing levels of delay. The cost of freight movement is directly related to the time required to deliver goods: delays increase transportation costs, which, in turn, increase the costs of the goods being transported. Increasing congestion jeopardizes the efficiency of freight movement over the Willamette River bridges in Salem. Performance at key intersections is at, or exceeds, state or local mobility standards, and existing afternoon peak-hour traffic exceeds capacity at several intersections. Afternoon peak-period traffic volumes on the bridges are forecast to double by 2031, which would increase the duration of the peak period considerably.

#### **Need Statement #4**

Congestion levels on the existing river crossing facilities result in unreliable public transportation service, thereby necessitating an improvement in transit travel time and reliability from/to West Salem.

Existing afternoon congestion negatively affects transit service reliability between West Salem and the remainder of Salem. During afternoon and early evening hours, 36 percent of the trips on Cherriots Route 25 (connecting West Salem and downtown Salem) are more than 5 minutes late because of congestion. Afternoon peak-period congestion is forecast to double by 2031. With no other options to cross the river in the Salem area, congestion would occur over a longer period of the day. The reliability of existing, and any planned, improvements to transit service between West Salem and the remainder of Salem would be negatively affected by increased congestion. This would negatively affect transit ridership across the river, which would seriously undermine efforts to increase the proportion of trips taken by public transit.

#### **Need Statement #5**

The existing river crossing options in Salem are inadequate to accommodate emergency response vehicles in the event of restricted access to and/or closure of the existing bridges because of an emergency or other incident, resulting in the need to provide improved crossings or an additional crossing in case the Center Street and Marion Street Bridges are closed or limited because of an incident.

Limited options to cross the river require long detours if either bridge were closed. Past events have closed one or both bridges, which disrupted traffic for emergency vehicles, passenger vehicles, public transportation, and freight.

The Center Street and Marion Street Bridges are critical east-west transportation links for local travel, regional travel, and emergency vehicle response. Polk County has designated

these bridges as Priority 1 Lifeline Routes, which means they are considered essential for emergency vehicle response during the first 72 hours after an event.

Within the Salem-Keizer metropolitan area, there are no parallel vehicle-bridge connections across the Willamette River meant to function as emergency response routes. The Union Street Pedestrian Bridge was designed to handle a 20,000-pound vehicle (H-10 truck) or a 40,800-pound fire engine. However, this assumes that these vehicles would use the bridge infrequently at low speed. Vehicles would only use this bridge under extreme circumstances, such as catastrophic failure of the existing bridges. The only hospital in the Salem-Keizer metropolitan area, the City of Salem Police Department, and 9 of the 11 existing City of Salem fire stations are located east of the river (two fire stations are in West Salem).

When either bridge is restricted or closed because of an emergency or other event, the options to cross the river are limited and require long detours. The nearest bridge designed to carry heavy vehicles across the river requires an approximately 25-mile detour south to Independence via Oregon State Route 51 (OR 51) and River Road South. The nearest bridge across the river to the north is an approximately 60-mile detour through Dayton, Dundee, and Newberg.

The ferry at Wheatland Crossing northwest of Keizer (an approximately 30-mile detour) and the Buena Vista Ferry south of Independence (an approximately 40-mile detour) are other river crossing options, provided the ferries are operating. The Wheatland Road Ferry operates 16 hours per day year-round, except holidays and times of high river flow (16 feet or higher). The Buena Vista Ferry only operates 5 days a week, 10 hours per day, April through October. Plans are underway to substantially expand the Buena Vista Ferry's operating season and hours; this, however, would not be an adequate alternative for emergency response vehicles in the event of the closure of the existing Salem bridges.

### **2.4.3 Goals and Objectives**

Through a comprehensive public involvement process, a diverse group of stakeholders defined the goals for the project. A project Task Force (comprising public agency representatives; residents and business owners from adjacent neighborhoods; bicycle and pedestrian users; freight and transit advocates; citywide business and community interests; and natural resource protection supporters) articulated the perspectives of their constituencies during this process. In addition to the need to meet federal and state regulatory requirements, the project Oversight Team approved the Salem River Crossing Project DEIS goals and objectives listed in Table 6. The DEIS analysis of impact, the mitigation for impacts and the project designed addressed the goals and objectives.

**Table 6**  
*Goals and Objectives of the Salem River Crossing Project*

**Goal 1: Improve mobility and safety for people and freight across the Willamette River in the Salem-Keizer metropolitan area**

**Objectives**

- Improve vehicle and freight mobility for local travel
- Improve vehicle and freight mobility for regional travel
- Improve vehicle and freight mobility for through travel
- Improve safety for people, vehicles, and freight
- Improve transit reliability across the Willamette River in the Salem-Keizer metropolitan area
- Improve pedestrian facilities across the Willamette River in the Salem-Keizer metropolitan area
- Improve bicycle facilities across the Willamette River in the Salem-Keizer metropolitan area
- Improve emergency vehicle response across the Willamette River in the Salem-Keizer metropolitan area

**Goal 2: Preserve or improve natural and cultural resources**

**Objectives**

- Avoid, minimize, or improve direct and indirect impacts to wetlands, and mitigate any unavoidable adverse impacts
- Avoid, minimize, or improve direct and indirect impacts to Threatened and Endangered and other fish species, and mitigate any unavoidable adverse impacts
- Avoid, minimize, or improve direct and indirect impacts to terrestrial Threatened and Endangered species, and mitigate any unavoidable adverse impacts
- Preserve or enhance ecological connectivity
- Preserve or improve the existing floodplain and fluvial processes
- Preserve air quality
- Avoid direct and indirect impacts to historic resources, and mitigate any unavoidable adverse impacts
- Avoid direct and indirect impacts to cultural and archaeological resources, and mitigate any unavoidable adverse impacts
- Avoid or minimize impacts to, or improve, tree cover, and mitigate any unavoidable adverse impacts
- Avoid or minimize impacts to, or improve, native plant communities, and mitigate any unavoidable adverse impacts
- Preserve, maintain, or improve water quality

**Goal 3: Preserve the quality of life in communities on both sides of the river**

**Objectives**

- Minimize impacts to businesses
- Minimize impacts to residences
- Minimize impacts to non-displaced businesses
- Minimize other impacts to non-displaced residences

**Table 6***Goals and Objectives of the Salem River Crossing Project*

|                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------|
| Minimize traffic intrusion onto residential streets                                                                  |
| Minimize noise in residential areas                                                                                  |
| Maintain neighborhood cohesion                                                                                       |
| Stimulate economic development, consistent with adopted land use plans                                               |
| Reduce through freight traffic in downtown                                                                           |
| Support adopted land use and transportation plans                                                                    |
| Minimize construction duration and traffic impacts                                                                   |
| Enhance public access to the river                                                                                   |
| Minimize impacts to recreational facilities                                                                          |
| Minimize impacts to schools                                                                                          |
| <b>Goal 4: Provide a cost-effective and timely solution</b>                                                          |
| <b>Objectives</b>                                                                                                    |
| Minimize construction cost                                                                                           |
| Minimize operations and maintenance cost                                                                             |
| Minimize implementation timeline                                                                                     |
| Maximize incremental benefits                                                                                        |
| Maximize congestion-reduction benefits over the planning period                                                      |
| Maximize likelihood of funding                                                                                       |
| <b>Goal 5: Ensure that any structural solution is aesthetically pleasing (if applicable)</b>                         |
| <b>Objectives</b>                                                                                                    |
| Enhance pedestrian/bicycle experience                                                                                |
| Provide a structure that instills a sense of community pride and complements the surrounding environment             |
| Preserve, enhance, or create views from the crossing                                                                 |
| Provide opportunities for productive use under the bridge structure (if applicable) that serves as a community asset |

Source: DEIS Table 1.6-1, page 1-19.

## 2.4.4 Evaluation Framework and Criteria

Threshold criteria for screening Salem River Crossing Project concepts and evaluating alternatives were developed in 2007.<sup>32</sup> The threshold criteria, linked directly to the project needs identified in the Purpose and Need statement and applicable regulatory mandates, represented the minimum set of requirements that all concepts must meet to be considered feasible and subsequently developed into project alternatives. Concepts that did not meet

<sup>32</sup> CH2M Hill, Salem River Crossing Project Evaluation Framework Technical Memorandum, 2007.

the threshold criteria were dropped from further consideration. Threshold criteria included the following:

- **Increasing safety for all modes.** Concept must be designed to enhance safety by meeting the applicable geometric requirements for passenger vehicles, transit vehicles, trucks, emergency vehicles, bicycles, and pedestrians. (Additional discussion of the need to improve safety for all modes is provided in Section 2.4.2, Need Statement #2 (page 41).)
- **Improving emergency access across the river.** Concept must improve emergency access across the Willamette River. (Additional discussion of the need to improve emergency access across the river is provided in Section 2.4.2, Need Statement #5 (page 41).)

A threshold criterion related to mobility was established but not applied. Concepts were grouped into those that met ODOT's mobility standards and those that would require an alternate mobility standard. This approach ensured maximum flexibility as the City of Salem and ODOT continued to develop an appropriate approach to measuring the ability of alternatives to meet mobility standards.

Prior to deciding on the alternatives to advance to the DEIS, the City of Salem and ODOT resolved the question of whether mobility standards should be a threshold criterion for the project. The two agencies concluded that, while meeting mobility standards is still ODOT and City of Salem policy for construction of new projects, the adopted standards would not be used as threshold criteria for the Salem River Crossing Project. Instead, in response to concerns about the high cost of the alternatives and the value of conducting a robust study of a wider range of alternatives, they concluded that scaled back or partial versions of the alternatives already developed to meet mobility standards should be studied in the DEIS.<sup>33</sup>

## 2.4.5 Alternatives Considered but Dismissed Prior to the DEIS

As shown in , alternatives considered but dismissed were eliminated from further consideration for one or more of the following four key reasons:

- Did not meet Purpose and Need
- Economically infeasible
- Environmentally or technically infeasible
- Redundant with other alternatives being studied in this DEIS

**Table 7**

*Alternatives Dismissed and the Primary Reason for Their Dismissal*

| Preliminary Name                                  | Primary Reason for Dismissal                                       |
|---------------------------------------------------|--------------------------------------------------------------------|
| Tunnel Alternative                                | Economically infeasible (10 times the cost of other alternatives)  |
| Double-decks for the Existing Bridges Alternative | Technically infeasible (bridge connections and street grid system) |

<sup>33</sup> See DEIS, Sections 2.2.3, 2.2.4 and 2.2.5.

**Table 7***Alternatives Dismissed and the Primary Reason for Their Dismissal*

| <b>Preliminary Name</b>                                                                                                            | <b>Primary Reason for Dismissal</b>                                      |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Two 2-Way Bridges Alternative                                                                                                      | Technically infeasible (bridge connections and street grid system)       |
| Transportation System Management and Transportation Demand Management Alternative                                                  | Did not meet Purpose and Need (congestion relief)                        |
| Yellow + Red Alternatives                                                                                                          | Environmentally infeasible (Section 4[f] impacts on Wallace Marine Park) |
| Green + Red Alternative                                                                                                            | Environmentally infeasible (Section 4[f] impacts on Wallace Marine Park) |
| New Bridges Farther North or South of the Alternatives identified in the <i>Study Area Refinement Memorandum</i> (CH2M HILL, 2006) | Did not meet Purpose and Need (congestion relief)                        |

Source: DEIS Table 2.2-1, page 2-9.

Additional details are provided in Section 2.2.6 of the DEIS (pages 2-28 through 2-26) to support dismissal of these alternatives.

During the alternatives development process, a stand-alone Transportation System Management and Transportation Demand Management (TSM/TDM) alternative was studied and determined not to meet the project Purpose and Need by itself. Instead, the project team recommended that appropriate TSM/TDM elements (including transit) be included as part of each alternative in the DEIS.

After further study, it was clear that many of the strategies that would accomplish the Transit/TSM/TDM objectives were not within the control of the roadway agencies that would implement the alternatives. To make sure the SRC project supports the goal of decreasing single-occupancy vehicle travel across the river, the Oversight Team supported the following approach.

- The DEIS will assume that the future demand (year 2031) for vehicle trips across the river is 8% less than otherwise forecast. Basing the project design on a reduced traffic volume anticipates a high degree of success in increasing non-auto travel across the river and also helps prevent the project from being overbuilt.
- Second, the Oversight Team initiated the SRC Project *Alternate Modes Study*<sup>34</sup> to identify potential transit and other alternate mode improvements that could be made at the same time or separate from, the Salem River Crossing project. This study will help assure that potential TSM/TDM options are fully studied and that they can be implemented independent of the SRC Project if needed.

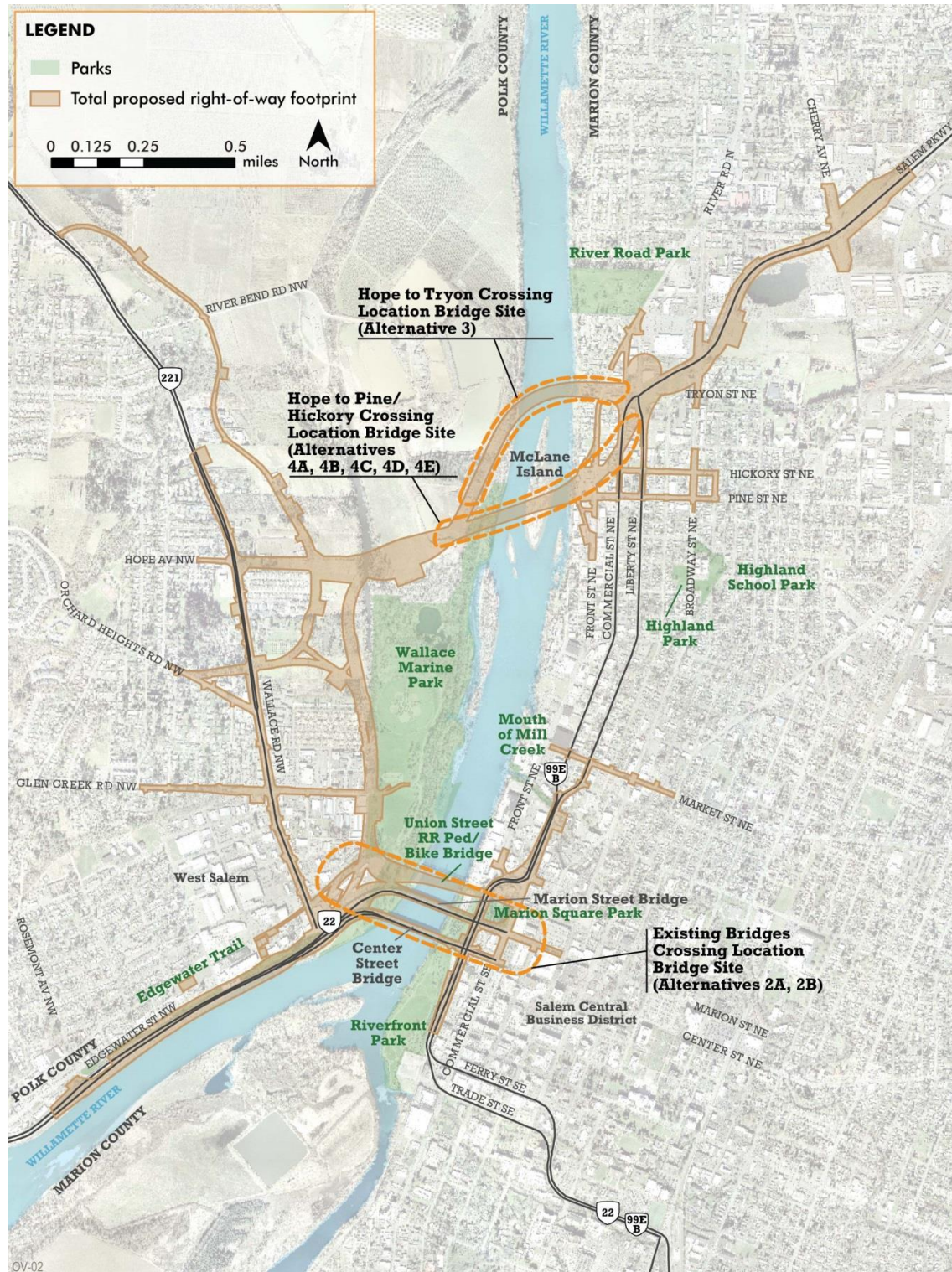
<sup>34</sup> See overview of Alternate Modes Study in Section 2.2.5 of this Findings Report (page 32).

### **2.4.6 Overview of DEIS Alternatives**

Section 2.3 of the DEIS describes the No Build Alternative and the eight Build Alternatives advanced for evaluation through the NEPA process. Figure 9 shows the three bridge crossing locations.

- Existing Bridges Crossing Location – Alternatives 2A, 2B
- Hope to Tryon Crossing Location – Alternative 3
- Hope to Pine/Hickory Crossing Location – 4A, 4B, 4C, 4D, 4E

**Figure 9**  
*Project Area Bridge Crossing Locations*



See Section 2.3 of the DEIS for a detailed description and figures for each alternative. Table 8 summarizes some of the key elements of each alternative.

**Table 8**  
*Key Elements of DEIS Alternatives*

| Element                             | No Build<br>Alt. (1) | Alt. 2A                                       | Alt. 2B                                       | Alt. 3           | Alt. 4A              | Alt. 4B                               | Alt. 4C                                       | Alt. 4D/4E                                    |
|-------------------------------------|----------------------|-----------------------------------------------|-----------------------------------------------|------------------|----------------------|---------------------------------------|-----------------------------------------------|-----------------------------------------------|
| River crossing and highway          | Existing             | Widen existing bridges                        | New bridge                                    | New bridge       | New bridge           | Widen existing bridges and new bridge | New bridge                                    | New bridge                                    |
| Crossing location                   | Existing bridges     | Existing bridges                              | Existing bridges                              | Hope to Tryon    | Hope to Pine/Hickory | Hope to Pine/Hickory                  | Hope to Pine/Hickory                          | Hope to Pine/Hickory                          |
| Connections                         |                      | Direct connections to Salem Parkway and OR 22 | Direct connections to Salem Parkway and OR 22 | —                | —                    | —                                     | Direct connections to Salem Parkway and OR 22 | Direct connections to Salem Parkway and OR 22 |
| TDM/TSM                             | Current programs     | Current programs                              | Current programs                              | Current programs | Current programs     | Current programs                      | Current programs                              | Current programs                              |
| Total project construction duration | —                    | 2 years                                       | 3 years                                       | 3 years          | 3 years              | 5 years                               | 5 years                                       | 5 years                                       |
| Estimated Project Cost (year 2015)  | —                    | \$148 million                                 | \$388 million                                 | \$501 million    | \$306 million        | \$451 million                         | \$692 million                                 | \$687 million/<br>\$708 million               |

Source: DEIS Table ES-1, page ES-7.

Key components of the alternatives are briefly summarized below, followed by overview figures for each alternative.

**Alternative 2A (Widen Existing Bridges) – see Figure 10**

- Add two lanes to the Marion Street Bridge (for a total of six lanes)
- Add a connection from Marion Street Bridge to Marine Drive
- Add one new lane to the Center Street Bridge (for a total of five lanes)
- Addition of new lanes would require removal of bicycle/pedestrian facilities on the existing bridges
- Wallace Road widened to six lanes from bridge intersection to Orchard Heights Road

**Alternative 2B (New Bridge North of Existing Bridges) – see Figure 11**

- Add new five lane bridge between Marion Street and Union Street Bicycle/Pedestrian Bridge
- Three eastbound lanes and two westbound lanes
- Bicycle/pedestrian facilities included on new bridge

- No changes to existing bridges aside from closing the eastbound to northbound ramp to Front Street

***Alternative 3 (Hope to Tryon Crossing) – see Figure 12***

- Add new six lane bridge
- Bicycle/ pedestrian facilities included on new bridge
- No changes to existing bridges
- Connection to Tryon Avenue and Salem Parkway on the east

***Alternative 4A (Hope to Liberty via Pine/Hickory) – see Figure 13***

- Add new six lane bridge
- Bicycle/ pedestrian facilities included on new bridge
- No changes to existing bridges
- Connection to Pine and Hickory Streets at Commercial Street on the east

***Alternative 4B (New Bridge + Widening Existing Bridges) – see Figure 14***

- Includes elements of 2A and 4A
- Widening existing bridges – adding three lanes
- Adding new six lane bridge with bicycle/ pedestrian facilities

***Alternative 4C (Hope to Pine/Hickory Crossing Location) – see Figure 15***

- Add new six lane bridge
- Bicycle/ pedestrian facilities included on new bridge
- No changes to existing bridges
- Elevated viaduct on west side to provide direct connection to OR 22
- Direct connection to Salem Parkway on the east side

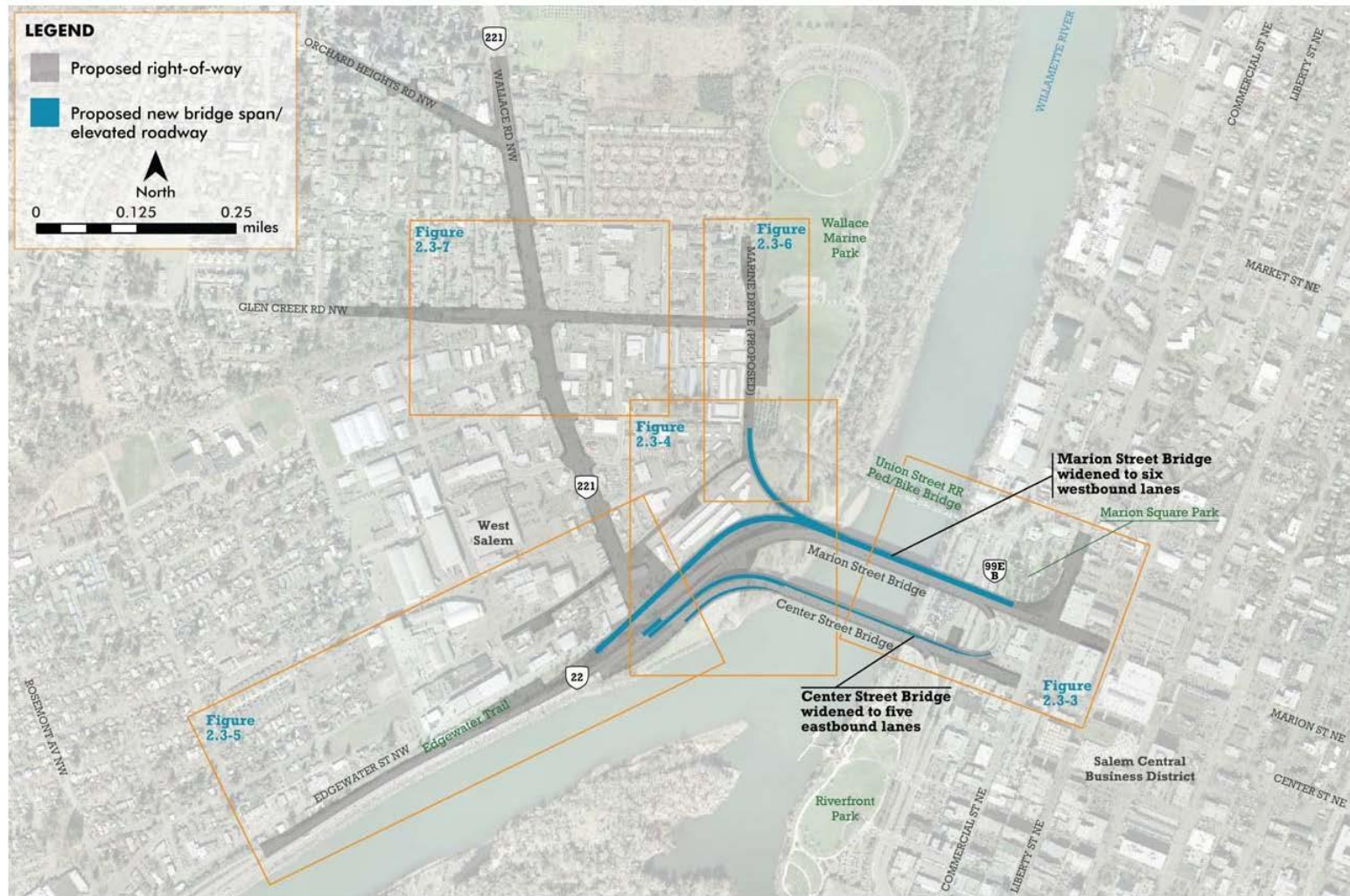
***Alternative 4D (Hope to Pine/Hickory Crossing Location) – see Figure 16***

- Add new six lane bridge (same as 4C)
- Bicycle/ pedestrian facilities included on new bridge
- No changes to existing bridges
- Pine/Hickory Street couplet would extend to Liberty Street

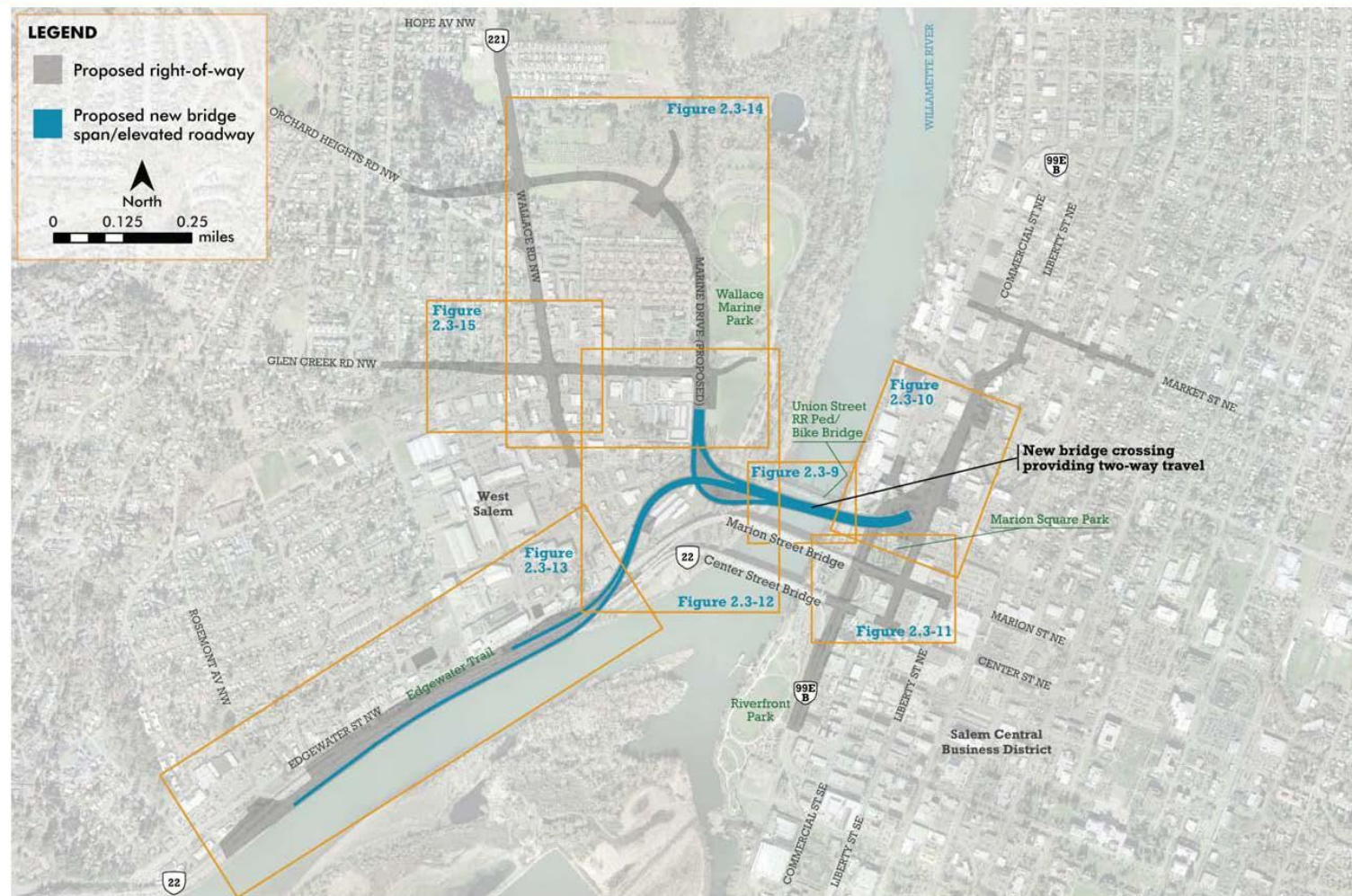
***Alternative 4E (Hope to Pine/Hickory Crossing Location) – see Figure 17***

- Add new six lane bridge (same as 4C)
- Bicycle/ pedestrian facilities included on new bridge
- No changes to existing bridges
- Westside viaduct connection to OR 22 would be located further west, minimizing impacts to Wallace Marine Park

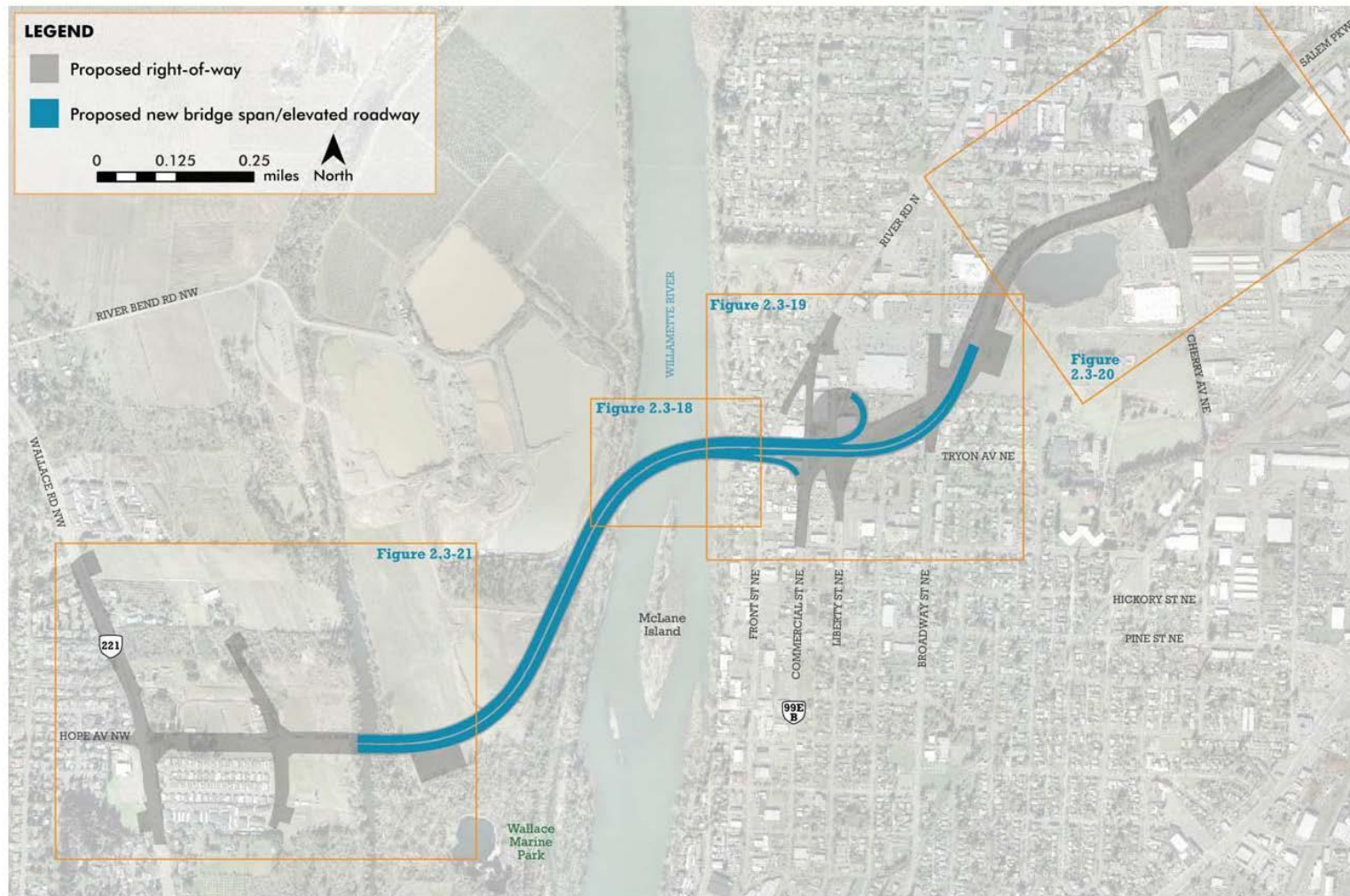
**Figure 10**  
*Overview of Alternative 2A – Widen Existing Bridges*



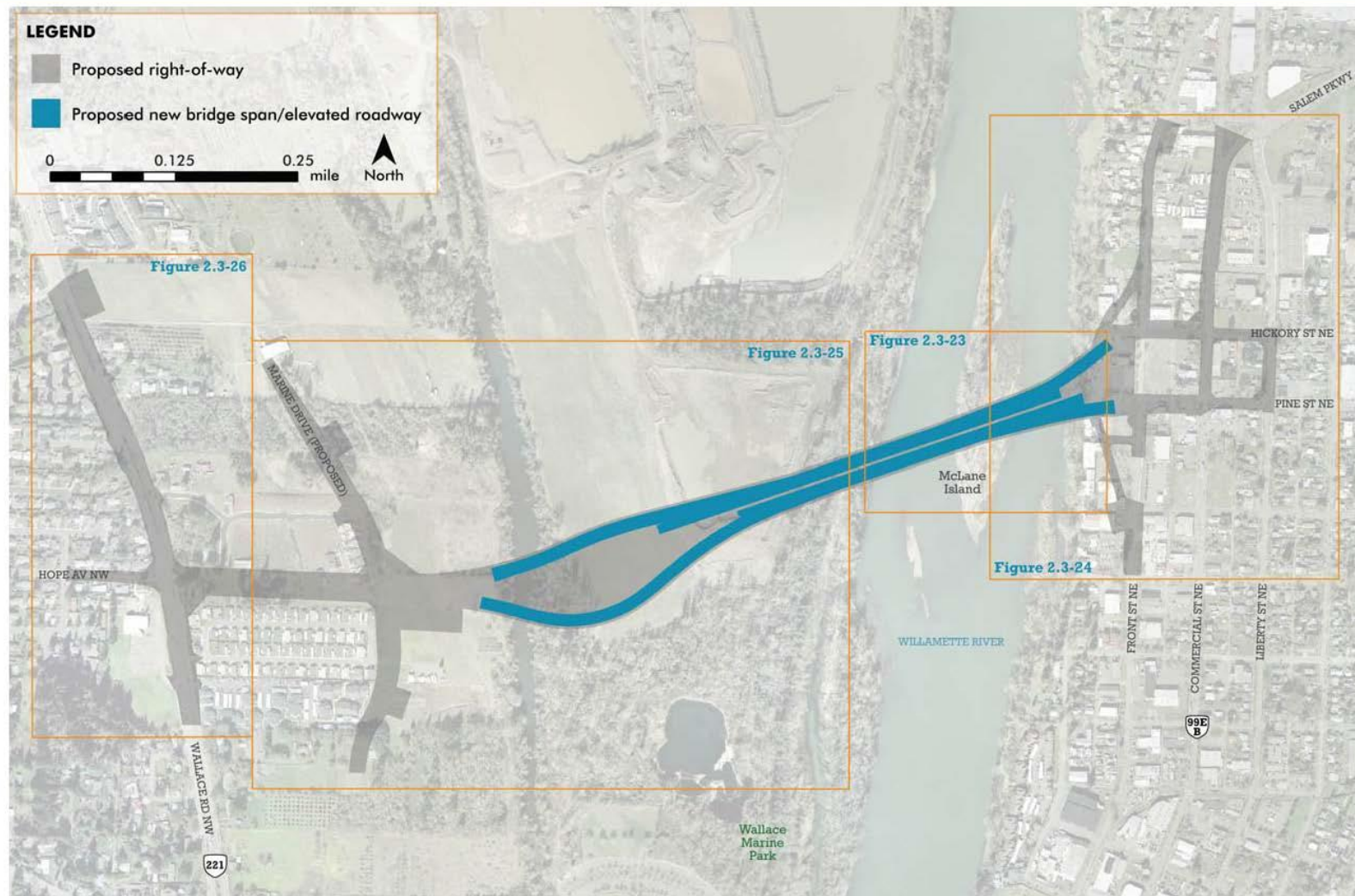
**Figure 11**  
*Overview of Alternative 2B – New Bridge from OR 22/Marine Drive to Commercial Street*



**Figure 12**  
*Overview of Alternative 3 – New Bridge from Hope to Tryon*

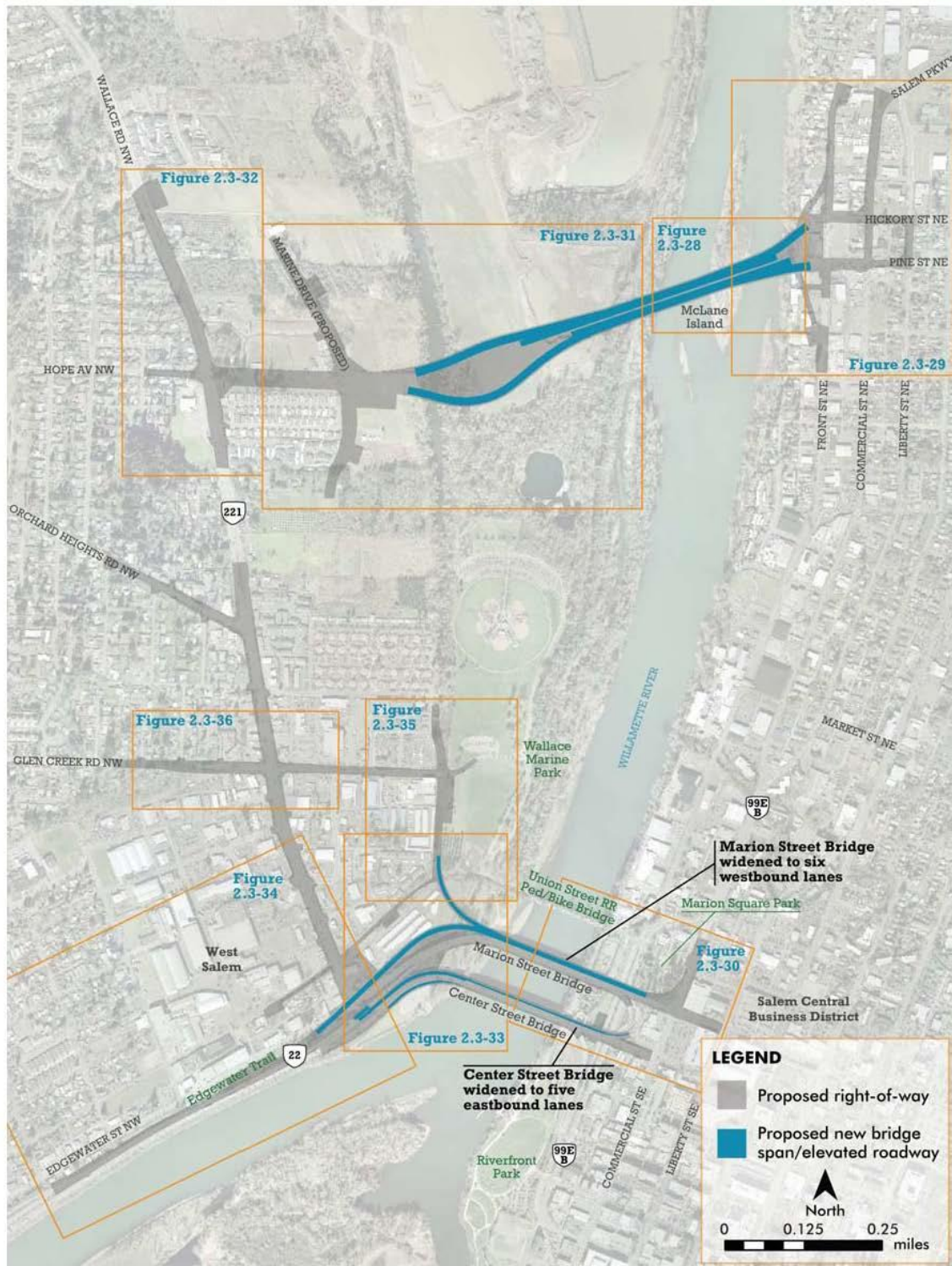


**Figure 13**  
*Overview of Alternative 4A – New Bridge from Hope to Pine/Hickory Couplet*



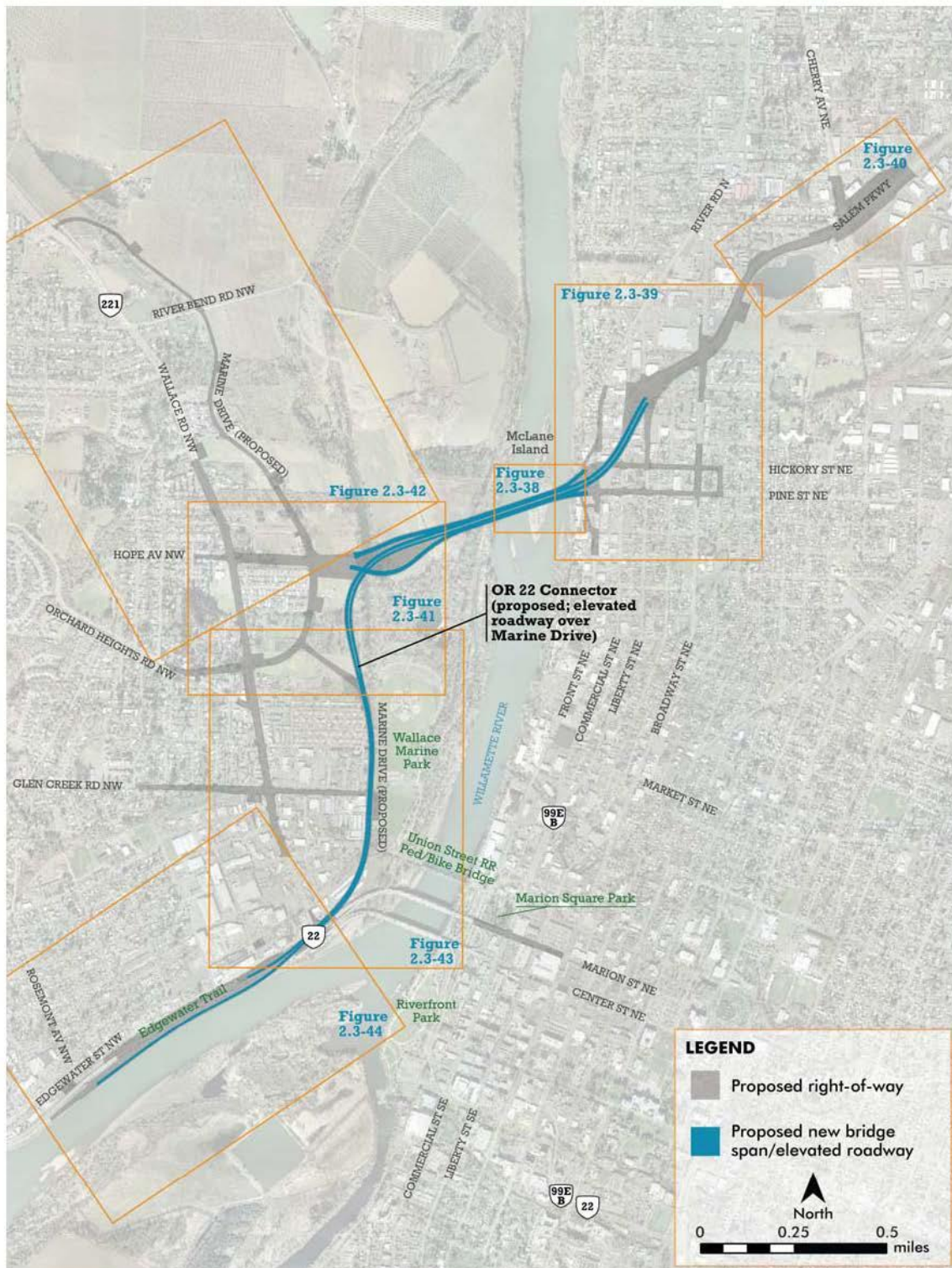
**Figure 14**

Overview of Alternative 4B – New Bridge from Hope to Pine/Hickory Couplet and Widen Existing Bridges



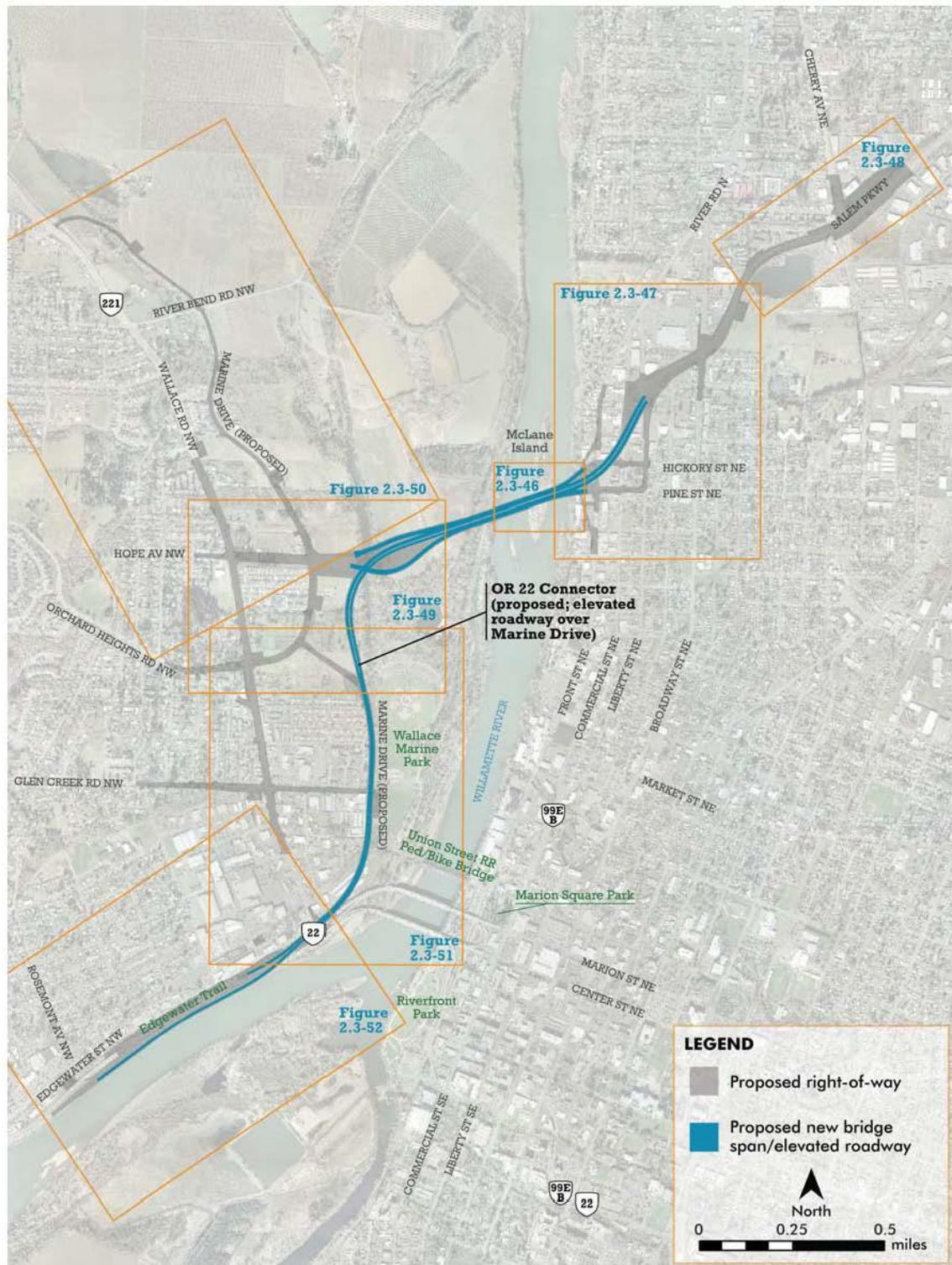
**Figure 15**

Overview of Alternative 4C – New Bridge from Hope to Pine/Hickory Couplet and Direct Connections to Salem Parkway and OR 22; Couplet Extends to 5<sup>th</sup> Street



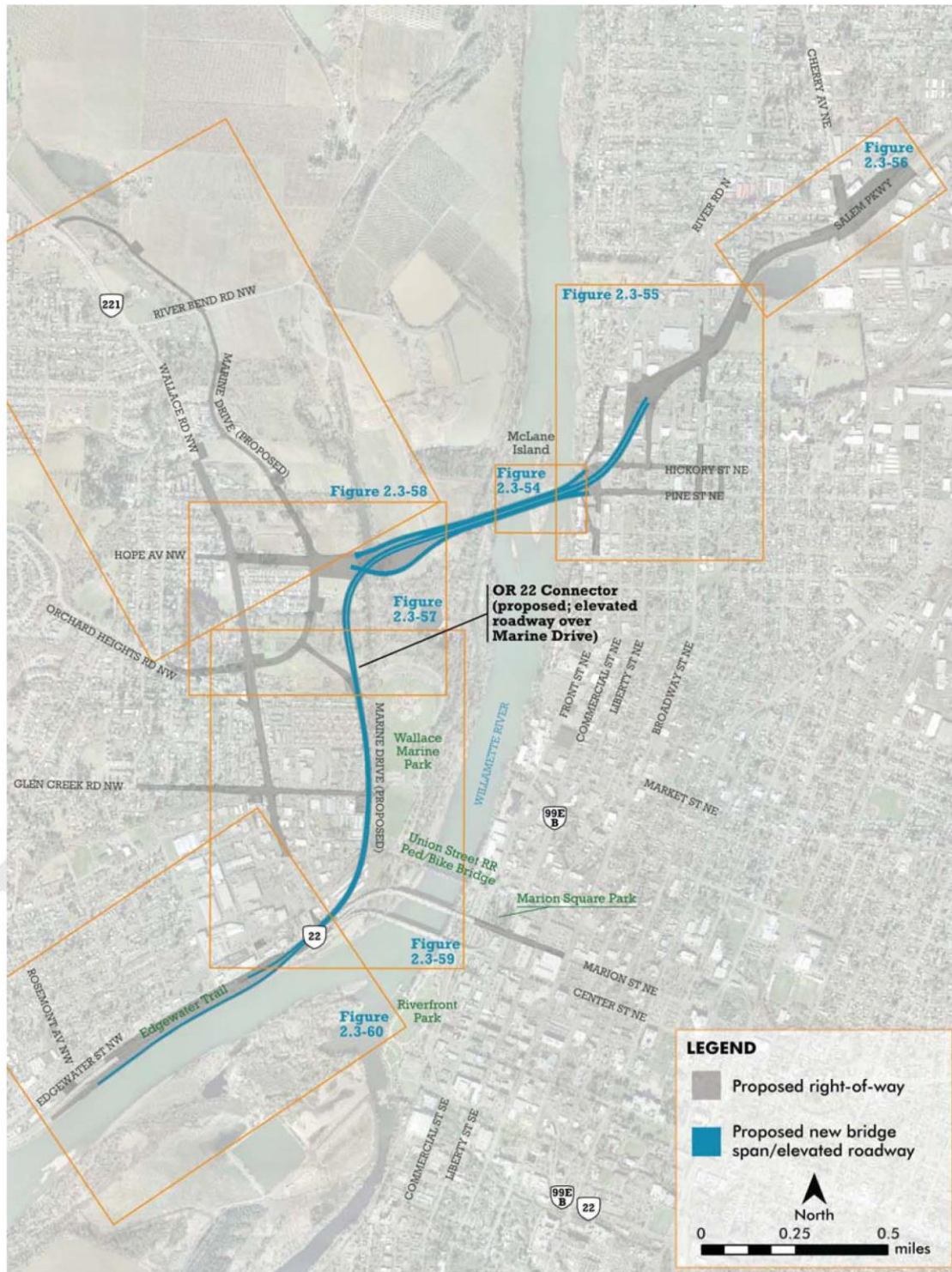
**Figure 16**

Overview of Alternative 4D – New Bridge from Hope to Pine/Hickory Couplet and Direct Connections to Salem Parkway and OR 22; Couplet Extends to Liberty Street



**Figure 17**

Overview of Alternative 4E – New Bridge from Hope to Pine/Hickory Couplet; Direct Connections to Salem Parkway and OR 22; Avoids Direct Impact to West Side of Wallace Marine Park



## 2.4.7 Evaluation of Alternatives & Selection of Preferred Alternative

Table ES-2 of the DEIS (page ES-27; also included in Section 3.21 as Table 3.21-1, starting on page 3-515) summarizes major comparative impacts between the 2031 No Build Alternative and each of the Build Alternatives by social or natural environment disciplines and elements. This table played an important role in the Oversight Team consideration of the alternatives and balancing of benefits and impacts.

Highlights of each alternative are summarized below for key comparative metrics.

### 2.4.7.1 Overall Summary of Impacts for the No Build Alternative

The No Build Alternative would have the highest Vehicle Hours of Delay (AM/PM) in 2031 at 674 and 371 hours.<sup>35</sup> Traffic flow conditions would be worse in the CBD, along the southern part of Wallace Road (PM peak) and in the North Salem area overall.<sup>36</sup> The No Build Alternative would have increased emergency services response times associated with greater congestion.<sup>37</sup> The Annual VMT (millions) would be higher for the No Build (1,097 VMT) than all other Build Alternatives.<sup>38</sup> The No Build Alternative would not have displacements or other social or environmental impacts associated with the Build Alternatives.<sup>39</sup>

### 2.4.7.2 Overall Summary of Impacts for Alternative 2A

See Table ES-2 of the DEIS for a summary of the impacts of Alternative 2A (which is the only Build Alternative inside the UGB) relative to other Build Alternatives that are outside of the UGB. Alternative 2A expands vehicle capacity on the existing bridges and would allow them to accommodate a greater number of river crossings during the AM and PM peak hours. Alternative 2A traffic patterns would remain largely the same as those for the No Build Alternative. With the displacement of existing bicycle and pedestrian facilities for additional vehicle capacity, Alternative 2A does not improve multi-modal access relative to the No Build Alternative.

All traffic would continue to be funneled to the existing bridgehead areas of the Central Business District and West Salem. Despite an increase in capacity along the southern end of Wallace Road, morning congestion would be worse than with the No Build Alternative at many intersections. On the other hand, during the evening peak, congestion on Wallace Road would generally improve with 2A, and would be better than with the No Build Alternative.<sup>40</sup>

Access from the Center Street Bridge onto OR 99E/Front Street would be seriously congested in both AM and PM peak hours with Alternative 2A, with several intersections worse than conditions with the No Build Alternative.<sup>41</sup>

<sup>35</sup> DEIS Table ES-2, page ES-27.

<sup>36</sup> DEIS Table ES-2, pages ES-27 to ES-29.

<sup>37</sup> DEIS Table ES-2, page ES-30.

<sup>38</sup> DEIS Table ES-2, page ES-32.

<sup>39</sup> DEIS Table ES-2, pages ES-29 to ES-32.

<sup>40</sup> DEIS Table ES-2, page ES-27.

<sup>41</sup> DEIS, Section 3.1, Table 3.1-33, page 3-123.

Alternative 2A fails to add redundancy to the system, and there would be no viable alternative in the event of an accident or emergency event affecting the existing bridges. There would be a decrease in the Vehicle Hours of Delay (VHD) with Alternative 2A relative to the No Build Alternative.<sup>42</sup>

Alternative 2A would require less land for new right-of-way than all other Build alternatives.<sup>43</sup> Impacts to environmental resources (wetlands, riparian areas, etc.) would also be lower.<sup>44</sup> The estimated total project cost of Alternative 2A is \$148 million (in 2015 dollars), substantially lower than all other Build Alternatives.<sup>45</sup> The estimated cost does not include seismic upgrades that would allow the existing bridges to withstand a Cascadian subduction zone earthquake.

Alternative 2A is estimated to have the highest level of construction impacts relative to all other Build Alternatives.<sup>46</sup> This is due to the significant amount of modifications that need to be made to the road system infrastructure on and in the vicinity of the existing bridges. Alternative 2A has the difficult challenge of widening or re-constructing major portions of OR 22 and Wallace Road while simultaneously accommodating traffic, which is already at high levels of congestion. The effects of this construction would cause major short-term impacts to regional and local traffic while also significantly affecting downtown Salem during the period of construction.

### 2.4.7.3 Overall Summary of Impacts for Alternative 2B

See Table 15 for a summary of the impacts of Alternative 2B relative to other build alternatives outside of the UGB. Alternative 2B would require the least amount of right-of-way acquisition (32 acres)<sup>47</sup> and would also impact the least amount of land outside of the existing UGB (4.2 acres)<sup>48</sup>. The residential and business displacement impacts of Alternative 2B would be higher than Alternatives 3 and 4A but lower than Alternatives 4B through 4E.<sup>49</sup> The estimated project cost for Alternative 2B (\$388 million) is higher than Alternative 4A, but lower than all other build alternatives outside the UGB.<sup>50</sup>

In terms of transportation performance, Alternative 2B generally performs better than Alternatives 3 and 4A relative to system vehicle hours of delay in the AM peak hour, but performs worse than Alternatives 4B through 4E on those same metrics<sup>51</sup>. In terms of percentage of intersections that meet standards, Alternative 2B performs better than Alternatives 4A and 4B, but performs worst compared to Alternatives 4C through 4E.

<sup>42</sup> DEIS Table ES-2, page ES-27.

<sup>43</sup> DEIS Table ES-2, page ES-29.

<sup>44</sup> DEIS Table ES-2, pages ES-31 to ES-32.

<sup>45</sup> DEIS Table ES-1, page ES-7.

<sup>46</sup> Technical Memorandum from WHPacific, Inc., *Salem River Crossing Project Construction Activities and Impacts*, February 2010.

<sup>47</sup> DEIS Table ES-2, page ES-29.

<sup>48</sup> DEIS Section 3.2, Table 3.2-9, page 3-161.

<sup>49</sup> DEIS Table ES-2, page ES-29.

<sup>50</sup> DEIS Table ES-1, page ES-7.

<sup>51</sup> DEIS Table ES-2, page ES-27

Adverse park impacts associated with Alternative 2B set it apart from the other build alternatives outside of the UGB. Alternative 2B would permanently incorporate 8.7 acres of parkland at Wallace Marine Park and would have a substantial negative impact on certain recreational functions of the park.<sup>52</sup> In addition, the construction of Alternative 2B might necessitate the temporary occupation of the Union Street Bridge pedestrian and bicycle trail during project construction. Alternative 2B would also have a visual impact on the setting of the pedestrian bridge.<sup>53</sup> None of the other build alternatives outside of the UGB would have this significant adverse impact on park and recreational resources.

#### **2.4.7.4 Overall Summary of Impacts for Alternative 3**

See Table 15 for a summary of the impacts of Alternative 3 relative to other build alternatives outside of the UGB. Alternative 3 would displace about 43 acres for the acquisition of right-of-way, more than Alternative 2B and 4A, but less than Alternatives 4B through 4E.<sup>54</sup> Alternative 3 would have the lowest business displacements (10-20) of the alternatives and residential displacements (45-55 units) would also be at the lower range of the alternatives.<sup>55</sup> The estimated project cost for Alternative 3 (\$501 million) is higher than Alternatives 2B, 4A and 4B, but lower than Alternatives 4C through 4E.<sup>56</sup> The higher cost is associated with the longer bridge span.

In terms of transportation, Alternative 3, 2B and 4A have similar performance relative to system vehicle hours of delay, but Alternative 3 performs worse than Alternatives 4B through 4E on this same metrics.<sup>57</sup> Alternative 3 performs in about the middle of the pack relative to the percentage of intersections that meet standards during AM and PM peak periods.<sup>58</sup>

Alternative 3 is the only alternative outside of the UGB that displaces an important community facility, the Shekina Fellowship Iglesia.<sup>59</sup> However, as noted earlier, Alternative 3 is the only build alternative outside the UGB that completely avoids impacts to Wallace Marine Park.<sup>60</sup>

#### **2.4.7.5 Overall Summary of Impacts for Alternative 4A**

See Table 15 for a summary of the impacts of Alternative 4A relative to other build alternatives outside of the UGB. Alternative 4A would displace about 37 acres for the acquisition of right-of-way, slightly more than Alternative 2B but less than all other alternatives.<sup>61</sup>

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<sup>52</sup> DEIS Table ES-2, page ES-31

<sup>53</sup> DEIS Table ES-2, page ES-31

<sup>54</sup> DEIS Table ES-2, page ES-29

<sup>55</sup> DEIS Table ES-2, pages ES-29 & ES-31

<sup>56</sup> DEIS Table ES-1, page ES-7

<sup>57</sup> DEIS Table ES-2, page ES-29

<sup>58</sup> DEIS Table ES-2, page ES-29

<sup>59</sup> DEIS Table ES-2, page ES-30

<sup>60</sup> DEIS page ES-20

<sup>61</sup> DEIS Table ES-2, page ES-29

Alternative 4A would have the lower business displacements (13) relative to the other alternatives and residential displacements (30-40) would also be at the lower range of the alternatives.<sup>62</sup> Alternative 4A would also displace less parkland than other alternatives with the exception of Alternative 3. The estimated project cost for Alternative 4A (\$306 million) is the lowest of all other build alternatives outside the UGB.<sup>63</sup> The lower cost is associated with the stubbed ramp to facilitate a future connection to OR 22 and the absence of direct ramp connections to OR 22 and Salem Parkway.

In terms of transportation, Alternative 4A does not perform as well as other alternatives relative to the percentage of intersections that meet standards during AM and PM peak periods.<sup>64</sup> In addition, Alternative 4A does not reduce system vehicle hours of delay to the degree of Alternatives 4B through 4E.<sup>65</sup>

#### **2.4.7.6 Overall Summary of Impacts for Alternative 4B**

See Table 15 for a summary of the impacts of Alternative 4B relative to other build alternatives outside of the UGB. Alternative 4B would displace about 50 acres for the acquisition of right-of-way, about the mid-range of all the build alternatives outside the UGB.<sup>66</sup> As can be seen in Table 15, Alternative 4B generally falls in the mid-range of the alternative for the full range of impacts – including but not limited to business and residential displacements, parking impacts, estimated noise receptors and estimated project cost.

However, Alternative 4B falls at the high end of all alternatives in terms of total parkland acquired (7.2 acres), only Alternative 2B displaces more parkland.<sup>67</sup> It is important to note that the area under the existing Center Street and Marion Street Bridges, and the parking lot for the boat launch, are located almost entirely within ODOT right-of-way and subject to a lease agreement between the City of Salem and ODOT. The land under the lease agreement from ODOT is not subject to Section 4(f).<sup>68</sup>

In terms of transportation, Alternative 4B does not perform as well as other alternatives relative to the percentage of intersections that meet standards during AM and PM peak periods.<sup>69</sup> Alternative 4B performs in the mid-range of alternatives in terms of reducing system vehicle hours of delay.<sup>70</sup>

#### **2.4.7.7 Overall Summary of Impacts for Alternative 4C, 4D and 4E**

See Table 15 for a summary of the impacts of Alternatives 4C, 4D and 4E relative to other build alternatives outside of the UGB. These alternatives would require the largest amount

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<sup>62</sup> DEIS Table ES-2, pages ES-29 & ES-31

<sup>63</sup> DEIS Table ES-1, page ES-7

<sup>64</sup> DEIS Table ES-2, page ES-27

<sup>65</sup> DEIS Table ES-2, page ES-27

<sup>66</sup> DEIS Table ES-2, page ES-31

<sup>67</sup> DEIS Table ES-2, page ES-31

<sup>68</sup> Salem River Crossing Project, *Draft Section 4(f) Evaluation*.

<sup>69</sup> DEIS Table ES-2, page ES-27

<sup>70</sup> DEIS Table ES-2, page ES-27

of acquisition of right-of-way of all build alternatives (about 75 acres for each).<sup>71</sup> They would also include the largest footprint (about 32 acres) outside of the UGB relative to the other alternatives. Business and residential displacements would be substantially higher (up to double) the impacts of other alternatives.<sup>72</sup> Impacts on riparian habitat would also be almost double the impacts of other alternatives.<sup>73</sup> Estimated project costs for Alternatives 4C (\$692 million), 4D (\$687 million) and 4E (\$708 million) are 2 to 3 times higher than the other build alternatives.<sup>74</sup>

However, these alternatives would provide the most extensive connectivity and the greatest benefit to regional/through-traffic of all the build alternatives. Alternatives 4C, 4D, and 4E would provide a more convenient connection from West Salem to north Salem, Keizer, and I-5 northbound.<sup>75</sup> With any of them, the full length of Marine Drive would be constructed, which could improve north-south local circulation within West Salem. Alternatives 4C, 4D, and 4E would reduce congestion in the CBD for nearly all intersections compared to the No Build Alternative.<sup>76</sup> Relative to the other build alternatives, Alternatives 4C, 4D, and 4E would perform the best in terms of the percentage of intersections meeting standards, and the greatest reduction in system vehicle hours of delay.<sup>77</sup>

Traffic volumes across the existing bridges would be among the lowest of all the build alternatives. Little congestion would remain, even during peak hours, which would make it easier for commuters and shoppers to access the downtown area. On the other hand, the new bridge would also make it easier for the same drivers to avoid downtown and would significantly reduce through-traffic, thereby decreasing visibility for downtown retailers.<sup>78</sup>

## 2.4.8 Factors that Shaped the Preferred Alternative

The existing transportation system that connects west Salem with the rest of the city relies on a single crossing location with two bridges; one serving each direction of travel. The result is a transportation network that funnels all traffic to one point of connectivity over the river, creating a bottleneck on each side of the river crossing, where signalized intersections slow traffic. In 2014, the existing bridges carried an average daily traffic volume of approximately 86,700 vehicles per day, comparable to daily traffic volumes on I-5 (91,400 at Market Street) through north Salem.<sup>79</sup>

In general, transportation systems that broadly distribute traffic over a network of streets result in less congestion and provide options when one route is congested or shut down. By comparison, the City of Eugene, with a population similar to Salem, has four 2-way bridges over the Willamette River that serve vehicles and five additional bridges for bicyclists and pedestrians. These bridges are spaced over a distance of 5 river miles and provide multiple

<sup>71</sup> DEIS Table ES-2, page ES-29

<sup>72</sup> DEIS Table ES-2, pages ES-29 & ES-31

<sup>73</sup> DEIS Table ES-2, page ES-31

<sup>74</sup> DEIS Table ES-1, page ES-7

<sup>75</sup> DEIS Table ES-2, page ES-28

<sup>76</sup> DEIS Table ES-2, page ES-28

<sup>77</sup> DEIS Table ES-2, page ES-27

<sup>78</sup> DEIS Table ES-2, page ES-30

<sup>79</sup> <http://gis.odot.state.or.us/TransGIS/>

options for multi-modal connectivity across the river and distributing traffic over a larger geographic area. Additional information regarding Willamette River crossings in the five metropolitan areas in the Willamette Valley is provided in Section 3.1.4.2 (page 94).

The SRC project DEIS alternatives addressed the purpose and need with varying degrees of traffic performance and environmental impact. Again, the broad goal was to provide increased river crossing capacity and reduce congestion at the existing bridgeheads. Six of the eight DEIS build alternatives proposed construction of a bridge at a new crossing location north of the existing bridges, which results in a redistribution of traffic to the new crossing and a corresponding decrease in traffic on and around the existing bridges and in downtown Salem.

Following publication of the DEIS, Alternative 4D was initially recommended as the Preferred Alternative by the Project Oversight Team. This alternative provided the largest increase in vehicle carrying capacity, but it also created larger environmental impacts and had a higher cost.

After the initial selection of Alternative 4D, the Salem City Council conducted a public hearing and convened a series of four work sessions between November 2012 and February 2013 to discuss the preliminary recommendation of 4D, its potential impacts, and various options and alternatives. A city website, [www.cityofsalem.net/salemrivercrossing](http://www.cityofsalem.net/salemrivercrossing), was established to provide public access to the information provided to Council at these work sessions and subsequent public meetings.

Ultimately, the City Council rejected Alternative 4D and instead proposed a hybrid alternative (Salem Alternative). The Council concluded that the social, economic and fiscal costs of Alternative 4D outweigh the benefits that the recommend improvements provide.<sup>80</sup> The revised alternative was intended to focus transportation improvements on what is most important to the City of Salem, and to minimize the negative impacts associated with the project.

As articulated by City Council, **the most important goal of this project is improvement of multi-modal access and connectivity between the east and west parts of the City.** Specifically, the Salem Alternative:

- Provides regional mobility through its inclusion of ramps connecting Marine Drive and Highway OR 22, and direct surface street connections from the east bridgehead to the Salem Parkway.
- Improves Salem area street connectivity by providing residents with direct access between north and west Salem. Refinements were made to the “Salem Alternative” before it became the “Preferred Alternative.” Specifically, the Rosemont exit is closed to avoid the otherwise substantial impacts to the businesses along the south (highway) side of Edgewater. By relocating the OR 22 interchange at Rosemont

<sup>80</sup> Salem City Council packet for June 24, 2013, Salem River Crossing Preferred Alternative – Input from City Council to Regional Partners, Agenda Item 4(d).

Avenue to Eola Drive, west Salem residents will be provided with direct access to the commercial districts of west Salem.

- Improves cross-river bicycle and pedestrian access and connectivity by providing for complete multi-modal facilities that will allow citizens in neighboring areas access to regional parks and commercial areas on both sides of the Willamette River. The Salem Alternative also prioritizes maintaining multi-modal connectivity for Front Street traffic.

The Salem Alternative also seeks to minimize potential negative impacts by limiting the size of the bridge (4 lanes instead of 6 lanes) and the amount of elevated structure on both sides of the river. Following refinements to the “Salem Alternative”, the Oversight Team and partner jurisdictions endorsed the alternative recommended by the City of Salem as the Preferred Alternative (see Figure 1) for the Final EIS (FEIS). For example, a primary refinement to the Salem Alternative is to defer the proposed relocation of the Rosemont Interchange to Eola, pending development of a Facility Plan for OR 22 prepared by ODOT improvement.

Because the Preferred Alternative included important refinements and differences from any of the alternatives evaluated in the DEIS, additional analysis of the Preferred Alternative has been prepared for the FEIS. This analysis is captured in Technical Report Addendums, some of which are still in draft form as of the writing of these findings. The updated technical reports generally focus on the preferred alternative, and do not revisit the other alternatives.<sup>81</sup>

#### **2.4.8.1 Overall Summary of Impacts for the Preferred Alternative**

See Table 15 for a summary of the impacts of the Preferred Alternatives relative to other build alternatives outside of the UGB.<sup>82</sup> The Preferred Alternative would displace about 56 acres for acquisition of right-of-way, more than Alternatives 2B, 3, 4A and 4B, but less than Alternatives 4C, 4D and 4E.<sup>83</sup>

Residential displacements (45-50) would be in a similar range with Alternatives 2B, 3, and 4A; but would be significantly less than residential displacements associated with Alternatives 4B through 4E (ranging from 80-120 units displaced).<sup>84</sup> The Preferred Alternative would displace 55-65 businesses, within the general range of other

<sup>81</sup> For the transportation and air quality technical reports, the addenda also updated the horizon year for the analysis from 2031 to 2040 in order to comply with FHWA requirements. The transportation technical report addendum for the FEIS includes a 2040 evaluation for all the original alternatives, as well as the preferred alternative, in order to allow for direct comparison to the original alternatives.

<sup>82</sup> Information for the Preferred Alternative is based on *Technical Report Addendums for the FEIS*, 2016.

<sup>83</sup> Preferred alternative data from *FEISFIES Right-of-Way Technical Report Addendum*, 2016, page 4-4. Comparison to original alternatives based on DEIS Table ES-29.

<sup>84</sup> Preferred alternative data from *FEISFIES Right-of-Way Technical Report Addendum*, 2016, Table 5.2-1 page 5-2. Comparison to original alternatives based on DEIS Table ES-2, page ES-31.

Alternatives.<sup>85</sup> The Preferred Alternative would displace less parkland (1.4 acres) than all other Alternatives, with the exception of Alternative 3.

The estimated project cost for the Preferred Alternative is \$425 million (in year 2020), higher than Alternative 2B and 4A, but lower than all other Alternatives (ranging from \$451 for 4B to \$708 million for 4E). It is also important to note that estimated project costs for the DEIS alternatives were based on year 2015 dollars instead of 2020 dollars.

In terms of transportation performance, most intersections in the CBD area and southern Wallace Road improve over No Build 2040 conditions.<sup>86</sup> Key bridgehead intersections that are entry and exit points in downtown Salem for the existing bridges indicate improved conditions with less congestion in the CBD with the Preferred Alternative. The Preferred Alternative would have the effect of redistributing traffic north to the new bridge. This result demonstrates the redistribution of the traffic volumes from the existing bridges with the No Build Alternative to the new bridge with the Preferred Alternative.

In North Salem, three study intersections will fail to meet mobility targets during the AM and PM peak-hour. Overall, volume/capacity (v/c) ratios increase for intersections in North Salem relative to the No Build Alternative.<sup>87</sup> Again, this reflects the introduction of a new bridge crossing and distribution of traffic over a larger geographic area. Other Build alternatives that include a northerly bridge crossing have a similar impact.

The overall effect of the Preferred Alternative (2040) is to distribute traffic over a broader network, in some cases decreasing volume levels (particularly in the vicinity of the existing bridgeheads) and in some cases increasing volumes compared to the No Build Alternative (particularly in the vicinity of the new bridgeheads). Vehicle Hours of Delay (VHD) would decrease in 2040 for the Preferred Alternative relative to the No Build Alternative, particularly in the AM peak (12% reduction).<sup>88</sup>

## 2.4.9 Key Outcomes

The DEIS process for the SRC project resulted in a number of key outcomes:

- Definition of purpose and need for the Project in the context of NEPA and with the broad input from citizens, stakeholder groups, and local, regional and state jurisdictions and agencies.
- Consideration and documentation of broad range of alternatives within the current UGB and whether they could meet the purpose and need (including but not limited to tunnel, converting existing bridges to two-way facilities, and revisiting other bridge crossing alternatives).

<sup>85</sup> Preferred alternative displacement data from Universal Field Services, *Salem River Crossing Project Right-of-Way Technical Report Addendum*, August 2016, Section 4.2. Comparison to original alternatives is based on DEIS Table ES-2, page ES-29.

<sup>86</sup> CH2M Hill, *Traffic and Transportation Report Addendum for FEIS*, August 2016. The proposed UGB amendment is based on traffic analysis data for the 2015-2035 planning period. See findings in Section 3.1.4.2 (page 89).

<sup>87</sup> *FEIS Traffic Technical Report Addendum*, 2016, Table 4.2-2, page 4-6 and Table 4.2-3, page 4-18

<sup>88</sup> *FEIS Traffic Technical Report Addendum*, 2016, Table 4.4-2, page 4.30

- Robust consideration of whether alternative modes and strategies (including transit, bicycle, pedestrian, TDM and TSM) could meet the purpose and need as a “stand-alone” alternative.
- Building an assumed 8 percent increase in use of alternative modes and strategies into the transportation modeling for the project to assure that the project is not over-designed for vehicle capacity and supports reduced reliance on the auto.
- Full disclosure of impacts associated with all DEIS alternatives.
- Refinement of the Preferred Alternative to reduce the size and scale of the project relative to 4D (4 lane bridge instead of 6 lane bridge; elimination of structures/viaduct) to reduce adverse community impacts and project costs and achieve the primary goals articulated by the Salem City Council to improve multi-modal connectivity between Northeast and West Salem.

## 2.5 Salem Urban Growth Boundary Background and Context

In 1974, the first UGB in Oregon was jointly adopted by the city of Salem, Marion County and Polk County. The 1974 UGB was not acknowledged. The Land Conservation and Development Commission (LCDC) subsequently made UGBs a mandatory component of land use planning throughout the State with the adoption of Statewide Planning Goal 14 (Urbanization). Figure 18 shows the Salem Area Comprehensive Plan adopted by Salem City Council in 1975. This 1975 Plan Map illustrates the more than 40-year history of study and planning for an additional bridge crossing of the Willamette River.

- In 1975, the floodway/floodplain area west of the Willamette River and north of Wallace Marine Park was included in the UGB and designated for Conservation & Open Space.
- A proposed northerly arterial crossing of the Willamette River was shown across this Conservation & Open Space area in the same general location as the Preferred Alternative for the SRC project.
- A proposed north-south collector roadway to the east of Wallace Road was shown in the same general location as Marine Drive.
- In addition, the 1975 Plan Map also showed a proposed southerly arterial crossing of Minto Brown Island and the Willamette River.<sup>89</sup>

After the Statewide Planning Goals were adopted in 1974, the City of Salem began a process to revise the Comprehensive Plan and implementing ordinances to comply with the Statewide Goals. The floodplain/floodway area west of the river that had been included in the UGB in 1974 was not included in the 1982 UGB that was acknowledged by LCDC, appealed, and ultimately reduced by 2,400 acres as required by the Court of Appeals. The 138-foot floodplain contour was used to define the 1982 UGB in the area of the proposed amendment for the Preferred Alternative. In 2001, Salem and Polk County worked jointly to

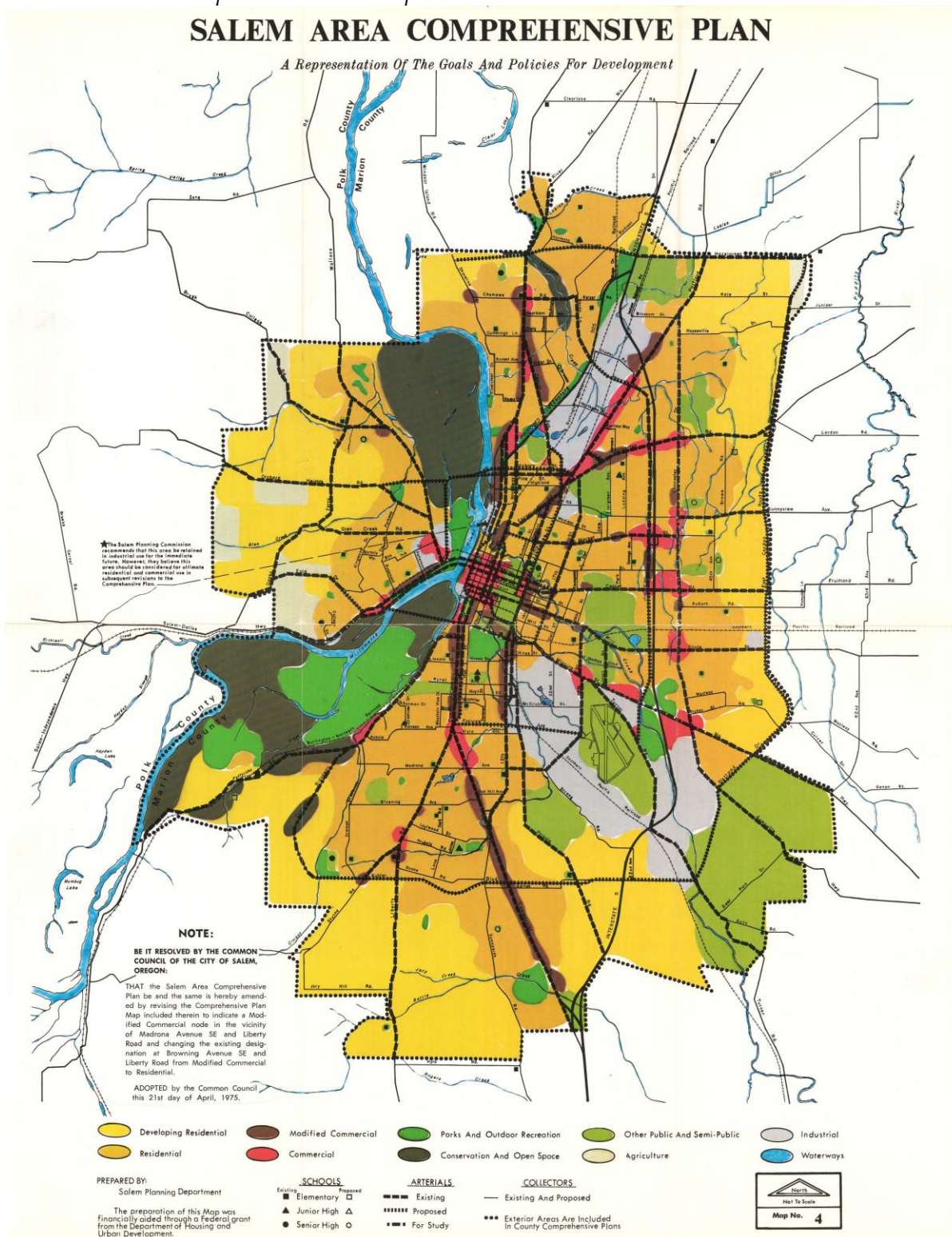
<sup>89</sup> The southern crossing is no longer feasible given the conservation easement that was applied to the 307-acre portion of Minto-Brown Island Park that the City acquired from Boise Cascade in 2013.

survey the 138-foot contour line for this area and submitted the legal description to the Department of Land Conservation and Development (DLCD).

The City of Keizer incorporated within the boundaries of the Salem UGB in 1982, creating a joint Salem-Keizer UGB. With the dissolution of Eugene and Springfield's joint UGB, Salem and Keizer are the only cities in the state, outside of the Metro region, to share a UGB. Changes to the Salem-Keizer UGB must be approved by four jurisdictions (Salem, Keizer, Marion County and Polk County).

As noted in Chapter 1 of this Findings Report, the UGB has been amended two times in the 34 years since it was acknowledged by LCDC in 1982. In 1988, the UGB was amended to remove about five acres on Croisan Ridge Way S at the request of the property owner. In 2014, the UGB was amended to add 58 acres of parkland (Keizer Rapids Park) at the request of the City of Keizer.

**Figure 18**  
1975 Salem Area Comprehensive Plan Map



## 3 Findings in Support of Urban Growth Boundary Amendment

This chapter considers and makes findings addressing:

- Statewide Planning Goal 14 (Urbanization)
- OAR 660, Division 24 (Urban Growth Boundaries)
- Statewide Planning Goal 12 (Transportation) and relevant portions of OAR 660-012-0030 (Determination of Transportation Needs)
- Goals and policies in the Salem Area Comprehensive Plan and Polk County Comprehensive Plan relevant to the UGB Amendment.

Findings to address other statewide planning goals relevant to the UGB Amendment are provided in Chapter 6. Findings to address applicable procedures for the consolidated plan amendments (UGB Amendment, TSP Amendments and Greenway Goal Exception) are provided in Chapter 7.

### 3.1 Findings Addressing Relevant Portions of Goals 12 and 14 and Related Statutes and Administrative Rules

#### 3.1.1 Applicability

##### 3.1.1.1 Division 24 Applicability (660-024-0000)

###### **Criteria - 660-024-0000(1):**

*(1) The rules in this division clarify procedures and requirements of Goal 14 regarding a local government adoption or amendment of an urban growth boundary (UGB). The rules in this division do not apply to the simplified UGB process under OAR chapter 660, division 38.*

###### **Findings - 660-024-0000(1):**

The proposal to expand the UGB by about 35 acres to accommodate the components of the Preferred Alternative that are outside the UGB addresses the rules in 660-024 (effective January 1, 2016). The simplified UGB process under OAR 660, division 38 is not applicable.

###### **Criteria - 660-024-0000(2):**

*(2) The rules in this division interpret Goal 14 as amended by the Land Conservation and Development Commission (LCDC or commission) on or after April 28, 2005, and are not applicable to plan amendments or land use decisions governed by previous versions of Goal 14 still in effect.*

###### **Findings - 660-024-0000(2):**

The proposed UGB amendment is subject to the provisions of OAR 660-024 that took effect on January 1, 2016 and previous versions of Goal 14 are not applicable.

**Criteria - 660-024-0000(3):**

*(3) The rules in this division adopted on October 5, 2006, are effective April 5, 2007. The rules in this division amended on March 20, 2008, are effective April 18, 2008. The rules in this division adopted March 13, 2009, and amendments to rules in this division adopted on that date, are effective April 16, 2009, except as follows:*

*(a) A local government may choose to not apply this division to a plan amendment concerning the evaluation or amendment of a UGB, regardless of the date of that amendment, if the local government initiated the evaluation or amendment of the UGB prior to April 5, 2007;*

*(b) For purposes of this rule, "initiated" means that the local government either:*

*(A) Issued the public notice specified in OAR 660-018-0020 for the proposed plan amendment concerning the evaluation or amendment of the UGB; or*

*(B) Received LCDC approval of a periodic review work program that includes a work task to evaluate the UGB land supply or amend the UGB;*

*(c) A local government choice whether to apply this division must include the entire division and may not differ with respect to individual rules in the division.*

**Findings- 660-024-0000(3):**

The City of Salem and Polk County jointly initiated the proposed UGB amendment with submittal of a post-acknowledgement plan amendment (PAPA) notice to DLCD on September 7, 2016.<sup>90</sup> Earlier versions of the Goal 14 administrative rule are not applicable.

**Criteria - 660-024-0000(4):**

*(4) The rules in this division adopted on December 4, 2015, are effective January 1, 2016, except that a local government may choose to not apply the amendments to rules in this division adopted December 4, 2015 to a plan amendment concerning the amendment of a UGB, regardless of the date of that amendment, if the local government initiated the amendment of the UGB prior to January 1, 2016.*

**Findings - 660-024-0000(4):**

As noted above, the City of Salem and Polk County jointly initiated the proposed UGB amendment on September 7, 2016. The division 24 rules adopted on December 4, 2015, and effective on January 1, 2016, are applicable.

**3.1.1.2 Applicability of Statewide Planning Goals to a UGB Amendment (660-024-0020)**

*(1) All statewide goals and related administrative rules are applicable when establishing or amending a UGB, except as follows:*

**Findings- 660-024-0020(1):**

Findings of compliance with applicable statewide planning goals address the consolidated plan amendments package as a whole (UGB Amendment, Greenway Goal Exception and TSP Amendments). The statewide goal findings are included in Chapter 6 of this Findings Report and are incorporated by this reference.

<sup>90</sup> PAPA Notice submitted to DLCD on September 7, 2016. Notice for UGB amendment submitted jointly with Keizer, Marion and Polk Counties.

*(a) The exceptions process in Goal 2 and OAR chapter 660, division 4, is not applicable unless a local government chooses to take an exception to a particular goal requirement, for example, as provided in OAR 660-004-0010(1);*

**Findings - 660-024-0020(1)(a):**

The UGB amendment does not trigger the exceptions process and Goal 2 is not applicable. However, the portions of the Preferred Alternative that are within the Willamette River Greenway require a Greenway goal exception. The findings for the Greenway goal exception are included in Chapter 5 and are incorporated by this cross-reference.

*(b) Goals 3 and 4 are not applicable;*

**Findings - 660-024-0020(1)(b):**

As noted, Goals 3 and 4 are not directly applicable to a UGB amendment. When considering a UGB amendment, a local government must determine which land to add by evaluating alternative boundary locations. This determination must be consistent with the following priority of land specified in statute and rule<sup>91</sup>: 1) designated urban reserve, 2) exception lands adjacent to the UGB, 3) designated marginal lands, and 4) resource lands – looking first to lands of lower productivity. The findings in Section 3.1.5 (page 118) supporting the Boundary Location Alternatives Analysis and consideration of statutory land priorities are incorporated by this reference.

*(c) Goal 5 and related rules under OAR chapter 660, division 23, apply only in areas added to the UGB, except as required under OAR 660-023-0070 and 660-023-0250;*

**Findings - 660-024-0020(1)(c):**

As shown on Figure 3, the proposed UGB amendment includes segments of the Preferred Alternative that extend outside of the current UGB (westerly portion of new bridge west of the river and portions of Marine Drive). A portion of the bridge will extend on structure over a mineral aggregate site that is designated as a significant Goal 5 resource in the Polk County Comprehensive Plan.

Findings addressing the significant mineral aggregate site, Goal 5 and OAR chapter 660, division 23 are provided in Section 6.2.5 of Chapter 6 (Statewide Goal Findings, page 232) and are incorporated by this cross-reference.

No other areas included in the proposed UGB amendment have been identified or designated by the City or County as Goal 5 resources and trigger applicability of Goal 5.

*(d) The transportation planning rule requirements under OAR 660-012-0060 need not be applied to a UGB amendment if the land added to the UGB is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the boundary or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary;*

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<sup>91</sup> ORS 197A and OAR 660-024-0067(2), for cities outside of Metro.

**Findings - 660-024-0020(1)(d):**

The UGB amendment will authorize transportation improvements to connect and support development of lands that are already within the UGB. No land is being added for residential or employment uses that would generate vehicle trips. The city proposes to apply a Parks/Open Space/Outdoor Recreation (POS) plan designation to the land added to the UGB, as provided for in OAR 660-024-0020(6) (see below). However, the existing Polk County zoning (Exclusive Farm Use) will be retained until annexation, which may not occur for many years. (Annexation and application of urban zoning consistent with the POS plan designation will be required prior to construction of the transportation improvements on land added to the UGB.) Therefore, the provisions of the TPR in OAR 660-012-0060 are not triggered by the UGB amendment for transportation improvements. Notwithstanding this, OAR 660-012-0060 is addressed in conjunction with the TSP amendments due to changes to functional classifications; see Section 4.1.2.9 (beginning on page 160).

*(e) Goal 15 is not applicable to land added to the UGB unless the land is within the Willamette River Greenway Boundary;*

**Findings - 660-024-0020(1)(e):**

Portions of the Preferred Alternative are within Salem's Willamette River Greenway Boundary (see Figure 4). The findings to address Goal 15 are included in Chapter 5 and are incorporated by this cross-reference.

*(f) Goals 16 to 18 are not applicable to land added to the UGB unless the land is within a coastal shorelands boundary;*

*(g) Goal 19(Ocean Resources) is not applicable to a UGB amendment.*

**Findings - 660-024-0020(1)(f)-(g):**

The coastal goals are not applicable to amendment of the Salem-Keizer UGB. Goal 19 does not apply to a UGB amendment, as stated in the rule.

**3.1.2 Land Need****3.1.2.1 Goal 14 – Land Need:**

*Goal 14: Urbanization*

*To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

*Land Need*

*Establishment and change of urban growth boundaries shall be based on the following:*

- (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and*
- (2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).*

*In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need.*

*Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.*

### **Goal 14 Findings:**

Goal 12 (Transportation) and the Transportation Planning Rule (OAR 660-012-0030) set the context for a UGB amendment based on a specific transportation need. Chapter 2 of this Findings Report provides the project background, including a history of earlier transportation studies, a description of alternatives considered in the SRC project DEIS, and reasons for selection of the Preferred Alternative. Findings to address the proposed TSP amendments and address other relevant sections of the TPR are provided in Chapter 4. The background information in Chapter 2 and the findings in Chapter 4 are incorporated by reference to support the UGB amendment.

### **Suitability Characteristics**

Two particular studies set the context for the local government(s) to specify characteristics necessary for land to be suitable for the identified transportation need:

- The *General Corridor Evaluation* (2002) identified and evaluated a total of fifteen new bridge corridors and a “beltway” alternative. Ten of the sixteen corridors were located within or in close proximity to the UGB. Three of the corridors were located further north of the UGB and two of the corridors were located south of the existing bridges and outside of the UGB. See Section 2.2.4 of this Findings Report for additional details on the *General Corridor Evaluation*.
- In 2006, additional analysis was conducted for thirteen of the corridors included in the *General Corridor Evaluation* summarized in Section 2.2.4 (page 34). Chapter 2 of the DEIS (Alternatives) documents that the corridors that provide the most system benefit are serving demand in west Salem and downtown. The top six performing corridors were geographically clustered between the existing bridges on the south and Tryon Street on the north. See Section 2.2.6 of the DEIS for additional details on alternatives considered but dismissed from further evaluation in the DEIS.

Based on these studies, suitability characteristics for the identified transportation need include the following:

- To be suitable, the transportation corridor must cross the Willamette River and link to primary north-south arterial roadways on the east and west sides of the river (for example, Liberty/Commercial on the east and Wallace Road/OR 22 on the west)
- The greatest impact in terms of system performance results from corridors that reduce VHD in Downtown and west Salem.
- Top performing corridors are geographically clustered between the existing bridges and Salem Parkway. Therefore, the general area bounded by the existing bridges on

the south and Salem Parkway on the north has the characteristics necessary to be suitable for the identified transportation need. Alternative 2A is within the current UGB, Alternative 2B includes a small segment outside the UGB, and the remaining Alternatives are in proximity and extend across a “notch” in the UGB (see Figure 9).

These suitability characteristics will be applied in Section 3.1.5 findings relating to establishment of a Study Area to evaluate land for inclusion in the UGB (page 119).

### **3.1.2.2 660-024-0040 Land Need**

The applicable sections of OAR 660-024-0040 to a UGB amendment for a specific transportation need are (1), (2), (3), and (7). The remaining sections address other land needs.

#### **Criteria – 660-024-0040(1):**

*(1) The UGB must be based on the appropriate 20-year population forecast for the urban area as determined under Rules in OAR 660, div 32, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.*

#### **Findings – 660-024-0040(1):**

##### **Population Forecast**

The Population Research Center (PRC), which now has coordinated population forecasting responsibilities for all counties in the state, has organized the 36 counties into three regions for the first forecasting cycle. Marion County and Polk County are included in forecast Region 3. The PRC is scheduled to finalize the population forecasts for counties and cities in Region 3 in June 2017. OAR 660-032-0040 outlines a process for interim forecasts. This section is applicable to local governments initiating a UGB amendment before the date the PRC issues a final population forecast for the local government.

*(1) If a local government outside the Metro boundary initiates a periodic review or other legislative review of its comprehensive plan that concerns an urban growth boundary or a matter authorized by section (2) of this rule before the date the PRC issues a final population forecast for the local government in the first forecasting cycle described in OAR 577-050-0040(7), the local government may continue its review using the population forecast that was acknowledged before the review was initiated, provided the forecast was:*

*(a) Adopted by the local government not more than 10 years before the date of initiation, as a part of the comprehensive plan, consistent with the requirements of ORS 195.034 and 195.036 as those sections were in effect immediately before July 1, 2013, and*

*(b) Acknowledged as provided in ORS 197.251 or 197.625 prior to the effective date of this rule.*

*(2) The authorization to use the forecast described in section (1) applies only to a periodic review or a legislative review of the comprehensive plan that concerns:*

(a) *An urban growth boundary review or amendment as provided in Goal 14 and OAR 660, div 24;*

Section -0040 is applicable to the proposed UGB amendment because the post-acknowledgement plan amendment was initiated on September 7, 2016 and the PRC is not scheduled to issue a final population forecast for Marion County, Polk County, the cities of Salem and Keizer, and the Salem-Keizer UGB until June 2017.

The UGB amendment is based on the 20-year population forecast for the Salem-Keizer UGB included in the adopted 2015-2035 Regional Transportation System Plan (2035 RTSP)<sup>92</sup> and the adopted and acknowledged Salem Transportation System Plan (Salem TSP).<sup>93</sup>

The 2035 RTSP is based on regional population and employment trends and forecasts for the entire SKATS boundary, an area slightly larger than the Salem-Keizer UGB. The population and employment forecasts developed for the 2035 RTSP used the best available information including acknowledged local comprehensive plans, a parcel-level Buildable Lands Inventory (BLI), building permit information, as well as input from local planning staff.<sup>94</sup> The population and employment forecasts were allocated to a parcel level for use in transportation modeling for the 2035 RTSP.

Salem adopted the updated 2035 RTSP population and employment forecasts as a component of the Salem TSP on February 8, 2016.<sup>95</sup> For the purposes of the Salem Transportation System Plan, the adopted and acknowledged population forecast for the 20-year planning period (2015-2035) is shown below in Table 9.<sup>96</sup>

**Table 9**  
*Salem-Keizer Urban Growth Boundary Population Forecast*

|                       | 2000    | 2010    | 2015    | 2035    |
|-----------------------|---------|---------|---------|---------|
| Salem portion of UGB  | 171,072 | 193,640 | 199,030 | 273,902 |
| East Salem            | 151,189 | 167,499 | 171,394 | 230,138 |
| West Salem            | 19,883  | 26,141  | 27,636  | 43,763  |
| Keizer portion of UGB | 32,203  | 36,478  | 37,086  | 42,577  |
| Total UGB             | 203,275 | 230,118 | 236,116 | 316,479 |

Sources: SKATS Regional Transportation System Plan (2015) and Salem Transportation System Plan.

<sup>92</sup> SKATS, *2015-2035 Regional Transportation System Plan*, adopted May 24, 2015.

<sup>93</sup> City of Salem, *Salem Transportation System Plan*, amended by Ordinance 1-16 (February 8, 2016).

<sup>94</sup> A detailed discussion of the population and employment trends, forecasts, and methodologies used for the region is included in Appendix A of the 2035 RTSP.

<sup>95</sup> The PAPA notice initiating the TSP amendments to incorporate the population and employment forecasts was provided on November 10, 2015.

<sup>96</sup> These forecasts for the Salem TSP are acknowledged. However, the forecasts are intended only for the purposes of transportation planning and do not replace forecasts adopted for the purpose of analyzing land needed for housing and employment.

The 2035 population forecast for the Keizer portion of the UGB (42,577) included in the 2035 RTSP and the 2035 Salem TSP is lower than Keizer's acknowledged population forecast (48,089) for 2032.<sup>97</sup> The lower forecast population for Keizer in the 2035 RTSP was based on a "build out" of available residential land within Keizer's portion of the UGB.

The population and employment forecasts developed for the 2035 RTSP and the Salem TSP have been used as the basis for updated travel demand modeling for the Preferred Alternative and provide evidence to support the 20-year transportation need for the proposed UGB amendment. The magnitude of the difference in the 20-year population forecast for the City of Keizer is not substantial, and it results in a more conservative forecast of future traffic under the regional travel demand model. Therefore, the legal standard in OAR 66-024-0040(1) that requires that the UGB amendment be based on the appropriate 20-year population forecast for the urban area has been met.

### **Category of Land Need**

The proposal to expand the UGB by about 35 acres is based on the transportation need for an additional bridge crossing of the Willamette River and related transportation improvements in the 20-year planning horizon (2015-2035) to accommodate identified population growth over that planning horizon. OAR 660-024-0040(1) provides that a UGB amendment may be based on a need for transportation facilities (streets and roads). The specific findings relating to the transportation need are addressed in Section 3.1.3 below.

### **Criteria – 660-024-0040(2):**

*(2) If the UGB analysis or amendment is conducted as part of a periodic review work program, the 20-year planning period must commence on the date initially scheduled for completion of the appropriate work task. If the UGB analysis or amendment is conducted as a post-acknowledgement plan amendment under ORS 197.610 to 197.625, the 20-year planning period must commence either:*

*(a) On the date initially scheduled for final adoption of the amendment specified by the local government in the initial notice of the amendment required by OAR 660-018-0020; or*

*(b) If more recent than the date determined in subsection (a), at the beginning of the 20-year period specified in the appropriate coordinated population forecast for the urban area as determined under Rules in OAR 660, div 32, unless ORS 197.296 requires a different date for local governments subject to that statute.*

### **Findings – 660-024-0040(2):**

The UGB amendment is being conducted as a post-acknowledgement plan amendment (PAPA) as allowed by OAR 660-024-0040(2). The findings in Section 6.1 (page 223) addressing compliance with the PAPA procedures are incorporated by this cross-reference.

Transportation modeling for the SRC Project DEIS was based on a planning horizon to the year 2031. Updated population forecasts have been prepared and adopted since the DEIS was published and now extend to the 2035 planning horizon. The 2015 update of the *Regional Transportation Plan* is based on population and employment forecasts for the 2015-

<sup>97</sup> Keizer adopted the 20-year population forecast in 2012 as part of periodic review.

2035 planning horizon. Amendments to the *Salem TSP* were initiated late in 2015 and adopted in January 2016 to incorporate and adopt the 2035 population and employment forecasts included in the 2015 update of the RTSP.

In addition, the City of Salem recently completed an *Economic Opportunities Analysis* (EOA) and a *Housing Needs Analysis* (HNA) for the 2015-2035 planning period that were also coordinated with population forecasts for 2035. Transportation modeling for the proposed UGB amendment was also based on the RTSP and Salem TSP population and employment forecasts for 2035.

The City of Salem initially hoped to initiate the UGB amendment late in 2015. However, that was not achievable because many of the FEIS technical reports that provide evidence to support the UGB amendment were not yet complete. The PAPA notice identifies that final adoption of the UGB amendment is scheduled in 2016.

Using a planning period of 2015-2035 based on acknowledged population forecasts complies with OAR 660-024-0040(2)(b) and provides a 19-year planning period for the proposed UGB amendment.

**Criteria - 660-024-0040(3):**

*(3) A local government may review and amend the UGB in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).*

**Findings - 660-024-0040(3):**

The proposed UGB amendment is based on one category of land need (transportation), as allowed by OAR 660-024-0040(3). No land is being included for employment, housing or other urban land needs. As noted above, Salem recently completed and adopted an Economic Opportunities Analysis (EOA)<sup>98</sup> and concluded that the city had sufficient buildable land within the current UGB to meet land needs for employment over the 2015-2035 planning horizon.

In addition, Salem completed a HNA<sup>99</sup> and concluded that the city had sufficient buildable residential land within the current UGB to meet land needs for housing over the 2015-2035 planning period. However, the HNA identified that the city had a surplus of land designated for single-family housing and a deficit (about 200 acres) of land designated for multi-family housing. Salem is proceeding with a work program (including potential code and map amendments) to address Salem's deficit of land for multifamily housing.

The UGB amendment and the transportation improvements included in the Preferred Alternative are intended to support development of residential, employment and other lands within the current UGB. The 20-year planning for Salem's employment and housing needs and the transportation planning and

<sup>98</sup> Salem Economic Opportunities Analysis, 2015 to 2035. Prepared by ECONorthwest for the City of Salem. Adopted by City Council on October 26, 2015 with related amendments to the Salem Area Comprehensive Plan.

<sup>99</sup> Salem Housing Needs Analysis, 2015 to 2035. Prepared by ECONorthwest for the City of Salem. Approved by City Council on February 8, 2016.

modeling for the Preferred Alternative are all based on the same planning horizon (2015-2035) and coordinated population and employment forecasts in the adopted 2035 RTSP and the acknowledged Salem TSP (see Table 9).

**Criteria - 660-024-0040(7):**

*(7) The determination of 20-year land needs for transportation and public facilities for an urban area must comply with applicable requirements of Goals 11 and 12, rules in OAR chapter 660, divisions 11 and 12, and public facilities requirements in ORS 197.712 and 197.768. The determination of school facility needs must also comply with 195.110 and 197.296 for local governments specified in those statutes.*

**Findings - 660-024-0040(7):**

The UGB amendment is based on a need for an additional bridge across the Willamette River in the Salem-Keizer region over the 20-year planning horizon (2015-2035). The applicable requirements are Goal 12 and the rules in OAR chapter 660, division 12. The sections of Division 12 relevant to determining needs for transportation are addressed in Section 3.1.3 below.

### 3.1.3 Transportation Need

#### 3.1.3.1 660-012-0030 Determination of Transportation Needs

**Criteria – 660-012-0030(1)-(2):**

*(1) The TSP shall identify transportation needs relevant to the planning area and the scale of the transportation network being planned including:*

*(a) State, regional, and local transportation needs;*

*(b) Needs of the transportation disadvantaged;*

*(c) Needs for movement of goods and services to support industrial and commercial development planned for pursuant to OAR chapter 660, division 9 and Goal 9 (Economic Development).*

*(2) ... Local governments preparing local TSP's shall rely on the analyses of state and regional transportation needs in adopted elements of the state TSP and adopted regional TSP's.*

**Findings – 660-012-0030(1)-(2):**

The identified transportation need is both local and regional in nature.

**Regional Need**

As described in Section 2.1 (Project Context, History & Purpose, page 18), the existing bridges play a critical role in regional traffic and freight movements:

- OR 22 carries pivotal truck freight traffic movements between I-5 on the east and the Oregon Coast on the west, as well as to businesses in the Salem-Keizer metropolitan area, and mid-Willamette Valley region.
- OR 22 provides key access for mid-Willamette Valley and north-Willamette Valley recreationists bound for the Oregon Coast, two of the state's major

- gaming casinos<sup>100</sup>, and a growing number of wineries - all of which are top recreation destinations in the state.
- The existing two bridges are the only Willamette River crossings within the Salem-Keizer metropolitan area. The next closest bridges are at Independence (approximately 11.5 miles southwest) and Newberg (approximately 23 miles north). The result is that traffic from a large area has only one point to cross the Willamette River.

Peak hour congestion at the existing bridgehead areas is increasing and projected to reach severely congested conditions by 2035 under the No Build scenario (see Table 11, Table 12, and Figure 19). As a result, the existing crossing has become a “choke point” in the regional system. A lack of alternate routes means that local, regional and statewide trips are all competing for the same capacity to cross the river. The existing bridges carry over 80,000 vehicles per day and all those vehicles are funneled through Salem’s downtown core area.

In addition, as described in Section 2.1.3.2 (page 21), the existing bridges provide a critical east-west transportation link for regional emergency vehicle response. Polk County has designated these bridges as Priority 1 Lifeline Routes, which means they are considered essential for emergency vehicle response during the first 72 hours after an event. The only hospital in the Salem-Keizer metropolitan area, the City of Salem Police Department, and 9 of the 11 existing City of Salem fire stations are located east of the river (two fire stations are in west Salem, only one of which is currently in full time operation). When traffic incidents or other issues require closure of one or both bridges, traffic for emergency vehicles, passenger vehicles, public transportation, and freight is substantially disrupted due to the lack of alternate routes. The existing bridges can be converted to two-way operation only with significant time, effort, work crews, and equipment (see pages 21 to 22 for details). This is particularly troublesome because, due to their age, neither of the existing bridges is designed to withstand a Cascadia Subduction Zone earthquake. Thus, there is a compelling regional need to improve the resilience of the transportation system in the Salem region in the event of an emergency.

The SKATS 2015-2035 RTSP (amended June 28, 2016) identifies the constraint created by the existing system: “Only two bridges cross the river (at Marion Street and Center Street in downtown Salem) resulting in congestion and significantly reduced connectivity between West Salem and the rest of the metropolitan area” (p. 3-3). It also includes a conceptual alignment for a new bridge crossing (project number R001), and includes the related surface street improvements to support a new crossing in the financially constrained project list (Marine Drive and related connections - project S297; Front Street widening and realignment - project S096).

Further, all regional partners - Salem, Keizer, Polk County and Marion County - include discussion of and/or policies relating to planning for a new bridge crossing in their

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<sup>100</sup> Spirit Mountain Casino in Grand Ronde and Chinook Winds near Lincoln City are both linked to the Salem area via Highway 22.

acknowledged TSPs.<sup>101</sup> The multi-year EIS process has also included consideration of state, regional and local transportation needs and extensive coordination with ODOT and regional partners.

Further discussion of consistency with the RTSP is provided in Section 4.2.4 (page 177) and those findings are incorporated by this cross-reference.

### **Local Need**

Many of the issues outlined above under regional need are equally pressing at the local level, including the lack of alternate routes, the limited multimodal connectivity between West Salem and the rest of the city, and the challenge of maintaining emergency response capabilities in the event of a bridge closure.

The Salem City Council articulated the following as two of the most important (and interrelated) factors for the Salem River Crossing Project:

- **The importance of redundancy in the transportation system to reduce vulnerability and distribute traffic.** In general, transportation systems that broadly distribute traffic over a network of streets result in less congestion and provide options when one route is congested or shut down.
- **The importance of connectivity for all modes.** More specifically, the Salem City Council identified the most important goal of this project as “improvement of multimodal access and connectivity between the east and west parts of the City.”<sup>102</sup>

The lack of connectivity across the river creates a particular local safety and connectivity concern for pedestrians and bicyclists, who have few options to get across the river. The existing bicycle and pedestrian system is described in Section 2.1.6 (page 30):

- Existing pedestrian and bicycle facilities on the Center Street and Marion Street Bridges are minimally adequate and, in some cases, substandard.
- A barrier-separated, 10-foot-wide concrete path on the north side of the Center Street Bridge provides pedestrian and bicycle access across the bridge.
- The Marion Street Bridge has a 5-foot-wide sidewalk separated from traffic lanes by a barrier and railing, but no designated bicycle lanes. The Marion Street Bridge accommodations do not meet *Highway Design Manual* (ODOT, 2003) bridge cross-section standards for bicycle/pedestrian facilities.<sup>103</sup>

<sup>101</sup> The existing Salem TSP includes a discussion of the Salem River Crossing in the Street System Element, pages 3-22 and 3-23, “Long-range Transportation Strategy” chapter, including on pages 16-3 and 16-6 and the “Issues Requiring Future Study” chapter, page 18-1. The Polk County TSP includes policy 3.6, which states: “Polk County supports planning for and construction of, a third bridge over the Willamette River.” The Keizer TSP discusses the Salem River Crossing Project and UGB expansion in the chapter on “Outstanding Actions, Steps, or Refinements” on page 10-2. The SKATS 2035 RTSP references the Salem River Crossing Project in Chapters 5 & 7, including on pages 5-9 to 5-16 and 7-4 to 7-5. The Marion County Rural TSP discusses “Additional Crossings of the Willamette River in Chapter 13 – Long Term Transportation Issues (pages 13-5 to 13-6).

<sup>102</sup> Salem City Council packet for June 24, 2013, Salem River Crossing Preferred Alternative – Input from City Council to Regional Partners, Agenda Item 4(d).

<sup>103</sup> DEIS Chapter 3, Traffic and Transportation, page 3-17.

- The conversion of the Union Street Railroad Bridge to a pedestrian and bicycle facility (Union Street Pedestrian Bridge) has greatly enhanced pedestrian/bicycle access across the river in the vicinity of the existing bridges since it was opened in 2009. The bridge crossing, and associated trail spurs, connect to Wallace Road and Glen Creek Road on the west side of the river and to Union Street and Front Street on the east side of the river (plus other connections via Salem Riverfront Park), where the trail provides a connection to the network of bicycle lanes in Salem's downtown.

With two closely-spaced facilities in the Center Street Bridge and the Union Street Railroad Bridge, plus an inadequate sidewalk on the Marion Street Bridge, connectivity across the river is limited for bicyclists and pedestrians. Bicyclists and pedestrians, who are most sensitive to out-of-direction travel, have essentially one location in which to cross the river. This discourages walking and biking between the two parts of the City, resulting in a need to enhance multimodal connections across the river.

The congestion at the existing bridgeheads also impacts buses that use the existing bridges to provide service between the Downtown Transit Center and Glen Creek Transit Center.

In addition, the congestion at the bridgeheads creates a particular problem for enhancing walkable business districts in the downtown (the eastern bridgehead) and in the Edgewater /West Salem historic commercial area (the western bridgehead). Both areas have urban renewal districts that are working to enhance streetscapes and improve connectivity and circulation for alternative modes. There is a need to maintain and improve the vitality of these areas through balancing the impacts of vehicular through-traffic and improving multimodal access and connections.

The overview of existing land uses and urban renewal plans in Section 2.1.5 (page 26) is incorporated by this cross-reference. In addition, discussion of consistency with local transportation system plans is provided in Sections 4.2.2 (page 172) and 4.2.3 (page 176).

### ***Statewide Considerations***

The existing bridges are part of State Highway 22 (OR 22) and are owned, managed, and maintained by the Oregon Department of Transportation (ODOT). The bridges are part of the National Highway System, on a state designated freight route, State-designated Expressway, and have a statewide level of importance. Freight movement is very sensitive to congestion and time delays. With a spreading of peak hour congestion, it becomes more difficult for freight vehicles to shift to non-peak periods and avoid delays. With the single bridge crossing location, all freight vehicles must travel through the Central Business District to reach I-5, even if they are heading north bound.

The Oregon Highway Plan does not specifically reference a need for an improved Willamette River crossing on OR 22. However, the adopted Oregon Highway Plan (ODOT, 1999; amended 2006) mobility target for the bridges is a volume-to-capacity ratio of 0.80. Year 2035 volume-to-capacity ratios for the bridges are forecast to be 1.07 eastbound and 1.66 westbound during the afternoon peak period. In adopting the Preferred Alternative, some intersections on the State roadway system will not meet the State mobility targets. The State proposes to adopt Alternate Mobility Targets into the Oregon Highway Plan following

approval of the consolidated plan amendments. The City of Salem and ODOT support a greater level of peak hour congestion in order to reduce the physical impact to surrounding neighborhoods and business districts.

In addition, the Oregon Highway Plan includes a policy “*to provide a secure lifeline network of streets, highways, and bridges to facilitate emergency services response and to support rapid economic recovery after a disaster*” (Policy 1E). This indicates that the transportation need has implications for the state highway system as well.

Further discussion of consistency with statewide transportation plans is provided in Section 4.2.5 (page 178) and is incorporated by this cross-reference.

#### **Needs of the Transportation Disadvantaged**

Peak hour congestion on the existing bridges and in the bridgehead areas also impacts the needs of the transportation disadvantaged, primarily those dependent on transit. With the single bridge crossing location and increased congestion in the peak hours, transit travel is subject to same delays that affect vehicle and freight travel.

#### **Criteria – 660-012-0030(3):**

*(3) Within urban growth boundaries, the determination of local and regional transportation needs shall be based upon:*

*(a) Population and employment forecasts and distributions that are consistent with the acknowledged comprehensive plan, including those policies that implement Goal 14. Forecasts and distributions shall be for 20 years and, if desired, for longer periods; and*

*(b) Measures adopted pursuant to OAR 660-012-0045 to encourage reduced reliance on the automobile.*

#### **Findings – 660-012-0030(3):**

As noted in earlier findings, the determination of local and regional transportation needs for the Preferred Alternative is based on population and employment forecasts for 2015-2035 that are consistent with Salem’s acknowledged comprehensive plan. The population and employment forecasts in the RTSP and Salem TSP for the 2015-2035 planning horizon are coordinated and consistent. OAR 660-012-0030(3)(a) indicates that forecasts and distributions for transportation needs may be longer than 20 years.

While Oregon’s UGB planning framework is based on a 20-year planning horizon, transportation facilities such as major highways and bridges are typically planned and designed for a much longer horizon and infrastructure life of at least 50-100 years. Information in Chapter 2 of this Findings Report documents that study of the need for an additional river crossing has gone on for more than 30 years, and investments in the existing bridges have taken place over more than 100 years (see Table 4).

However, as required by Goal 14, the proposed UGB amendment is based on acknowledged 20-year forecasts for the 2015-2035 planning horizon. The travel demand model for the Preferred Alternative has been calibrated based on the acknowledged plan designations

within the existing UGB. The UGB amendment only adds lands for the transportation facility, and does not include additional lands that could be urbanized.<sup>104</sup>

The TPR directs local governments to plan for reduced reliance on the automobile. The rule gives MPOs and local governments broad latitude to craft plans to implement the policy. Initially, the TPR directed preparation of regional and local transportation system plans that would show at least a 10 percent reduction in Vehicle Miles Traveled (VMT) per person over the life of the plan.

In 1998, the LCDC amended the TPR to provide more flexibility to local governments to show how local and regional TSPs achieved policy objectives of the TPR. Amendments to the rule lowered the VMT target to five percent and authorized local governments to adopt performance measures other than VMT per capita (called “alternative measures”) to monitor how well plans reduce reliance on automobiles.

When a locally developed plan does not contemplate a reduction in VMT per capita as called for in the rule, local governments may employ “alternative standards,” or measures to gauge reduced reliance on the automobile. Alternative standards are approved by LCDC and must show they have a comparable positive effect on reducing reliance on the automobile and providing for alternative modes as the VMT per capita standard.

As part of its process of periodically reviewing and updating its Comprehensive Plan and other planning efforts, the City adopted various plans, code amendments, plan amendments, and programs to achieve the TPR’s goal of reducing reliance on the automobile, including, but not limited to overlay zones, Fairview Mixed Use Zone, Mixed Use Overlay, Employment Center Zone and Plan Designation, Development Design Handbook, Mixed-Use Comprehensive Plan Designation, Riverfront/Downtown Core Area Master Plan, North Downtown Plan, Fairview Master Plan, SINALACS, SREC Mater Master Plan, and the Toolbox Loan and Grant Program.<sup>105</sup> T

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<sup>104</sup> As noted in Section 1.1, FHWA required update of the transportation modeling for the Preferred Alternative (and all DEIS alternatives) from the DEIS planning horizon of 2031 to the year 2040 for the FEIS. Because the UGB rule is based on a 20-year planning horizon, CH2M Hill updated transportation forecasts to 2035 for the No Build Alternative, Alternative 2A and the Preferred Alternative. See *Engineering Assessment for UGB Amendment Analysis Memo*, March 31, 2016.

<sup>105</sup> Resolution No. 2005-51, Adopting Land Use and Transportation Strategies and Integrated Land Use and Transportation Alternative Standard and Benchmarks, adopted by Salem Council July 5, 2005.

**Table 10***Benchmarks for Implementation of Transportation Policies in Salem Area Comprehensive Plan*

| Measure | Description                                                | Measurement                                                                                                                                            | Previous Years  | 2010                               | 2015                               | 2020                               | 2025                               | Benchmark (2030)                   |
|---------|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------------------------------|------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| 1a      | New dwelling units (d.u.) within 1/4 mile of transit stops | Ratio of new d.u. within 1/4-mile walking distance of transit stops (with frequency of service of 30 minutes) to all new d.u. in the city              | 22.8% ('98-'08) | 23%                                | 27%                                | 31%                                | 36%                                | 41%                                |
| 1b      | New dwelling units (d.u.) within 1/4 mile of transit stops | Ratio of new d.u. within 1/4-mile walking distance of transit stops (with frequency of service of 15 minutes in peak hour) to all new d.u. in the city | 3.2% ('98-'08)  | 3.5%                               | 4.5%                               | 6.5%                               | 8.5%                               | 10.5%                              |
| 2       | Jobs in Activity Nodes and Corridors                       | Ratio of total jobs in Activity Nodes and Corridors to all jobs in the city, excluding industrial zones                                                | 61.28% (2005)   | 61.0%                              | 62.0%                              | 63.0%                              | 64.0%                              | 65.0%                              |
| 3       | New d.u. in Activity Nodes and Corridors                   | Ratio of new d.u. in Activity Nodes and Corridors to all new d.u. in the city                                                                          | 12.1% ('98-'08) | 12.5%                              | 14.5%                              | 16.5%                              | 18.5%                              | 20.5%                              |
| 4       | Bicycle lanes                                              | Percentage of streets designated to have bike lanes that are striped with bike lanes                                                                   | 53% (2008)      | 54.0%                              | 58.0%                              | 62.0%                              | 66.0%                              | 70.0%                              |
| 5       | Growth in Mid-Valley rideshare database                    | Number of people in database using alternative modes                                                                                                   | 945             | Double rate of population increase | Double rate of population increase | Double rate of population increase | Double rate of population increase | Double rate of population increase |

Note:

d.u. = dwelling unit(s)

Source: Salem Area Comprehensive Plan, Table 1.

The City of Salem has alternative standards and benchmarks in place to encourage reduced reliance on the automobile. In addition, approval of the consolidated plan amendments for the Preferred Alternative will improve multi-modal connectivity between Northeast and West Salem and will support development of land within the current UGB, including land in designated Activity Nodes and Corridors in the Central Business District, the proposed Northeast bridgehead area, and the West Salem urban renewal area in the southerly portion of Wallace Road and along Edgewater Street.

**Criteria – 660-012-0030(4):**

*(4) In MPO areas, calculation of local and regional transportation needs also shall be based upon accomplishment of the requirement in OAR 660-012-0035(4) to reduce reliance on the automobile.*

**Findings – 660-012-0030(4):**

As the designated Metropolitan Planning Organization (MPO) for the Salem-Keizer Area Transportation Study (SKATS), the Mid-Willamette Valley Council of Governments (MWVCOG) is responsible for planning, programming, and coordinating federal transportation improvement investments throughout the region.

A total of \$14,409,898 of FHWA and FTA federal funds were obligated in Federal Fiscal Year 2015 on 20 regionally significant transportation improvement projects and programs within SKATS.<sup>106</sup>

- 31% was invested in transit and transportation demand management (TDM)/rideshare projects
- 11% was invested in bicycle and pedestrian improvement projects
- 16% was invested in bridge projects
- 32% was invested in roadway projects
- 10% was invested in intelligent transportation systems (ITS) and planning projects

While “safety” is not one of the specified categories, it should be noted that most projects also contain a multi-modal safety component.

Clearly, a substantial portion of FHWA and FTA federal funds in the MPO are targeted to projects that reduce reliance on the automobile. As summarized above, Salem’s Comprehensive Plan has alternative standards and benchmarks in place to encourage reduced reliance on the automobile. The City of Keizer has included comparable standards and benchmarks in its’ Comprehensive Plan. The 2015 *Regional Transportation System Plan* references the Salem and Keizer alternative standards and benchmarks and the City of Salem, City of Keizer and SKATS will coordinate in the upcoming review of progress toward meeting the interim benchmarks for 2015.

<sup>106</sup> SKATS, 2015 *Obligation Report*, December 17, 2015.

### 3.1.4 Meeting Identified Land Needs

#### 3.1.4.1 660-024-0050 Land Inventory and Response to Deficiency

The applicable sections of OAR 660-024-0050 to a UGB amendment for a specific transportation need are (1), (4), (5), (6) and (7).

**Criteria - 660-024-0050(1):**

*(1) When evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For residential land... For employment land...*

**Findings - 660-024-0050(1):**

The land inside the UGB that is presently planned and available to meet the 20-year transportation needs includes the existing road network, existing street right-of-way, and existing bridges, as well as new transportation facilities already identified in a financially constrained Transportation System Plan project list. All other land within the existing UGB is planned for other urban uses (e.g., residential, commercial, industrial, parks, etc.). The No Build Alternative evaluated as part of the FEIS (see *Traffic and Technical Report Addendum, 2016*) documents the capacity of the existing road network (including programmed roadway projects from the City of Salem TSP<sup>107</sup>) and existing bridges to accommodate transportation needs to 2040 (as required by FHWA) with planned improvements.

Note that a separate transportation analysis was prepared specifically to address the proposed UGB amendments, focusing on the preferred alternative, the No Build Alternative, and Alternative 2A through 2035. This supplemental analysis memorandum provides a sub-set of the data and intersections studied in the technical report addendum referenced above. This analysis is discussed in section 3.1.4.2. Because the Traffic and Technical Report Addendum provides more extensive data on the No Build Alternative, that information has been summarized in this section; however, both documents support the same conclusion and should be considered part of the factual base of these findings.

With the No Build Alternative, roadways surrounding the Center Street and Marion Street Bridges experience congestion during the AM and PM peak hours. This congestion is associated with people getting on and off the bridges. Projected volumes on the Center Street Bridge during the AM peak are 6,400 vehicles per hour, well above the Existing Conditions (2012) volume of 4,090 vehicles per hour. During the PM peak, projected volumes are 4,960 vehicles per hour, also above the Existing Conditions volume of 3,950 vehicles per hour. This reflects the commuting pattern of eastbound travel from West Salem being heavier in the mornings than in the evenings. Projected volumes during the AM peak on the Marion Street Bridge are 3,060 vehicles per hour, above the Existing Conditions volume of 2,490 per hour. During the PM peak, projected volumes increase to 8,210 vehicles per hour, well above the 5,620 vehicles per hour under Existing Conditions. This reflects the commuting pattern of westbound travel from the Central Business District, North Salem

<sup>107</sup> See Table 4.2-1 of the *Traffic and Technical Report Addendum, 2016*, for a list of programmed projects assumed within the Future No Build Alternative.

(and travel originating from other places east of the bridges) being heavier in the evenings than in the mornings.<sup>108</sup>

The heavy traffic volumes on the existing bridges and existing and planned road system are projected to result in 16 out of 33 study area intersections failing to meet mobility targets or standards during at least one peak period (AM, PM, or both). In the downtown area, with the No Build Alternative, six study intersections would fail to meet mobility targets or standards during the AM Peak, PM Peak, or both. The entry/exit locations for the existing bridges have the worst operations due to heavy traffic under the No Build Alternative. Six intersections on Wallace Road would fail during the AM Peak, PM Peak, or both peaks due to increased travel demand and lack of capacity. Marine Drive would have limited ability to act as a parallel route to Wallace Road because it would terminate at Glen Creek Road. In addition, three intersections located at the northern most part of the project study area on Salem Parkway would fail to meet mobility standards during the PM Peak.<sup>109</sup>

Based on the analysis of the No Build Alternative, the existing land inside the UGB that is presently planned to meet 20-year transportation needs (25 year needs for the FEIS analysis), with planned improvements and adopted policies, does not provide adequate capacity to meet the identified transportation needs.

Alternative 2A is within the current UGB. The evaluation of whether Alternative 2A can reasonably accommodate the identified transportation need is set out in the findings addressing 660-024-0050(4) below.

**Criteria - 660-024-0050(4):**

*(4) If the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the city or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. **Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB.** If the local government determines there is a need to expand the UGB, changes to the UGB must be determined by evaluating alternative boundary locations consistent with Goal 14 and applicable rules at OAR 660-024-0060 or 660-024-0065 and 660-024-0067.*

**Findings - 660-024-0050(4):**

**Alternatives Inside the UGB Considered but Dismissed Prior to DEIS Alternatives**

As summarized in Chapter 2 (Project Background), the need to address long-term capacity issues associated with a single bridge crossing location in the Salem-Keizer area has been the subject of various technical studies and related planning efforts for more than 30 years. Early studies focused on maximizing the efficiency of the existing transportation system and resulted in the completion of several capacity improvement projects, including: 1) construction of the Front Street bypass (1981); 2) widening the Marion Street Bridge from

<sup>108</sup> See Section 4.2.1.2 of the *Traffic and Technical Report Addendum, 2016*.

<sup>109</sup> See Section 4.2.1.1 of the *Traffic and Technical Report Addendum, 2016*.

two to four lanes (1982); 3) complete replacement of the Center Street Bridge from a two-lane structure to a four-lane structure (1983); and 4) completion of the Bridgehead Engineering Study (1997) to identify lower-cost solutions to improve traffic operations and prolong acceptable levels of service for traffic using the Marion and Center Street bridges.

Although the existing Marion and Center Street bridge structures represent a two-fold increase in transportation capacity over what existed prior to 1983 (more than 30 years ago), the SKATS RTSP adopted in 1996 specifically identified the need to develop additional transportation capacity across the Willamette River as an “outstanding issue” that required further detailed analysis and consensus building in order to evaluate and select a preferred package of alternatives.

Two key transportation studies were completed after this “outstanding issue” was included in the 1996 RTSP. The *General Corridor Evaluation* was completed in 2002 (see overview in Section 2.2.4, page 34) and the *Salem River Crossing Project DEIS* was released in 2012 (see overview in Section 2.4, page 41).

Both of these transportation studies included a robust evaluation of alternate modes, transportation system management measures and improvements to existing facilities to determine whether they could, alone or in combination, reasonably meet the transportation need. The No Build and all Build Alternatives evaluated in the DEIS were designed assuming that the future peak-hour traffic volumes (2031) across the river would be 8 percent less than those forecasted with the SKATS traffic model.<sup>110</sup> By using this approach the transportation analysis ensures that the future need for highway capacity is not overstated.

See Section 2.4.5 (page 49) and Table 7 for additional discussion of alternatives inside the UGB that were considered but not advanced to the DEIS. That information is incorporated by this cross-reference.

#### ***Improvements within Existing Bridge Footprint***

As discussed in Section 2.3 (page 37), ODOT and the local jurisdictions have maximized the efficiency and capacity of the existing bridges and connecting infrastructure over the +30 years since the Marion and Center Street bridges have been in place in their existing configuration. Over the past 20 years, regional transportation partners have focused on investments to maximize the efficiency of the existing transportation system, including completion of feasible projects identified in the *Bridgehead Engineering Study* and increased attention to improvements for alternate modes (such as the conversion of the Union Street Railroad crossing to a bicycle/pedestrian bridge, as well as both completed extensions of this bicycle-pedestrian path in Wallace Marie Park, funding for a signal at Commercial St @ Union St., and adopted plans or planning work to extend this path on both sides of the river).

The information in Section 2.3 (page 37) is incorporated by this cross-reference to document that improvements within the existing bridge footprint cannot reasonably meet the identified purpose and need for the project and the primary measures to satisfy the purpose statement:

<sup>110</sup> DEIS Chapter 3, Traffic and Transportation, page 3-23.

- Reducing congestion levels at the existing bridgeheads and
- Remediating safety and operational deficiencies on the existing bridges and in the study area in locations where crash rates are higher than average.

The question remains whether the addition of new travel lanes to the existing Center Street and Marion Street Bridges (Alternative 2A) can reasonably accommodate the identified transportation need. This question is addressed in Section 3.1.4.2 below.

### 3.1.4.2 Can Alternative 2A Reasonably Accommodate the Transportation Need?

Alternative 2A, which was evaluated as part of the DEIS, emerged from years of engineering studies evaluating potential solutions to increase capacity and reduce congestion within the existing river crossing location as the best solution to modify the existing bridges and maximize the existing transportation infrastructure.

Alternative 2A (see Figure 10) adds capacity to the transportation network by widening the existing Marion and Center Street bridges. As part of 2A, two lanes are added to the existing Marion Street Bridge (westbound) and one lane is added to the existing Center Street Bridge (eastbound). In addition, a new connection would be added from the west end of the Marion Street Bridge to Marine Drive. Wallace Road would also be widened from four lanes to six lanes between the existing bridges and Orchard Heights Road, with additional turn lanes at the intersection of Wallace Road and Glen Creek Road.

It was important to the DEIS evaluation, as well as to consideration of alternatives that did not require new facilities to be located outside the current UGB, to have an alternative evaluated in detail that did not add a new crossing location.<sup>111</sup> However, Alternative 2A has several significant issues that ultimately make it an unreasonable solution to the transportation need identified in the DEIS, supplemented by community goals articulated by Salem City Council, and described in the findings in Section 3.1.3.1 (page 83). These issues are summarized in brief below and discussed in further detail on the following pages:

- **Reducing congestion in Downtown Salem.** The existing system funnels traffic to one crossing location – and while capacity was added at the bridgehead intersections with 2A, the adjacent intersections within the downtown grid are also capacity-limited and are not likely to be modified, thus broadening the congestion further into Downtown Salem.
- **Distributing traffic within the transportation system.** The population of west Salem will grow significantly (by nearly 60%) over the next 20 years (see Table 9), and that growth will occur primarily on residential land located 1 to 2 miles north of the existing bridges (see Figure 7). Alternative 2A requires that growth to funnel to the existing sole river crossing, concentrating more traffic along Wallace Road and requiring widening and access restrictions within commercial sections of west Salem. With Alternative 2A, Wallace Road was proposed to be widened from four

<sup>111</sup> DEIS, Chapter 2, page 2-8 and Salem City Council packet for June 24, 2013, *Salem River Crossing Preferred Alternative – Input from City Council to Regional Partners*, Agenda Item 4(d).

- lanes (two each direction) to six lanes (three in each direction) between Edgewater and Orchard Heights Road, with additional necessary turn lanes.
- **Providing alternate routes for emergency responders.** Alternative 2A does not provide another option for emergency vehicles to travel (in the event the existing crossing is not available).
  - **Providing an alternate route for regional trips.** Alternative 2A maintains the existing connections that require all trips to cross the river at one location.
  - **Enhancing multimodal connectivity.** Alternative 2A would require removal of existing bicycle and pedestrian facilities on the Marion and Center Street bridges, which would further exacerbate existing multimodal safety and connectivity issues across the river.
  - **Supporting planned land uses in Downtown Salem and the Wallace Road / Edgewater area.** Alternative 2A reinforces the challenges faced by these key areas in balancing the needs of through-traffic with the adopted plans and desire for walkable business districts.

#### ***Reducing Congestion in Downtown Salem***

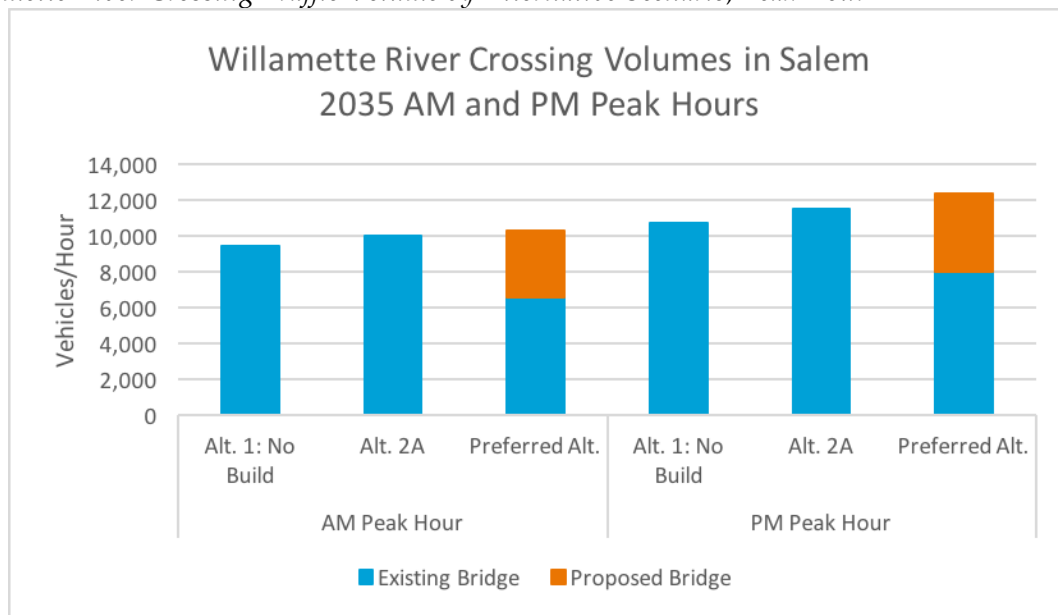
CH2M Hill prepared an Engineering Assessment to support the UGB Amendment (CH2M Hill Technical Memo: *Salem River Crossing EIS: Engineering Assessment for UGB Amendment Analysis Effort*, March 31, 2016). One purpose of the memo was to determine if either of the alternatives studied in the DEIS that are entirely within the Salem-Keizer UGB (No Build and Alternative 2A) can reasonably meet the purpose and need for the project. The traffic analysis results from this memo are based on 2035, rather than 2031 (as in the DEIS) or 2040 (as in the FEIS) in order to best align with the 20 year population forecast and planning horizon for the UGB.

Expanding the existing bridges under Alternative 2A would allow them to accommodate a greater number of river crossings during the AM and PM peak hours (see Table 11 and Figure 19; No Build and Preferred Alternative included for reference / comparison). Compared with the No Build Alternative in 2035, the Marion Street Bridge (WB) would carry 400 additional trips in the AM peak hour and 400 additional trips in the PM peak hour. The Center Street Bridge (EB) would carry 200 additional trips in the AM peak hour and 400 additional trips in the PM peak hour relative to the No Build in 2035.

**Table 11***Willamette River Crossing Traffic Volumes by Location, Direction and Peak Hour*

| Direction      | Location           | 2011 Existing Conditions |              | 2035 Alternative 1: No Build |              | 2035 Alternative 2A |              | 2035 Preferred Alternative |              |
|----------------|--------------------|--------------------------|--------------|------------------------------|--------------|---------------------|--------------|----------------------------|--------------|
|                |                    | AM Peak Hour             | PM Peak Hour | AM Peak Hour                 | PM Peak Hour | AM Peak Hour        | PM Peak Hour | AM Peak Hour               | PM Peak Hour |
| Westbound (WB) | Marion Street Br.  | 2,100                    | 5,000        | 2,500                        | 6,600        | 2,900               | 7,000        | 1,900                      | 4,900        |
|                | North Bridge (New) | n/a (no new bridge)      |              | n/a (no new bridge)          |              | n/a (no new bridge) |              | 1,000                      | 2,600        |
| Eastbound (EB) | Center Street Br.  | 5,100                    | 3,200        | 6,900                        | 4,100        | 7,100               | 4,500        | 4,700                      | 3,100        |
|                | North Bridge (New) | Does not exist           |              | Does not exist               |              | Does not exist      |              | 2,700                      | 1,800        |
| Totals         | Total WB Volumes   | 2,100                    | 5,000        | 2,500                        | 6,600        | 2,900               | 7,000        | 2,900                      | 7,500        |
|                | Total EB Volumes   | 5,100                    | 3,200        | 6,900                        | 4,100        | 7,100               | 4,500        | 7,400                      | 4,900        |
|                | Total Volumes      | 7,200                    | 8,200        | 9,400                        | 10,700       | 10,000              | 11,500       | 10,300                     | 12,400       |

Source: CH2M Hill Technical Memorandum: Salem River Crossing EIS: Engineering Assessment for UGB Amendment Analysis Effort, March 31, 2016, Table 2.

**Figure 19***Willamette River Crossing Traffic Volume by Alternative Scenario, Peak Hour*

However, the expanded bridges, with a total of 11 travel lanes, would still tie into the same street system at the bridgeheads and there would be no opportunity to distribute traffic to a broader geographic area. In addition, adopted land use, urban renewal and transportation plans for Downtown Salem are focused on maintaining and enhancing the character of a

walkable, mixed use downtown. It isn't reasonable to expand the existing bridges to a total of 11 travel lanes and expect to achieve a balance of through traffic with downtown livability.

The traffic analysis associated with the UGB amendment focused on a total of twelve study intersections within the area of influence of bridge traffic. The following seven intersections that are in close proximity to the bridge and/or expected to be impacted by queuing from the bridge were categorized as "1st Tier" intersections.

- Wallace Road/Taggart Road
- Wallace Road/OR 22-Edgewater Street
- Center Street Off-Ramp/Northbound Front Street
- Marion Street/Commercial Street
- Marion Street/Liberty Street
- Center Street/Commercial Street
- Center Street/Liberty Street

Table 12 provides a detailed summary of the number of study intersections meeting mobility targets by alternative. Detailed operational analysis results are included in Appendix B of the *Salem River Crossing EIS: Engineering Assessment for UGB Amendment Analysis Effort* technical memo.

Four out of seven of the key intersections meet the mobility targets under the No Build Alternative in 2035. For Alternative 2A, performance declines to three out of the seven key intersections. Performance improves for the Preferred Alternative with six of the seven key intersections meeting the mobility targets in 2035.

**Table 12**  
*Number of Key Intersections Meeting Mobility Standards*

| Intersection Category | 2011 Existing Conditions | 2035 Alternative 1: No Build | 2035 Alternative 2A | 2035 Preferred Alternative |
|-----------------------|--------------------------|------------------------------|---------------------|----------------------------|
| 1st Tier              | 4                        | 1                            | 1                   | 2                          |
| 2nd Tier              | 3                        | 3                            | 2                   | 4                          |
| <i>Total</i>          | 7                        | 4                            | 3                   | 6                          |

Notes:

- Results from this table are based on traffic analysis results and mobility standards presented in Table B.1 of Appendix B to the *Salem River Crossing EIS: Engineering Assessment for UGB Amendment Analysis Effort* technical memo, dated March 31, 2016.

The intersection analysis results indicate that Alternative 2A performs worse than the No Build Alternative in 2035 at the Center Street Off-Ramp to northbound Front Street in both the AM and PM peak. The magnitude of the difference is not large, but it still performs worse.

***Distributing Traffic within the Transportation System***

Figure 7 of this Findings Report shows the distribution of buildable residential and employment land within Salem's portion of the UGB. In addition, Table 9 summarizes the population forecast for the 2015-2035 planning period for the Salem portion of the UGB.<sup>112</sup> The population of west Salem will grow significantly over the next 20 years, and that growth will occur primarily on residential land located 1-2 miles north of the existing bridges. Alternative 2A requires that growth to funnel to the existing sole river crossing, concentrating more traffic along Wallace Road and requiring widening and access restrictions within the commercial section of West Salem. With Alternative 2A, Wallace Road was proposed to be widened to six lanes between the existing bridges and Orchard Heights Road.

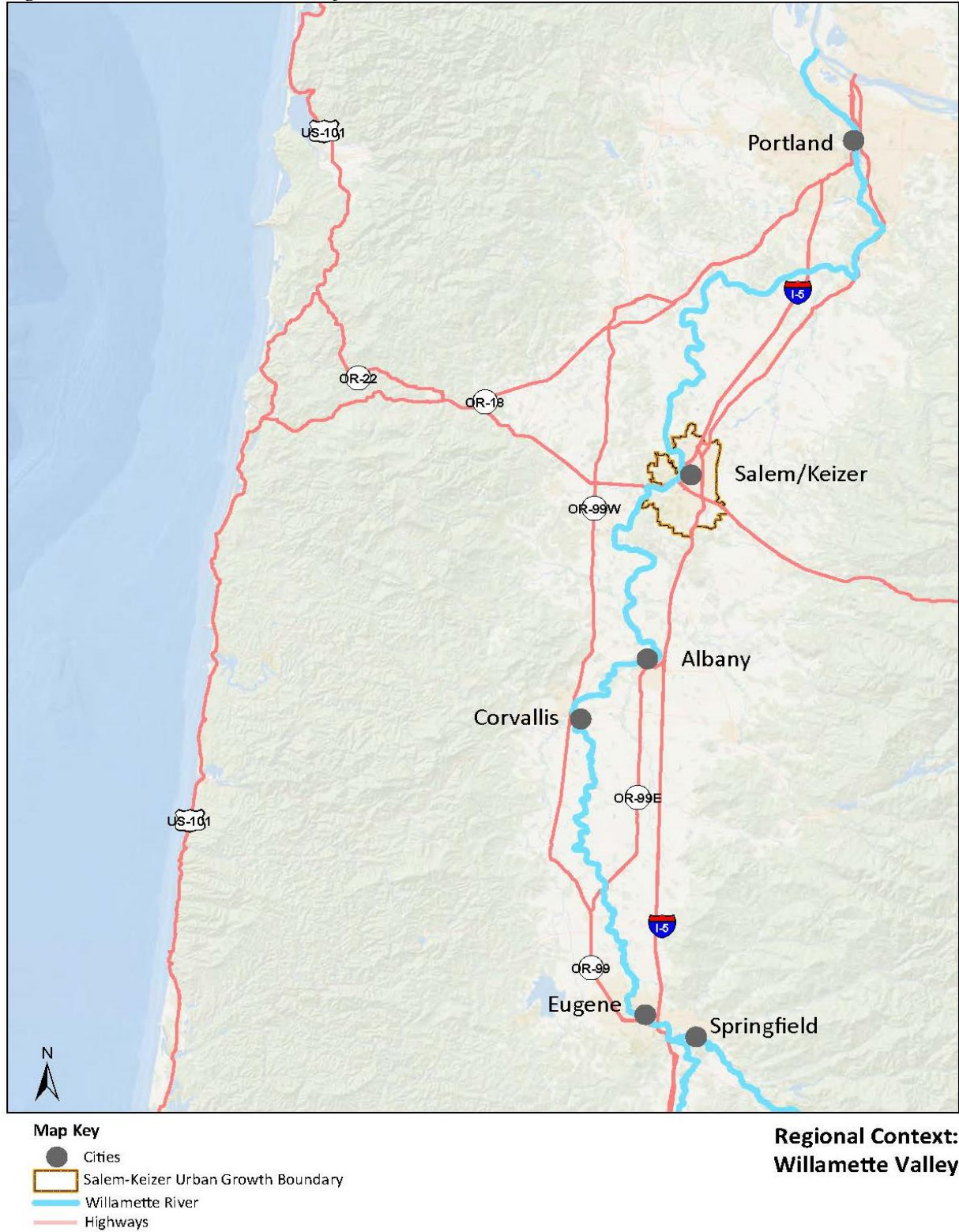
Every community is unique, and it is not possible to apply a "one size fits all" approach to an issue of the magnitude of a major new bridge crossing. However, looking at the characteristics and conditions of other metropolitan areas in the Willamette Valley does provide insights and help to tell the story of some of the key considerations for a new bridge crossing in the Salem-Keizer region. Figure 20 and Figure 21 provide an overview of the metropolitan areas located along the Willamette River. Vehicular bridges across the Willamette River in the Salem-Keizer, Albany, Corvallis, Eugene-Springfield, and Portland metropolitan areas are shown on Figure 22 through Figure 26, respectively. The following information is included on the figures for each metropolitan area:

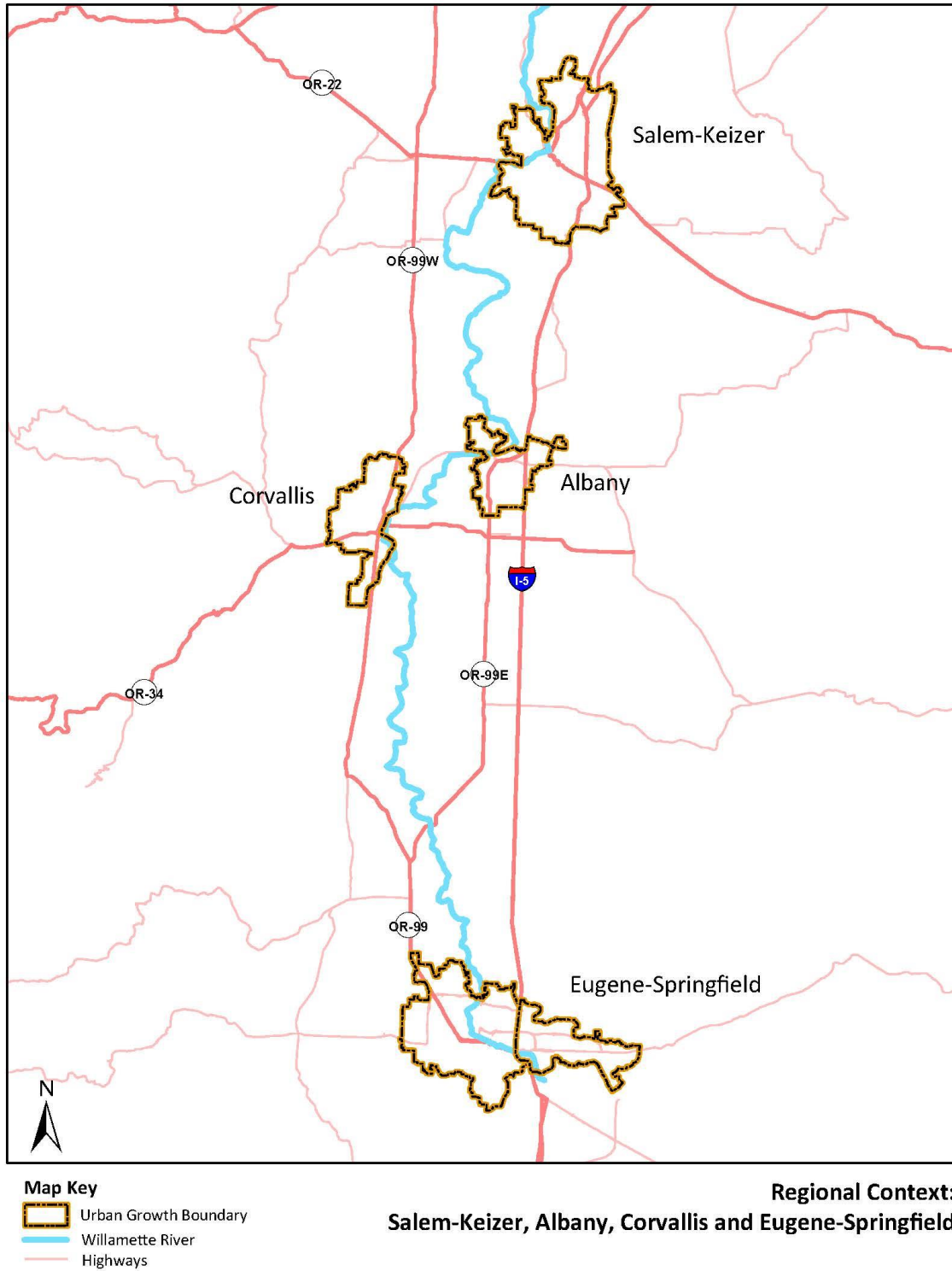
- Location of the UGB relative to the Willamette River and major highways<sup>113</sup>
- Identification of Willamette River bridges in each metropolitan area
- Information on the number of travel lanes and 2014 annual average daily traffic (AADT) on each bridge
- Reference to the highway carried by the bridge

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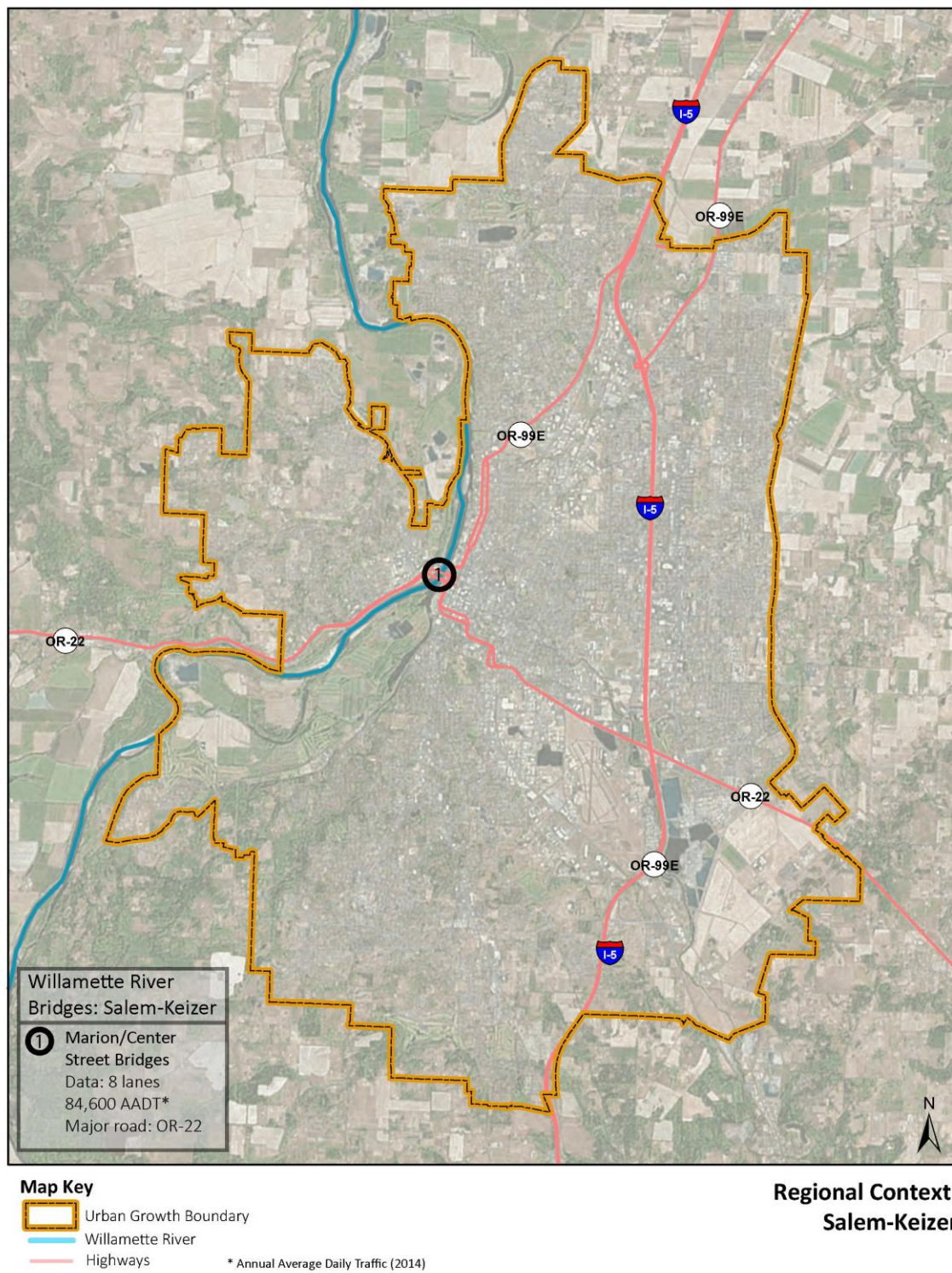
<sup>112</sup> SKATS Regional Transportation System Plan (2015) and Salem Transportation System Plan.

<sup>113</sup> The UGB isn't shown for the Portland metro area; instead the focus is on the Portland downtown.

**Figure 20***Regional Context: Willamette Valley*

**Figure 21***Regional Context: Salem-Keizer, Albany, Corvallis, and Eugene-Springfield*

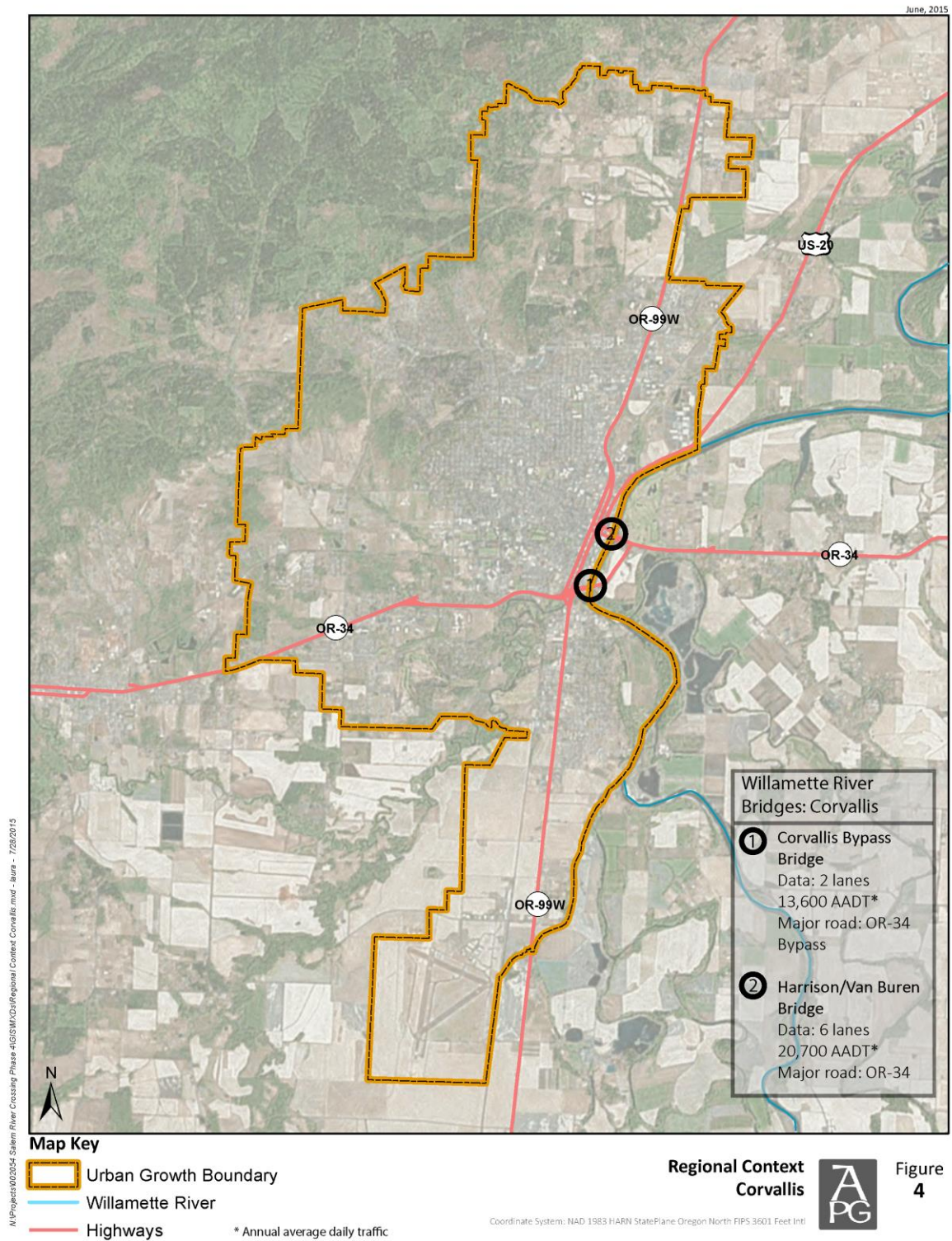
**Figure 22**  
*Regional Context: Salem-Keizer*



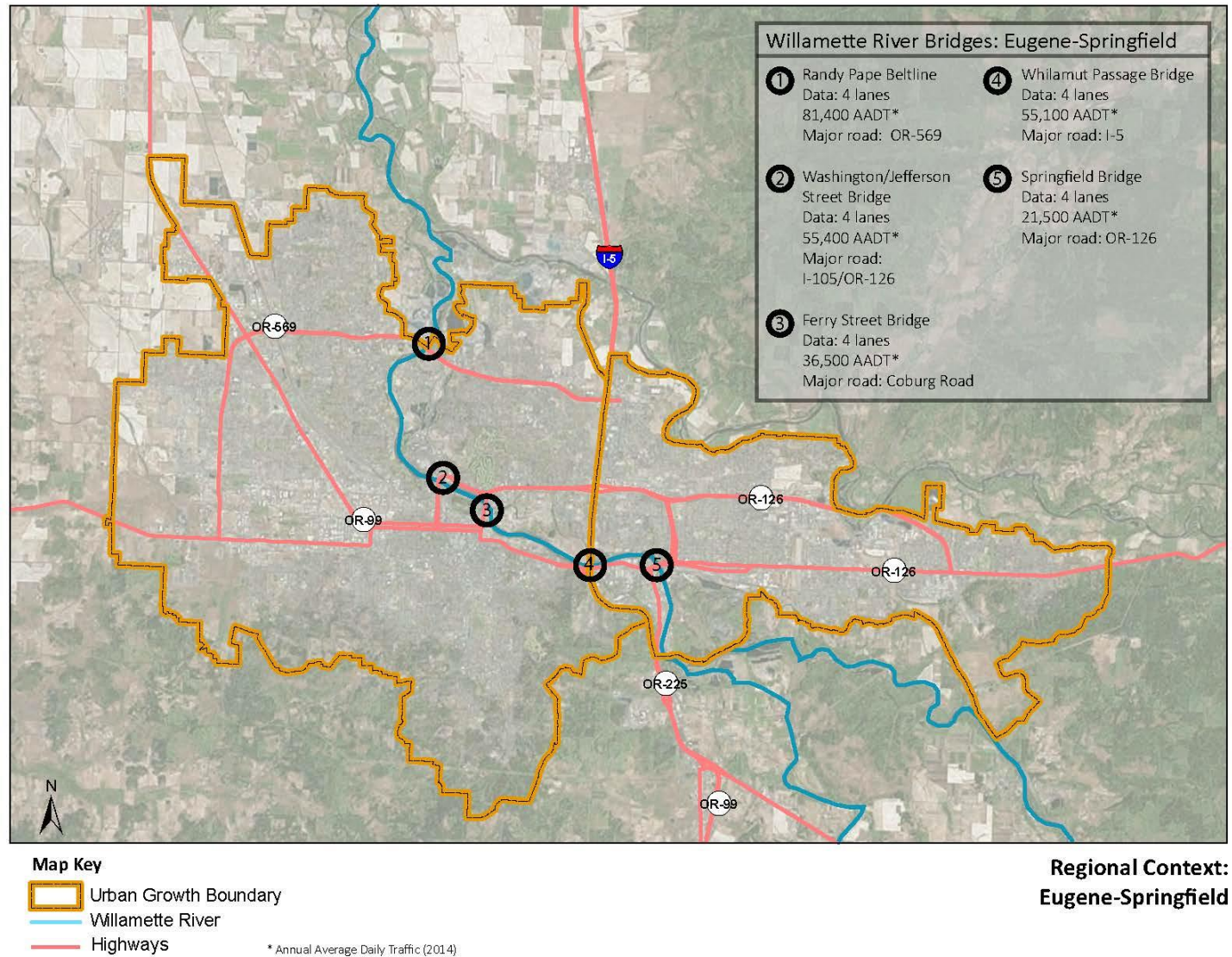
**Figure 23**  
*Regional Context: Albany*



**Figure 24**  
Regional Context: Corvallis



**Figure 25**  
*Regional Context: Eugene-Springfield*



**Figure 26**  
Regional Context: Portland

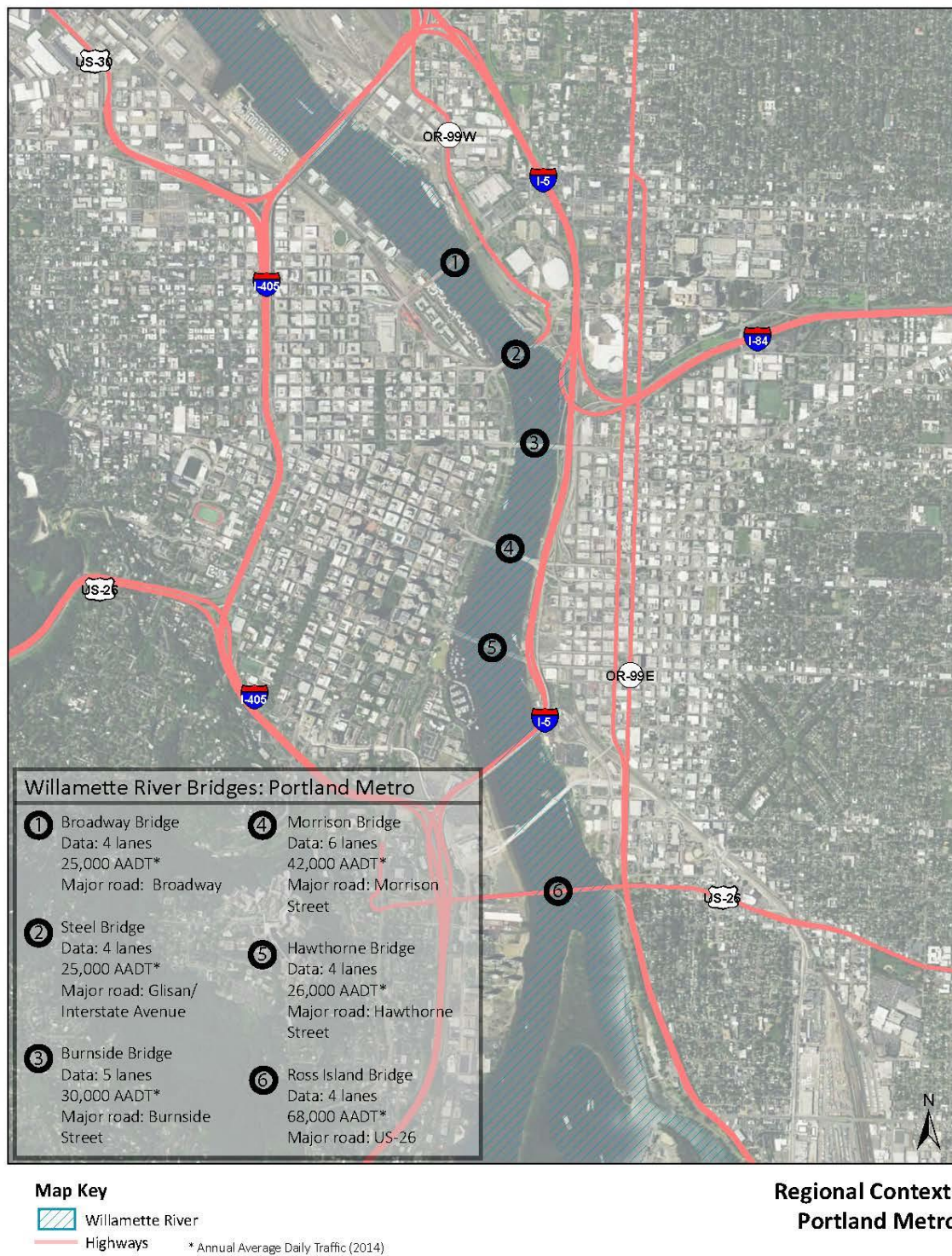


Table 13 summarizes key information for each of the metropolitan areas.

In terms of population, the Salem MSA is most comparable to the Eugene-Springfield MSA. The Salem-Keizer MSA had about 45,000 more people than the Eugene-Springfield MSA in 2014. The Willamette River bisects the UGB in both the Salem-Keizer and Eugene-Springfield metro areas. The combined Eugene and Springfield UGBs are larger (by about 5,000 acres) than the Salem-Keizer UGB and the amount of land on both sides of the river is more evenly balanced in Eugene-Springfield than in Salem-Keizer.

As shown on Figure 22 and Figure 25, there is a major difference between the Salem-Keizer and Eugene-Springfield metropolitan areas in terms of connectivity across the Willamette River. In the Eugene-Springfield area, there are five vehicular crossings of the Willamette River,<sup>114</sup> with 20 travel lanes, over a distance of approximately 7 river miles. By comparison, the couplet bridges in the Salem-Keizer area, with 8 travel lanes, provide the only connectivity across the Willamette River in the Salem-Keizer metropolitan area.

In terms of average daily traffic, only the Hwy 569 Beltline Bridge in Eugene (81,400 ADT) comes close to the average daily traffic on the Marion and Center Street Bridges in Salem (84,600 ADT). ODOT has initiated an EIS for the Beltline Highway to evaluate expanding or replacing the existing bridge or constructing a parallel arterial bridge to address congestion and safety issues.

Average daily traffic on the other bridges in the Eugene-Springfield area ranges from 21,500 to 55,400 vehicles (compared to ADT of 84,600 on the Marion and Center Street Bridges). While all bridges across the Willamette River from Portland to Springfield carry a mix of traffic (local, regional, and statewide), the availability of multiple bridge crossings in the Eugene-Springfield area provides the opportunity to focus on different transportation functions. For example, the I-5 Bridge is intended to accommodate longer-distance regional and statewide trips, the Beltline Bridge is intended to largely accommodate regional trips, and the Washington/Jefferson, Ferry and Springfield Bridges are intended to accommodate local and regional trips. With only a single crossing location in the Salem-Keizer area, the Marion and Center Street Bridges must accommodate the full mix of local, regional and statewide trips.

Figure 26 shows similar patterns in the downtown Portland area. The freeway bridges (Fremont and Marquam) are intended to carry longer-distance through trips (although much of the peak hour traffic is local or regional) and they convey traffic via ramps rather than connecting directly to the local street system. The six downtown Portland bridges connect to the established street system on one or both sides of the river at signalized intersections. All six bridges accommodate traffic in both directions and four of the six are four lane facilities. The number of bridges and the level of connectivity in downtown Portland play a very important role in distributing traffic, as can be seen in the data on average daily traffic in Table 13. In addition, the six bridges in downtown Portland shown on Figure 26 provide a very important function in providing alternative and redundant routes as a “relief valve” when individual bridges or routes (including the freeway bridges)

<sup>114</sup> In addition, Salem currently has one bicycle/pedestrian bridge across the river and Eugene has five bicycle/pedestrian bridges.

are congested; blocked in whole or in part due to an accident or other event; or are under repair.

**Table 13**  
***Vehicle Bridge Crossings of the Willamette River: Metropolitan***

| <b>Metropolitan Area (MSA)</b> | <b>MSA Population (2014)</b> | <b>UGB Extends on both side of Willamette River?</b> | <b>Number of Bridges (one way/two way)</b> | <b>Number of Travel Lanes (total)</b> | <b>AADT per lane</b> |
|--------------------------------|------------------------------|------------------------------------------------------|--------------------------------------------|---------------------------------------|----------------------|
| Salem-Keizer                   | 403,885                      | Yes                                                  | 2 (each one way)                           | 8                                     | 10,575               |
| Albany                         | 119,705                      | Yes                                                  | 2 (each one way)                           | 4                                     | 8,350                |
| Corvallis                      | 88,740                       | No                                                   | 3 (2 one-way and 1 two-way)                | 5                                     | 6,860                |
| Eugene-Springfield             | 358,805                      | Yes                                                  | 5 (all two way)                            | 20                                    | 12,495               |
| Portland <sup>a</sup>          | 2,326,397                    | Yes                                                  | 6 (all two way)                            | 27                                    | 8,000                |

<sup>a</sup> Figure 26 for the Portland MSA focuses only on the downtown bridges that are connected to the arterial street system at the bridgeheads. Data are not included for the two interstate bridges (Fremont/I-405 and Marquam/I-5) or the two bridges located outside of the downtown area (Sellwood and St. John's). These other bridges provide additional capacity and connectivity across the Willamette River in the Portland metropolitan area.

Sources: Portland Center for Population Research (MSA Population), ODOT TransGIS, and City of Portland (<http://Portlandmaps.com>).

***Providing Alternate Routes for Emergency Responders***

Alternative 2A does not provide another option for emergency vehicles to travel across the river (in the event the existing crossing is not available). Section 2.1.3.2 provides additional background on emergency response that is incorporated by this cross-reference.

“Redundancy” refers to a duplication of river crossings to provide for the continued function of the overall transportation system in case either or both of the existing bridges are rendered unusable.

The existing bridges are very difficult to convert to two-way operation in the event of an emergency because of their design as one-way bridges with several directional ramps feeding and off-loading traffic from the bridge spans. The one-way street pattern on the east side of the bridge adds to the complexity of a conversion to two-way operation.

The addition of two travel lanes to the Marion Street Bridge with Alternative 2A would be separated by a barrier from the existing travel lanes. Potentially, these additional travel lanes could be converted to use for emergency responders only during an emergency (assuming the emergency didn’t involve these lanes or the entire Marion Street Bridge). While this would increase the capacity to address emergency traffic during a specific situation, it would not result in an alternate or redundant route in the event of failure of the existing bridge.

However, Alternative 2A does nothing in terms of providing an alternate or redundant route for emergency responders. The findings and figures of Willamette River bridge crossings in other metropolitan areas, particularly in Eugene and downtown Portland, underscore the importance of having multiple bridges, with fewer travel lanes, to distribute traffic and also to provide redundancy in the event of an emergency or other event.<sup>115</sup>

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<sup>115</sup> The new bridge would be built to standards that can handle a major subduction earthquake, thus increasing Salem and the region’s resiliency to such an event, since the existing bridges do not meet those standards.

### ***Providing an Alternate Route for Regional Trips***

The existing transportation system that connects West Salem with the rest of the Salem-Keizer UGB relies on a single motor vehicle crossing with two bridges (one serving each direction) and a bicycle/pedestrian-only bridge. The existing vehicle crossing serves both local trips and regional through trips to and from OR 22. The result is a transportation network that funnels all traffic to one point of connectivity over the river, creating a bottleneck on each side of the river crossing, where intersections slow traffic. The existing bridges carry over 80,000 vehicles per day and all those vehicles are funneled through Salem's downtown core area.

Alternative 2A does not provide an alternate route for regional trips that do not want or need to travel through the downtown core area, including trips from the west side of the river that are destined to northeast Salem or Keizer, the Salem Parkway and north on I-5. It is not reasonable to expand the existing bridges to 11 lanes and expand and reinforce the existing mix of local, regional and statewide trips through the downtown core. This is in part because the increased traffic would continue to flow into the same roads and intersections on either side of the bridge which have limited capacity to accept the additional traffic. Resulting impacts on the system would be contrary to urban development goals for Salem's central business district.

### ***Enhancing Multimodal Connectivity***

Alternative 2A would require removal of existing bicycle and pedestrian facilities on the Marion and Center Street bridges, which would further exacerbate existing multimodal safety and connectivity issues across the river.

Many cyclists are sensitive to out-of-direction travel, and they may continue to use the existing bridges with Alternative 2A, even with removal of the existing bicycle facilities. This result could not be considered reasonable in terms of improving safety for bicycle travel, given safety issues associated with mixing bicyclists with automobiles and freight traffic, given traffic conditions on the bridge, including relatively high speeds and multiple merging on and off-ramps..

In addition, Alternative 2A does nothing to enhance multimodal connectivity – which is a major goal of local, regional and statewide transportation plans. Alternative 2A only expands capacity for vehicles, which is counter to the goals of Oregon's land use program and is not reasonable.

### ***Supporting Planned Land Uses in Downtown Salem and West Salem/Edgewater Districts***

Background information in Section 2.1.5 of this Findings Report (page 26) is incorporated by this cross-reference to highlight existing uses and urban renewal plans adopted for the Central Business District and the West Salem/Edgewater areas.

Alternative 2A expands the capacity of the existing bridges for vehicles only, and reinforces the challenges faced by these key areas in balancing the needs of through-traffic with the desire for walkable business districts. Primary objectives of the adopted urban renewal plans for downtown area are to:

- Encourage a variety of mixed uses and river-oriented uses
- Sustain and improve the economic vitality of the Central Business District
- Relieve traffic congestion and railroad conflicts

- Encourage the use of transit and alternate modes

Primary objectives of the adopted urban renewal plans for the West Salem/Edgewater Districts are to:

- Enhance the streetscape
- Promote new opportunities for housing
- Develop commercial and mixed-use areas that encourage people to live near shopping, neighborhood services and employment
- Improve local and regional connectivity. In particular, improve bicycle and pedestrian connections to Downtown Salem and the riverfront

When compared to the 2035 No Build Alternative, total traffic volumes crossing the expanded bridges in both directions under Alternative 2A are forecast to increase during the peak hours. Again, this increased volume of vehicle traffic would tie into the same bridgehead areas where the Salem River Crossing Project is trying to relieve congestion and support adopted land use and urban renewal plans for the bridgehead areas.

#### ***Conclusion Regarding Alternative 2A***

In summary, Alternative 2A does not reasonably meet the identified transportation need set out in the EIS and summarized in the findings in Section 3.1.3.1 (page 83).

By comparison, the Preferred Alternative represents a transportation solution that provides increased multi-modal capacity with a new river crossing that:

- Reduces congestion around the existing bridgeheads and within downtown Salem
- Draws traffic away from the existing crossing and redistributes it over a broader geographic area
- Provides a new emergency vehicle response route
- Improves multi-modal connectivity
- Supports adopted land use and urban renewal plans for the CBD and West Salem/Edgewater districts

Because the Preferred Alternative provides an additional bridge crossing of the river and improves transportation system connectivity, thereby allowing for the greater distribution of traffic through the study area, it reduces peak hour volumes and congestion on the existing bridges (relative to existing conditions and Alternative 2A) and also reduces congestion at Tier 1 bridgehead intersections relative to the No Build Alternative. The improved transportation connectivity associated with a new bridge facility will also include new facilities and connections for bicyclists and pedestrians, as well as providing a wider range of options for new transit routes in the future.

Information from the 2035 traffic and engineering analysis supporting the UGB Amendment is presented in Table 14 and Figure 19.<sup>116</sup>

<sup>116</sup> CH2M Hill, *Engineering Assessment for UGB Amendment Analysis Effort Memo*, March 31, 2016; Table 2 and Figure 4.

**Table 14***Willamette River Crossing Traffic Volumes by Location, Direction and Peak Hour*

| Direction      | Location           | 2011 Existing Conditions |              | 2035 Alternative 1: No Build |              | 2035 Alternative 2A |              | 2035 Preferred Alternative |              |
|----------------|--------------------|--------------------------|--------------|------------------------------|--------------|---------------------|--------------|----------------------------|--------------|
|                |                    | AM Peak Hour             | PM Peak Hour | AM Peak Hour                 | PM Peak Hour | AM Peak Hour        | PM Peak Hour | AM Peak Hour               | PM Peak Hour |
| Westbound (WB) | Marion Street Br.  | 2,100                    | 5,000        | 2,500                        | 6,600        | 2,900               | 7,000        | 1,900                      | 4,900        |
|                | North Bridge (New) | n/a (no new bridge)      |              | n/a (no new bridge)          |              | n/a (no new bridge) |              | 1,000                      | 2,600        |
| Eastbound (EB) | Center Street Br.  | 5,100                    | 3,200        | 6,900                        | 4,100        | 7,100               | 4,500        | 4,700                      | 3,100        |
|                | North Bridge (New) | Does not exist           |              | Does not exist               |              | Does not exist      |              | 2,700                      | 1,800        |
| Totals         | Total WB Volumes   | 2,100                    | 5,000        | 2,500                        | 6,600        | 2,900               | 7,000        | 2,900                      | 7,500        |
|                | Total EB Volumes   | 5,100                    | 3,200        | 6,900                        | 4,100        | 7,100               | 4,500        | 7,400                      | 4,900        |
|                | Total Volumes      | 7,200                    | 8,200        | 9,400                        | 10,700       | 10,000              | 11,500       | 10,300                     | 12,400       |

**Evaluation of Alternative Boundary Locations**

Findings regarding the evaluation of alternative boundary locations, demonstrating compliance with OAR 660-024-0065 and -0067 are provided in Sections 3.1.5.2 (page 119) and 3.1.5.3 (page 125), respectively.

**Criteria - 660-024-0050(5):**

*(5) In evaluating an amendment of a UGB submitted under ORS 197.626, the director or the commission may determine that a difference between the estimated 20-year needs determined under OAR 660-024-0040 and the amount of land and development capacity added to the UGB by the submitted amendment is unlikely to significantly affect land supply or resource land protection, and as a result, may determine that the proposed amendment complies with section (4) of this rule.*

**Findings - 660-024-0050(5):**

The size of the UGB amendment (35 acres) will not trigger review by the Director or LCDC. However, the amendment is consistent with the intent of this criterion.

As summarized in Section 1.3.1 (page 7) and shown on Figure 1, the majority of the Preferred Alternative is located within the existing UGB and maximizes use of existing transportation facilities and right-of-way. The proposal to expand the UGB by about 35 acres is intended to accommodate the portions of the Preferred Alternative that extend outside of the existing UGB (westerly portion of bridge and segments of Marine Drive). As required by the Salem Revised Code, a legal description has been prepared for the proposed UGB amendment.<sup>117</sup>

The surveyed area for the UGB amendment is close enough to the minimum area needed for the transportation facilities, given the preliminary state of the design and level of detail available on topography, etc. The City of Salem will apply a *Parks/Open Space/Outdoor Recreation* (POS) plan designation to the 35 acres added to the UGB. Polk County's current EFU zoning will be retained on an interim basis.

The UGB amendment is needed for a transportation facility, and the amount of land added between the existing UGB and the Marine Drive alignment (which is already included in Salem's TSP) is unlikely to significantly affect urban land supply or resource land protection for the following reasons:

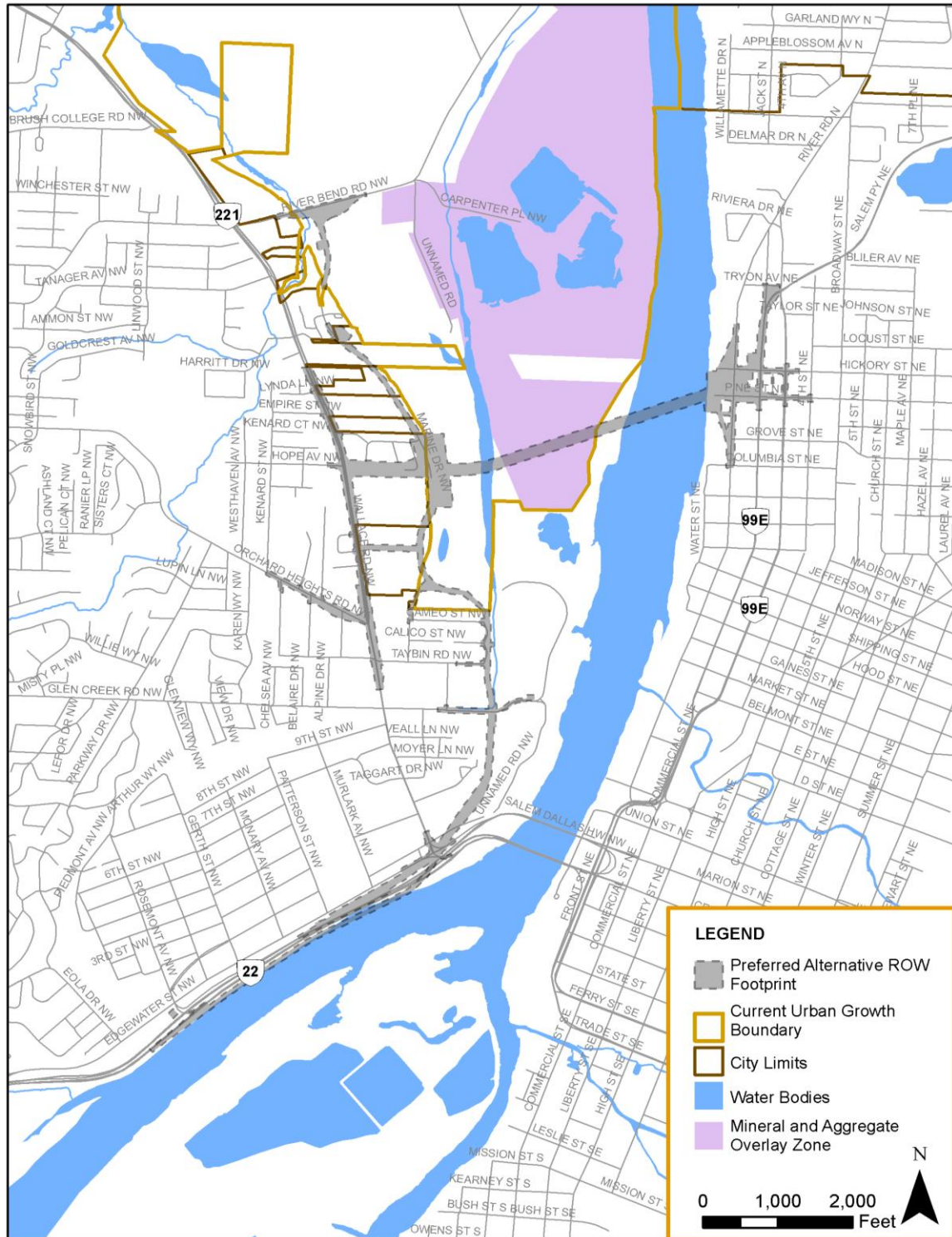
- Much of the northerly area between the existing UGB and the Marine Drive alignment (about 11.5 acres) is within the floodplain and riparian corridor of Glen Creek and development is limited (see Figure 3).
- In conjunction with the UGB amendment, Salem will include a new policy in the TSP to restrict access from the east side of Marine Drive to uses authorized in the EFU zone outside of the UGB. In addition, the agricultural lands east of the Marine Drive alignment are largely within the floodplain and development is limited.
- Salem's POS plan designation and implementing zone only allow a limited range of uses (excluding housing).

<sup>117</sup> OTAK, Figures and Legal Description for Salem UGB Expansion (July 26, 2016).

- A portion of the southerly area between the existing UGB and the Marine Drive alignment (6.72 acres) is also within the floodplain. Approval of a plan amendment and zone change would be required to develop this relatively small area for urban uses and the City recently concluded that there is adequate land in the existing UGB to accommodate needed housing over the 2015-2035 planning horizon.

The land added for the portion of the bridge extending from the west side of the river to the Marine Drive extension (16.69 acres) will be elevated over the resource land. As described in Section 1.3.1 (page 7), more than half of this bridge segment extends over the southerly portion of an approximately 250 acre mineral aggregate site that Polk County has authorized as a non-farm use in the EFU zone (see Figure 27). In addition, this segment of the bridge will not provide access to or result in urbanization pressures on resource lands. Based on the preliminary level of design, the potential for movement of farm vehicles is feasible between parcels to the south and north of the bridge before it returns to grade at Marine Drive. The standard in 660-024-0050(5) has been met.

**Figure 27**  
*Polk County Mineral and Aggregate Overlay Zone*



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**Criteria - 660-024-0050(6)-(7):**

*(6) When land is added to the UGB, the local government must assign appropriate urban plan designations to the added land, consistent with the need determination and the requirements of section (7) of this rule, if applicable. The local government must also apply appropriate zoning to the added land consistent with the plan designation or may maintain the land as urbanizable land until the land is rezoned for the planned urban uses, either by retaining the zoning that was assigned prior to inclusion in the boundary or by applying other interim zoning that maintains the land's potential for planned urban development. The requirements of ORS 197.296 regarding planning and zoning also apply when local governments specified in that statute add land to the UGB.*

*(7) Lands included within a UGB pursuant to OAR 660-024-0065(3) to provide for a particular industrial use, or a particular public facility, must be planned and zoned for the intended use and must remain planned and zoned for that use unless the city removes the land from the UGB.*

**Findings - 660-024-0050(6)-(7):**

As shown in Figure 28, the City of Salem will apply a *Parks, Open Space and Outdoor Recreation (POS)* plan designation to the 35 acres added to the UGB.

The proposed UGB amendment is based on a specific need for an urban transportation planning facility within the 20-year planning horizon. No land is being added to meet other urban land needs (such as housing or employment). Under Oregon's planning framework, local jurisdictions do not typically apply specific plan designations or zones to transportation facilities (including highways, bridges, roads, bicycle and pedestrian paths, etc.). Salem's zoning designations extend to the centerline of the right-of-way and the zoning code does not include a specific "use category" for linear transportation facilities; the use is permitted outright in all zones.<sup>118</sup>

The Salem Area Comprehensive Plan description of the POS designation includes parks and open space facilities to be managed by the city; designed and natural open space; and outdoor recreation. The Comprehensive Plan describes open space as:

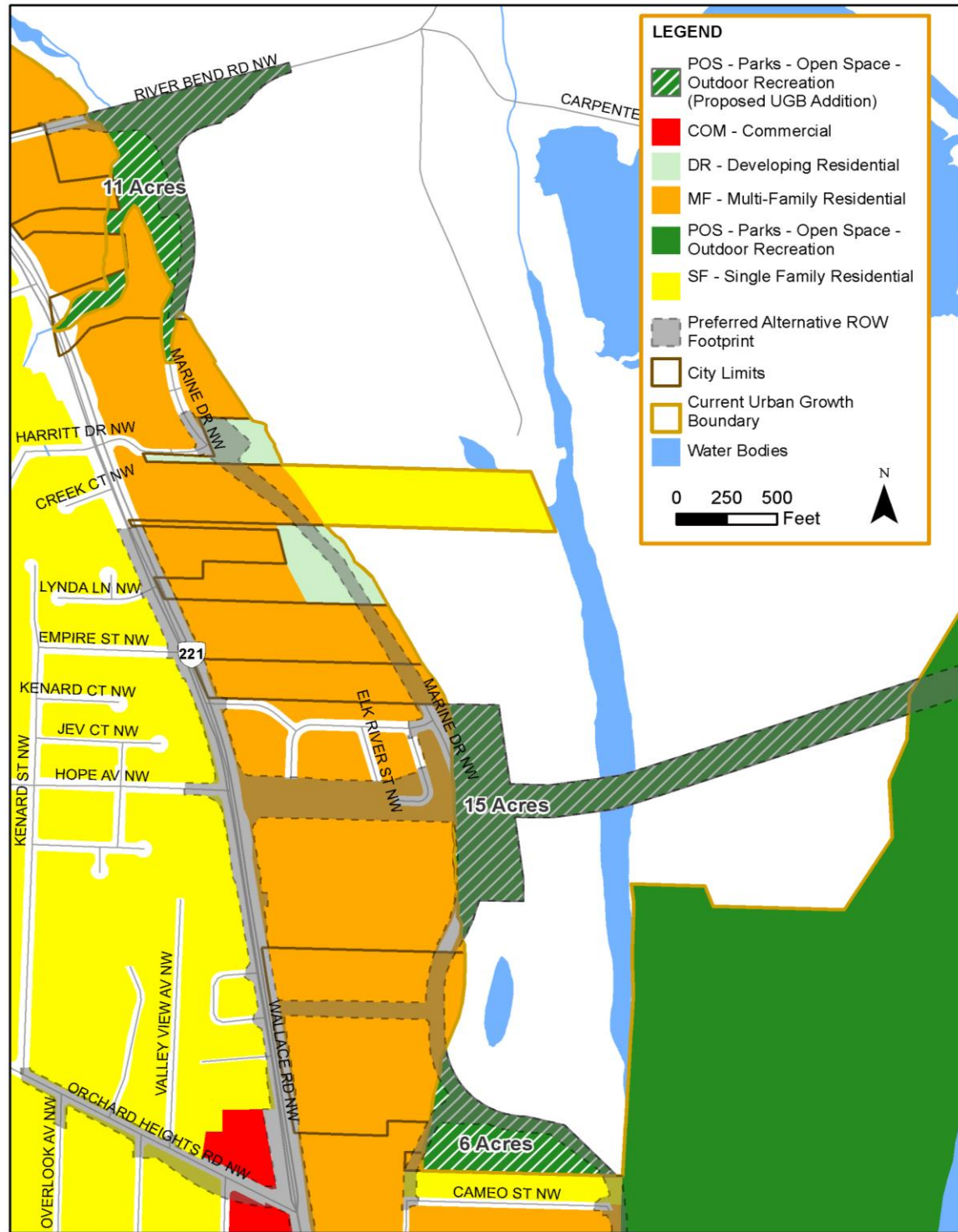
*Open space may be categorized as space which is incorporated into the design of a development and that which is maintained, at least in part, by natural conditions which limits more intensive use.*

The plan specifically references the following under the heading of "Natural Open Space":

- Willamette River
- Agricultural land within the Floodplain
- Aggregate mining and directly related industrial use in the Floodplain

<sup>118</sup> Unless otherwise provided in Chapter 400 (Use Categories), activities allowed within the public right-of-way are not considered a "use" for purposes of classification under this Chapter. (Salem Revised Code 400.015(e)).

**Figure 28**  
*City of Salem Proposed Comprehensive Plan Designations*



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The existing Polk County EFU zoning will be retained as interim zoning and will maintain the land for the planned transportation facility. The City's Public Amusement (PA) zone implements the *Parks, Open Space, and Outdoor Recreation* designation of the Salem Area Comprehensive Plan (SRC Chapter 540). Prior to construction of the new bridge and related transportation facilities, the City of Salem will annex the land and apply the PA zone that implements the *Parks, Open Space, and Outdoor Recreation* comprehensive plan designation.

In summary, the *Parks, Open Space, and Outdoor Recreation* plan designation is the most appropriate plan designation to apply to the land added to the UGB for the needed transportation improvements. The Polk County EFU zoning will be retained in the interim, precluding urban development on the land added to the UGB until the new transportation facilities can be built. The standard in 660-024-0060(6) and (7) has been met.

### 3.1.5 Boundary Location

#### 3.1.5.1 Goal 14 – Boundary Location:

*The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197.298 and with consideration of the following factors:*

- (1) Efficient accommodation of identified land needs;*
- (2) Orderly and economic provision of public facilities and services;*
- (3) Comparative environmental, energy, economic and social consequences; and*
- (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.*

#### **Findings – Goal 14 Boundary Location:**

Every city in Oregon must establish an urban growth boundary to comply with the requirements of Goal 14 (Urbanization). Establishment and management of UGB's are generally regarded as key to Oregon's planning framework. Growth boundaries are intended to serve several purposes, including preservation of resource lands, orderly transition from urban to rural land uses, and environmental, energy and public facilities efficiencies.

It is important to recognize and understand the unique role that transportation facilities such as roads and highways (including bridges) play in Oregon's land use framework. Roads and highways are linear facilities that interconnect to form an overall transportation network. The Salem-Keizer urban area, Marion County, Polk County and the State of Oregon are traversed by roads and highways that cross both urban and rural lands to form a comprehensive transportation system. This connected network is necessary to move people and goods locally, regionally, and throughout the state, thereby helping to secure the welfare and well-being of Oregon residents and businesses.

As linear facilities, roads and highways are very different from site-specific land uses such as residential, commercial, and industrial uses. It is often not feasible or appropriate to preclude the extension or connection of roads or highways outside of UGBs, even if the roads predominantly serve the transportation needs of urban residents. Indeed, the need for transportation connectivity across urban and rural lands sometimes necessitates such action

to achieve the policy objectives of Goal 12 (Transportation) and the Transportation Planning Rule (TPR), which requires the state and local governments to plan for the statewide and regional as well as local transportation needs of the citizens of Oregon.

Findings to address the administrative rule provisions implementing the four Goal 14 factors highlighted above are provided in the response to 660-024-0067(7) in Section 3.1.5.3 (page 125) and in Table 15 of this Findings Report. Note that ORS 197.298 is no longer applicable to cities outside of the Metro region. ORS 197A is applicable; however, it directs DLCD rule-making, which has been completed and adopted into OAR 660 Division 24. By demonstrating compliance with the version of OAR 660 Division 24 effective January 1, 2016, in particular OAR 660-024-0067(2) (see findings beginning on page 126), the City is also demonstrating compliance with ORS 197A.

### **3.1.5.2 660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB**

#### **Criteria – 660-024-0065(1):**

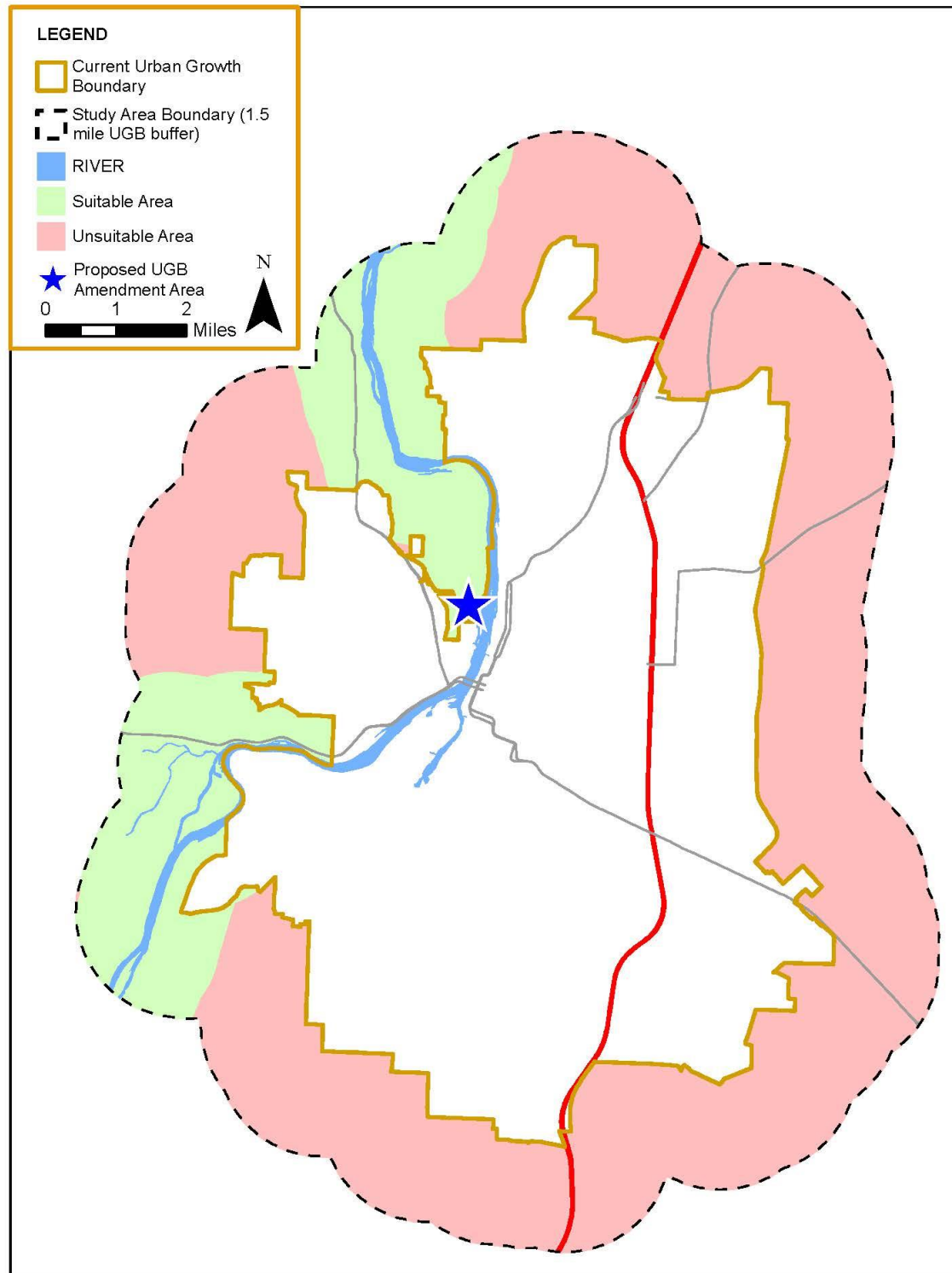
*(1) When considering a UGB amendment to accommodate a need deficit identified in OAR 660-024-0050(4), a city outside of Metro must determine which land to add to the UGB by evaluating alternative locations within a “study area” established pursuant to this rule. To establish the study area, the city must first identify a “preliminary study area” which shall not include land within a different UGB or the corporate limits of a city within a different UGB. The preliminary study area shall include:*

- (a) All lands in the city’s acknowledged urban reserve, if any;*
- (b) All lands that are within the following distance from the acknowledged UGB:*
  - (A) For cities with a UGB population less than 10,000: one-half mile;*
  - (B) For cities with a UGB population equal to or greater than 10,000: one mile;*
- (c) All exception areas contiguous to an exception area that includes land within the distance specified in subsection (b) and that are within the following distance from the acknowledged UGB:*
  - (A) For cities with a UGB population less than 10,000: one mile;*
  - (B) For cities with a UGB population equal to or greater than 10,000: one and one-half miles;*
- (d) At the discretion of the city, the preliminary study area may include land that is beyond the distance specified in subsections (b) and (c).*

#### **Findings – 660-024-0065(1):**

The City of Salem has established a “preliminary study area” for the proposed UGB amendment as required by OAR 660-024-0065(1). Figure 29 shows a 1 ½ mile buffer around the existing Salem-Keizer UGB.

**Figure 29**  
*Urban Growth Boundary Study Area*



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**Criteria – 660-024-0065(3):**

*(3) When the primary purpose for expansion of the UGB is to accommodate a particular industrial use that requires specific site characteristics, or to accommodate a public facility that requires specific site characteristics, and the site characteristics may be found in only a small number of locations, the preliminary study area may be limited to those locations within the distance described in section (1) or (2), whichever is appropriate, that have or could be improved to provide the required site characteristics. For purposes of this section:*

*(a) The definition of “site characteristics” in OAR 660-009-0005(11) applies for purposes of identifying a particular industrial use.*

*(b) A “public facility” may include a facility necessary for public sewer, water, storm water, transportation, parks, schools, or fire protection. Site characteristics may include but are not limited to size, topography and proximity.*

**Findings – 660-024-0065(3):**

The primary purpose for expansion of the UGB is to accommodate a “public facility” (transportation improvements) that requires specific site characteristics that may only be found in only a small number of locations. The preliminary study area may then be limited to those locations that have or could be improved to provide the required site characteristics.

The findings in Section 3.1.2.1 (page 78) identify the Suitability Characteristics necessary for land to be suitable for the identified transportation need. Those findings are incorporated by this cross-reference and are paraphrased below:

- To be suitable, the transportation corridor must cross the Willamette River and link to primary north-south arterial roadways on the east and west sides of the river.
- The greatest impact in terms of system performance results from corridors that reduce VHD in Downtown and West Salem.
- Top performing corridors are geographically clustered between the existing bridges on the south to the Salem Parkway on the north.

As shown on Figure 29, the preliminary study area was initially limited to the green areas that at least met the first characteristic listed above (within 1.5 miles of current UGB and crossing the Willamette River).

Earlier transportation studies, particularly the *Corridor Evaluation Study* (2002) and the *SRC Project DEIS* (2012) provide the documentation to support a much more limited focus on an area defined by the existing bridges (within the current UGB) on the south and about the Salem Parkway on the north. This relatively defined area is noted with a star on Figure 29. The Preferred Alternative and all DEIS alternatives outside the UGB are all located in this area.

**Criteria – 660-024-0065(4):**

*(4) The city may exclude land from the preliminary study area if it determines that:*

*(a) Based on the standards in section (7) of this rule, it is impracticable to provide necessary public facilities or services to the land;*

*(b) The land is subject to significant development hazards, due to a risk of:*

*(A) Landslides: The land consists of a landslide deposit or scarp flank that is described and mapped on the Statewide Landslide Information Database for Oregon (SLIDO) Release 3.2 Geodatabase published by the Oregon Department of Geology and Mineral Industries (DOGAMI) December 2014, provided that the deposit or scarp flank in the data source is mapped at a scale of 1:40,000 or finer. If the owner of a lot or parcel provides the city with a site-specific analysis by a certified engineering geologist demonstrating that development of the property would not be subject to significant landslide risk, the city may not exclude the lot or parcel under this paragraph;*

*(B) Flooding, including inundation during storm surges: the land is within the Special Flood Hazard Area (SFHA) identified on the applicable Flood Insurance Rate Map (FIRM);*

*(C) Tsunamis: the land is within a tsunami inundation zone established pursuant to ORS 455.446;*

*(c) The land consists of a significant scenic, natural, cultural or recreational resource described in this subsection:*

*(A) Land that is designated in an acknowledged comprehensive plan prior to initiation of the UGB amendment, or that is mapped on a published state or federal inventory at a scale sufficient to determine its location for purposes of this rule, as:*

*(i) Critical or essential habitat for a species listed by a state or federal agency as threatened or endangered;*

*(ii) Core habitat for Greater Sage Grouse; or*

*(iii) Big game migration corridors or winter range, except where located on lands designated as urban reserves or exception areas;*

*(B) Federal Wild and Scenic Rivers and State Scenic Waterways, including Related Adjacent Lands described by ORS 390.805, as mapped by the applicable state or federal agency responsible for the scenic program;*

*(C) Designated Natural Areas on the Oregon State Register of Natural Heritage Resources;*

*(D) Wellhead protection areas described under OAR 660-023-0140 and delineated on a local comprehensive plan;*

*(E) Aquatic areas subject to Statewide Planning Goal 16 that are in a Natural or Conservation management unit designated in an acknowledged comprehensive plan;*

*(F) Lands subject to acknowledged comprehensive plan or land use regulations that implement Statewide Planning Goal 17, Coastal Shoreland, Use Requirement 1;*

*(G) Lands subject to acknowledged comprehensive plan or land use regulations that implement Statewide Planning Goal 18, Implementation Requirement 2;*

*(d) The land is owned by the federal government and managed primarily for rural uses.*

**Findings – 660-024-0065(4):**

As noted above, the preliminary study area was narrowed to areas that would meet the suitability characteristics established through analysis in earlier studies. No other areas were excluded based on 660-024-0065(4). Because the transportation need relates specifically to a crossing of the Willamette River, portions of all alternatives (including 2A) are within the FEMA Special Flood Hazard Area. However, City of Salem regulations would require no rise in the flood elevation for any build alternative (see findings addressing Statewide Planning Goal 7 in Section 6.2.7, page 242).

**Criteria – 660-024-0065(5):**

*(5) After excluding land from the preliminary study area under section (4), the city must adjust the area, if necessary, so that it includes an amount of land that is at least twice the amount of land needed for the deficiency determined under OAR 660-024-0050(4) or, if applicable, twice the particular land need described in section (3). Such adjustment shall be made by expanding the distance specified under the applicable section (1) or (2) and applying section (4) to the expanded area.*

**Findings – 660-024-0065(5):**

The City of Salem has identified a need to include about 35 acres in the UGB to accommodate the portions of the Preferred Alternative that extend outside of the UGB. The aggregate of all corridors considered outside of the UGB included at least twice as many acres (70 acres) than the identified land need. Therefore, there was no need to modify or expand the preliminary study area shown on Figure 29. The consideration of Build alternatives outside the UGB focused on a defined “notch” in the existing UGB that links to areas within the current UGB east and west of the Willamette River (see Figure 9).

**Criteria – 660-024-0065(6):**

*(6) For purposes of evaluating the priority of land under OAR 660-024-0067, the “study area” shall consist of all land that remains in the preliminary study area described in section (1), (2) or (3) of this rule after adjustments to the area based on sections (4) and (5), provided that when a purpose of the UGB expansion is to accommodate a public park need, the city must also consider whether land excluded under subsection (4)(a) through (c) of this rule can reasonably accommodate the park use.*

**Findings – 660-024-0065(6):**

The findings addressing 660-024-0065(3) through (5) above are incorporated by this cross-reference. The purpose of the UGB expansion is to accommodate a transportation need, not a public park need. Therefore, that provision of 660-024-0065(6) is not applicable.

**Criteria – 660-024-0065(7):**

*(7) For purposes of subsection (4)(a), the city may consider it impracticable to provide necessary public facilities or services to the following lands:*

*(a) Contiguous areas of at least five acres where 75 percent or more of the land has a slope of 25 percent or greater, provided that contiguous areas 20 acres or more that are less than 25 percent slope may not be excluded under this subsection. Slope shall*

*be measured as the increase in elevation divided by the horizontal distance at maximum ten-foot contour intervals;*

*(b) Land that is isolated from existing service networks by physical, topographic, or other impediments to service provision such that it is impracticable to provide necessary facilities or services to the land within the planning period. The city's determination shall be based on an evaluation of:*

*(A) The likely amount of development that could occur on the land within the planning period;*

*(B) The likely cost of facilities and services; and,*

*(C) Any substantial evidence collected by or presented to the city regarding how similarly situated land in the region has, or has not, developed over time.*

*(c) As used in this section, "impediments to service provision" may include but are not limited to:*

*(A) Major rivers or other water bodies that would require new bridge crossings to serve planned urban development;*

*(B) Topographic features such as canyons or ridges with slopes exceeding 40 percent and vertical relief of greater than 80 feet;*

*(C) Freeways, rail lines, or other restricted access corridors that would require new grade separated crossings to serve planned urban development;*

*(D) Significant scenic, natural, cultural or recreational resources on an acknowledged plan inventory and subject to protection measures under the plan or implementing regulations, or on a published state or federal inventory, that would prohibit or substantially impede the placement or construction of necessary public facilities and services.*

**Findings – 660-024-0065(7):**

The provisions in 660-024-0065(7) are not relevant to the proposed UGB expansion based on an identified transportation need that requires particular land characteristics to be suitable.

**Criteria – 660-024-0065(8):**

*(8) Land may not be excluded from the preliminary study area based on a finding of impracticability that is primarily a result of existing development patterns.*

*However, a city may forecast development capacity for such land as provided in OAR 660-024-0067(1)(d).*

**Findings – 660-024-0065(8):**

No land was excluded from the preliminary study area based on a finding of impracticability that is primarily a result of existing development patterns. However, community impacts and existing development patterns were a key consideration in the earlier *General Corridor Evaluation* and in the *SRC Project DEIS* that narrowed the universe of alternatives that were advanced for consideration through the NEPA process (see Table 6). Ultimately, the Preferred Alternative represented a hybrid of alternatives that were evaluated in the DEIS and was the result of a process that balanced a range of benefits and impacts, with impacts on existing development patterns a key consideration.

**Criteria – 660-024-0065(9):**

*(9) Notwithstanding OAR 660-024-0050(4) and section (1) of this rule, except during periodic review or other legislative review of the UGB, the city may approve an application under ORS 197.610 to 197.625 for a UGB amendment to add an amount of land less than necessary to satisfy the land need deficiency determined under OAR 660-024-0050(4), provided the amendment complies with all other applicable requirements.*

**Findings – 660-024-0065(9):**

This provision of the rule is not directly applicable to the proposed UGB amendment. The proposal to add 35 acres of land to the UGB is based on the preliminary footprint and legal description for the components of the Preferred Alternative that extend outside of the current UGB.

**3.1.5.3 660-024-0067 Evaluation of Land in the Study Area for Inclusion in the UGB; Priorities****Criteria – 660-024-0067(1)-(2):**

*(1) A city considering a UGB amendment must decide which land to add to the UGB by evaluating all land in the study area determined under OAR 660-024-0065, as follows*

*(a) Beginning with the highest priority category of land described in section (2), the city must apply section (5) to determine which land in that priority category is suitable to satisfy the need deficiency determined under OAR 660-024-0050 and select for inclusion in the UGB as much of the land as necessary to satisfy the need.*

*(b) If the amount of suitable land in the first priority category is not sufficient to satisfy all the identified need deficiency, the city must apply section (5) to determine which land in the next priority is suitable and select for inclusion in the UGB as much of the suitable land in that priority as necessary to satisfy the need. The city must proceed in this manner until all the land need is satisfied, except as provided in OAR 660-024-0065(9).*

*(c) If the amount of suitable land in a particular priority category in section (2) exceeds the amount necessary to satisfy the need deficiency, the city must choose which land in that priority to include in the UGB by applying the criteria in section (7) of this rule.*

*(d) In evaluating the sufficiency of land to satisfy a need under this section, the city may use the factors identified in sections (5) and (6) of this rule to reduce the forecast development capacity of the land to meet the need.*

*(e) Land that is determined to not be suitable under section (5) of this rule to satisfy the need deficiency determined under OAR 660-024-0050 is not required to be selected for inclusion in the UGB unless its inclusion is necessary to serve other higher priority lands.*

*(2) Priority of Land for inclusion in a UGB:*

*(a) First Priority is urban reserve, exception land, and nonresource land. Lands in the study area that meet the description in paragraphs (A) through (C) of this subsection are of equal (first) priority:*

(A) Land designated as an urban reserve under OAR chapter 660, division 21, in an acknowledged comprehensive plan;

(B) Land that is subject to an acknowledged exception under ORS 197.732; and

(C) Land that is nonresource land.

(b) Second Priority is marginal land: land within the study area that is designated as marginal land under ORS 197.247 (1991 Edition) in the acknowledged comprehensive plan.

(c) Third Priority is forest or farm land that is not predominantly high-value farm land: land within the study area that is designated for forest or agriculture uses in the acknowledged comprehensive plan and that is not predominantly high-value farmland as defined in ORS 195.300, or that does not consist predominantly of prime or unique soils, as determined by the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS). In selecting which lands to include to satisfy the need, the city must use the agricultural land capability classification system or the cubic foot site class system, as appropriate for the acknowledged comprehensive plan designation, to select lower capability or cubic foot site class lands first.

(d) Fourth Priority is agricultural land that is predominantly high-value farmland: land within the study area that is designated as agricultural land in an acknowledged comprehensive plan and is predominantly high-value farmland as defined in ORS 195.300. A city may not select land that is predominantly made up of prime or unique farm soils, as defined by the USDA NRCS, unless there is an insufficient amount of other land to satisfy its land need. In selecting which lands to include to satisfy the need, the city must use the agricultural land capability classification system to select lower capability lands first.

#### **Findings – 660-024-0067(1)-(2):**

The top three priorities of land to consider for inclusion in the UGB to meet the identified transportation need are not applicable in the Salem-Keizer region. First, the cities of Salem and Keizer have not designated an urban reserve under OAR 660, division 21. Second, while there are some areas adjacent to the 43,464-acre Salem-Keizer UGB identified in the acknowledged Polk County and Marion County Comprehensive Plans as exception areas or non-resource land, none of these areas have the characteristics necessary for land to be suitable to meet the identified need for additional transportation capacity across the Willamette River. The findings in Section 3.1.2.1 (page 78) document the necessary characteristics and are incorporated by this reference. Third, Polk County has not designated marginal land pursuant to ORS 197.247.

All of the build alternatives outside of the UGB impact land designated for Agriculture in the Polk County Comprehensive Plan.

The proposed expansion of the UGB to accommodate the portions of the Marine Drive Extension (about 19 acres) is common to all build alternatives. The impacts of the new bridge crossing on Agricultural land (about 16 acres) show some differences based on the three general bridge crossing corridors highlighted in Figure 9.

The findings in Section 2.4.7 (page 63) and information in Table 15 evaluate all alternatives outside of the UGB, including consideration of the capability classification of designated Agricultural land as required by OAR 660-024-0067(2)(d) (see Figure 30).

That said, it bears mention that for the bridge portion of the UGB amendment, the “urban transportation use” will be elevated above the surface of affected rural lands. The only part of this use impacting rural lands will be the piers supporting the elevated roadway. For this reason, the overall amount of affected rural agricultural land and the overall impacts to such land are substantially reduced. Those lands can and will remain zoned for EFU uses, and agricultural uses can continue.

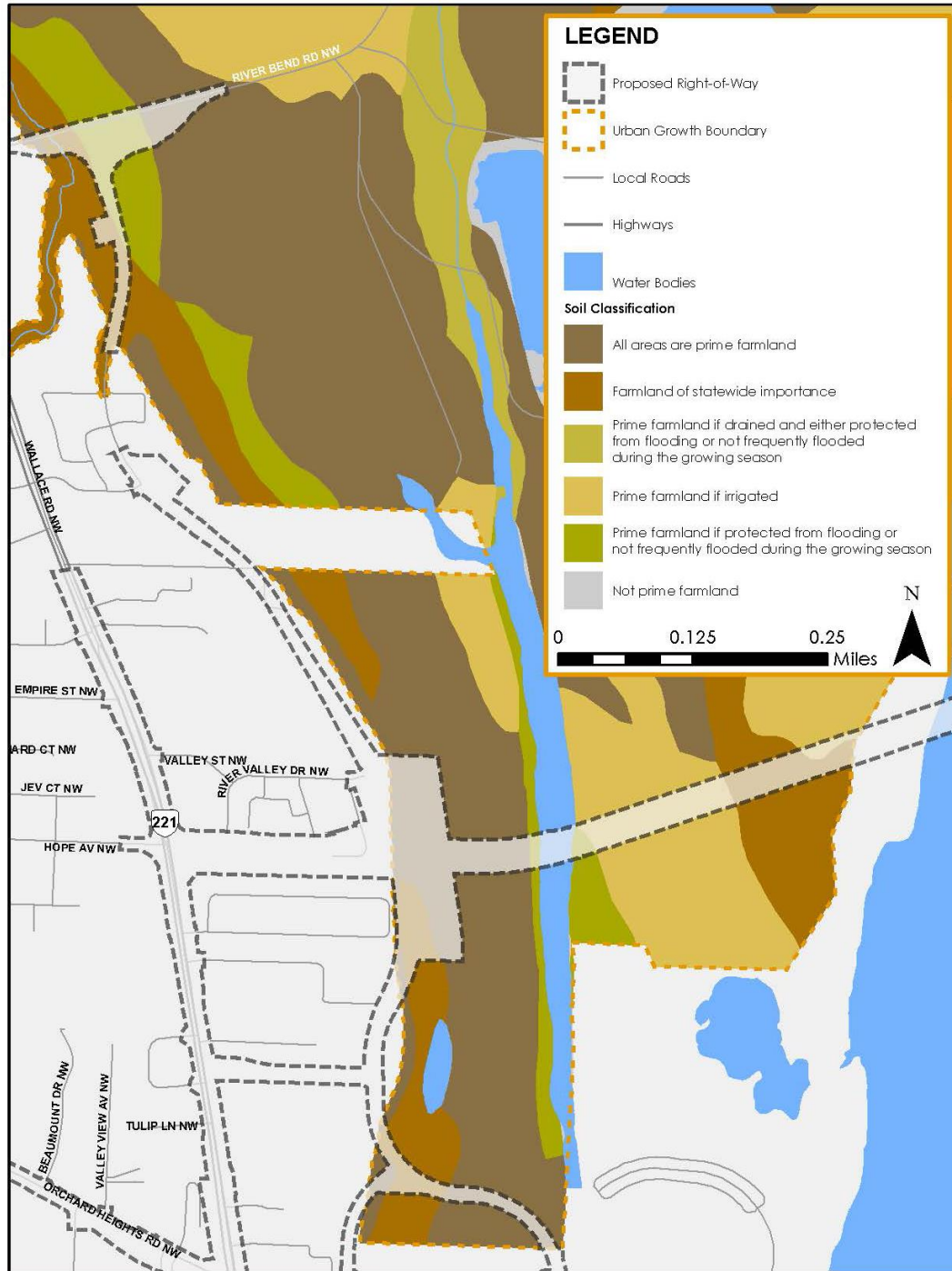
Figure 30 shows the footprint for the Preferred Alternative superimposed over agricultural capability classes. As shown in Table 15, Alternative 2B displaces the least amount of designated Agricultural land (4.2 acre), the Preferred Alternative and Alternatives 4, 4A and 4B displace a similar amount of designated Agricultural land (about 20 acres), and Alternatives 4C, 4D and 4E each displace about 32 acres.<sup>119</sup>

Also, as noted earlier in this Findings Report, about 8 acres associated with the Preferred Alternative (and other build alternatives) cross over a large aggregate mining operation (+250 acres) approved as a significant aggregate resource site and non-farm use in the EFU zone (see Figure 27).

In summary, the top three priorities of land to consider for conclusion in the UGB are not applicable. All of the build alternatives outside the UGB impact designated Agricultural land, and the impacts are not substantially different because similar lands are affected. The Preferred Alternative, and all of the Build alternatives evaluated in the DEIS, are located in close proximity to the current UGB. In contrast to larger blocks of designated Agricultural land further north of Riverbend Road, the affected area is a “notch” in the current UGB and land use patterns and parcel sizes are already shaped by the proximity of urban development to the west of the Marine Drive Extension, and the extensive floodplain and the existing and future aggregate extraction area to the east (see Figure 31).

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<sup>119</sup> The acreage figures in Table 15 reflect direct impacts associated with the footprint of each alternative. The proposed UGB amendment for the Preferred Alternative includes an additional 15 acres of EFU land between the existing UGB and the Marine Drive alignment (a total of about 35 acres of EFU land).

**Figure 30***Impacts Outside the Urban Growth Boundary: Soil Classifications: Preferred Alternative***Impacts Outside the UGB: Soil Classifications****Preferred Alternative**

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**Figure 31***Impacts Outside the Urban Growth Boundary: Property Ownership and Existing Condition*

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**Criteria – 660-024-0067(3):**

*(3) Notwithstanding section (2)(c) or (d) of this rule, land that would otherwise be excluded from a UGB may be included if:*

*(a) The land contains a small amount of third or fourth priority land that is not important to the commercial agricultural enterprise in the area and the land must be included in the UGB to connect a nearby and significantly larger area of land of higher priority for inclusion within the UGB; or*

*(b) The land contains a small amount of third or fourth priority land that is not predominantly high-value farmland or predominantly made up of prime or unique farm soils and the land is completely surrounded by land of higher priority for inclusion into the UGB.*

**Findings – 660-024-0067(3):**

660-024-0067(3) is not applicable to the proposal to expand the UGB by about 35 acres to accommodate the transportation need. As shown on Figure 30, there are not clear pockets of higher or lower priority agricultural lands. Also, the area east of Marine Drive to the river is not in large blocks of agricultural land and the extent of aggregate mining within the EFU zone and Mineral Aggregate Overlay is clearly visible (see Figure 31).

**Criteria – 660-024-0067(4):**

*(4) For purposes of categorizing and evaluating land pursuant to subsections (2)(c) and (d) and section (3) of this rule,*

*(a) Areas of land not larger than 100 acres may be grouped together and studied as a single unit of land;*

*(b) Areas of land larger than 100 acres that are similarly situated and have similar soils may be grouped together provided soils of lower agricultural or forest capability may not be grouped with soils of higher capability in a manner inconsistent with the intent of section (2) of this rule, which requires that higher capability resource lands shall be the last priority for inclusion in a UGB;*

*(c) Notwithstanding subsection (4)(a), if a city initiated the evaluation or amendment of its UGB prior to January 1, 2016, and if the analysis involves more than one lot or parcel or area within a particular priority category for which circumstances are reasonably similar, these lots, parcels and areas may be considered and evaluated as a single group;*

*(d) When determining whether the land is predominantly high-value farmland, or predominantly prime or unique, “predominantly” means more than 50 percent.*

**Findings – 660-024-0067(4):**

660-024-0067(4) is not relevant to the proposed UGB amendment. This criterion is more applicable to UGB amendments for other urban uses such as housing, commercial or residential. The impacts of specific transportation corridors were evaluated in the DEIS, and areas were not larger than 100 acres or grouped together and studied as a single unit of land.

**Criteria – 660-024-0067(5):**

*(5) With respect to section (1), a city must assume that vacant or partially vacant land in a particular priority category is “suitable” to satisfy a need deficiency*

*identified in OAR 660-024-0050(4) unless it demonstrates that the land cannot satisfy the specified need based on one or more of the conditions described in subsections (a) through (g) of this section: Existing parcelization, lot sizes or development patterns of rural residential land make that land unsuitable for an identified employment need; as follows:*

*(A) Parcelization: the land consists primarily of parcels 2-acres or less in size, or*

*(B) Existing development patterns: the land cannot be reasonably redeveloped or infilled within the planning period due to the location of existing structures and infrastructure."*

*(b) The land would qualify for exclusion from the preliminary study area under the factors in OAR 660-024-0065(4) but the city declined to exclude it pending more detailed analysis.*

*(c) The land is, or will be upon inclusion in the UGB, subject to natural resources protections under Statewide Planning Goal 5 such that that no development capacity should be forecast on that land to meet the land need deficiency.*

*(d) With respect to needed industrial uses only, the land is over 10 percent slope, or is an existing lot or parcel that is smaller than 5 acres in size, or both. Slope shall be measured as the increase in elevation divided by the horizontal distance at maximum ten-foot contour intervals.*

*(e) With respect to a particular industrial use or particular public facility use described in OAR 660-024-0065(3), the land does not have, and cannot be improved to provide, one or more of the required specific site characteristics.*

*(f) The land is subject to a conservation easement described in ORS 271.715 that prohibits urban development.*

*(g) The land is committed to a use described in this subsection and the use is unlikely to be discontinued during the planning period:*

*(A) Public park, church, school, or cemetery, or*

*(B) Land within the boundary of an airport designated for airport uses, but not including land designated or zoned for residential, commercial or industrial uses in an acknowledged comprehensive plan.*

#### **Findings – 660-024-0067(5):**

Through the NEPA process for the SRC project, the local jurisdictions have specified the characteristics that are necessary for land to be suitable for the identified transportation need. The findings in Section 3.1.2.1 (page 78) specify the necessary characteristics and are incorporated by this reference. The build alternatives evaluated in the EIS are located in three general crossing locations shown on Figure 9 that had the necessary characteristics to be suitable for the identified transportation need. Maps of all DEIS build alternatives are included in Chapter 2 (see Figure 10 through Figure 17).

#### **Criteria – 660-024-0067(7):**

*(7) Pursuant to subsection (1)(c), if the amount of suitable land in a particular priority category under section (2) exceeds the amount necessary to satisfy the need*

*deficiency, the city must choose which land in that priority to include in the UGB by first applying the boundary location factors of Goal 14 and then applying applicable criteria in the acknowledged comprehensive plan and land use regulations acknowledged prior to initiation of the UGB evaluation or amendment. The city may not apply local comprehensive plan criteria that contradict the requirements of the boundary location factors of Goal 14. The boundary location factors are not independent criteria; when the factors are applied to compare alternative boundary locations and to determine the UGB location the city must show that it considered and balanced all the factors. The criteria in this section may not be used to select lands designated for agriculture or forest use that have higher land capability or cubic foot site class, as applicable, ahead of lands that have lower capability or cubic foot site class.*

**Findings – 660-024-0067(7):**

The Salem City Council, and all of the project partners, considered and balanced the factors that are embedded in Goal 14 as part of the NEPA process and in the subsequent plan amendment process. This is consistent with the guidance in OAR 660-024-0060(3) that provides:

*The boundary location factors of Goal 14 are not independent criteria. When the factors are applied to compare alternative boundary locations and to determine the UGB location, a local government must show that all the factors were considered and balanced.*

Table 15 summarizes relevant information from the DEIS, organized by its applicability to the four Goal 14 location factors. Note that, as of the writing of these findings, some of the data for the Preferred Alternative is not available. This is indicated in Table 15 where appropriate.

Table 15  
Comparison of Build Alternatives Outside the UGB based on Goal 14 Factors

| Element                                                                                                      | Preferred Alternative        | Alternative 2B               | Alternative 3                | Alternative 4A               | Alternative 4B               | Alternative 4C               | Alternative 4D               | Alternative 4E               |
|--------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Factor 1: Efficient Accommodation of Identified Land Needs                                                   |                              |                              |                              |                              |                              |                              |                              |                              |
| Right-of-way acquired <sup>120</sup>                                                                         | 56 acres                     | 32 acres                     | 43 acres                     | 37 acres                     | 50 acres                     | 75 acres                     | 75 acres                     | 75 acres                     |
| Right-of-way outside existing UGB <sup>121</sup>                                                             | 22.4 acres                   | 4.2 acres                    | 21.7 acres                   | 20.9 acres                   | 20.9 acres                   | 32.4 acres                   | 32.4 acres                   | 32.1 acres                   |
| Center-line miles outside existing UGB <sup>122</sup>                                                        | 1.4 acre                     | 0.4 acre                     | 1.7 acre                     | 1.2 acre                     | 1.2 acre                     | 2.8 acres                    | 2.8 acres                    | 2.7 acres                    |
| Factor 2: Orderly & Economic Provision of Public Facilities and Services                                     |                              |                              |                              |                              |                              |                              |                              |                              |
| Transportation Performance Measures                                                                          |                              |                              |                              |                              |                              |                              |                              |                              |
| Morning peak hour congestion (number of intersections meeting standard/ total intersections) <sup>123</sup>  | 20/33 intersections (61%)    | 20/27 intersections (74%)    | 21/28 intersections (75%)    | 18/29 intersections (62%)    | 18/29 intersections (62%)    | 26/30 intersections (87%)    | 23/29 intersections (79%)    | 26/30 intersections (87%)    |
| Afternoon peak hour congestion (number of intersections meeting standard/total intersections) <sup>124</sup> | 16/33 intersections (49%)    | 19/27 intersections (70%)    | 21/28 intersections (75%)    | 18/29 intersections (62%)    | 19/29 intersections (66%)    | 24/30 intersections (80%)    | 23/29 intersections (79%)    | 24/30 intersections (80%)    |
| System Vehicle Hours of Delay (AM/PM) <sup>125</sup>                                                         | Not Available                | 131/198                      | 144/134                      | 141/125                      | 111/124                      | 87/124                       | 104/136                      | 87/124                       |
| Factor 3: Comparative Environmental, Social, Economic and Energy Consequences                                |                              |                              |                              |                              |                              |                              |                              |                              |
| Topic Area: Economic Consequences                                                                            |                              |                              |                              |                              |                              |                              |                              |                              |
| Commercial land acquired <sup>126</sup>                                                                      | 8.7 acres                    | 6.2 acres                    | 3.7 acres                    | 8.2 acres                    | 11.1 acres                   | 11.0 acres                   | 11.3 acres                   | 6.2 acres                    |
| Industrial land acquired <sup>127</sup>                                                                      | 1 acre                       | 3.4 acres                    | 0.3 acre                     | 0.6 acre                     | 1.1 acres                    | 1.1 acres                    | 1.1 acres                    | 3.4 acres                    |
| Business Displacements <sup>128</sup>                                                                        | 55-65                        | 45-55                        | 10-20                        | 25-35                        | 50-60                        | 65-75                        | 65-75                        | 65-75                        |
| Estimated Project Cost (year 2015)                                                                           | \$425 million (2020 dollars) | \$388 million (2015 dollars) | \$501 million (2015 dollars) | \$306 million (2015 dollars) | \$451 million (2015 dollars) | \$692 million (2015 dollars) | \$687 million (2015 dollars) | \$708 million (2015 dollars) |
| Topic Area: Social Consequences                                                                              |                              |                              |                              |                              |                              |                              |                              |                              |
| Estimated number of residential units displaced <sup>129</sup>                                               | 45-55 residential units      | 50-60 residential units      | 45-55 residential units      | 30-40 residential units      | 80-90 residential units      | 100-110 residential units    | 85-95 residential units      | 110-120 residential units    |

<sup>120</sup> FEIS Right-of-WayTechnical Report Addendum (2016), Section 4.2, page 4-4 (Preferred Alternative). DEIS Table ES-2, page ES-29 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E)

<sup>121</sup> FEIS Land UseTechnical Report Addendum (2016), Table 4.2-3, page 4.16 (Preferred Alternative). DEIS Land Use Technical Report Table 3.2-9, page 3-161 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E)

<sup>122</sup> FEIS Land UseTechnical Report Addendum (2016), Table 4.2-3, page 4.16 (Preferred Alternative). DEIS Land Use Technical Report Table 3.2-9, page 3-161 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E)

<sup>123</sup> FEIS Traffic and Transportation Technical Report Addendum (2016) Table 4.2-2, page 4.-6 (Preferred Alternative). DEIS Table ES-2, page ES-27 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E)

<sup>124</sup> FEIS Traffic and Transportation Technical Report Addendum (2016) Table 4.2-2, page 4.-6 (Preferred Alternative). DEIS Table ES-2, page ES-27 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E)

<sup>125</sup> DEIS Table ES-2, page ES-27

<sup>126</sup> FEIS Land UseTechnical Report Addendum (2016), Table 4.2-1, page 4.14 (Preferred Alternative). DEIS Table ES-2, page ES 29 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>127</sup> FEIS Land UseTechnical Report Addendum (2016), Table 4.2-1, page 4.14 (Preferred Alternative). DEIS Table ES-2, page ES 29 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>128</sup> FEIS Right-of-WayTechnical Report Addendum (2016), Table 5.2-1, page 5-2 (Preferred Alternative). DEIS Table ES-2, page ES 29 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>129</sup> FEIS Right-of-WayTechnical Report Addendum (2016), Table 5.2-1, page 5-2 (Preferred Alternative). DEIS Table ES-2, page ES 29 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

| Element                                                                                              | Preferred Alternative                                                                                                                                  | Alternative 2B                                                                                                                                         | Alternative 3                                  | Alternative 4A                                                                                                                         | Alternative 4B                                                                                                                                                | Alternative 4C                                                                                                                                         | Alternative 4D                                                                                                                                         | Alternative 4E                                                                                                                                         |
|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| Affordable housing displaced (Pioneer Village)                                                       | No impact                                                                                                                                              | No impact                                                                                                                                              | No impact                                      | No impact                                                                                                                              | No impact                                                                                                                                                     | 16 units displaced                                                                                                                                     | No impact                                                                                                                                              | 32 units displaced                                                                                                                                     |
| Community character and cohesion <sup>130</sup>                                                      | Substantial increases in traffic volumes on Pine Street would create a negative impacts on the Highland neighborhood                                   | No impact                                                                                                                                              | No impact                                      | Substantial increases in traffic volumes on Pine Street would create a negative impact on the Highland neighborhood                    | Same as with Alternative 4A                                                                                                                                   | Same as with Alternative 4A                                                                                                                            | Same as with Alternative 4A                                                                                                                            | Same as with Alternative 4A                                                                                                                            |
| General and particular social groups <sup>131</sup>                                                  | Not Available                                                                                                                                          | None                                                                                                                                                   | None                                           | Residential displacements within the Highland neighborhood, a neighborhood with a high concentration of elderly and disabled residents | Residential displacements within both the Highland and West Salem neighborhoods; each neighborhood has a high concentration of elderly and disabled residents | Same as with Alternative 4B                                                                                                                            | Same as with Alternative 4B                                                                                                                            | Same as with Alternative 4B                                                                                                                            |
| Community facilities <sup>132</sup>                                                                  | No impact                                                                                                                                              | No impact                                                                                                                                              | Displacement of the Shekina Fellowship Iglesia | No impact                                                                                                                              | No impact                                                                                                                                                     | <ul style="list-style-type: none"><li>Displacement and relocation of three non-profit organizations</li></ul>                                          | <ul style="list-style-type: none"><li>Same as with Alternative 4C</li></ul>                                                                            | <ul style="list-style-type: none"><li>Same as with Alternative 4C</li></ul>                                                                            |
| Total area of parkland acquired <sup>133</sup>                                                       | 1.44 acres                                                                                                                                             | 8.7 acres                                                                                                                                              | None                                           | 1.9 acres                                                                                                                              | 7.2 acres                                                                                                                                                     | 4.9 acres                                                                                                                                              | 4.9 acres                                                                                                                                              | 2.9 acres                                                                                                                                              |
| Adverse effects on NRHP-listed properties or properties potentially eligible for listing in the NRHP | <ul style="list-style-type: none"><li>No adverse effects to any NRHP-listed properties</li><li>Adverse effects to 2 NRHP-eligible properties</li></ul> | <ul style="list-style-type: none"><li>No adverse effects to any NRHP-listed properties</li><li>Adverse effects to 3 NRHP-eligible properties</li></ul> | No impact                                      | No impact                                                                                                                              | <ul style="list-style-type: none"><li>No adverse effects to any NRHP-listed properties</li><li>Adverse effects to 3 NRHP-eligible properties</li></ul>        | <ul style="list-style-type: none"><li>No adverse effects to any NRHP-listed properties</li><li>Adverse effects to 4 NRHP-eligible properties</li></ul> | <ul style="list-style-type: none"><li>No adverse effects to any NRHP-listed properties</li><li>Adverse effects to 4 NRHP-eligible properties</li></ul> | <ul style="list-style-type: none"><li>No adverse effects to any NRHP-listed properties</li><li>Adverse effects to 4 NRHP-eligible properties</li></ul> |
| Impacted Noise Receptors <sup>134</sup>                                                              | 30                                                                                                                                                     | 26                                                                                                                                                     | 36                                             | 22                                                                                                                                     | 33                                                                                                                                                            | 62                                                                                                                                                     | 54                                                                                                                                                     | 61                                                                                                                                                     |
| <b>Topic Area: Environmental Consequences</b>                                                        |                                                                                                                                                        |                                                                                                                                                        |                                                |                                                                                                                                        |                                                                                                                                                               |                                                                                                                                                        |                                                                                                                                                        |                                                                                                                                                        |
| Riparian habitat directly impacted <sup>135</sup>                                                    | 4.4 acres                                                                                                                                              | 6.5 acres                                                                                                                                              | 7.6 acres                                      | 8.6 acres                                                                                                                              | 9.5 acres                                                                                                                                                     | 16.0 acres                                                                                                                                             | 16.0 acres                                                                                                                                             | 14.3 acres                                                                                                                                             |
| Total pier area of in-stream water habitat                                                           | 0.10 acre <sup>136</sup>                                                                                                                               | 0.22 acre                                                                                                                                              | 0.54 acre                                      | 0.66 acre                                                                                                                              | 0.68 acre                                                                                                                                                     | 0.68 acre                                                                                                                                              | 0.68 acre                                                                                                                                              | 0.67 acre                                                                                                                                              |
| Total pier area in critical shallow water habitat                                                    | 0.09 acre <sup>137</sup>                                                                                                                               | 0.15 acre                                                                                                                                              | 0.28 acre                                      | 0.46 acre                                                                                                                              | 0.59 acre                                                                                                                                                     | 0.60 acre                                                                                                                                              | 0.60 acre                                                                                                                                              | 0.60 acre                                                                                                                                              |
| Total project percent increase in impervious area <sup>138</sup>                                     | 17%                                                                                                                                                    | 17%                                                                                                                                                    | 19%                                            | 14%                                                                                                                                    | 22%                                                                                                                                                           | 35%                                                                                                                                                    | 34%                                                                                                                                                    | 35%                                                                                                                                                    |

<sup>130</sup> FEIS Social Resources Technical Report Addendum (2016) (Preferred Alternative). DEIS Table ES-2, page ES-30 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>131</sup> DEIS Table ES-2, page ES-30

<sup>132</sup> FEIS Social Resources Technical Report Addendum (2016), Figure 2.3-1, page 2-5 (Preferred Alternative). DEIS ES-2, page ES-30 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>133</sup> DEIS Table ES-2, page ES-31

<sup>134</sup> FEIS Noise Technical Report Addendum (2016), Appendix A, Table A-1 (Preferred Alterntaive). DEIS Table ES-2, page ES-32 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>135</sup> FEIS Aquatic Resources Technical Report Addendum (2016), Table 4.2-2 (Preferred Alternative). DEIS Table ES-2, page ES-31 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>136</sup> FEIS Aquatic Resources Technical Report Addendum (2016), Table 4.2-1

<sup>137</sup> FEIS Aquatic Resources Technical Report Addendum (2016), Table 4.2-1

<sup>138</sup> FEIS Wetlands and Non-Wetland Waters Technical Report Addendum (2016), Table 4.3-1, page 4.8 (Preferred Alternative). DEIS Water Resources Technical Report, Table 3.9-3 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

| Element                                                                                               | Preferred Alternative        | Alternative 2B | Alternative 3 | Alternative 4A | Alternative 4B | Alternative 4C | Alternative 4D | Alternative 4E |
|-------------------------------------------------------------------------------------------------------|------------------------------|----------------|---------------|----------------|----------------|----------------|----------------|----------------|
| Wetlands directly impacted <sup>139</sup>                                                             | 0.01 acres                   | None           | 0.6 acre      | 2.3 acres      | 2.3 acres      | 2.5 acres      | 2.5 acres      | 2.4 acres      |
| Air quality: <sup>140</sup> CO                                                                        | 12.2                         | 13.8           | 10.8          | 12.7           | 8.65           | 11.4           | 11.0           | 11.4           |
| NOx                                                                                                   | 7.75                         | 9.82           | 6.84          | 8.24           | 5.23           | 6.94           | 6.67           | 6.94           |
| VOC                                                                                                   | 2.10                         | 2.79           | 1.85          | 2.24           | 1.40           | 1.82           | 1.75           | 1.82           |
| PM10                                                                                                  | 8.24                         | 11.0           | 7.33          | 8.83           | 5.74           | 7.03           | 6.77           | 7.03           |
| PM2.5                                                                                                 | 3.98                         | 5.33           | 3.51          | 4.27           | 2.68           | 3.44           | 3.31           | 3.44           |
| Topic Area: Energy Consequences                                                                       |                              |                |               |                |                |                |                |                |
| Percent change in energy consumption compared to No Build Alternative in 2031 <sup>141</sup>          | Not Available <sup>142</sup> | -11.1%         | -20.2%        | -19.2%         | -24.8%         | -21.5%         | -18.6%         | -21.5%         |
| Annual VMT <sup>143</sup> in 2031 (millions)                                                          | Not Available <sup>144</sup> | 1,022          | 938           | 942            | 890            | 942            | 970            | 942            |
| Percent change from No Build Alternative VMT <sup>145</sup>                                           | Not Available <sup>146</sup> | -7%            | -14%          | -14%           | -19%           | -14%           | -12%           | -14%           |
| Factor 4: Compatibility of Proposed Urban Uses with Activities Occurring on Farm Land Outside the UGB |                              |                |               |                |                |                |                |                |
| Designated EFU/Prime and Unique Farmland Converted to Transportation Use <sup>147</sup>               | 20.5 acres                   | 4.2 acres      | 21.7 acres    | 20.9 acres     | 20.9 acres     | 32.4 acres     | 32.4 acres     | 32.1 acres     |
| Direct Impacts within Surface Mining Overlay Zone (yes/no) <sup>148</sup>                             | Yes                          | No             | Yes           | Yes            | Yes            | Yes            | Yes            | Yes            |

<sup>139</sup> FEIS Wetlands and Non-Wetland Waters Technical Report Addendum (2016), Table 4.2-1, page 4-6 (Preferred Alternative). DEIS Table ES-2, page ES-32 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>140</sup> FEIS Air Quality Technical Report Addendum (2016), Table 4.2-1, page 4-3 (Preferred Alternative). DEIS Table ES-2, page ES-32 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>141</sup> DEIS Table ES-2, page ES-32 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>142</sup> Preferred alternative analysis completed with a horizon year of 2040, as opposed to 2031. Due to refinements in methodology as well as extended horizon year, the preferred alternative results are not comparable to other build alternatives. The 2040 projection for the preferred alternative is an increase of 16.1% (FEIS Energy Technincal Report Addendum (2016), Table 5.2-1, page 5-3). See Appendix C of the Energy Technical Report Addendum for an explanation of the updated methodology.

<sup>143</sup> DEIS Table Es-2, page ES-32 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>144</sup> Preferred alternative analysis completed with a horizon year of 2040, as opposed to 2031. Due to refinements in methodology as well as extended horizon year, the preferred alternative results are not comparable to other build alternatives. The 2040 projected annual VMT is 109.7 million (FEIS Energy Technical Report Addendum (2016), Table 5.2-1, page 5-3). See Appendix C of the Energy Technical Report Addendum for an explanation of the updated methodology.

<sup>145</sup> DEIS Table Es-2, page ES-32 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>146</sup> Preferred alternative analysis completed with a horizon year of 2040, as opposed to 2031. Due to refinements in methodology as well as extended horizon year, the preferred alternative results are not comparable to other build alternatives. The 2040 percent change from the No Build alternative is an increase of 25.8% (Calculated from FEIS Energy Technical Report Addendum (2016), Table 5.2-1, page 5-3). See Appendix C of the Energy Technical Report Addendum for an explanation of the updated methodology.

<sup>147</sup> FEIS Land Use Technical Report Addendum (2016), Table 4.2-1, page 4-14 (Preferred Alternative). DEIS Land Use Technical Report, Table 3.2-10, page 3-168 (Alternatives 2B, 3, 4A, 4B, 4C, 4D, and 4E).

<sup>148</sup> FEIS Land Use Technical Report Addendum (2016), Figure 2.4-9, page 2-51 (Preferred Alternative).

**Criteria – 660-024-0067(8):**

*(8) The city must apply the boundary location factors of Goal 14 in coordination with service providers and state agencies, including the Oregon Department of Transportation (ODOT) with respect to Factor 2 regarding impacts on the state transportation system, and the Oregon Department of Fish and Wildlife (ODFW) and the Department of State Lands (DSL) with respect to Factor 3 regarding environmental consequences. “Coordination” includes timely notice to agencies and service providers and consideration of any recommended evaluation methodologies.*

**Findings – 660-024-0067(8):**

FHWA, ODOT and the City of Salem have been the lead agencies in the NEPA process for the SRC Project. The NEPA process is much broader than the Goal 14 amendment process. Numerous regional, state and federal agencies were involved in the review of methodologies and the EIS evaluation of alternatives and related impacts on the state transportation system (ODOT) and environmental consequences (including but not limited to ODFW and DSL).

Chapter 5 of the DEIS provides an overview of the Public Involvement and Coordination Process and the *SRC Project EIS Public Involvement Summary* (July 2016) includes activities that occurred after publication of the DEIS in 2012. These documents are hereby incorporated into these findings by reference. The City has continued to coordinate with ODOT on the consolidated plan amendments, including the proposed UGB amendment.

**Criteria – 660-024-0067(9):**

*(9) In applying Goal 14 Boundary Location Factor 2 to evaluate alternative locations under section (7), the city must compare relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. For purposes of this section, the term “public facilities and services” means water, sanitary sewer, storm water management, and transportation facilities. The evaluation and comparison under Boundary Location Factor 2 must consider:*

- (a) The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB;*
- (b) The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and*
- (c) The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.*

**Findings – 660-024-0067(9):**

Because the proposed UGB amendment is based on a specific transportation need, and no land is being added to the UGB for other uses such as housing or employment that require public sanitary sewer and water services, Goal 14 factor 2 (orderly and economic provision of public facilities) and the provisions in OAR 660-024-0060(7) and (8) are generally relevant only as they relate to the provision of transportation facilities and related storm water management.

As described in Section 1.3.1 (page 7) of this Findings Report, the UGB amendment will authorize transportation improvements to connect and support development of lands that are already within the current UGB. The amendment is based only on the need for transportation improvements, and no land is being added to the UGB for housing, employment or other forms of urban development. No comprehensive plan designations will be changed for land within the current UGB.

The City of Salem has already adopted multiple public facility plans as part of the Salem Area Comprehensive Plan (including but not limited to the Salem TSP, Wastewater Management Master Plan, Stormwater Master Plan, and Water System Master Plan) to support planned land uses within the current UGB. Additionally, the City has concluded that it has adequate land in the current UGB to meet projected land needs for housing and employment over the 2015-2035 planning horizon.

### **Transportation**

The impacts of the Preferred Alternative and all other alternatives that extend outside the UGB on transportation facilities that serve nearby areas already inside the UGB and the capacity of those facilities to serve land already inside the UGB were evaluated as part of the DEIS and the Technical Report Addendums. The results are summarized in Table 15, which is incorporated by reference. All of the alternatives evaluated impact existing transportation facilities inside the UGB in different ways. The In considering the Preferred Alternative distributes, the *Traffic and Transportation Technical Report Addendum for the FEIS* identified the following advantages and disadvantages and impacts to existing transportation facilities inside the UGB:<sup>149</sup>

- Overall, the preferred alternative would be able to accommodate a higher number of bridge crossings compared to the No Build Alternative.
- Several intersections and key streets in the CBD - entry and exit points in downtown Salem for the existing bridges - would have improved conditions with less congestion with the preferred alternative, compared to the No Build Alternative.
- Access to OR 22 from Rosemont would be altered in order to comply with interchange spacing standards.
- With the preferred alternative, Marine Drive will serve as a parallel route to Wallace Road, providing access to the new bridge. In recognition of the change in function and volumes it would serve, the City is proposing to upgrade the classification of Marine Drive from a neighborhood collector to an arterial as part of the proposed TSP amendments.
- With the preferred alternative, several intersections on Wallace Road would be widened to accommodate additional traffic across the traveling to and from the bridge. Seven Wallace Road intersections are projected to fail to meet standards or targets in 2040 due to the redistribution of traffic volumes from the existing bridges with the No Build Alternative to the new bridge with the preferred alternative.

<sup>149</sup> *Traffic and Transportation Technical Report Addendum for the FEIS*, CH2M, July 2016, Section 5.1.

- The preferred alternative is projected to result in a 12-percent reduction in Vehicle Hours of Delay in the AM Peak and a 3-percent reduction in the PM Peak compared to the No Build Alternative in 2040, providing an indication of the reduced level of congestion system more broadly, while-wide.

The Preferred Alternative also provides providingimproved connectivity, redundancy, and multi-modal capacity that will enhance the transportation system to serve areas within the current UGB consistent with acknowledged plan and zoning designations.

### **Stormwater**

The consolidated package of plan amendments for the Preferred Alternative includes proposed amendments to the Salem TSP (see findings in Chapter 4). The footprint of the Preferred Alternative incorporates preliminary stormwater facilities that meet current City standards. Prior to construction, final design of stormwater facilities will comply with the standards that are in effect at that time.

### **Water and Sewer**

Staff with the Salem Public Works Department reviewed the impact that the bridge for the Preferred Alternative may have on City of Salem water and sewer utilities.<sup>150</sup> Key conclusions are summarized below:

**Sewer:** The proposed SRC bridge is not likely to be used for sanitary sewer facilities due to the location of major existing facilities and the cost to construct new facilities (pump station, force main, gravity pipe, etc.) that would be necessary to use the bridge as a conduit between east and west Salem.

**Water:** The proposed SRC bridge is very likely to be used for water facilities. A pipeline is very likely to be hung on the bridge in order to improve the transmission capacity from east to west Salem. Evaluation of the pipeline size will be completed during design of the bridge project. It is anticipated that the City will use this opportunity to replace Transmission Line 2 (36-inch) which is currently located beneath the Willamette River with a new 36-inch line on the bridge. The new 36-inch or larger water pipeline will be connected to two existing 16-inch water pipes at Hickory Street NE and Front Street NE in east Salem. The new 36-inch water pipeline will be connected to an existing 12-inch water pipe, and a new 18-inch water pipe at Wallace Road NW along with a new 24-inch water pipe between Wallace Road NW and Orchard Heights Road NW.

### **Summary**

In summary, the opportunity to provide improved transportation connectivity and redundancy with a new bridge connection across the river also provides the opportunity to improve water system connectivity and redundancy, with associated community benefits for the water distribution system, fire flow and reduced maintenance and environmental impacts associated with the existing water transmission line under the Willamette River.

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<sup>150</sup> Memo from Keith Garlinghouse, Utilities Engineer to Julie Warncke, Transportation Planning Manager. *Utility Review for Salem River Crossing Bridge Project*, June 7, 2016.

Therefore, the UGB amendment will have overall positive consequences for transportation, stormwater and water facilities to serve existing and planned land uses within the current UGB and meets the criteria in 660-024-0067(9).

**Criteria – 660-024-0067(10):**

*(10) The adopted findings for UGB amendment must describe or map all of the alternative areas evaluated in the boundary location alternatives analysis.*

**Findings – 660-024-0067(10):**

Maps of all alternatives evaluated in the boundary location analysis are included in Section 2.4 of this Findings Report (page 41) and are incorporated by this cross-reference. Each alternative is briefly described in Section 2.4.6 of this Findings Report (page 51). Figure 1 shows the footprint for the Preferred Alternative. Figure 11 through Figure 17 show all other Build alternatives that extend outside of the UGB. Alternative 2A (inside the current UGB) is shown on Figure 10; although it is not technically considered in the evaluation and balancing of all Build alternatives that extend outside the current UGB. The requirement in 660-024-0067(10) has been met.

### **3.1.5.4 660-024-0020 Adoption or Amendment of a UGB**

**Criteria - 660-024-0020(2):**

*(2) The UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location.*

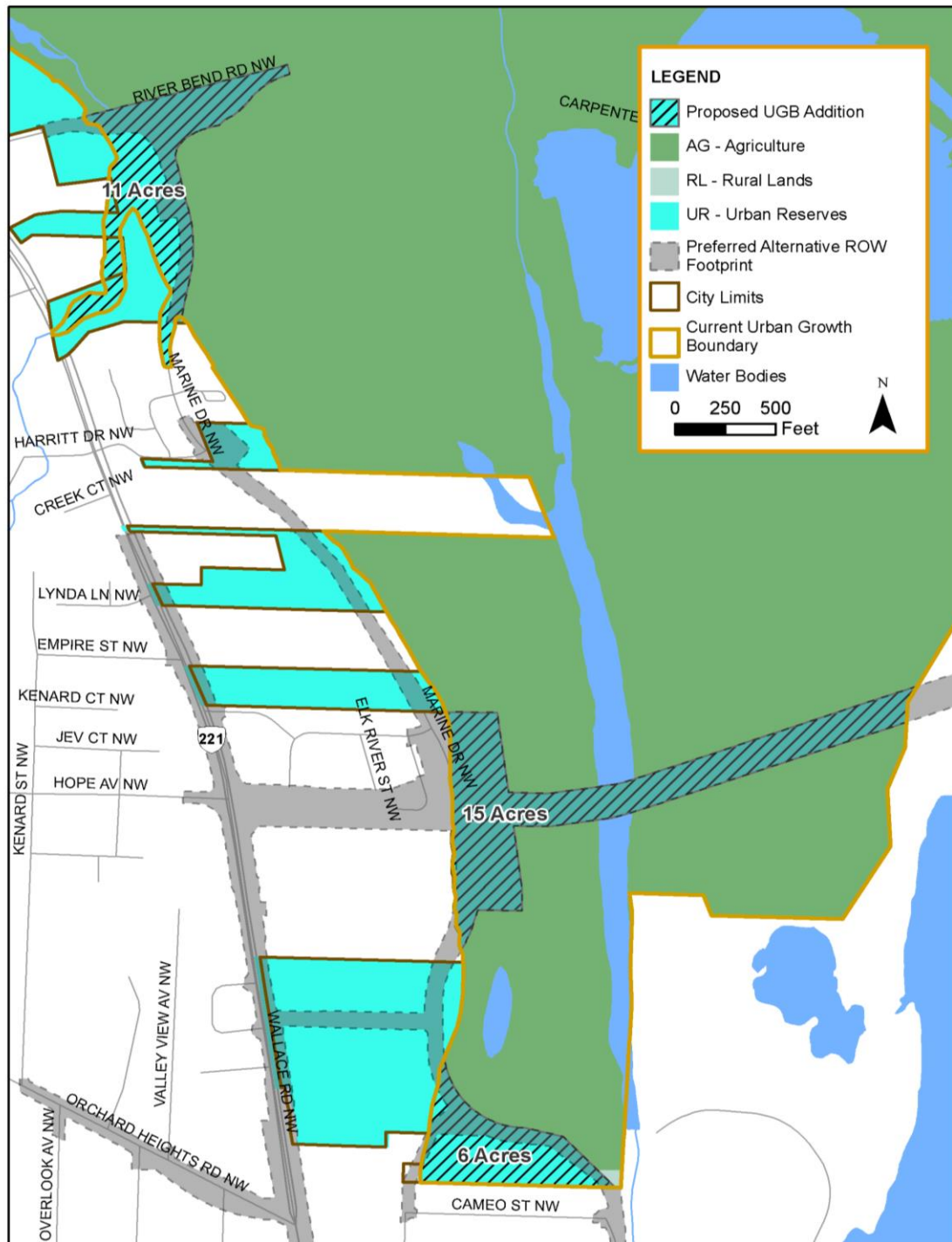
**Findings - 660-024-0020(2):**

The PAPA notice for the UGB amendment includes a legal description for the area proposed to be added to the UGB. The proposed boundary is based on the “footprint” for the transportation improvements instead of lot or parcel lines. OTAK prepared four detailed maps with parcel information and descriptions of the three discrete areas included in the UGB.<sup>151</sup>

Figure 28 and Figure 32 show the City of Salem and Polk County plan designations that will be applied to the areas added to the UGB, respectively. These plan designation figures were based on the OTAK maps and legal description of the proposed UGB expansion. The requirements of 660-024-0020(2) have been met.

<sup>151</sup> OTAK, Maps and Description of UGB Expansion, July 26, 2016.

**Figure 32**  
*Proposed Polk County Comprehensive Plan Designations*



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## 3.2 Findings Addressing Local Comprehensive Plan Policies

### 3.2.1 Salem Area Comprehensive Plan

#### **Findings Regarding Regional Procedures:**

Amending the Salem-Keizer UGB requires concurrence by the City of Salem, the City of Keizer, Polk County and Marion County. The Salem Area Comprehensive Plan outlines procedures for amending the Regional UGB. The findings in Section 7.1.1 (page 258) and 7.1.2 (page **Error! Bookmark not defined.**) address Jurisdiction, Procedures, and Factors for amending the UGB. Those findings are incorporated by this cross-reference.

#### **3.2.1.1 Salem Urban Area Goals and Policies (SACP, Section IV)**

The findings in this section focus on goals and policies that are most applicable to the proposed UGB amendment. Findings to address Salem Area Comprehensive Plan and TSP goals and policies that are more relevant to the proposed TSP amendments are provided in Sections 4.2.1 (page 162) and 4.2.2 (page 172).

### **D. GROWTH MANAGEMENT**

*To manage growth in the Salem urban area through cooperative efforts of the City of Salem and Marion and Polk Counties, to ensure the quality of life of present and future residents of the area, and to contain urban development and to preserve adjacent farm lands by:*

*(a) Establishing and periodically reviewing an urban growth boundary to identify and separate urbanizable land from rural land while insuring sufficient amounts of urbanizable land to accommodate population needs.*

*(b) Planning and developing a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.*

#### **Findings – Growth Management:**

The City of Salem, City of Keizer, Marion County and Polk County have all participated in the NEPA process for the Salem River Crossing project and are cooperating in the UGB amendment process. Salem initiated the consolidated plan amendments and the other jurisdictions have passed resolutions to participate in the regional process to consider expanding the UGB to accommodate the components of the Preferred Alternative that are outside the current UGB. The proposed UGB amendment would add land to Salem's portion of the Regional UGB and is located in Polk County.

As described in Section 1.3.1 (UGB Amendment, page 7) and Section 2.5 (Salem UGB Background and Context, page 71), the Salem-Keizer UGB was acknowledged in 1982 and has been amended twice in the last 34 years (with a total net addition of about 50 acres).

Under Oregon's planning framework, local jurisdictions are required to monitor buildable lands within the UGB to ensure that adequate lands are available to meet projected 20-year land needs for housing, employment, and other land uses consistent with coordinated population projections. The cities of Keizer and Salem have each completed a Buildable Lands Inventory (BLI), Housing Needs Analysis (HNA) and Economic Opportunities Analysis (EOA) since 2012.

As summarized in the findings in Section 3.1.2.2 (Land Need, page 79), the City of Salem adopted coordinated population forecasts for the 2015-2035 planning horizon and concluded that there was sufficient buildable land within Salem's portion of the UGB to meet land needs for housing and employment over the 20-year planning horizon.

The proposed UGB amendment is relatively unique because it involves a specific land need for a new bridge and related transportation improvements to connect and support timely, orderly and efficient development of urban lands that are within the current UGB.

Improving multi-modal connectivity and redundancy with the addition of a new bridge connection between Northeast and West Salem will help ensure quality of life for present and future residents. In addition, the proposed UGB amendment will contain urban development and preserve farm lands because the UGB will extend across a "notch" in the current UGB and will largely be elevated on structure over designated agricultural lands that: 1) are within the floodplain, and 2) include a large aggregate mining operation. The proposed UGB amendment is consistent with the Growth Management goal and policies.

## **N. NATURAL RESOURCES:**

### *Waterways*

*(5) Waterways shall be protected, preserved, and maintained as drainage courses and scenic, recreational, and natural resources. These characteristics shall be considered during the development review process. Public access to waterways for maintenance purposes should be provided.*

### **Findings – Waterways:**

As shown on Figure 1 (Preferred Alternative Footprint), the portion of the new bridge extending over the Willamette River is within the current UGB. Figure 1 also identifies that the structure will extend over a remnant waterway that borders the west side of the aggregate operation and Wallace Marine Park. The northerly connection of Marine Drive to Riverbend Road on the north is located east of Glen Creek. All waterways will be protected, preserved and maintained as drainage courses and scenic, recreational and natural resources. The findings in Chapter 5 (Greenway Goal Exception) are incorporated by this reference. Prior to construction, a subsequent Greenway Development Review will be required and will ensure compliance with all greenway development standards relating to protection of the riparian area, stormwater management, design, potential public access, etc. The findings in Section 6.2.6 (page 238) address Statewide Planning Goal 6 (Air, Water and Land Resource Quality) and summarize the potential effects of the SRC project on water resources, wetlands and riparian areas. FEIS technical reports are included in the record to provide evidence to support the conclusion that waterways will be protected, preserved and maintained and compliance with all applicable local, state and federal standards relating to waterways can and will be met.

### *Flood Hazards*

*(7) Development in the floodplain shall be regulated to preserve and maintain the capability of the floodplain to convey the flood water discharges and to minimize danger to life and property.*

**Findings - Flood Hazards:**

The 35 acres proposed to be added to the UGB are largely within the 100-year floodplain. The Federal Emergency Management Agency (FEMA) addresses floodplain areas at the federal level. In addition, goals and policies relating to development in natural hazard areas are also addressed in Statewide Planning Goal 7. The findings in Section 6.2.6.2 (page 239) addressing water quality and quantity are incorporated by this cross-reference to show compliance with the Salem Area Comprehensive Plan policy regarding flood hazards.

The Preferred Alternative would encroach in the regulatory floodway of the Willamette River and the floodplain of Glen Creek, causing minor changes in flood stage and flood limits. Subsequent City of Salem floodplain permitting will be required prior to construction and the Salem Revised Code requires a “no rise” in floodplain elevations. According to the Hydraulics Technical Report Addendum, the preferred alternative, as modeled, would cause a small rise in the 100-year base flood elevation of the Willamette River. However, the report notes that adjustments to the bridge design could minimize the effect on the base flood elevation, and additional mitigation measures are identified to address the impacts to flood elevations.<sup>152</sup> See additional discussion of floodplain impacts in section 6.2.6.2, beginning on page 239; the findings in that section are incorporated by this reference. In conclusion, the new bridge crossing and related transportation improvements authorized by the UGB amendment and related plan amendments will be able to satisfy relevant local, state and federal standards relating to flood hazards. In addition, the Preferred Alternative will improve transportation connectivity and redundancy with an additional crossing of the Willamette River that will benefit urban and rural areas of the region in the event of a natural disaster such as a major flood or earthquake.

*Aggregate Resources*

*(9) The location, quality, and quantity of aggregate resources shall be identified. The property owner shall plan for the conservation, development, and redevelopment of the resource land as appropriate to meet future needs. The map designation of these lands shall be Resource Extraction, with a secondary designation established based on the redevelopment potential of the residual lands. The secondary designation shall not be activated until extraction operations have been terminated. The reclamation plans of the individual extraction operations, which are subject to local governmental review and approval, shall incorporate secondary land use designations for each parcel.*

**Findings - Aggregate Resources:**

The proposed UGB amendment extends over a significant aggregate site north of Wallace Marine Park. Figure 27 identifies the location of the Preferred Alternative relative to the Polk County Mineral Aggregate Overlay Zone. The extent of mining can be seen on the Figure 31 aerial photo.

Findings to address the aggregate site are provided in Section 6.2.5 (page 232) and are incorporated by this cross-reference. As noted in those findings, Polk County adopted an ordinance in 1992 that included the approximately 350-acre Riverbend Road site as a

<sup>152</sup> Salem River Crossing Project Hydraulics Technical Report Addendum, prepared by CH2M, July 2016, Chapter 4

significant aggregate resource site in the Polk County Comprehensive Plan. This action was supported by findings regarding the location, quality, and quantity of aggregate resources on the site. The mining use operates under an approved mining and reclamation plan from DOGAMI. The mining plan indicates that extraction will be completed first in the southerly portion of the site that is closest to Wallace Marine Park.

The Preferred Alternative will not conflict with long-term plans for reclamation of the aggregate site (post-mining water impoundment with an average depth of 30 feet and a surface area of approximately 325 acres). Other post-mining beneficial uses noted in the reclamation plan include fish and wildlife refuge areas and possible addition of a water recreation area to Wallace Marine Park.

### **O. WILLAMETTE RIVER GREENWAY**

Findings addressing the Salem Area Comprehensive Plan policies for the Willamette River Greenway are provided in Section 5.2.1 of this Findings Report (page 220) and are incorporated by this cross-reference.

## **3.2.2 Polk County Comprehensive Plan**

### **3.2.2.1 Section 2 Goals & Policies**

#### **A. Citizen Involvement**

*(1) To provide for a wide range of opportunities for citizens to be involved in all public phases of the planning process in Polk County. For the purposes of the Polk County Citizen Involvement Program, the term "citizen" shall mean property owners, land use applicants and the general public.*

*(1.5) Polk County will provide notice to those citizens that may be affected by proposed and adopted land use decisions and actions including but not limited to: amendments to the comprehensive plan and implementing regulations, zone changes, land use determinations, variances, conditional use permits, dwelling approvals, land divisions and subdivisions.*

*(2) To make land use information readily available to the public in an understandable form and provided in a timely manner.*

*(2.1) Polk County will prepare and make available to the public upon request clear and concise information reports, and supporting findings of fact and conclusions of law to citizens regarding County land use decisions and actions.*

*(2.2) Polk County will, as required by law provide public notices of proposed and approved land use decisions that sufficient and concise information to enable citizens to provide timely, informed comments.*

#### **Findings - Citizen Involvement:**

Findings addressing Statewide Planning Goal 1 (Citizen Involvement) are provided in Section 6.2.1 of this Findings Report (page 228) and are incorporated by this cross-reference. As noted in those findings, public outreach and citizen involvement have been a central part of the NEPA environmental process for the SRC project for about ten years. The *Salem River Crossing Project EIS Public Involvement Summary* (2016) provides a detailed summary of public involvement in three distinct phases: 1) Prior to the DEIS, 2) DEIS Phase, including key issues and themes, and 3) following the DEIS and selection of the Preferred Alternative.

All four jurisdictions (Salem, Keizer, Polk County and Marion County) must concur in a decision to expand the Salem-Keizer UGB. The City of Salem initiated the UGB amendment, and the other jurisdictions have passed Resolutions to participate in the regional process, including holding a joint public hearing(s) to accept and consider public testimony on the consolidated plan amendments. As the lead jurisdiction, the City of Salem has established a website to provide public access to all plan amendment materials. All jurisdictions will provide public notice prior to the first evidentiary hearing to those entitled to mailed notice under the provisions of their respective zoning ordinances.

### **B. Agricultural Lands**

*(1.1) Polk County will endeavor to conserve for agriculture those areas which exhibit a predominance of agricultural soils, and an absence of nonfarm use interference and conflicts.*

*(1.2) Polk County will place lands designated as agriculture on the Comprehensive Plan Map consistent with Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 33 in an exclusive farm use zoning district.*

### **Findings - Agricultural Lands:**

The proposal to expand the UGB by about 35 acres impacts designated Agricultural lands that are zoned for Exclusive Farm Use (EFU). The “footprint” of the Preferred Alternative directly impacts about 20 acres of EFU land for the westerly portion of the bridge structure and the portions of Marine Drive that extend outside of the UGB (see Figure 1). The proposed UGB amendment includes about 15 additional acres of EFU land located between the current UGB and the alignment of Marine Drive (see Figure 2). The Marine Drive alignment is included in Salem’s TSP and referenced in the Polk County TSP.

There are three unique characteristics associated with the proposed UGB amendment, the transportation improvements, and the rural land affected.

- The segment of the new bridge west of the river to Marine Drive will be elevated on structure and no direct access will be provided to rural land. While the land under the proposed bridge is and will remain zoned for Exclusive Farm Use (EFU), much of that land is approved and used for a large aggregate mining operation.
- From Riverbend Road on the north to about Cameo Street on the south, the Marine Drive alignment will largely define the easterly edge of the UGB in the west Salem area. Access from Marine Drive to lands outside of the UGB will be limited to uses authorized in the EFU zone.
- Rural lands under the new bridge crossing and east of the Marine Drive extension are largely within the floodplain and development is restricted. In addition, as part of the set of amendments to the TSP being proposed as part of this process, the City of Salem will include a new policy in the Salem TSP to limit access from Marine Drive to agricultural lands outside the UGB (as amended) to uses authorized in the EFU zone.

In 1992, Polk County approved and applied the Surface Mining Overlay to about 300 acres, with the southerly portion of the overlay under the segment of the bridge west of the

Willamette River. At that time, the Polk County Commission concluded that the non-farm mining use in the EFU zone would not have a significant adverse impact on the agricultural land base in Polk County. Including about 35 acres in the UGB to accommodate the Preferred Alternative crosses over some of this land that has already been approved for a non-farm use, and the remnant acreage between the current UGB and the approved Marine Drive alignment is already fragmented and is not part of a larger block of agricultural land. The proposed UGB amendment is justified based on a transportation need and the conversion of agricultural land is limited and warranted.

#### **D. Natural Resources**

*(2.3) When adequate information regarding the location, quality and quantity of mineral and aggregate resources becomes available, Polk County will make a determination of significance and, for significant sites, complete the Goal 5 process to provide a suitable level of protection to the resources site (Amended by Ordinance 91-34, dated September 25, 1991).*

#### **Findings – Natural Resources (Mineral and Aggregate):**

The proposed UGB amendment would authorize a segment of the bridge structure over a designated significant aggregate resource site (see Figure 27 and Figure 31). The findings in Section 6.2.5 (page 232) addressing Statewide Planning Goal 5 are incorporated by this cross-reference. Based on conversations with the operator and DOGAMI, it is feasible and likely that aggregate extraction in the southerly portion of the Mineral Aggregate Overlay, under the segment of the structure extending west of the river to Marine Drive, would be completed long before there would be a need to acquire right-of-way in this area and place piers within the resulting water impoundment.

#### **F. Land Capability/Resource Quality**

*(1.1) Polk County will cooperate with governmental agencies to protect life and property from natural hazards and disasters.*

*(1.2) Polk County will review all proposed development in floodplains and may prohibit construction of habitable structures in designated floodplains.*

#### **Findings – Land Capability/Resource Quality (Floodplains):**

The 35 acres proposed to be added to the UGB is largely within the 100-year floodplain. The findings in Section 6.2.6.2 (page 239) addressing water quality and quantity are incorporated by this cross-reference to show compliance with the Polk County Plan policy regarding natural hazards. In addition, the Preferred Alternative will improve transportation connectivity and redundancy with an additional crossing of the Willamette River that will benefit urban and rural areas of the region in the event of a natural disaster such as a major flood or earthquake.

#### **K. Urban Land Development**

*(1.1) Polk County and each municipality will contain future urban development within the geographical limits of a mutually adopted Urban Growth Boundary.*

*(1.3) Polk County and municipalities will base establishment and change of urban growth boundaries upon consideration of the following factors:*

- (a) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;*
  - (b) Need for housing, employment opportunities and livability;*
  - (c) Orderly and economic provision for public facilities and services;*
  - (d) Maximum efficiency of land uses within and on the fringe of the existing urban area;*
  - (e) Environmental, energy, economic and social consequences;*
  - (f) Retention of agricultural lands as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,*
  - (g) Compatibility of the proposed urban uses with nearby agricultural activities.*
- Change of an adopted Urban Growth Boundary will be a cooperative process between Polk County and the affected municipality.*

#### **Findings - Urban Land Development (UGB Amendment):**

Findings in support of the proposed UGB amendment are provided in Chapter 3 and are incorporated by this cross-reference to show compliance with Policies 1.1 and 1.3 listed above. The findings in Chapter 3 address all applicable standards in the current version of Goal 14 and the Goal 14 administrative rule. The term “livability” referenced in the Polk County policy 1.3(b) is now defined more specifically in Goal 14 and the Goal 14 rule to include uses such as “public facilities, streets and roads, schools, parks or open space...”

*(2.1) Polk County will consider areas lying between unincorporated city limits and an adopted urban growth boundary as "urbanizable," available for annexation and urban development over time.*

*(2.2) Polk County will support the development of land within existing urban areas before the conversion of urbanizable lands to urban uses. Expansion of urban areas should occur outward from existing development in an orderly, efficient and logical manner.*

*(2.5) Polk County zoning will reflect and support the intent of a municipality's coordinated and adopted land use plan for the urbanizable area in order to protect that area from random development actions.*

*(2.8) Polk County will encourage the orderly annexation to municipalities of the land within the adopted urban growth boundary.*

#### **Findings - Urban Land Development (Urbanizable Lands):**

As summarized in Section 1.3.1 of this Findings Report (page 7), the UGB amendment will authorize transportation improvements to connect and support development of lands that are already within the current UGB. The UGB is based only on the need for transportation improvements and no land is being added to the UGB for housing, employment or other forms of urban development.

The City of Salem and Polk County do not apply a specific plan designation or zone to linear transportation facilities such as roads, bridges, or bicycle/pedestrian facilities. The City of

Salem proposes to apply the Parks-Open Space-Outdoor Recreation plan designation to the 35 acres added to the UGB (see Figure 28). Consistent with current practice, Polk County would apply an Urban Reserve (UR) plan designation and retain the current EFU zoning prior to annexation to reflect and support Salem's plans for the Preferred Alternative. As shown on Figure 32, several parcels in the project area that are currently inside the UGB but outside of the Salem city limits are designated Urban Reserve on the Polk County Comprehensive Plan Map.

*(3.1) Polk County and each municipality will adopt a plan for the management of growth and the provision of services to the urbanizable area. Growth management plans are to set forth priorities for the provision of urban services over time, and to guide the eventual annexation and development of urbanizable lands. Growth management plans should include a process for plan implementation and review.*

*(3.3) Polk County and municipalities will utilize policies contained within the intergovernmental agreement between the two parties to guide the annexation and development of urbanizable lands until specific growth management plans are developed.*

#### **Findings – Urban Land Development (Growth Management):**

Polk County and the City of Salem jointly adopted an Intergovernmental Agreement Regarding the Urban Growth Boundary and Management of the Urbanized Area on September 11, 1991. The adopted Intergovernmental Agreement includes the following intent statement and policies that are particularly relevant to the proposed UGB amendment:

- *To make economical use of tax dollars in locating facilities and providing services for the benefit of all citizens within the urban growth area; since urban services are interrelated, coordination is best achieved by a single government unit, the City of Salem in this urban growth boundary (Intent Statement 6).*
- *The type and form of development within urbanizable areas is to be guided by the Salem Area Comprehensive Plan and growth management plans. The City and County will encourage development of land within the urbanizable area in accordance with the designated use for such land (Policy 5).*
- *All land use actions which fall within the urbanizable area of the UGB shall be consistent with the Salem Area Comprehensive Plan (Policy 9).*

The adopted Intergovernmental Agreement provides that the Salem Area Comprehensive Plan (including the POS designation applied for the designated transportation use) will be the controlling plan for the 35 acres added to the UGB following approval and concurrence by the City of Salem, Polk County, the City of Keizer and Marion County.

## 4 Findings in Support of Transportation System Plan Amendments

This chapter considers and makes findings addressing:

- Statewide Planning Goal 12 (Transportation)
- Relevant portions of OAR 660, Division 12 (the Transportation Planning Rule)
- Relevant goals and policies in Salem TSP, Polk County TSP, RTSP and State Transportation Plans.

Findings to address other statewide planning goals relevant to the TSP Amendments are provided in Chapter 6. Findings to address applicable procedures for the consolidated plan amendments (UGB Amendment, TSP Amendments and Greenway Goal Exception) are provided in Chapter 7.

### 4.1 Findings Addressing Goal 12 and Related Administrative Rules

#### 4.1.1 Goal 12 (Transportation)

*To provide and encourage a safe, convenient and economic transportation system.*

*A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans.*

#### **Goal 12 Findings:**

OAR 660, Division 12 (the Transportation Planning Rule or TPR) implements Goal 12. Findings addressing applicable provisions of the TPR are provided in Section 4.1.2 below and demonstrate compliance with Goal 12.

#### 4.1.2 OAR 660, Division 12 (the “Transportation Planning Rule”)

##### 4.1.2.1 660-012-0015 Preparation and Coordination of Transportation System Plans

#### **Criteria – 660-012-0015(3):**

*(3) Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning jurisdiction in compliance with this division:*

*(a) Local TSPs shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with regional TSPs and adopted elements of the state TSP; ...*

**Findings – 660-012-0015(3):**

All of the jurisdictions in the SKATS MPO have adopted and acknowledged TSPs in place for lands within their respective planning jurisdiction. This includes the City of Salem TSP, the City of Keizer TSP, the Polk County TSP, and the Marion County TSP. The TSPs have been amended on a regular basis to maintain consistency with a variety of regional, state and federal rules relating to transportation planning.

The City of Salem and Polk County have initiated targeted amendments to their respective TSPs to incorporate the Preferred Alternative. The joint PAPA notice submitted to DLCD on September 7, 2016 includes strike-out/underline amendments to maps and text of the Salem and Polk County TSPs. Figure 5 of this Findings Report shows the key Salem TSP map amendments for the street system. Amendments to Bicycle and Pedestrian System Maps, Tables and Priorities are highlighted in strike-out/underline text in the PAPA notice. As described in Chapter 1 of this Findings Report, the TSP amendments will be consolidated with the other plan amendments (UGB Amendment and Greenway Goal Exception) and will be processed in accordance with legislative procedures set out in local codes. Findings to address legislative procedures and criteria for the consolidated plan amendments are provided in Section 7.1 of this Findings Report (page 258) and are incorporated by this cross-reference.

The SKATS RTSP for the 2015-2035 planning period includes several references to the SRC Project and the NEPA process. The RTSP has identified the Tryon/Pine corridor as the priority corridor for a new bridge crossing corridor for several years. The adopted 2015 RTSP includes three components of the Preferred Alternative in the financially constrained Plan:

- Constructing Marine Drive from Glen Creek Road north to bridge ramps at Hope Street NW (S297).
- Widening and realigning Front Street between River Road North and Norway Street NE (S096), and reserving \$20 million in SKATS STP-U funds for use in preserving and purchasing right-of-way associated with the bridge (R001).
- The other components identified in the Preferred Alternative, including the third bridge over the Willamette River and ramp connections on the eastern and western sides of the river, are included in the list of illustrative projects shown in Appendix I of the RTSP.

The transportation need for the Preferred Alternative is documented in the Willamette River Crossing Capacity Study and General Corridor Evaluation (SKATS, 2002) and in the Salem River Crossing Project DEIS (2012). These studies, described in Chapter 2 of this Findings Report, included a robust evaluation of the range of alternatives, as required by the TPR and in accordance with the priorities in the OHP (Policy 1G), the RTSP and the Salem TSP. The findings in Section 3.1.3.1 (page 83) that address transportation need are also incorporated by this cross-reference. Detailed descriptions of the Preferred Alternative, including the bridge description and transportation distribution networks that are associated with the

new crossing on both sides of the Willamette River, are included in the *FEIS Traffic and Transportation Technical Report Addendum* (CH2M HILL, 2016).

As documented in findings in Section 4.2.4 (page 177) and 4.2.5 (page 178) of this Findings Report, the proposed amendments to the Salem TSP and Polk County TSP associated with the Preferred Alternative are consistent with the 2035 RTSP and the Oregon Transportation Plan. Those findings are incorporated by this cross-reference.

**Criteria – 660-012-0015(5):**

*(5) The preparation of TSPs shall be coordinated with affected state and federal agencies, local governments, special districts, and private providers of transportation services.*

**Findings – 660-012-0015(5):**

The most recent update of the RTSP (2015-2035), and the acknowledged City of Salem, City of Keizer, Polk County and Marion County TSPs establish the coordinated transportation system plans for the project area. The RTSP and the Salem TSP already include provisions that identify the need for a third bridge crossing and identify Tryon/Pine as the priority corridor for a new crossing. The Keizer, Marion County and Polk County TSPs also include policies that reference and support a third bridge crossing, without identifying a priority corridor or general location.

The proposed Salem TSP and Polk County TSP policy amendments would incorporate and authorize the components of the Preferred Alternative that are not already included in the acknowledged TSPs. Marine Drive is already included in Salem's acknowledged TSP as a collector extending from Riverbend Road on the north to Glen Creek Road on the south. Amendments to the Salem TSP will establish the location, functional classification(s) and cross-sections for the Preferred Alternative for the portions of the footprint added to the UGB and the portions of the footprint that are already within the UGB.

As summarized in Section 1.3. (Summary of Plan Amendments, page 6) and Section 3.1 (UGB Findings, page 74) of this Findings Report, the UGB amendment will authorize the Preferred Alternative and related transportation improvements to connect and support development of lands that are already within the current UGB. The UGB amendment puts the land use decision in a regional context and requires that elected officials in Salem, Keizer, Polk County and Marion County all concur in the decision. The NEPA process has included extensive coordination between local, regional and state agencies and service providers, including Salem Keizer Transit. Coordination has also included the Federal Highway Administration. Documentation of public and agency involvement that occurred during the NEPA process for the Salem River Crossing Project is found in the *Public Involvement Summary* (CH2M HILL, 2016). This report recaps all outreach conducted before and during the Draft Environmental Impact Statement (DEIS) phase of the project, as well as the outreach done after publication of the DEIS in 2012.

In summary, adopted city, county and regional transportation system plans for the SKATS region were prepared and coordinated with affected state and federal agencies, local governments, special district, and private providers of transportation services. This coordination continued through the NEPA process for the Preferred Alternative and will

continue in future implementation phases after the plan amendments are approved and the FEIS/Record of Decision for the Preferred Alternative is issued by FHWA.

#### 4.1.2.2 660-012-0016 Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas

##### **Criteria – 660-012-0016(1):**

*(1) In metropolitan areas, local governments shall prepare, adopt, amend and update transportation system plans required by this division in coordination with regional transportation plans (RTPs) prepared by MPOs required by federal law. Insofar as possible, regional transportation system plans for metropolitan areas shall be accomplished through a single coordinated process that complies with the applicable requirements of federal law and this division. Nothing in this rule is intended to make adoption or amendment of a regional transportation plan by a metropolitan planning organization a land use decision under Oregon law.*

##### **Findings – 660-012-0016(1):**

TPR -0016 criteria is not applicable, as the proposal is to amend the City of Salem's and Polk County's TSPs to include the Preferred Alternative and does not include proposed amendments to the RTSP. The Tryon/Pine corridor is included as the priority corridor for a new bridge crossing in the RTSP<sup>153</sup> and \$20 million is included in the financially constrained RTSP for the purpose of preserving and purchasing right-of-way associated with the new bridge (R001).<sup>154</sup>

As described in the findings addressing 660-012-0015(3) above, the 2015 RTSP references the Salem River Crossing Project in numerous chapters, with the EIS process described in Chapters 5 and 7. Three components of the Preferred Alternative are identified in the financially constrained Plan - see three bullets under 660-012-0015(3); and the proposed amendments to the Salem and Polk County TSPs are consistent with 660-012-0016(1).

#### 4.1.2.3 660-012-0020 Elements of Transportation System Plans

##### **Criteria – 660-012-0020(2):**

*(2) The TSP shall include the following elements:*

*(a) A determination of transportation needs as provided in OAR 660-012-0030;*

*(b) A road plan for a system of arterials and collectors and standards for the layout of local streets and other important non-collector street connections. **Functional classifications of roads in regional and local TSP's shall be consistent with functional classifications of roads in state and regional TSP's and shall provide for continuity between adjacent jurisdictions.** The standards for the layout of local streets shall provide for safe and convenient bike and pedestrian circulation necessary to carry out OAR 660-012-0045(3)(b). New connections to arterials and state highways shall be consistent with designated access management categories. The intent of this requirement is to provide guidance on the spacing of future extensions and connections along existing and future streets which are*

<sup>153</sup> 2015-2035 RTSP, Chapter 5 (5-9) and Chapter 7 (7-5).

<sup>154</sup> 2015-2035 RTSP, see Map 5-4 and Committed and Included Projects Table at end of Chapter 5.

*needed to provide reasonably direct routes for bicycle and pedestrian travel. The standards for the layout of local streets shall address: ...*

**Findings – 660-012-0020(2):**

Section -0020 of the TSP is focused on the elements of the overall TSP, rather than on focused amendments to the TSP. Salem's TSP was adopted in 1998 and has been amended several times over the past 18 years (in 2000, 2001, 2005, 2007, 2010, 2012, 2014, and 2016).<sup>155</sup> A substantial update of the TSP was completed in 2007 and implemented many of the requirements outlined in 660-012-0020(2) relating to the layout of local streets, standards for safe and convenient bicycle and pedestrian circulation, and access management categories.

Salem's acknowledged TSP already includes Marine Drive as a future collector extending between Riverbend Road on the north and Glen Creek Road on the south. The transportation need for this roadway was documented when the facility was included in Salem's TSP. Salem's acknowledged TSP also includes the following reference to the river crossing:

*"The first phase of the Rivercrossing Capacity Study was completed in 1999. The **need for additional crossings has been identified**, as well as two general crossing alignment areas. The northern alignment area (Tryon Avenue NE/Pine Street NE Corridor) has been identified as the primary one to be studied and pursued first."*

Background information in Chapter 2 (particularly Sections 2.2 and 2.4) and supporting technical documents provide the evidence to support the need for the additional bridge crossing (arterial) to link to existing north-south arterial roadways on the west (Wallace Road) and east (Commercial/Liberty couplet). The findings in Section 3.1.3 (Transportation Need, page 83) are also incorporated by this cross-reference.

As described in the proposed text amendments to Salem's TSP, the future Marine Drive will play an important role in distributing traffic to and from the Salem River Crossing bridge at Hope Avenue. Marine Drive will also have direct ramp connections to OR 22. With this modified role, Marine Drive south of Hope Avenue NW will function as a minor arterial, while the section north of Hope Avenue will continue to function as a collector. This change in functional classification is included in the package of proposed Salem TSP amendments (see Figure 5).

Similar changes to functional classifications are included in the package of proposed Salem TSP amendments for short segments of Pine and Hickory to provide consistent functional classifications for roadways in the eastside bridgehead area.

Proposed amendments to the Salem TSP also amend several maps and tables to incorporate bicycle and pedestrian facilities associated with the Preferred Alternative into the TSP and to change the priority for bicycle and pedestrian facilities on the new bridge and on ramps connecting Marine Drive to Edgewater Street as high priority associated with the Preferred

<sup>155</sup> Salem Revised Code, Chapter 64 Comprehensive Planning, 64.005(l).

Alternative. Another proposed amendment changes the priority for the multi-use path along Marine Drive from Tier 2 to Tier 1.<sup>156</sup>

Proposed amendments to the Polk County TSP (see Section 4.2.3) are more focused on including and supporting the components of the Preferred Alternative within Polk County's jurisdiction, and ensuring consistent functional classifications across jurisdictional boundaries.

#### **4.1.2.4 660-012-0025 Complying with the Goals in Preparing Transportation System Plans; Refinement Plans**

##### **Criteria – 660-012-0025(2):**

*(2) Findings of compliance with applicable statewide planning goals and acknowledged comprehensive plan policies and land use regulations shall be developed in conjunction with the adoption of the TSP.*

##### **Findings – 660-012-0025(2):**

Findings of compliance with applicable statewide planning goals for the consolidated plan amendments package are found in Chapter 6 of this Findings Report and are incorporated by this cross-reference. Findings of compliance with acknowledged comprehensive plan policies and regulations are presented in different Chapters as noted in Section 1.4 (Report Organization, page 16) and are incorporated by this reference.

#### **660-012-0030 Determination of Transportation Needs**

**Criteria** – See criteria in Section 3.1.3 (page 83).

**Findings** – See findings in Section 3.1.3 (page 83).

#### **4.1.2.5 660-012-0035 Evaluation and Selection of Transportation System Alternatives**

##### **Criteria – 660-012-0035(1):**

*(1) The TSP shall be based upon evaluation of potential impacts of system alternatives that can reasonably be expected to meet the identified transportation needs in a safe manner and at a reasonable cost with available technology. The following shall be evaluated as components of system alternatives:*

- (a) Improvements to existing facilities or services;*
- (b) New facilities and services, including different modes or combinations of modes that could reasonably meet identified transportation needs;*
- (c) Transportation system management measures;*
- (d) Demand management measures; and*
- (e) A no-build system alternative required by the National Environmental Policy Act of 1969 or other laws.*

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<sup>156</sup> Transportation System Plan, City of Salem. Tier 1 projects are described as “Near-Term Priority Network” projects and are intended to be implemented within one to 10 years, while Tier 2 projects are medium term projects, intended to be implemented in 10-15 years.

**Findings – 660-012-0035(1):**

The local TSPs that are proposed to be amended have been acknowledged and found to be consistent with the TPR. The proposed TSP amendments reflect the Preferred Alternative and the package of improvements necessary to meet Salem's and the region's transportation needs. The selection of the Preferred Alternative was the result of an evaluation of alternatives that included the components listed in TPR Section -0035.

As summarized in Chapter 2 (Project Background) of this Findings Report, the *General Corridor Evaluation* (2002), the *Alternate Modes Study* (2010), and the *SRC Project DEIS* (2012) included a robust consideration of alternative modes, transportation system management measures and demand management measures that could reasonably meet transportation needs, alone or in combination. The *Bridgehead Engineering Study* (1998) focused on improvements to the existing bridges that could maximize capacity and efficiency and defer the need for new facilities.

Section 2.4.5 summarizes alternatives that were considered but dismissed prior to the DEIS. The findings to address Criteria 660-024-0050(4) (page 92) are incorporated by this cross-reference and explain why a stand-alone alternate modes/TSM/TDM Alternative could not reasonably meet the identified transportation needs set forth in the purpose and need statements in the DEIS (see Section 2.4.2). However, the No Build and all Build Alternatives evaluated in the DEIS were designed assuming that the future peak-hour traffic volumes across the river (year 2031 for the DEIS and year 2040 for the FEIS) would be 8% less than those forecast in the SKATS regional traffic model. In other words, assuming a substantial increase in alternate modes/TSM/TDM was built into the transportation modeling for the SRC project to ensure that the future need of highway capacity was not overstated.

As summarized in Section 2.4 of this Findings Report (page 41), the DEIS evaluated a No Build Alternative as required by NEPA, an alternative that focused on improvements to existing facilities within the UGB (Alternative 2A), and seven Build alternatives that included associated multi-modal improvements and local street system connections and improvements to the highway network already in place (Alternatives 2B, 3, 4A, 4B, 4C, 4D and 4E). These seven alternatives, and the Preferred Alternative, all include segments that extend outside of the current UGB.

Proposed amendments to the Salem TSP and Polk County TSP capture and reflect the process that led to selection of the Preferred Alternative. The findings in Section 3.1.4.2 (page 94) are incorporated by this reference to explain why Alternative 2A cannot reasonably accommodate the identified transportation need. Information in Table 11, Table 12, and Figure 19 is incorporated by this cross-reference to explain why the Preferred Alternative can reasonably accommodate the identified transportation need, taking into consideration and balancing the advantages and disadvantages and long-term economic, social, environmental and energy (ESEE) consequences of the Build alternatives that extend outside of the UGB (see Table 15).

**Criteria – 660-012-0035(2):**

*(2) Local governments in MPO areas of larger than 1,000,000 population shall, and other governments may also, evaluate alternative land use designations, densities, and design standards to meet local and regional transportation needs.*

**Findings – 660-012-0035(2):**

Total Salem-Keizer UGB population as of 2015 was 236,116 (see Table 9); therefore, this is section is not applicable.

**Criteria – 660-012-0035(3) – Evaluation and Selection of Transportation System Alternatives:**

*(3) The following standards shall be used to evaluate and select alternatives:*

*(a) The transportation system shall support urban and rural development by providing types and levels of transportation facilities and services appropriate to serve the land uses identified in the acknowledged comprehensive plan;*

*(b) The transportation system shall be consistent with state and federal standards for protection of air, land and water quality including the State Implementation Plan under the Federal Clean Air Act and the State Water Quality Management Plan;*

*(c) The transportation system shall minimize adverse economic, social, environmental and energy consequences;*

*(d) The transportation system shall minimize conflicts and facilitate connections between modes of transportation; and*

*(e) The transportation system shall avoid principal reliance on any one mode of transportation by increasing transportation choices to reduce principal reliance on the automobile. In MPO areas this shall be accomplished by selecting transportation alternatives which meet the requirements in section (4) of this rule.*

**Findings – 660-012-0035(3):**

This section applies to the transportation system as a whole, not to individual projects. The transportation facilities that make up the Preferred Alternative are proposed to be included in acknowledged transportation system plans for the City of Salem and Polk County. The proposed TSP amendments are not related to the development of a new transportation system plan or a comprehensive update of a transportation system plan for the City of Salem or Polk County. However, the selection of the Preferred Alternative for a new crossing of the Willamette River considered the standards in TPR -0035(3), as documented in the NEPA alternatives analysis and summarized in Section 2.4 of this Findings Report (page 41).

The NEPA process included establishment of goals and objectives and evaluation criteria for screening Salem River Crossing Project concepts and framing and evaluating alternatives. See Section 2.4.4 of this Findings Report for an overview of this process. It is described in further detail in Chapter 2 of the DEIS and SRC Project EIS *Public Involvement Summary* (July 2016).

The determination of transportation needs that resulted in the Preferred Alternative is based on coordinated 20-year planning forecasts. The Preferred Alternative provides facilities that are sized and located to support planned urban development in the City of Salem, consistent with the requirements of TPR -0035(3) criteria. Furthermore, FEIS Technical Report Addendums for the Preferred Alternative conclude that state and federal standards for

protection of air, land and water quality are met or can be met.<sup>157</sup> Additionally, findings to address Statewide Planning Goal 6 (see Section 6.2.6 and 6.2.7) are incorporated by this cross-reference. The FEIS Technical Report Addendums detail design and construction practices to mitigate project impacts in conformance with federal and state regulatory requirements.

Table 15 of this Findings Report captures key economic, social, environmental, and energy (ESEE) consequences of the seven Build alternatives evaluated in the DEIS that would also require a UGB amendment. When compared with other alternatives that would also require a UGB amendment, the ESEE consequences for the Preferred Alternative (cost, displacements, park impacts, natural resource impacts, noise impacts, etc.) fall in the low to mid-range and are not significantly more adverse than other Build alternatives under any category. The ESEE analysis for the Greenway Goal Exception (Goal 15) is provided in Section 5.1.2.4 of this Findings Report (page 209) and incorporated by this cross-reference.

**Criteria – 660-012-0035(4):**

*(4) In MPO areas, regional and local TSPs shall be designed to achieve adopted standards for increasing transportation choices and reducing reliance on the automobile. Adopted standards are intended as means of measuring progress of metropolitan areas towards developing and implementing transportation systems and land use plans that increase transportation choices and reduce reliance on the automobile. It is anticipated that metropolitan areas will accomplish reduced reliance by changing land use patterns and transportation systems so that walking, cycling, and use of transit are highly convenient and so that, on balance, people need to and are likely to drive less than they do today.*

**Findings – 660-012-0035(4):**

The proposed amendments to the acknowledged Salem and Polk County TSPs are designed to increase transportation choices and reduce reliance on the automobile. As discussed earlier, the DEIS and FEIS transportation analysis assumes that the increase in transit, ridesharing, other demand management techniques, and bicycle and pedestrian use for trips across the existing bridge will reduce peak-hour vehicle volumes by 8 percent compared to volumes if these efforts were not implemented. The Preferred Alternative analysis also relies on these assumptions to compare the impacts of vehicular traffic; the distinction with the Preferred Alternative related to alternative modes is that it offers more travel choices for all modes relative to the No Build Alternative or Alternative 2A.

Reducing reliance on the automobile is also the focus of 660-012-0030(3). The findings in Section 3.1.3.1 (page 87) that address this provision of the TPR are incorporated by this cross-reference and summarize policies and benchmarks in Salem's Comprehensive Plan that have been acknowledged by DLCD. The benchmarks are tied to new dwelling units built in proximity to transit stops and within activity nodes and corridors, jobs in activity nodes, rideshare growth, and increases in critical non-motorized and transit improvements.

The Preferred Alternative will include construction of new bicycle and pedestrian facilities on the new bridge, along with connections to facilities off the bridges. The improvements in

<sup>157</sup> See FEIS Technical Reports for the Preferred Alternative (2016) entered in the public hearing record.

connectivity and redundancy gained with an additional bridge across the Willamette River will also expand connectivity and redundancy for bicycle, pedestrian, and transit travel that can help reduce reliance on the auto. As set out in the proposed Salem TSP amendments, the Preferred Alternative includes a new facility that provides infrastructure for transit and non-motorized modes of transportation. The proposed TSP amendments increase transportation choices and make walking, cycling and use of transit more convenient with infrastructure that provides new access for these modes to areas around the bridgeheads, consistent with the requirements of the TPR.

**Criteria – 660-012-0035(10)-(12):**

*(10) Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and located in an urban fringe may be included in a TSP only if the improvement project identified in the Transportation System Plan as described in section (12) of this rule, will not significantly reduce peak hour travel time for the route as determined pursuant to section (11) of this rule, or...*

*(11) An improvement project significantly reduces peak hour travel time when, based on recent data, the time to travel the route is reduced more than 15 percent during weekday peak hour conditions over the length of the route located within the urban fringe. For purposes of measuring travel time, a route shall be identified by the predominant traffic flows in the project area.*

*(12) A "transportation improvement project" described in section (10) of this rule:*

*(a) Is intended to solve all of the reasonably foreseeable transportation problems within a general geographic location, within the planning period; and*

*(b) Has utility as an independent transportation project.*

**Findings – 660-012-0035(10)-(12):**

These criteria are not applicable. While a UGB amendment is proposed as part of the consolidated plan amendments package (see Section 1.3), the UGB amendment will connect two urbanized areas of Salem and is not building new transportation capacity at the fringe of the region. Rather, the Preferred Alternative will improve transportation connectivity within the existing UGB to serve existing and planned land uses and forecast 20-year growth.

**4.1.2.6 660-012-0040 Transportation Financing Program**

**Criteria – 660-1012-0040:**

*(1) For areas within an urban growth boundary containing a population greater than 2,500 persons, the TSP shall include a transportation financing program.*

*(2) A transportation financing program shall include the items listed in (a)-(d):*

*(a) A list of planned transportation facilities and major improvements;*

*(b) A general estimate of the timing for planned transportation facilities and major improvements;*

*(c) A determination of rough cost estimates for the transportation facilities and major improvements identified in the TSP; and*

*(d) In metropolitan areas, policies to guide selection of transportation facility and improvement projects for funding in the short-term to meet the standards and benchmarks established pursuant to 0035(4)-(6). Such policies shall consider, and shall include among the priorities, facilities and improvements that support mixed-use, pedestrian friendly development and increased use of alternative modes.*

**Findings – 660-012-0040:**

The adopted and acknowledged City of Salem TSP includes a relatively brief Transportation Finance Element (Chapter 15). The Transportation Finance Element includes the required items listed in (2) (a) – (d) above.

Federal regulations require that the financial plan for metropolitan planning organizations demonstrate “financial constraint.” Therefore, the *Regional Transportation System Plan* must identify which improvements can be implemented using “committed funding sources,” which improvements can be implemented using “reasonably anticipated” resources, and which improvements will require the development of “new funding sources.”

The SKATS 2015-2035 RTSP (amended June 28, 2016) identifies the constraint created by the existing system: “only two bridges cross the river (at Marion Street and Center Street in downtown Salem) resulting in congestion and significantly reduced connectivity between West Salem and the rest of the metropolitan area” (p. 3-3). It also includes a conceptual alignment for the new bridge crossing (project number R001), and includes related surface street improvements to support the new bridge crossing in the financially constrained project list (Marine Drive and related connections – project S297; Front Street widening and realignment – project S096).

Proposed Salem TSP amendments state: Portions of the project will likely be under the jurisdiction of the State (ODOT), while other portions will be maintained and operated by the City. The overall project is a high priority for the City of Salem, but given the significant costs, it will likely be designed and constructed in phases. Costs associated with the Salem River Crossing Preferred Alternative (\$425M) are noted in the High Priority Street Improvement Projects Table of the proposed Salem TSP amendments, with a footnote that costs will be shared by Local, State, and Regional partners.

**4.1.2.7 660-012-0050 Transportation Project Development**

**Criteria – 660-012-0050(4):**

*(4) Except as provided in section (1) of this rule, where an Environmental Impact Statement (EIS) is prepared pursuant to the National Environmental Policy Act of 1969, project development shall be coordinated with the preparation of the EIS. All unresolved issues of compliance with applicable acknowledged comprehensive plan policies and land use regulations shall be addressed and findings of compliance adopted prior to issuance of the Final EIS.*

**Findings – 660-012-0050(4):**

As outlined in Section 1.3 of this Findings Report (page 6), a consolidated package of plan amendments to support the Preferred Alternative is being developed on a parallel path with the FEIS. See Section 1.2 (page 5) for an overview of the timing of the plan amendments and how they relate to ODOT’s coordination procedures (OAR 731-015-0075) for adopting plans for projects carried out under NEPA.

The findings of fact and conclusions in this Findings Report draw from the DEIS and other evidence. Technical reports developed for the Preferred Alternative/FEIS will be entered into the public hearing record to support the consolidated plan amendments. Table 1 of this Findings Report identifies the land use decision authorities for the SRC Project plan amendments. Local adoption of all plan amendments, including findings to address applicable statewide planning goals, will occur prior to issuance of the FEIS/FHWA Record of Decision (ROD) for the Preferred Alternative as required by OAR 731-015-0075(3) and 660-012-0050(4).

#### **4.1.2.8 660-012-0055 Timing of Adoption and Update of Transportation System Plans; Exemptions**

##### **Criteria – 660-012-0055(8):**

*(8) Portions of TSPs and implementing measures adopted as part of comprehensive plans prior to the responsible jurisdiction's periodic review shall be reviewed pursuant to OAR chapter 660, division 18, Post Acknowledgment Procedures.*

##### **Findings – 660-012-0055(8):**

The City of Salem and Polk County will be amending their respective TSPs through a post acknowledgment plan amendment (PAPA) procedures. A joint PAPA notice was submitted on September 7, 2016. The findings in Section 6.1 (page 223) that address compliance with PAPA procedures are incorporated by this cross-reference.

#### **4.1.2.9 660-012-0060 Plan and Land Use Regulation Amendments**

##### **Criteria – 660-012-0060(1):**

*(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

*(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

*(b) Change standards implementing a functional classification system; or*

*(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

##### **Findings – 660-012-0060(1):**

The City of Salem will apply a Parks/Open Space/Outdoor Recreation comprehensive plan designation to the 35 acres added to the UGB (see Figure 28). See the findings addressing OAR 660-024-0050(6)-(7) (page 116) for additional background on the proposed City of

Salem plan designation and Polk County EFU zone that will be retained for the land included in the UGB, at least on an interim basis. While the proposed plan amendments (UGB expansion and plan designation to accommodate the transportation improvements) do not trigger TPR -0060, the Preferred Alternative requires modifications to the functional classification of an existing or planned transportation facility. Specifically, short segments of Pine Street and Hickory Street NE, currently a minor arterial and local neighborhood street respectively, would both be upgraded to a major arterial between Front and Liberty Street to reflect their function and use with the Preferred Alternative. Also, Marine Drive NW would be reclassified from a future collector to a future minor arterial south of the new bridge (see recommended Salem TSP map and text amendments in the PAPA notice).

**Criteria – 660-012-0060(2):**

*(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.*

*(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*

*(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.*

*(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*

*(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.*

*(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.*

**Findings – 660-012-0060(2):**

Allowed land uses are not being modified as part of the proposed TSP amendments, rather the Preferred Alternative is being proposed for adoption to accommodate the planned land uses and expected future traffic generation over the 2015-2035 planning period based on Salem’s adopted and acknowledged Comprehensive Plan. The significant affect identified in findings under TPR -0060 is the change in functional classification to segments of existing and planned roadways – Pine Street, Hickory Street, and Marine Drive NW – which is mitigated by amending the TSP to reflect the planned function and design of these roadways as part of the Preferred Alternative. As noted above, the proposed changes in functional classification will not trigger changes in comprehensive plan designations in the vicinity of these roadways (see existing plan designations on Figure 8).

However, the package of proposed amendments to the Salem TSP includes the following statement: “the City intends to review land use and transportation plans in the vicinity of the bridgeheads. Focused planning at the bridgeheads will maximize the opportunity for transportation investments to serve as a catalyst for positive change.”

## **4.2 Findings Addressing Consistency with Local, Regional and State Transportation Plans**

### **4.2.1 Salem Urban Area Goals and Policies (SACP, Section IV)**

The findings in this section focus on goals and policies that are most applicable to the proposed Salem TSP amendments. General goals and policies in the SACP are addressed first, followed by relevant goals and policies in the Salem TSP. There is quite a bit of redundancy in the SACP policies for Transportation and the TSP policies, and findings are cross-referenced where appropriate to minimize duplication. Relevant policies in the Polk County TSP are addressed in 4.2.2.

### **E. RESIDENTIAL DEVELOPMENT**

#### *Circulation System and Through Traffic*

*(7) Residential neighborhoods shall be served by a transportation system that provides access for pedestrian, bicycles, and vehicles while recognizing the neighborhoods physical constraints and transportation service needs:*

*(a) The transportation system shall promote all modes of transportation and dispersal rather than concentration of through traffic;*

*(b) Through traffic shall be addressed by siting street improvements and road networks that serve new development so that short trips can be made without driving;*

*(c) The transportation system shall provide for a network of streets fitted to the terrain with due consideration for safety, drainage, views, and vegetation.*

### **Findings - Residential Development:**

As shown on Figure 1, the “footprint” of the Preferred Alternative is largely within the current UGB and maximizes use of and improvements within established major transportation corridors including:

- Designated Major Arterials: Wallace Road NW, Commercial Street NE, Liberty Street NE
- Designated Freeway: OR 22 west of the Willamette River
- Designated Minor Arterial: Front Street NE
- Designated Future Collector: Marine Drive NW (north of proposed bridge)

The Preferred Alternative will provide a new multi-modal bridge and related transportation improvements to serve existing and planned uses within the current UGB, including residential neighborhoods in NE Salem and West Salem. The Preferred Alternative and proposed Salem TSP amendments will improve multi-modal connectivity in the overall transportation system to promote the distribution and dispersal of traffic over a larger geographic area rather than concentrating through traffic in a single river crossing location.

The NEPA process for the SRC project included project goals and objectives to minimize fragmentation and traffic impacts on established neighborhoods, with due consideration for safety, drainage, views, and vegetation. Proposed amendments to the Salem TSP outline mitigations that must be addressed by the project to meet the expectations of the City of Salem. This includes the following statement regarding traffic calming (see PAPA notice for Salem TSP Amendments):

*“Traffic Calming: Project design shall include consideration of traffic calming needs in neighborhoods adjoining the bridgeheads on both sides of the Willamette River. Mitigation measures may include access restrictions or other traffic calming features, such as speed humps, diverters, or similar measures.”*

In summary, the proposed Salem TSP amendments supporting the Preferred Alternative are consistent with existing SACP policies relating to the circulation system and through traffic for Residential Development. In addition, proposed Salem TSP amendments articulate the City’s expectations regarding Design Mitigations – including Bridge Design Considerations, Traffic Calming, Access to OR 22 and Multi-modal design.

## **G. COMMERCIAL DEVELOPMENT**

### *Central Business District*

*(1) The central business district shall be maintained and developed as a mixed-use regional retail and employment center for the Salem urban area as well as Marion and Polk counties.*

### **Findings - Commercial Development:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with the adopted SACP policy regarding the Central Business District. The findings in Section 3.1.4 (beginning on page 110) are incorporated by this cross-reference and document that the Preferred Alternative achieves the following key goals for the City of Salem:

- Reduces congestion and supports planned land uses in downtown Salem
- Broadly distributes traffic over a larger geographic area to minimize bottlenecks in the existing bridgeheads

- Improves multi-modal connectivity between Northeast Salem and West Salem and provides accessibility to jobs, housing, services, and park and recreational areas (for the entire community)

## **J. TRANSPORTATION**

### **Regional Mobility**

*(3) A balanced system of transportation facilities and services shall be designed to meet the regional travel patterns and mobility needs of residents, businesses, and industries.*

#### **Findings – Regional Mobility:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with the adopted SACP policy regarding regional mobility. The findings in Section 3.1.4 (beginning on page 111) are incorporated by this cross-reference and document that the Preferred Alternative:

- Improves regional mobility with the addition of a new bridge crossing and related transportation improvements to connect and support Salem’s acknowledged plan designations for residents, businesses and industries over the 2015-2035 planning horizon
- Provides regional mobility through its inclusion of ramps connecting Marine Drive and OR 22, and direct surface street connections from the east bridgehead to Salem Parkway
- Provides a more balanced transportation system with improved connectivity and redundancy that more broadly distributes traffic over a broader geographic area

### **Multimodal Transportation System**

*(4) The transportation system for the Salem Urban Area shall consist of an integrated network of facilities and services for a variety of motorized and nonmotorized travel modes.*

#### **Findings - Multimodal System:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with the adopted SACP policy regarding a multi-modal system. The findings in Section 4.1.2.5 (page 154) are incorporated by this cross-reference and document that the Preferred Alternative includes bicycle and pedestrian facilities on the new bridge and connections to facilities in the new bridgehead areas.

Proposed amendments to the Salem TSP outline mitigations that must be addressed by the project to meet the expectations of the City of Salem. This includes the following statement regarding Multi-modal Design (see PAPA notice for Salem TSP Amendments):

- Multi-modal Design: Design of the project shall include facilities for bicycle and pedestrian travel, including separation from auto and freight traffic where practical. The design process shall engage the Transit District to identify how best to incorporate transit amenities and facilitate access to the transit system.

**Connectivity and Circulation**

*(5) The vehicle, transit, bicycle, and pedestrian circulation systems shall be designed to connect major population and employment centers in the Salem Urban Area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.*

**Findings - Connectivity and Circulation:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with the adopted SACP policy regarding connectivity and circulation. As described in Section 1.1, the Preferred Alternative:

- Improves multi-modal connectivity between Northeast and West Salem and connects existing and planned major population and employment centers within the current UGB
- Provides citizens in neighboring area access to regional parks and commercial areas on both sides of the Willamette River

**Supportive of Land Use Plan Designations and Development Patterns**

*(6) The provision of transportation facilities and services shall reflect and support land use designations and development patterns as identified in the Salem Area Comprehensive Plan. The design and implementation of transportation facilities and services shall be based on serving current and future travel demand, residential densities, retail, and employment centers.*

*(7) Local governments shall encourage the expansion of transit services throughout and beyond the Salem Urban Area, especially to areas of increased residential densities, major commercial concentrations, and large institutional and employment centers.*

**Findings - Support of Plan Designations and Development Patterns:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with the SACP policy relating to land use plan designations and development patterns. Background information in Section 1.3.1 (page 7) and the findings in Section 3.1.3.1 (page 83) are incorporated by this cross-reference and document that:

- The new bridge and related transportation improvements will support land use designations and development patterns for lands within the current UGB as identified in the SACP (see Figure 8).
- The design of the Preferred Alternative is based on serving current and future travel demand, residential densities, retail, and employment centers consistent with acknowledged population and employment forecasts and traffic modeling for the 2015-2035 planning period. Salem TSP and SKATS RTSP forecasts for the 2015-2035 planning period are consistent and coordinated.
- The acknowledged Salem TSP includes policies that encourage the expansion of transit service throughout the Salem Urban Areas, especially to Salem Urban Area Activity Nodes and Corridors identified in Map #1 on page 52 of the SACP.

In addition, the proposed Salem TSP amendments include design mitigations that must be addressed by the project to meet the expectations of the City of Salem. The following provision regarding Multi-modal Design states: Design of the project shall include facilities for bicycle and pedestrian travel, including separation from auto and freight traffic where practical. The design process shall engage the Transit District to identify how best to incorporate transit amenities and facilitate access to the transit system (PAPA Notice, page 6).

### **Growth Management**

*(8) The construction of transportation facilities shall be timed to coincide with community needs, and shall be implemented in such a way as to minimize impacts on existing development.*

### **Findings - Growth Management:**

The proposed Salem TSP amendments will include the Preferred Alternative as a high priority of the City of Salem within the 2035 planning horizon. Given the significant costs (the planning level cost estimate for the Preferred Alternative is approximately \$425million), the project will likely be designed and constructed in phases. Construction of the transportation facilities will be timed to coincide with available funding and community needs. Minimizing impacts on existing development has been a key consideration in the NEPA process and in the selection of the Preferred Alternative. The commitment to minimize impacts on existing development will continue in the project implementation phase. This is reflected in the Design Mitigations included in the TSP amendments to assure the project meets the expectations of the City of Salem:

- Bridge Design Considerations: Design of the bridge, bridge approaches, and ramps to OR 22 shall include opportunities for public input, with a particular emphasis on people living near these areas. In the case of the ramps to OR 22, input shall be solicited from the Salem Parks and Recreation Advisory Board and park users, as well as other area stakeholders.
- Traffic Calming: Project design shall include consideration of traffic calming needs in neighborhoods adjoining the bridgeheads on both sides of the Willamette River. Mitigation measures may include access restrictions or other traffic calming features, such as speed humps, diverters, or similar measures.
- Access to OR 22: The City will not support closure of the exit at Rosemont Avenue NW until a facility plan has been adopted that addresses access to the southwest portion of west Salem from westbound OR 22. The City further supports design efforts to reduce the length of bridge structure along the riverbank associated with the eastbound OR 22 ramp to Marine Drive.
- Multi-modal Design: Design of the project shall include facilities for bicycle and pedestrian travel, including separation from auto and freight traffic where practical. The design process shall engage the Transit District to identify how best to incorporate transit amenities and facilitate access to the transit system.

In summary, the proposed Salem TSP amendments supporting the Preferred Alternative are consistent with the SACP policy regarding growth management and construction of transportation facilities.

### **System Efficiency**

*(12) The implementation of transportation system and demand management measures, enhanced transit service, and provision for bicycle and pedestrian facilities shall be pursued as a first choice for accommodating travel demand and relieving congestion in a travel corridor, before widening projects are constructed.*

*(13) The Salem Transportation System Plan shall identify methods that citizens can use to commute to work and decrease overall traffic demand on the transportation system. Such methods include transit ridership, telecommuting, carpooling, vanpooling, flexible work schedules, walking, and bicycling.*

### **Findings - System Efficiency:**

As summarized in Chapter 2 (Project Background) of this Findings Report, the *General Corridor Evaluation* (2002), the *Alternate Modes Study* (2010), and the *SRC Project DEIS* (2012) included a robust consideration of alternative modes, transportation system management measures and demand management measures that could reasonably meet transportation needs, alone or in combination. The findings to address Criteria 660-024-0050(4) (page 92) are incorporated by this cross-reference and explain why a stand-alone alternate modes/TSM/TDM Alternative could not reasonably meet the identified transportation needs set forth in the purpose and need statements in the DEIS (see Section 2.4.2). However, the No Build and all Build Alternatives evaluated in the DEIS were designed assuming that the future peak-hour traffic volumes across the river (year 2031 for the DEIS and year 2040 for the FEIS) would be 8% less than those forecast in the SKATS regional traffic model. In other words, assuming a substantial increase in alternate modes/TSM/TDM was built into the transportation modeling for the SRC project to ensure that the future need of highway capacity was not overstated.

### **Public Safety**

*(15) The rapid and safe movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the transportation system.*

### **Findings - Public Safety:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with the SACP policy regarding public safety. The background information on emergency response in Section 2.1.3.2 (page 21) and the findings in Section 3.1.4 (“Providing Alternate Routes for Emergency Responders”, page 109) are incorporated by this cross-reference.

The NEPA process for the SRC Project included a key objective to improve emergency vehicle response across the Willamette River in the Salem-Keizer metropolitan area. The Preferred Alternative would provide an additional bridge crossing of the Willamette River about one mile north of the existing bridges, and would substantially improve connectivity and redundancy in the regional transportation system that would support the rapid and safe movement of fire, medical, and police vehicles across the river between east and west Salem.

The new bridge crossing associated with the Preferred Alternative would also reduce vulnerability in the case of a major event or natural disaster, particularly when compared with the No Build Alternative or Alternative 2A (improvement of the existing bridges).

### **Economic Development**

*(17) Supportive of the mobility needs of businesses and industries, the transportation system shall consist of the infrastructure necessary for the safe and efficient movement of goods, services, and people throughout the Salem Urban Area. The Salem Transportation System Plan shall include consideration of the area's rail, aviation, inland marine, pipeline, and truck movement network. The Plan shall include ways to facilitate the intermodal transfer of freight in the area.*

### **Findings - Economic Development:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with SACP Policy 17 relating to economic development. The background information in Section 2.1.5 (Existing Land Use Overview and Urban Renewal Plans, page 26) and the findings in Section 3.1.4 (“Supporting Planned Land Uses in Downtown Salem and West Salem/Edgewater Districts”, page 110) are incorporated by this cross-reference.

The NEPA process for the SRC Project included a key objective to improve freight mobility for local, regional and through travel. The Preferred Alternative would provide an additional bridge crossing of the Willamette River about one mile north of the existing bridges, and would provide improved regional mobility through its inclusion of ramps connecting Marine Drive to OR 22, and direct surface street connections from the east bridgehead area to the Salem Parkway. The improved regional mobility would facilitate the safe and efficient movement of freight between the east and west sides of the river, and would reduce congestion in the CBD associated with through freight movement.

### **Neighborhood Livability**

*(19) Transportation facilities shall be designed and constructed to: minimize noise; energy consumption; neighborhood disruption; economic losses to the private or public economy, and social, environmental, and institutional disruptions; and to encourage the use of public transit, bikeways, and walkways.*

### **Findings - Neighborhood Livability:**

Neighborhood livability issues were a key consideration of the NEPA process. Goal 3 of the project was: Preserve the quality of life in communities on both sides of the river (see

Table 6 of Findings Report). Objectives that were considered in the DEIS process included:

- Minimizing impacts to residences
- Minimizing traffic intrusion onto residential streets
- Minimizing noise in residential areas
- Maintaining neighborhood cohesion
- Minimizing construction duration and traffic impacts

The findings in Section 2.4.7 (page 63) provide an overall summary of impacts of DEIS alternatives and the Preferred Alternative, including but not limited to impacts on neighborhood livability. In addition, Table 15 of this Findings Report provides a comparison of economic, social, environmental and energy consequences of Alternatives outside of the UGB. The findings in those sections are incorporated by this cross-reference to document consistency with SACP Policy 19 relating to neighborhood livability.

***Aesthetics and Landscaping***

*(20) Aesthetics and landscaping shall be considered in the design of the transportation system. Within the physical and financial constraints of the project, landscaping, and where appropriate, public art, shall be included in the design of the transportation facility. Various landscaping designs, plants, and materials shall be utilized by local governments, private entities, or individuals to enhance the livability of the area.*

***Findings - Aesthetics and Landscaping:***

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with SACP Policy 20 relating to aesthetics and landscaping. Aesthetics were a consideration in the NEPA process. Goals and objectives for the project (see

Table 6 of this Findings Report) included the following – if applicable to the alternative:

- Provide a structure that instills a sense of community pride and complements the surrounding environment
- Preserve, enhance, or create views from the crossing
- Provide opportunities for productive use under the bridge structure (if applicable) that serves as a community asset

The findings in Chapter 5 address Statewide Planning Goal 15 (Willamette River Greenway) and are incorporated by this cross-reference. The findings in Section 660-004-0022(6) (page 186) address scenic qualities and are supported by information and visual simulations in the *FEIS Visual Resources Technical Report Addendum* (CH2M Hill, 2016). Prior to construction, a subsequent Greenway Development Review will be required, and will include consideration of more detailed plans for design of the bridge, potential viewpoints and/or access to the river, etc. In addition, the proposed Salem TSP amendments include design mitigations that must be addressed by the project to meet the expectations of the City of Salem, including the following:

- Bridge Design Considerations: Design of the bridge, bridge approaches, and ramps to OR 22 shall include opportunities for public input, with a particular emphasis on people living near these areas. In the case of the ramps to OR 22, input shall be solicited from the Salem Parks and Recreation Advisory Board and park users, as well as other area stakeholders.

In summary, the proposed Salem TSP amendments to support the Preferred Alternative are consistent with SACP Policy 20 regarding aesthetics and this policy will be applicable to subsequent permitting phases for the project, including Greenway Development Review and more detailed construction and landscaping plans.

### **Citizen Involvement**

*(22) Opportunities for broad-based citizen involvement in the development, revision, monitoring and implementation of the Salem Area Comprehensive Plan shall be provided by the City of Salem and Marion and Polk Counties. Where neighborhood groups have been officially recognized by the governing body, they shall be included in the planning process. To help assure citizen participation and information, public hearings shall be held prior to adoption of all land use ordinances.*

### **Findings - Citizen Involvement:**

The consolidated plan amendments for the Preferred Alternative will be processed as a Major Plan Amendment in accordance with the procedures and criteria for a legislative plan amendment in SRC 64.020 and 300.1110. The proposal does not constitute an overall periodic review or update of the SACP. Citizen involvement has been a key part of the NEPA process. City staff has provided regular updates regarding the SRC project to neighborhood groups, including information on the proposed plan amendments. Public hearing(s) will be held prior to adoption of all land use ordinances associated with the consolidated plan amendments. The findings addressing Goal 1 (Citizen Involvement) in Section 6.2.1 of this Findings Report (page 228) are incorporated by this cross-reference to demonstrate compliance with SACP Policy 22 regarding citizen involvement.

**Intergovernmental Coordination and Consistency**

*(23) Local governments within the Salem Urban Area shall coordinate their transportation planning and construction efforts with those of the SKATS, the State of Oregon Department of Transportation, the Salem Area Mass Transit District, and each other. Local transportation plans will be consistent with those developed at the regional and State level.*

**Findings - Coordination and Consistency:**

The proposed Salem TSP amendments supporting the Preferred Alternative have been coordinated with transportation planning efforts of SKATS, ODOT and the Transit District. The Oversight Team for the NEPA process included elected or appointed officials of local agencies and jurisdictions with particular responsibilities for, or a strong interest in, this project, including Marion County, Salem-Keizer Transit District, City of Salem, Polk County, City of Keizer, and ODOT. The FHWA-Oregon Division also participated as a non-voting member.

The findings in Section 4.2.4 of this Findings Report (page 177) are incorporated by this cross-reference and document that the proposed Salem TSP amendments for the Preferred Alternative are consistent with the SKATS 2015-2035 Regional TSP.

**Environment**

*(24) The City shall take proactive measures to reduce the environmental impacts from transportation programs and projects by ensuring that environmental resources are identified and evaluated for impacts early in the planning stage. Design, construction, and maintenance activities should avoid, minimize, or mitigate adverse environmental impacts. Where appropriate, the City shall look for cooperative opportunities with other public and private organizations to enhance the natural environment as a component of transportation projects and maintenance activities.*

**Findings – Environment:**

The proposed Salem TSP amendments supporting the Preferred Alternative are consistent with SACP Policy 24 relating to the environment. Goals and objectives established for the DEIS included Goal 2: Preserve or improve natural and cultural resources (see

Table 6 of this Findings Report). Environmental impacts were identified and evaluated for impacts early in the planning stage (alternatives considered but dismissed prior to the DEIS), and thoroughly evaluated in the DEIS.

The findings in Section 2.4.7.1 (page 63) and the information in Table 15 of this Findings Report are incorporated by this cross-reference to document that impacts to environmental resources were identified and evaluated in the DEIS and in technical report addendums for the Preferred Alternative/FEIS.

## 4.2.2 Salem Transportation System Plan (TSP)

### 4.2.2.1 Street System Element

*Goal: Provide a comprehensive system of streets and highways that serves the mobility and multimodal travel needs of the Salem Urban Area.*

*(1) Develop a comprehensive, hierarchical system of streets and highways that provides for optimal mobility for all travel modes throughout the Salem Urban Area.*

*(1.1) The City shall fulfill its systemwide travel capacity needs through the utilization of multiple travel modes within the public rights-of-way.*

*(1.2) The City's street system shall contain a network of radial arterial streets and highways that link the central core area with outlying districts and with major regional and statewide highways.*

*(1.3) The City's street system shall contain a network of peripheral arterial streets that intercept radial street routes, linking outlying residential, commercial, and business districts without having to travel through the central core area.*

*(1.7) The City shall classify streets and highways within the Salem Urban Area based on how they are to ultimately function within the overall system. (See Street Classification Section.)*

*(1.8) The City's street system shall be planned and constructed to provide multiple routes between locations, including making reasonable efforts to eliminate existing, and prevent creation of new, transportation chokepoints, both natural and man-made.*

*(1.9) The City shall identify, maintain, and periodically review a network of existing and planned critical routes to support timely emergency response and evacuation in the event of a natural or man-made disaster.*

*(2) Design City streets in a manner that maximizes the utility of public rights-of-way, is appropriate to their functional role, and provides for multiple travel modes, while minimizing their impact on the character and livability of surrounding neighborhoods and business districts.*

#### **Findings - Street System Element:**

The proposed Salem TSP amendments to support the Preferred Alternative are consistent with the goal and policies listed above for the Street System Element. Figure 5 of this Findings Report illustrates the proposed changes to the Street System Map and the amendments to the TSP text are included in underline/strikeout in the PAPA notice.

The TSP amendments are consistent with the policy direction in the acknowledged TSP for the following reasons:

- The TSP Amendments for the Preferred Alternative provide improved connectivity between northeast Salem and west Salem and supports a comprehensive, hierarchical system of streets and highways that provides optimal mobility for mode all travel modes (vehicle, freight, transit, bicycle, and pedestrian) throughout the Salem Urban Area, consistent with Policy (1).
- The TSP Amendments for the Preferred Alternative maximizes the use of existing public rights-of-way (Wallace Road, OR 22 west of the river, Commercial/Liberty couplet, and Marine Drive). The new bridge crossing (a major arterial) will link with existing major arterials east and west of the river, consistent with Policy (1.1).
- The TSP Amendments for the Preferred Alternative provides a new bridge crossing the Willamette River about one mile north of the existing bridges. It will link and support the regional network of arterial streets and highways east and west of the river and reduce congestion and support the downtown core, consistent with Policy (1.2).
- The TSP Amendments for the Preferred Alternative support Policy (1.3) because the new bridge and related transportation improvements will intercept through regional and statewide traffic that doesn't need to travel through the downtown core area.
- The TSP Amendments are consistent with Policy (1.7) because they include proposed functional classifications for the Preferred Alternative that are consistent with the guidance provided in the acknowledged TSP.
- The TSP Amendments are consistent with Policies (1.8) and (1.9) because the Preferred Alternative provides a new bridge crossing and eliminates the chokepoint associated with the single crossing location of the Marion and Center Street Bridges. The new bridge crossing will dramatically improve the redundancy of the transportation system and support timely emergency response and evacuation in the event of a natural or man-made disaster, including but not limited to a major earthquake.
- The TSP Amendments are consistent with Policy (2) because the Preferred Alternative is designed to maximize the use of existing public right-of-way (including Wallace Road, OR 22 west of the river, the Commercial/Liberty couplet and Marine Drive). The proposed TSP amendments include minor changes to the functional classification of the segment of Marine Drive south of the new bridge, and the short segments of Hickory and Pine Streets in the eastside bridgehead areas. These changes are consistent with the overall functional classification system in the acknowledged TSP. In addition, the Preferred Alternative has been designed for multiple travel modes, and minimizing the impact on surrounding residential and business districts (4 lanes instead of 6 lanes; less elevated structures) shaped the selection of the Preferred Alternative.

#### 4.2.2.2 Bicycle System Element

*Goal: To provide a comprehensive system that accommodates a range of bicyclists with varying skill levels by providing a well-connected system of bicycle facilities that will encourage increased ridership, safe bicycle travel, active transportation, and support public health.*

##### **Findings - Bicycle System Element:**

The TSP Amendments supporting the Preferred Alternative are consistent with the goal for the bicycle system element. The new bridge crossing will include bicycle facilities on the bridge and connections to bicycle facilities in the bridgehead areas on both sides of the river and will enhance the overall connectivity of the bicycle system in support of the goals listed above. Amendments to the Bicycle Network Maps (7-1, 7-2, and 7-5) will show bicycle facilities on the new bridge and on ramps connecting Marine Drive to Edgewater Street. These facilities will be identified as high priority associated with the Preferred Alternative. Map 7-10 will also be amended to change the priority for the multi-use path along Marine Drive from Tier 2 to Tier 1.

#### 4.2.2.3 Pedestrian System Element

*Goal: To provide a comprehensive system of connecting sidewalks and walkways for a range of pedestrians with different abilities that will encourage and increase safe pedestrian travel and active transportation to support public health.*

##### **Findings - Pedestrian System Element:**

The TSP Amendments supporting the Preferred Alternative are consistent with the goal for the pedestrian system element. The new bridge crossing will include pedestrian facilities on the bridge and connections to pedestrian facilities in the bridgehead areas on both sides of the river and will enhance the overall connectivity of the pedestrian system in support of the goals listed above. Amendments to Pedestrian Network Maps (8-3, 8-4, and 8-7) will show pedestrian facilities on the new bridge and on ramps connecting Marine Drive to Edgewater Street. These facilities will be identified as high priority associated with the Preferred Alternative. Map 8-12 will also be amended to change the priority for the multi-use path along Marine Drive from Tier 2 to Tier 1.

#### 4.2.2.4 Transit System Element

*Goal: A public mass transit system that provides convenient and accessible transit services to the citizens of the Salem Urban Area.*

##### **Findings - Transit System Element:**

The TSP Amendments supporting the Preferred Alternative are consistent with the goal for the transit system element. The new bridge crossing and related transportation improvements will accommodate transit and the expanded connectivity of the transportation system will provide opportunities for looped transit routes and reduced transit travel times. In addition, the proposed TSP amendments include design mitigations that must be addressed by the project to meet the expectations of the City of Salem. This includes the following: The design process shall engage the Transit District to identify how best to incorporate transit amenities and facilitate access to the transit system.

#### 4.2.2.5 Freight Movement Element

*Goal: To ensure a multimodal transport system for the efficient, safe, and competitive movement of goods and services to, from, and within the Salem Urban Area.*

***Findings - Freight Movement Element:***

The TSP Amendments supporting the Preferred Alternative are consistent with the goal for the freight movement element. The new bridge crossing and related transportation improvements will improve the overall connectivity of the multimodal transportation system and facilitate efficient freight movement to, from, and within the Salem Urban Area. The Preferred Alternative facilitates regional freight mobility through its inclusion of ramps connecting Marine Drive and OR 22, and direct surface street connections from the east bridgeheads to the Salem Parkway. The northerly bridge crossing also provides the opportunity to reduce through freight traffic in downtown, consistent with one of the objectives for the DEIS (see

Table 6).

### 4.2.3 Polk County Transportation System Plan

#### 4.2.3.1 Goal 2

*To maintain an ongoing transportation planning process keyed to meet the needs of the traveling public and coordinated among the state, regional, and local jurisdictions.*

*(2.1) Polk County will continue to coordinate transportation planning with and consider the needs of its cities, other counties, the region, and the state. The county will support the transportation planning efforts of all its municipalities.*

*(2.3) Polk County will continue to participate in and support state and regional transportation planning efforts.*

#### **Findings - Goal 2:**

Polk County has been an active participant in the NEPA process for the SRC project (including representation on the Oversight Team). The County has coordinated transportation planning with the cities in the County, particularly Salem and Keizer, SKATS and ODOT. Polk County has committed to continue to participate in and support the planning process to implement the Preferred Alternative, including coordination with the City of Salem on the UGB amendments process and targeted amendments to the Polk County TSP. Findings in Section 4.2 (page 162) describing how the Preferred Alternative has been coordinated with and is consistent with local and regional transportation plans are relevant to the Polk County TSP amendments and are incorporated by this cross-reference.

#### 4.2.3.2 Goal 3

*To maintain a transportation system supportive of a sustained, geographically distributed and diversified economy.*

*(3.6) Polk County supports planning for and construction of, a third bridge over the Willamette River.*

#### **Findings - Goal 3:**

The proposed Polk County TSP amendments to support the Preferred Alternative will improve the connectivity and redundancy of the transportation system to distribute traffic over a larger geographic area. This is consistent with the goal to (provide) and maintain a transportation system that supports a geographically distributed and diversified economy.

Polk County's acknowledged TSP already includes a policy (3.6) that supports planning for and construction of a third bridge over the Willamette River. Proposed amendments will include the Preferred Alternative in the Polk County TSP and support on-going planning and implementation of the project for the 2035 planning horizon.

#### 4.2.3.3 Goal 6

*To support the planning, construction and maintenance of multiple travel routes to connect critical facilities both to and within Polk County cities and neighboring counties.*

*(6.1) When evaluating transportation facility alternatives, Polk County will favor those alternatives that provide added redundancy to the connection of critical facilities.*

### **Findings - Goal 6:**

The proposed Polk County TSP amendments are consistent with Goal 6 and Policy 6.1 because the Preferred Alternative provides a new bridge crossing and eliminates the chokepoint associated with the single crossing location of the Marion and Center Street Bridges. The new bridge crossing will dramatically improve the redundancy of the transportation system and support timely emergency response, connection of critical facilities and evacuation in the event of a natural or man-made disaster, including but not limited to a major earthquake. Other alternatives evaluated in the DEIS (No Build and 2A) did not add redundancy to the transportation system.

## **4.2.4 Regional Transportation Plan**

### **4.2.4.1 2015-2035 SKATS Regional Transportation System Plan (SKATS MPO, 2015)**

#### **Goals**

*The goal of the RTSP is to have a Regional Transportation System that is:*

- (1) Able to meet the accessibility needs of the region for the next 20 years;*
- (2) Multimodal and comprehensive, supportive of moving goods and people by the mode of their choice;*
- (3) Preserved in good repair (and replaced at the end of their useful life, as necessary) and maintained to be usable to protect the region's investment;*
- (4) Designed with the safety of all users in mind;*
- (5) Equitable for all users: that the benefits and burdens of the transportation system are not disproportionately distributed but rather are equally spread in the region;*
- (6) Efficient to use: this refers to a system that provides the greatest benefit to the users of the system and does so with projects that are cost appropriate;*
- (7) Planned to minimize the impact to the natural and built environment;*
- (8) Developed and maintained with the funds available to the region; and*
- (9) The result of an open and continuous dialog with the public, other stakeholders, local jurisdictions, and agencies within the SKATS area.*

#### **Findings - RTSP Goal:**

SKATS has been involved with regional transportation planning efforts associated with an additional crossing of the Willamette River for many years. In particular, see the overview of the *General Corridor Evaluation* in Section 2.2.4 of this Findings Report (page 34). As a key outcome of this study, SKATS and the City of Salem took specific actions to include and reference the Tryon/Pine corridor as the priority corridor for a new crossing in the RTSP and Salem TSP, respectively.

The 2035 RTSP references the Salem River Crossing Project in Chapters 5 & 7.

- Three projects are identified in the financially constrained Plan: constructing Marine Drive from Glen Creek Road north to bridge ramps at Hope Street NW (S297), widening and realigning Front Street between River Road North and Norway Street NE (S096), and reserving \$20 million in SKATS STP-U funds for use in preserving and purchasing right-of-way associated with the bridge (R001).
- The other components identified in the locally preferred alternative, including the third bridge over the Willamette River and ramp connections on eastern and western sides of the river, are included in the list of illustrative projects shown in Appendix I of the RTSP. It is anticipated that the Final EIS will be published in 2017, followed by a Record of Decision (ROD) by the U.S. Federal Highway Administration. Work on projects identified in the Final EIS could be funded and construction started after the ROD has been recorded.

The findings in Section 4.1.2.1 (page 151) are incorporated by this cross-reference to document that the proposed amendments to the Salem TSP and the Polk County TSP are consistent with the RTSP and have been coordinated with population and employment forecasts and transportation modeling for the Preferred Alternative.

### **Objectives**

*Minimize the number of fatalities, injuries, and collisions associated with the regional systems*

*Preserve the existing system*

*Provide a multi-modal system*

*Maximize the efficient use of the existing infrastructure*

*Reduce the impact to the environment and natural systems*

### **Findings - RTSP Objectives:**

The objectives listed in the RTSP are goals and policies for transportation in the Salem Area Comprehensive Plan and the Salem TSP. Findings in Sections 4.2.1 (page 162) and 4.2.2 (page 172) are incorporated by this cross-reference to demonstrate compliance with the similar objectives in the RTSP.

## **4.2.5 State Transportation Plans**

### **4.2.5.1 Oregon Transportation Plan (ODOT, 2006)**

#### **Goal 1 – Mobility and Accessibility**

*(1.1) It is the policy of the State of Oregon to plan and develop a balanced, integrated transportation system with modal choices for the movement of people and goods.*

*(1.3) It is the policy of the State of Oregon to provide intercity mobility through and near urban areas in a manner that minimizes adverse effects on urban land use and travel patterns and provides for efficient long distance travel.*

**Findings - Mobility and Accessibility:**

Proposed amendments to the Salem and Polk County TSPs to support the Preferred Alternative are consistent with Policies (1.1) and (1.3) relating to mobility and accessibility. The findings in Sections 4.2.1 (page 162) and 4.2.2 (page 172) addressing mobility and accessibility are incorporated by this cross-reference to demonstrate compliance with the OTP policies. The Preferred Alternative provides the opportunity to improve intercity mobility in a manner that reduces congestion in the existing bridgehead areas and provides for efficient long distance travel with the addition of a new bridge crossing the Willamette River in the Salem-Keizer metropolitan area.

**Goal 2 – Management of the System**

*(2.1) It is the policy of the State of Oregon to manage the transportation system to improve its capacity and operational efficiency for the long-term benefit of people and goods movement.*

*(3.3) It is the policy of the State of Oregon to provide transportation improvements to support downtowns and to coordinate transportation and economic development strategies.*

**Findings - Management of the System:**

The findings in Section 4.2.2 (page 172) and 4.2.3 (page 176) are incorporated by this cross-reference to address the policies regarding management of the system. Proposed Salem and Polk County TSP amendments supporting the Preferred Alternative will reduce congestion in the Salem CBD and West Salem/Edgewater areas and support urban renewal plans and public and private investments in these areas that seek to better balance the needs of through traffic with walkable business districts.

**Goal 4 – Sustainability**

*(4.3) It is the policy of the State of Oregon to increase access to goods and services and promote health by encouraging development of compact communities and neighborhoods that integrate residential, commercial and employment land uses to help make shorter trips, transit, walking and bicycling feasible. Integrate features that support the use of transportation choices.*

**Findings – Sustainability:**

Proposed Salem and Polk County TSP are consistent with Policy (4.3) of the OTP because the Preferred Alternative will reduce congestion in the existing bridgehead areas and support plans to integrate land uses, improve connectivity and support the use of transportation choices in these areas. In addition, the new bridge crossing will increase multi-modal connectivity between northeast and west Salem and improve access to housing, services and jobs on both sides of the river.

**Goal 7 – Coordination, Communication and Cooperation**

*(7.1) It is the policy of the State of Oregon to work collaboratively with other jurisdictions and agencies with the objective of removing barriers so the transportation system can function as one system.*

**Findings – Coordination:**

ODOT has worked collaboratively with other jurisdictions and agencies throughout the NEPA process for the SRC project. Adding a new bridge crossing to improve multi-modal

connectivity and redundancy in the transportation system and remove the chokepoint associated with the existing bridge crossing location has been a key goal of the City of Salem.

#### **4.2.5.2 Oregon Highway Plan (ODOT, 1999, republished with all amendments, 2015)**

##### **Policy 1B: Land Use and Transportation**

*It is the policy of the State of Oregon to coordinate land use and transportation decisions to efficiently use public infrastructure investments to:*

- (1) Maintain the mobility and safety of the highway system;*
- (2) Foster compact development patterns in communities;*
- (3) Encourage the availability and use of transportation alternatives;*
- (4) Enhance livability and economic competitiveness; and*
- (5) Support acknowledged regional, city and county transportation system plans that are consistent with this Highway Plan.*

##### **Findings - Policy 1B:**

The findings in Section 3.1.4.2 (page 94), 4.2.2 (page 172) and 4.2.3 (page 176) are incorporated by this cross-reference to show compliance with OHP Policy 1B.

##### **Policy 1C: State Highway Freight System**

*It is the policy of the State of Oregon to balance the need for movement of goods with other uses of the highway system, and to recognize the importance of maintaining efficient through movement on major truck freight routes.*

##### **Findings - Policy 1C:**

The findings in Section 4.2.1 (page 162) addressing local plan policies regarding freight movement are incorporated by this cross-reference to show compliance with Policy 1C. The proposed Salem and Polk County TSP amendments to support the Preferred Alternative provide a new arterial connection linking existing arterials on the east and west sides of the Willamette River. Ramps connecting Marine Drive to OR 22 and direct surface street connections from the eastside bridgehead to the Salem Parkway will support efficient through freight movement within the through the Salem metropolitan area.

##### **Policy 1E: Lifeline Routes**

*It is the policy of the State of Oregon to provide a secure lifeline network of streets, highways, and bridges to facilitate emergency services response and to support rapid economic recovery after a disaster.*

##### **Findings - Policy 1E:**

The findings in Section 4.2.2 (page 172) and 4.2.3 (page 176) regarding emergency response and lifeline routes are incorporated by this reference to show compliance with Policy 1E. The proposed Salem TSP and Polk County TSP amendments to support the Preferred Alternative will improve redundancy in the transportation system and the new bridge will be built to seismic standards and facilitate emergency services response and support rapid economic recovery after a disaster.

**Policy 1F: Highway Mobility Standards**

*It is the policy of the State of Oregon to maintain acceptable and reliable levels of mobility on the state highway system, consistent with the expectations for each facility type, location and functional objectives. Highway mobility targets will be the initial tool to identify deficiencies and consider solutions for vehicular mobility on the state system. Specifically, mobility targets shall be used for:*

*Identifying state highway mobility performance expectations for planning and plan implementation;*

*Evaluating the impacts on state highways of amendments to transportation plans, acknowledged comprehensive plans and land use regulations pursuant to the Transportation Planning Rule (OAR 660-12-060); and*

*Guiding operations decisions such as managing access and traffic control systems to maintain acceptable highway performance.*

*Where it is infeasible or impractical to meet the mobility targets, acceptable and reliable levels of mobility for a specific facility, corridor or area will be determined through an efficient, collaborative planning process between ODOT and the local jurisdiction(s) with land use authority. The resulting mobility targets will reflect the balance between relevant objectives related to land use, economic development, social equity, and mobility and safety for all modes of transportation.*

*Oregon Transportation Commission adoption of alternative mobility targets through system and facility plans should be accompanied by acknowledgement in local policy that state highway improvements to further reduce congestion and improve traffic mobility conditions in the subject area are not expected.*

*Traffic mobility exemptions in compliance with the TPR do not obligate state highway improvements that further reduce congestion and improve traffic mobility conditions in the subject area.*

**Findings - Policy 1F:**

The following text is included in the package of proposed amendments to the Salem TSP.

*“In adopting the Preferred Alternative as part of the Salem TSP, the City recognizes that some intersections located within the project area will not meet the City’s adopted Level of Service standards as included in the Street System Element, Policy 2.5. Some of the intersections on the State roadway system will also not meet the State mobility targets, for which the State proposes to adopt Alternative Mobility Targets into the Oregon Highway Plan. The City supports a greater level of peak hour congestion in order to reduce the physical impact to the surrounding neighborhoods and business districts. The following City intersections will likely experience congestion greater than the City standards in either the AM or PM peak travel period:*

- *Marion Street NE at Liberty Street NE*
- *Market Street NE at Broadway Street NE*
- *Broadway Street NE at Pine Street NE*
- *Broadway Street NE at Hickory Street NE”*

In summary, the City of Salem has been coordinating with ODOT throughout the NEPA process and expects to adopt Alternative Mobility Targets into the Oregon Highway Plan following local approval of the consolidated plan amendments for the Preferred Alternative. This approach reflects the balancing of relevant objectives related to land use, economic development, social equity, and mobility and safety for all modes of transportation that has taken place throughout the NEPA process and the factors that shaped selection of the Preferred Alternative.

**Policy 1G: Major Improvements**

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

*ODOT will work in partnership with regional and local governments to address highway performance and safety needs.*

*Use the following priorities for developing corridor plans, transportation system plans, the Statewide Transportation Improvement Program, and project plans to respond to highway needs:*

- (1) Protect the existing system*
- (2) Improve efficiency and capacity of existing highway facilities*
- (3) Add capacity to the existing system*
- (4) Add new facilities to the system*

**Findings – Policy 1G:**

The background information in Section 2.3 (page 37) and the findings in 660-024-0050(4) (page 92) that address the priorities for major improvements articulated in Policy 1G are incorporated by this cross-reference to show compliance with the policy.

## 5 Findings in Support of Greenway Goal Exception

This chapter considers and makes findings addressing:

- Statewide Planning Goal 15
- ORS 390.310 to 390.368 (Willamette Greenway Statutes)
- OAR 660, Division 4 (Goal Exceptions)
- Relevant City of Salem Greenway Policies

### Description of Greenway Goal Exception

The portion of the Preferred Alternative within the Greenway Overlay is within the existing UGB and Salem city limits. Therefore, Salem's plans and regulations are the controlling local documents for the Greenway goal exception.

Unlike many jurisdictions that are subject to Statewide Planning Goal 15, the City of Salem has not mapped a specific Greenway setback, but instead requires delineation of a "riparian buffer" on a case-by-case basis taking the Ordinary High Water (OHW), topography and location of the floodplain into account. The "riparian buffer" will never be larger than the Greenway Overlay. For the purpose of the Greenway goal exception, the City of Salem has taken the conservative approach of identifying all areas of cut and fill associated with the Preferred Alternative within the Greenway Overlay instead of focusing on the fill within a more limited riparian buffer (which has not been delineated).

Accordingly, the City of Salem is initiating a comprehensive plan amendment in the form of a Greenway goal exception to authorize the placement of piers/fill within the Greenway Overlay associated with the new bridge crossing and related transportation improvements as shown in Figure 4. This includes the following components of the Preferred Alternative:

- Segment of new bridge extending from realigned Front Street on the east bank of the Willamette River, over McLane Island to the westerly edge of the Greenway Overlay on the west side of the river;
- Extension of Marine Drive on structure south of Glen Creek Road to connect with OR 22 within the Greenway Overlay on the west side of the river; and
- Expansion of OR 22 toward the Willamette River (on the bank) to accommodate new ramp and connection of OR 22 to Marine Drive within the Greenway Overlay on the west side of the river.

WH Pacific calculated cut & fill volumes<sup>158</sup> associated with the components of the Preferred Alternative (including roads, retaining walls, bicycle and pedestrian facilities, and stormwater facilities) highlighted in the bullets above. Approval of the Greenway goal exception will authorize this work, subject to subsequent Greenway Development Permitting and specific delineation of the riparian buffer in accordance with Chapter 600 of the Salem Revised Code when more detailed design and construction plans are available.

## 5.1 Statewide Planning Goal 15 and Related Statutes and Rules

### 5.1.1 Goal 15

Statewide Planning Goal 15 is intended to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

#### **Criteria – Goal 15, Section A.1:**

*(1) The qualities of the Willamette River Greenway shall be protected, conserved, enhanced and maintained consistent with the lawful uses present on December 6, 1975. Intensification of uses, changes in use or developments may be permitted after this date only when they are consistent with the Willamette Greenway Statute, this goal, the interim goals in ORS 215.515(1) and the statewide planning goals, as the case may be, and when such changes have been approved as provided in the Preliminary Greenway Plan or similar provisions in the completed plan as appropriate.*

#### **Findings – Goal 15, Section A.1:**

The Preferred Alternative would impact land and water areas protected by Statewide Planning Goal 15 (Willamette River Greenway). There is little case law interpreting Goal 15; however, DLCD has advised that a Goal 15 exception is required to allow construction of a new bridge and related transportation improvements within the Greenway Overlay.<sup>159</sup> The findings supporting this goal exception are provided in this chapter.

Under Goal 15, an exception is required for the Preferred Alternative for the following reasons:

- The Preferred Alternative (constructing a new bridge and expanding the footprint of OR 22) involve a “change of use” or “development” as defined in Goal 15.
- Within urban areas, Goal 15 and OAR 660-004-0022(6) prohibit the siting of uses or structures that are not considered water-dependent or water-related within the Greenway setback line without an exception.
- As defined in the statewide planning goals, “water-dependent” means: A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water.

<sup>158</sup> WH Pacific, Inc., Email with Figures and Calculations of Cut & Fill Volumes for the Preferred Alternative within the Greenway Overlay. April 26, 2016.

<sup>159</sup> Letter from Jim Rue, DLCD Director to Julie Warncke, City of Salem Transportation Planning Manager, June 23, 2014.

“Water-related” means: Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered.

- Except as necessary for water-dependent or water-related uses or facilities, \*\*\*roads and highways\*\*\*are not generally considered water-dependent or water-related uses.
- In particular, bridge structures, ramps or piers on fill within the Greenway setback are not considered to be water-dependent or water-related uses.

The remainder of Goal 15 provides standards for local Greenway plans and programs. The LCDC has adopted by reference and approved the Willamette River Greenway Plan for the City of Salem.<sup>160</sup> Therefore, the acknowledged City of Salem plans and ordinances are the controlling local documents that apply to the portions of the Preferred Alternative within the Greenway Overlay. Findings addressing City of Salem plans and ordinances are provided in Section 5.2.1 (page 220).

### 5.1.2 Goal Exceptions Statutes and Rules

Goal 15 exceptions need to show compliance with the standards for “reasons” exceptions set out in ORS 197.732(1)(c), Goal 2 Part II and OAR chapter 660, Division 4 (especially OAR 660-004-0018, -0020, and -0022(6)). Briefly, these require a demonstration of (1) reasons why the policies in Goal 15 should not apply; (2) consideration of alternative locations; (3) analysis of the economic, social, environmental and energy (ESEE) consequences of locating the use at the proposed location rather than other locations also requiring goal exceptions, and (4) analysis of how the use is or can be made compatible with adjacent uses.

OAR 660-004-0022(6) provides guidance on specific reasons that can be used to support an exception to Goal 15. Those specific criteria are addressed first in Section 5.1.2.1 below, followed by findings in Sections 5.1.2.2 through 5.1.2.6 (pages 201 through 220) that address the more general exception requirements of OAR 660-004-0020 and the provisions in OAR 660-004-0018 relating to planning and zoning for exception areas.

#### 5.1.2.1 OAR 660-004-0022:

##### **Criteria – OAR 660-004-0022(6):**

*(6) Willamette Greenway: Within an urban area designated on the approved Willamette Greenway Boundary maps, the siting of uses which are neither water-dependent nor water-related within the setback line required by Section C.3.k of the Goal may be approved where reasons demonstrate the following:*

*(a) The use will not have a significant adverse effect on the greenway values of the site under consideration or on adjacent land or water areas;*

*(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction;*

<sup>160</sup> Willamette River Greenway Plan, City of Salem, September 10, 1979.

<http://www.cityofsalem.net/Departments/CommunityDevelopment/Planning/Longrangeplanning/Documents/Salem%20Willamette%20Greenway%20Plan.pdf>

(c) *The use will provide a significant public benefit; and*

(d) *The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322."*

**Findings – OAR 660-004-0022(6):**

As shown on Figure 1, the footprint of the Preferred Alternative is within an urban area (UGB and Salem city limits) designated on the approved Willamette Greenway Boundary maps for the City of Salem. As noted above, bridge structures or ramps on piers/fill within the Greenway setback areas are not considered to be water-dependent or water-related uses. Therefore, an exception to Goal 15 is required to approve the components of the transportation use within the Greenway setback line.

The City of Salem has not mapped a specific Greenway setback, but instead requires the delineation of a riparian buffer on a case-by-case basis taking the Ordinary High Water (OHW), topography and location of the floodplain into account.<sup>161</sup> The riparian buffer will never be larger than the Greenway Overlay.

Therefore, in the context of the Greenway goal exception, it is prudent to consider the components of the Preferred Alternative within the larger Greenway Overlay rather than focusing on a more limited setback line or riparian buffer that has not been delineated. Such an exception may be approved under OAR 660-004-0022(6) based on the following findings that address criteria (6) (a) through (d).

**Findings – Greenway Values (6)(a):**

The values of the Greenway are embodied in Goal 15: *"to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities along the Willamette River as the Willamette River Greenway."* The findings in this section address these values, drawing largely from information in the DEIS and supporting technical reports, and updated technical reports for the FEIS that focus on the Preferred Alternative. The assessment of impacts in the DEIS was based on the "footprint" of each build alternative. The assessment of indirect and cumulative land use impacts considered a larger ¼ mile buffer around the combined build alternatives. Therefore, the impacts have not been isolated to the portions of each alternative within the Greenway Overlay. However, these findings highlight and focus on key impacts on adjacent land and water areas within the ¼ mile buffer that are most relevant to the Willamette River Greenway in this section.

The values of the Greenway are summarized below and the findings address the impacts of the Preferred Alternative on the referenced greenway values of the site under consideration (bridge crossing and Marine Drive ramp connection/OR 22 improvements within the Greenway Overlay), or on adjacent land or water areas.

**Findings – Natural Qualities (6)(a):**

The Willamette Valley region of northwestern Oregon is the fastest growing area of the state. The Willamette River is the 13<sup>th</sup> largest river system in the United States and the dominant geographic feature in the Salem-Keizer region. High rainfall in the basin (approximately 40 to 50 inches per year), dense riparian vegetation, and watersheds with

<sup>161</sup> See SRC 600.020(a) and 600.025(2).

varied topography provide many diverse habitats for salmonid and resident-fish spawning and rearing.

The Willamette River system has been massively simplified over time by eliminating meander patterns and shortening the channel as a result of dam construction, channelization, drainage, and other activities. Because the main stem of the mid-Willamette River has been narrowed and deepened, off-channel habitat has been greatly reduced. Flood-control measures upstream and outside of the project area have contributed to the loss of approximately 75 percent of shallow-water, floodplain, and off-channel habitats. This has significantly reduced the quality of available freshwater aquatic habitat in the mid-Willamette River.<sup>162</sup>

Aquatic habitat within the river is primarily rearing and migration habitat for salmonids. Spawning, rearing, and migration habitat for non-salmonid fish species occurs in the area. The river deepens close to the riverbanks, which limits critical shallow water habitat. In the mid-Willamette Basin, only specific runs of Chinook salmon and steelhead trout are listed under the federal Endangered Species Act (ESA) as “threatened” species.<sup>163</sup>

The Willamette River and its associated riparian areas are important fish and wildlife corridors. The riparian areas offer a link between the river and the upland forests and wetlands in the surrounding parks and refuges (including Wallace Marine Park and Minto Brown Park). Some reaches of the Willamette River provide wintering or nesting habitat for several species of waterfowl. In addition, several species of mammals use the river, including river otter and muskrat.

Riparian habitats include mature deciduous/coniferous gallery forests along the Willamette River dominated by very large black cottonwood with some Oregon ash on lower terraces transitioning to big leaf maple, grand fir, and snowberry upslope. Many wildlife species use riparian habitats over some portion of their life cycles. This habitat offers nest sites, shelter, and forage to various species. No federal ESA-listed wildlife species or species proposed for ESA listing are documented within the study area. Additionally, no ESA or state-listed threatened or endangered plant species were identified during surveys conducted in the study area.<sup>164</sup>

The Preferred Alternative would provide a new bridge crossing the Willamette River at about River Mile 83, approximately one mile north of the Marion & Center Street bridges. The new bridge would connect to Hope Avenue at Wallace Road on the west, cross Wallace Marine Park at its northern tip, cross the Willamette River and McLane Island, cross over a realigned Front Street, and connect to Pine and Hickory Streets at Commercial Street on the east. The bridge could be a single structure or two side-by-side structures. The new bridge would have two lanes traveling east and two lanes traveling west and would include bicycle and pedestrian facilities.

As shown on Figure 4, only a portion of the full bridge (approximately 1,705 lineal feet) is within the Salem’s Greenway Overlay. The segment of the bridge elevated on structure over

<sup>162</sup> DEIS, Natural Systems and Communities, page 3-371.

<sup>163</sup> DEIS, Threatened and Endangered Species, page 3-399.

<sup>164</sup> DEIS, Threatened and Endangered Species, page 3-401.

the floodway/floodplain west of the river to Marine Drive (approximately 2,200 lineal feet) is outside of the Greenway Overlay and does not require a Greenway goal exception.

The Preferred Alternative has been designed to minimize and avoid impacts to aquatic and riparian habitat, floodplains, and wetlands to the extent possible. However, even with these design considerations, the Preferred Alternative (and all DEIS build alternatives) would reduce habitat function for listed species compared to existing conditions because riparian vegetation would be removed and the construction of piers and other in-water structures would decrease aquatic habitat. Further refinements to directly impacted habitats will be considered in the FEIS and the final design. Table 16 summarizes key impacts of the Preferred Alternative related to Greenway natural values.

**Table 16**

*Preferred Alternative – Summary of Impacts to Greenway Natural Values\**

|                                                                                                |                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Total pier area of in-stream habitat                                                           | 0.10 acre                                                                                                                                                                                                                                                                                         |
| Total pier area in critical shallow water habitat                                              | 0.09 acre                                                                                                                                                                                                                                                                                         |
| Riparian habitat directly impacted                                                             | 5 acres                                                                                                                                                                                                                                                                                           |
| Wetlands directly impacted                                                                     | 0.01 acre                                                                                                                                                                                                                                                                                         |
| Maximum rise in 100-year flood water surface elevation (feet) relative to No Build Alternative | 0.27 feet                                                                                                                                                                                                                                                                                         |
| Total area of parkland acquired                                                                | 1.4 acres                                                                                                                                                                                                                                                                                         |
| ESA-listed fish                                                                                | ESA-listed spring-run Chinook salmon and winter-run steelhead trout present in Area of Potential Impact; a Biological Assessment would be required for the Preferred Alternative and any DEIS Build alternative. Mitigation commitments will be specified in the Record of Decision for the FEIS. |
| Wildlife habitat impacted                                                                      | The Preferred Alternative, and all DEIS Build alternatives, would reduce cover, nesting, and foraging habitat for some wildlife species. Mitigation commitments will be specified in the Record of Decision for the FEIS.                                                                         |

\* The DEIS did not isolate impacts to the Greenway Overlay. Therefore, the impacts for the Preferred Alternative have not been isolated to the Greenway Overlay to provide a basis for comparison to the DEIS build alternatives later in this chapter.

Sources: Chapter 3 of DEIS and supporting Technical Reports for Parks (3.06), Water Resources (3.09), Natural Settings and Communities (3.10), Wetlands (3.11), Threatened and Endangered Species (3.12), Non-Threatened and Endangered Species (3.13). FEIS Technical Report Addendums for the Preferred Alternative for the same topics.

In summary, the mid-Willamette River includes designated critical habitat for listed species – Chinook salmon and steelhead trout. The primary impact of the Preferred Alternative on threatened species is expected to be temporary in nature and associated with construction activities. No long-term impacts to juvenile or adult fish passage are anticipated as a result of the Preferred Alternative. As part of the FEIS and permitting requirements, an ESA consultation with NMFS and USFWS, including preparation of a Biological Assessment (BA), is required.<sup>165</sup> As noted in Chapter 1, under Oregon land use regulations, adoption of the Greenway goal exception must precede the issuance of the FEIS.

With regard to natural systems and communities, coordination with applicable agencies was conducted early in the NEPA process and was ongoing throughout. The Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) provided a framework for coordination at key project decision milestones, including the selection of the Preferred Alternative. CETAS members included representatives from key federal and state agencies responsible for protecting the region's air, water, fish, wildlife, cultural, and land use resources, including but not limited to NMFS, USFWS, ODFW, and DSL.<sup>166</sup> Coordination will continue with applicable agencies, although the CETAS process has been discontinued by ODOT.

Based on evidence in the DEIS and FEIS technical report addendums in the record and summarized above, the Preferred Alternative will not have a significant adverse effect on Greenway natural values at the new bridge crossing location or where the footprint of OR 22 is expanded onto the riverbank, but not over or into the Willamette River.

Potential mitigation measures and Best Management Practices (BMPs) to address impacts to natural resources (River Systems, Aquatic Habitat, Water Quality, Wetlands, Riparian Habitat and Floodplain) are outlined in the DEIS. The FEIS will include specific mitigation measures and Best Management Practices (BMPs) for the Preferred Alternative and it is expected that detailed mitigation commitments will be incorporated in the Record of Decision (ROD) for the project.

Potential measures to avoid, minimize, and mitigate for adverse impacts to natural resources identified in the DEIS and FEIS technical report addendums include, but are not limited to:

- Conducting in-water work during the in-water work period established by the ODFW to minimize potential impacts to aquatic life.
- Creating and/or restoring wetland habitat (potentially within Wallace Marine Park or on Minto Brown Island).
- Creating additional shallow-water habitat along the Willamette River at Wallace Marine Park using bioengineering techniques, removing non-native species, and employing long-term controls.
- Removing invasive species where found in the project footprint along the Willamette River riparian areas.

<sup>165</sup> DEIS, Threatened and Endangered Species, page 3-404.

<sup>166</sup> DEIS, Threatened and Endangered Species, page 3-404.

- Revegetating and monitoring disturbed areas, including planting native vegetation.
- Placing habitat structures (such as snags, logs, and nesting boxes) for cavity-nesting species. In addition, trees removed from the riverbank would be replaced to help establish connectivity between the Willamette River and upland areas.
- Installing stormwater retention and treatment to mitigate for new impervious surfaces.
- Developing and implementing erosion and sediment control plans.

**Findings – Scenic Qualities (6)(a):**

Salem’s acknowledged Willamette River Greenway Plan (1979) includes policies “to protect and enhance the scenic resources of the Willamette River corridor” but it does not identify or designate specific scenic viewpoints or view corridors. Chapter 600 (Willamette River Greenway) of the Salem Revised Code (SRC) includes a standard relating to view corridors, but as written it only applies to scenic easements for vacation of public right-of-way.

Chapter 3.8 of the DEIS addresses visual resources. The opening paragraph states: “Highways and bridges affect the visual character of the surrounding landscapes. Therefore, changes in transportation facilities can be of great interest to local residents and jurisdictions.” The DEIS chapter, supported by the *FEIS Visual Resources Technical Report Addendum* (CH2M Hill, 2016), evaluates conditions in the vicinity of the Preferred Alternative in terms of the existing landscape, viewer groups, and viewpoints, which are used for assessing the quality of visual resources.

The Willamette River; the open space and recreational uses of the riverfront parks; the existing bridges and roadways; and the urban areas on both sides of the river are the dominant visual elements of the project area. The open area within Wallace Marine Park as viewed from the east side of the river makes the Center Street and Marion Street Bridges and supporting infrastructure more visible than is typical in an urban setting. The Willamette River, including fully mature trees, is the most important feature contributing to the landscape’s uniqueness. Vegetation along the riverbank and in the floodplain provides much of the visual quality of the project area.<sup>167</sup>

The DEIS Visual Resources chapter identifies three landscape units that contain views of the project area:

- **Willamette Shores.** Includes the vegetated floodplain of the Willamette River and Wallace Marine Park.
- **West Salem Suburban.** Developed and re-developing commercial and residential areas.
- **Salem Urban.** Includes buildings, signs, streets, and other infrastructure of the urban setting.

The existing Center Street, Marion Street, and Union Street Pedestrian Bridges form a dominant element in the landscape that link the three landscape units.

<sup>167</sup> DEIS, Visual Resources, page 3-330.

The Willamette Shores landscape unit consists of a primarily flat natural area and recreational park setting. This landscape unit overlaps with the Greenway Overlay. The Willamette River flows through the middle of the landscape unit, which includes the protected Willamette River Greenway (a riparian area) on both banks of the river. Two vehicular bridges and one bicycle/pedestrian bridge cross the river. A river bottom quarry is located north of Wallace Marine Park in the northern region of the landscape unit.<sup>168</sup>

The Willamette Shores landscape unit includes the regional park site on the west bank (Wallace Marine Park) and three smaller public parks on the east bank (Salem Riverfront Park, River Road Park, and an undeveloped natural park site at the mouth of Mill Creek). Direct public access to the riverfront is available on the west side of the river, but steep slopes limit access on the east side of the river, with the exception of a dock at Riverfront Park.

From surrounding areas, the riverfront is generally not visible because of elevations and vegetation. The existing riverfront parks and pathways, and existing bridges and bicycle and pedestrian facilities over the Willamette, provide the best public access to views of the river. Recreational boaters on the river have the opportunity to enjoy the scenic qualities of the river from a different vantage point.<sup>169</sup>

From eastbound OR 22, ground level and lower elevation features generally are not visible from the roadway. The OR 22 elevated roadway also includes berms with evergreen, deciduous, and other vegetative screening, as well as barrier walls that restrict views of the river from the roadway.

The new bridge for the Preferred Alternative would be placed about one mile downstream from the existing bridges. The bridge would connect to Hope Avenue at Wallace Road on the west, cross Wallace Marine Park at its northern tip, cross the Willamette River and McLane Island, cross over a realigned Front Street, and connect to Pine and Hickory Streets at Commercial Street on the east. Relative to other DEIS build alternatives (particularly 2B), there would be fewer viewers of the northerly bridge and the distance would mask the bulk of the bridge.<sup>170</sup>

The *Visual Resources Technical Report Addendum* (CH2M Hill, 2016) provides a visual simulation of the northerly bridge, along with simulations of the Preferred Alternative as viewed from Riverfront Park and from the Union Street Railroad Pedestrian and Bicycle Bridge. OR 22 and Edgewater Street businesses in West Salem, and the riverbank area adjacent to OR 22, are visually sensitive locations. The Preferred Alternative, along with five of the eight Build alternatives evaluated in the DEIS (2A, 2B, 4C, 4D, 4E), include direct connections to OR 22. The introduction of new ramps and widening of OR 22 toward the river would reduce the visual intactness and unity of the floodplain and result in lower visual quality rating scores than the Build alternatives that do not include the OR 22 connection (3, 4A and 4B).

<sup>168</sup> DEIS, Visual Resources, page 3-331.

<sup>169</sup> DEIS, Visual Resources, page 3-331.

<sup>170</sup> DEIS, Visual Resources, page 3-336.

The *Visual Resources Technical Report Addendum* (CH2M Hill, 2016) addresses the visual impacts of the Preferred Alternative from fourteen viewpoints within the three identified landscape units (Willamette Shores, West Salem and Salem Urban). Eight of the fourteen viewpoints are within the Greenway Overlay. The following excerpts from the report addendum briefly summarize the visual impacts of the Preferred Alternative from the eight viewpoints.

#### **Viewpoint 6: Wallace Marine Park Ball Fields**

The portion of the Marine Drive extension west of the softball complex would be at-grade and would generally be screened from views within the park by vegetation along the western edge of the park. Marine Drive would likely not be seen, or fully seen, by recreationists using the ball field facilities or visiting this part of Wallace Marine Park. The significance of the impacts of the Preferred Alternative on the visual quality of the view would be negligible.<sup>171</sup>

#### **Viewpoint 7: Edgewater Street**

The proposed elevated structures and surface ramps connecting to OR 22 would impact the greenspace area east of Edgewater Street; these elevated structures and roadways would be prominent features that would be clearly seen from this location. The elevated structure and elimination of mature vegetation would result in a lowering of visual quality. The significance of the reduction in visual quality would be negligible because it would primarily affect travelers in vehicles (low viewer sensitivity).<sup>172</sup>

#### **Viewpoint 8: Oregon 22 (east of Edgewater Street)**

The proposed elevated structure and surface ramps connecting to OR 22 and requiring its expansion towards the shoreline of the Willamette River would be clearly seen from this viewpoint. These structures and new travel lanes (which would require the removal of riverside vegetation that is currently seen from this location) would be prominent features and would encroach into view of the Willamette River. The changes associated with the Preferred Alternative would be consistent with the major transportation infrastructure of the area seen from this viewpoint, but would interrupt view of the river and areas beyond. The visual quality of the view would be lowered, but not enough to have more than negligible significance.<sup>173</sup>

#### **Viewpoint 9: Riverfront Park**

The elevated flyover of the multi-use path leading to the Union Street Railroad Pedestrian and Bicycle Bridge and the Marion Street Bridge would be seen above the existing OR 22 elevated structures. For those looking westward from Riverfront Park, these additional elevated structures would be prominent features that would be clearly seen “in front” of the hills in West Salem. The new structures would be consistent with the transportation character of the human-made elements in this view, but would reduce the intactness and

<sup>171</sup> CH2M Hill, *Visual Resources Final Technical Report Addendum* (2016), page 4-10.

<sup>172</sup> *Ibid*, page 4-8.

<sup>173</sup> *Ibid*, page 4-8.

unity of the view. The elevated structures would reduce the visual quality of the view from this location in Riverfront Park enough to have an impact of moderate significance.<sup>174</sup>

#### **Viewpoint 10: Marion Street Bridge**

Westbound travelers on the Marion Street Bridge would clearly see the Preferred Alternative's elevated flyover structure. The structure would frame and intrude upon views to the hills in West Salem as travelers passed by this location. The new structure would be consistent with the transportation-oriented character of this area. The visual quality of the view would be somewhat lowered, but not enough to have more than negligible significance.<sup>175</sup>

#### **Viewpoint 11: Union Street Railroad and Bicycle Bridge**

The degree to which the new flyover structure for the Preferred Alternative would be seen from this location would vary by season, depending upon the amount of foliage on the deciduous trees along the west side of the bridge. When in full leaf from spring through fall, much of the structure would be blocked or screened from view by the trees. When not in leaf, the structure would be quite apparent "in front" of the commercial-industrial buildings behind the trees. When seen, the new flyover structure would decrease the intactness and unity of the existing view by introducing a large-scale transportation element into the view behind the trees. Visual quality would be lowered enough to have an impact of moderate significance.<sup>176</sup>

#### **Viewpoint 13: Front Street and Hickory Street Intersection**

The eastbound bridge ramp from Hickory Street would be very visible from this viewpoint. The retained wall of the ramp would block views to the south by viewers (mostly travelers and workers) from this location. The ramp and new sidewalk would not be greatly out of character with the utilitarian character of this area and would not create a visual impact of more than negligible significance.<sup>177</sup>

#### **Viewpoint 14: River Road Park**

In the few areas of River Road Park (near the overlook on the bank of the Willamette River) where the new bridge of the Preferred Alternative would be seen crossing over the river and McLane Island, the presence of the bridge in the middle-ground would not be consistent with the generally undeveloped and natural character of the nearby river corridor. The existing high visual quality of the viewed area would be reduced to moderately high, which would create an impact of moderate significance.<sup>178</sup>

In summary, based on the evidence in the DEIS and the *Visual Resources Technical Report Addendum* (2016), the Preferred Alternative will have some impact, but not a significant adverse effect, on Greenway scenic values. In addition, the new bridge, and associated bicycle and pedestrian facilities on and off the bridge, would provide additional

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<sup>174</sup> Ibid, page 4-10.

<sup>175</sup> Ibid, page 4-10.

<sup>176</sup> Ibid, page. 4-10.

<sup>177</sup> Ibid, page 4-11.

<sup>178</sup> Ibid, page 4-11.

opportunities for views of the Willamette River, McLane Island, and Wallace Marine Park and riparian areas that aren't available today.

Also, many people find bridges to be attractive and they become part of the character of the city. While some people may find a new bridge over the river to detract from the scenic qualities of the river, others may conclude that it enhances those scenic qualities. In the subsequent Greenway Development Permit phase, the public and decision-makers will have an opportunity to review the bridge design details and bicycle and pedestrian facilities and amenities, to ensure that the new bridge results in an overall net positive impact on the visual and scenic quality of the Willamette River Greenway.

Potential measures to avoid, minimize, and mitigate for adverse impacts to scenic values identified in the EIS include, but are not limited to:

- The use of sensitively designed architectural elements and details to be integrated with, complement, or otherwise enhance existing and new features.
- A sustainable, functional, and aesthetic landscape design.
- Increased spacing between bridge columns to open up views under bridge structures.

#### ***Findings – Historical Qualities (6)(a)***

Historical research conducted for the DEIS identified a total of six properties in the vicinity of the project alternatives that are listed in the National Register of Historic Places (NRHP). An additional 40 properties were assessed for potential eligibility, with seven later determined to be ineligible.<sup>179</sup> Of the properties listed or eligible, several are located within the Greenway boundary. Two (NHRP-eligible) along Highway 22 in West Salem were impacted by all build alternatives. Two (Old West Salem City Hall and the Union Street Railroad Bridge, both NHRP-listed sites) were not impacted by any of the build alternatives. Another is adjacent to the existing bridgehead.<sup>180</sup> Based on the location of the footprint of the Preferred Alternative, it appears that, of the historic sites that appear to be within the Greenway boundary, only the two NHRP-eligible sites impacted by all build alternatives would be impacted by the Preferred Alternative.<sup>181</sup>

As part of the evaluation, ODOT formally initiated Section 106 consultations and coordinated with the Oregon State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), Indian tribes, and local consulting parties. The consultations will continue through the FEIS, project design and construction. Determinations of Eligibility and Oregon SHPO concurrence can be found in Appendix C of the DEIS *Historic Resources Technical Report*.

Based on evidence in the record and summarized above, the Preferred Alternative will not have an adverse impact on designated NRHP properties and will affect only two NHRP-eligible properties within the Greenway Overlay (both of which would be affected by all

<sup>179</sup> DEIS, Historic Resources, pages 3-300 through 3-303.

<sup>180</sup> DEIS, Historic Resources, pages 3-300 through 3-327.

<sup>181</sup> As of the writing of these findings, the historic resources evaluation of the Preferred Alternative was not yet available. This analysis is based on visual comparison of the Preferred Alternative footprint to the identified resources in the DEIS Historic Resources technical report.

build alternatives). Therefore, the Preferred Alternative will not have a significant adverse effect on Greenway historic values.

***Findings – Agricultural Qualities (6)(a):***

As shown on Figure 4, the portions of the Preferred Alternative within the Willamette River Greenway are within the current Urban Growth Boundary and Salem city limits. Therefore, the Greenway goal exception is under Salem’s land use jurisdiction. The area of the new bridge crossing west of the river and within the Greenway Overlay is designated as *Parks/Open Space/Recreation* on the Salem Area Comprehensive Plan Map. There are no designated agricultural lands within Salem’s Greenway Overlay. Therefore, this provision is not applicable to the Greenway goal exception.

***Findings – Economic Qualities (6)(a):***

The segment of the Willamette River through the City of Salem is not used for marine shipping or industrial harbor types of uses. In fact, Salem’s Willamette River Greenway Plan includes policies that specifically support transition of the waterfront (particularly on the east bank) to a mixture of commercial, office and high-density residential uses, while allowing for the continuation of existing industries. The Comprehensive Plan designation of “River-Oriented Mixed Use” supports this transition.

The only known commercial vessel that utilizes the project area is the Willamette Queen sternwheeler. The Willamette Queen is docked at Riverfront Park and sternwheeler boating tours operate from this location. Recreational vessels such as canoes, kayaks, rafts, and motorboats use the Willamette River in the project area. There are two public docks and two boat ramps located within a 3-mile radius of the new bridge site. One dock is located on the Willamette River near the confluence of the Willamette River and the Willamette Slough. This dock is accessed via Riverfront Park and is primarily used by recreational boaters. As noted above, the Willamette Queen is docked at Riverfront Park. The second dock is part of a boat ramp facility located on the Willamette River in Wallace Marine Park. The boat ramp in Wallace Marine Park is only for recreational users. Both locations are within City parks and are managed by the City of Salem. An additional boat ramp and floating dock is located at Keizer Rapids Park. The Keizer Parks Foundation manages this boat ramp.

The proposed bridge crossing for the Preferred Alternative will be located at approximately river mile 83. The Oversight Team approved a bridge type (segmental precast concrete box girder) in 2014 to establish the general form of the load carrying structure, as well as the overall shape and character of the bridge, for evaluation as part of the FEIS.<sup>182</sup>

After the FEIS and record of decision are issued, the bridge design phase will establish the size, shape, and proportion of the bridge elements based on engineering requirements and aesthetic goals. The bridge design phase will also support the required US Coast Guard Bridge Permit application, and will include consideration of waterway characteristics, usage, and navigational impacts.

Section 3.5 of the DEIS evaluates the impacts of the Build Alternatives on businesses and established business districts. There are five business districts within the direct and indirect

<sup>182</sup> See <http://www.salemrivercrossing.org/wp-content/uploads/2014/10/SRC-OT-Presentation-101314-Final-email.pdf>

area of potential impact: 1) Central Business District, 2) North Salem Business District, 3) Keizer Station Business District, 4) Wallace Business District, and 5) Edgewater Business District. The Keizer Station and Wallace Business Districts are not located in proximity to the Greenway Overlay.

The Preferred Alternative would have economic impacts on business districts, including displacement of businesses, removal of on and off-street parking spaces, access impacts, and reduced traffic volumes along specific streets (which could have a negative impact on businesses). It is estimated that the Preferred Alternative would displace a total of 55-65 businesses.<sup>183</sup>

The Preferred Alternative would displace few businesses within the Greenway Overlay. In addition, refinements to the Preferred Alternative (following the initial endorsement of Alternative 4D) were intended in part to minimize impacts on the Edgewater and North Salem Business Districts. Based on the discussion above, the Preferred Alternative will not have a significant adverse effect on Greenway economic values in terms of existing commercial uses of the waterway or water-dependent or water-related uses and business districts in proximity to the new bridge crossing or the Marine Drive to OR 22 ramps and improvements within the Greenway Overlay.

**Findings – Recreational Qualities (6)(a):**

A substantial portion of the land and water area within Salem’s Greenway Overlay is publicly owned and used or planned for park and recreational facilities.

Table 17 provides summary information about parks and recreational resources within the Greenway Overlay. Some of these parks—in particular Wallace Marine Park—are of regional significance and have approved master plans for future development.

**Table 17**

*Summary Information about Parks and Recreation Resources in the Willamette River Greenway*<sup>184</sup>

| Name and Location                           | Size or Length | Facility Type and/or Function | Ownership and Management | Site Features and Characteristics                                                                    | Section 4(f) Resource? |
|---------------------------------------------|----------------|-------------------------------|--------------------------|------------------------------------------------------------------------------------------------------|------------------------|
| Wallace Marine Park<br>200 Glen Creek Road  | 114 acres      | Large urban park              | City of Salem            | River access, recreational facilities, lighted softball fields, soccer fields, trails, and restrooms | Yes                    |
| Riverfront Park<br>116 Marion Street        | 23 acres       | Special use park              | City of Salem            | Boat dock, carousel, community cultural and educational facilities                                   | Yes                    |
| Marion Square Park<br>551 Commercial Street | 3.2 acres      | Special use park              | City of Salem            | Historical, restrooms, skate park, picnic facilities                                                 | Yes                    |

<sup>183</sup> Universal Field Services, Inc., Right-of-Way Technical Report Addendum (2016).

<sup>184</sup> DEIS Section 3.6, *Parks and Recreation, Wildlife or Waterfowl Refuges*, excerpt from Table 3.6-1.

**Table 17***Summary Information about Parks and Recreation Resources in the Willamette River Greenway<sup>184</sup>*

| <b>Name and Location</b>                                                                      | <b>Size or Length</b>    | <b>Facility Type and/or Function</b> | <b>Ownership and Management</b>           | <b>Site Features and Characteristics</b>                                                             | <b>Section 4(f) Resource?</b> |
|-----------------------------------------------------------------------------------------------|--------------------------|--------------------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------|-------------------------------|
| Union Street Railroad Bridge Pedestrian and Bicycle Trail (Commercial Street to Wallace Road) | Approximately 3,400 feet | Bike and pedestrian trail            | City of Salem                             | Multi-use pathway                                                                                    | Yes                           |
| Mouth of Mill Creek Park (Commercial Street to Willamette River)                              | 1.7 acres                | Natural resource area                | City of Salem                             | Natural areas, Mill Creek                                                                            | No                            |
| River Road Park                                                                               | 16.1 acres               | Community park                       | City of Salem                             | Soccer fields, tennis and basketball courts, picnic shelter, splash fountain, playground, and trails | Yes                           |
| Willamette River                                                                              | About 180 miles          | Natural resource area                | Oregon Department of State Lands          | Water-based recreation area                                                                          | No                            |
| Willamette River Water Trail                                                                  | 187 miles                | Water trail                          | Oregon Department of Parks and Recreation | Water-based recreation area                                                                          | Yes                           |

The following description of park and recreational facilities is an excerpt from the SRC Project Draft Section 4(f) Evaluation (2012).

Existing park facilities in **Wallace Marine Park** include the softball complex, several soccer fields, a boat launch, boarding floats, restrooms, play equipment, four parking lots, and pedestrian trail connectivity to the Union Street Railroad Bridge Pedestrian and Bicycle Trail. Approximately 30 acres at the north end of the park are undeveloped. The park's natural features include the river frontage and a linear wetland. The majority of the park exists within the river's 100-year floodplain, and remnant sloughs form part of the park's western edge. The Wallace Natural Area within the park is identified as a separate 4(f) resource.

The primary function of Wallace Marine Park is for active recreational use. The *Wallace Marine Park Master Plan* identifies several planned features, including additional softball fields, soccer fields, boat ramps, and natural areas. Additional park entrances and revised vehicular circulation routes are planned. To enhance pedestrian and bicycle circulation within the park, the plans include converting existing worn, earthen trails to mulch or paved trails. These trails would provide pedestrian access to the river's edge and north-south pedestrian access within the park. The inclusion of a separated multi-use path along Marine Drive would further enhance pedestrian circulation.

Existing **Riverfront Park** facilities include a boat dock, the Salem Riverfront Carousel, the A.C. Gilbert Discovery Village, an amphitheater, two fields, restrooms, a playground, a ¾-mile recreational trail, and four parking lots. The primary function of Riverfront Park is for

active recreational and community-activity purposes. A bicycle/pedestrian bridge is currently under construction to link Riverfront Park to Minto-Brown Island Park, a 1,205-acre natural area located primarily in the Willamette River floodplain adjacent to downtown Salem. This connection will expand the network of off-street, multi-use trails through the City's downtown core on both sides of the Willamette River.

**Marion Square Park**, which is included in the original plat of Salem in 1850, has historical community significance and it is of significance to the Native American community. Park facilities include a skate park, a basketball court, play equipment, picnic tables, and restrooms. During the summer, tourists and locals use the park for picnicking.

The **Union Street Railroad Bridge Pedestrian and Bicycle Trail** is a recreational facility that was renovated in 2009. The City of Salem owns and manages the trail, which includes the bridge and a segment of trail extending from the west side of the bridge to Wallace Road.

The City of Salem designates the **Mouth of Mill Creek Park** as a "natural resource area" with a primary function to restore and maintain healthy watershed conditions. Because it is not open to the public and there is no formal access point to it, the park is not subject to the requirements of Section 4(f).

**River Road Park** was recently redeveloped in coordination with the installation of a pump house and wet-weather water treatment center adjacent to River Road. The revised park layout includes playground equipment, basketball courts, soccer fields, restrooms, a trail system, tennis courts, parking, and a river overlook.

Portions of the **Willamette River** itself are part of the Willamette River Water Trail which has been identified as a 4f resource. The Water Trail is described as an assemblage of properties that provide access for paddlers to the Willamette River, or afford opportunities to camp along the river.<sup>185</sup> Recreational activities such as fishing and boating (motorized and non-motorized) occur in and on the Willamette River throughout the year, especially in the summer and can be access via the Water Trail. A segment of the Willamette River Water Trail extends through the study area and there are informal rest points such as McLane Island (where primitive camping is allowed). McLane Island is not an official public recreation site and FHWA has determined that the island is not a Section 4(f) resource.

The footprint for the Preferred Alternative would not directly impact Riverfront Park, Marion Square Park, the Union Street Railroad Bridge Pedestrian and Bicycle Trail, the Mouth of Mill Creek Park or River Road Park within the Greenway Overlay. In addition, the Preferred Alternative would not preclude or have a significant adverse effect on recreational boating on the Willamette River underneath or in the vicinity of the new bridge crossing.

The Preferred Alternative would permanently include approximately 1.4 acres of land from Wallace Marine Park for placement of bridge footings in the northern area of the park. This affected area is undeveloped and contains predominantly non-native forest and other vegetation such as invasive blackberries. Construction of the Marine Drive connection to OR 22 would incorporate a thin strip of land from the western edge of the park for installation of piers and footings for the fly-over ramp. The ramps to OR 22 will cross over the Union

<sup>185</sup> Willamette River Water Trail website, <http://willamettewatertrail.org/about-the-water-trail/>.

Street Pedestrian Path, but the recreational function of the path will continue. The Preferred Alternative would not negatively impact the primary active areas of Wallace Marine Park (ball fields, boat launch, canoe launch, and walking paths). During the DEIS project planning, extensive work was done to minimize the roadway footprint through parks and to ensure that all possible measures were taken to avoid the acquisition of parkland.

Prior to project construction, ODOT and the local park sponsor (City of Salem) would coordinate with the Oregon Park and Recreation Department and the National Park Service regarding potential conversion and replacement properties associated with the Preferred Alternative. Based on the above information, it is determined that the placement of fill within the Greenway to construct the Preferred Alternative will have some adverse effect on Greenway recreational values, the overall effect is small and does not rise to the level of being a “significant” adverse effect.

In conclusion, evidence in the DEIS and in the technical report addendums for the FEIS and the findings in Section 5.1.2.1 above demonstrate that the Preferred Alternative would not have a significant adverse effect on the greenway values (natural, scenic, historical, agricultural, economic and recreational) of the site under consideration or on adjacent land or water areas, and the legal standard in OAR 660-004-0022(6)(a) has been met.

**Criteria – OAR 660-004-0022(6)(b):**

*(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction;*

**Findings - Sites Available for Water-Dependent or Water-Related Uses – (6)(b):**

The Preferred Alternative will not significantly reduce the sites available for water-dependent or water-related uses in Salem.

On the east side of the Willamette River, the new bridge would have an eastbound connection at Commercial Street (via an exit ramp aligned with Pine Street) and a westbound connection (via an entrance ramp aligned with Hickory Street). A portion of Front Street would be reconstructed closer to the river in the segment between Tryon Street and Columbia Street to maintain Front Street’s north-south connectivity, below the bridge ramps. The remnant segments of Front Street in this area would allow access to existing businesses (on both sides of the bridge approaches). Because of the steep riverbanks on the east side of the river, the new bridge crossing will not reduce sites available for water-dependent or water-related uses in the northeast area of Salem.

On the west side of the Willamette River, the new bridge will extend on structure over a narrow band of Wallace Marine Park and associated riparian area along the Willamette River. As summarized earlier in the discussion of recreational values, placement of bridge footings in the northern area of the park will affect an undeveloped area that contains predominantly non-native forest and other vegetation. There are currently no water-dependent or water-related uses at this location, and the Preferred Alternative would not preclude uses such as trails, river viewpoints or river access underneath or in the vicinity of the bridge structure.

The widening of OR 22 onto the west bank of the Willamette River would take place within existing ODOT right-of-way and would represent intensification of an existing highway use. The subject area is not currently used or available for water-dependent or water-related uses

and is not suitable for such uses given the established high-volume highway use (designated freeway) and relatively steep riverbank. The expansion of OR 22 will not impact or interfere with the existing boat ramp in Wallace Marine Park underneath the existing bridge structures.

In September 2014, the project Oversight Team identified a segmental precast concrete box as the recommended bridge type for the Preferred Alternative new bridge over the Willamette River. This bridge type would have 300-foot spans between piers across the river, thereby allowing for full navigational clearance in both channels of the river astride McLane Island. This bridge type would have a vertical clearance of 45 feet over mean high water (MHW) and 53 over mean low water (MLW).<sup>186</sup>

In summary, because the footprint for the Preferred Alternative minimizes direct impacts to active use areas of Wallace Marine Park (including canoe and boat launch areas), there is no significant reduction in sites available for water-related or water-dependent uses and the legal standard in OAR 660-004-0022(6)(b) has been met.

**Criteria – OAR 660-004-0022(6)(c):**

*(c) The use will provide a significant public benefit; and*

**Findings - Significant Public Benefit – (6)(c):**

The Marion and Center Street bridges currently function as the only vehicular crossings of the Willamette River in the Salem-Keizer area. In addition to serving a local role in connecting west Salem to the balance of the Salem-Keizer area, OR 22 and the existing bridges also serve important regional and statewide transportation functions in moving people and freight over longer distances from rural and urban areas of Polk, Lincoln, and Tillamook Counties to the state's capital city and the I-5 corridor.

Chapter 2 of this Findings Report provides an overview of the SRC project, including the history, purpose and need, project goals and objectives, description of alternatives and selection of the preferred alternative. The overview in Chapter 2 is incorporated by this cross-reference to provide the context for the consideration of need and public benefit. In addition, the findings for the UGB amendment (Chapter 3) and TSP Amendments (Chapter 4) address the transportation need for the project and are incorporated by this cross-reference to document that the project will provide a significant public benefit.

As summarized in the DEIS and in other chapters of this Findings Report, multiple studies have concluded that, without additional transportation capacity across the river, the levels of service on the existing bridge system and the connecting infrastructure and bridgehead areas in both Downtown Salem and close-in West Salem will continue to deteriorate over time. Not only will congestion increase significantly, but it will also occur over a longer time frame during the day.

Constructing a new bridge over the Willamette River as proposed with the Preferred Alternative will have significant public benefits. Locating a new bridge approximately one mile north of the Marion and Center Street bridges will:

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<sup>186</sup> See Description of the Preferred Alternative (Section 1.2.5 Bridge Type) in Final Technical Report Addendums for the FEIS.

- Improve multi-modal access (auto, truck, transit, bicycle and pedestrian) and connectivity between east and west parts of Salem;
- Broadly distribute traffic over a larger geographic area to minimize bottlenecks at the existing bridgehead locations;
- Provide “redundancy” in the transportation system and reduce vulnerability in case either or both of the existing bridges are rendered unusable; and
- Provide improved regional mobility through inclusion of ramps connecting Marine Drive and OR 22, and direct surface street connections from the east bridgehead to the Salem Parkway and I-5.

The existing bridges currently have substandard bicycle/pedestrian facilities and constructing bicycle and pedestrian facilities on the new bridge will expand opportunities to safely and efficiently cross the river, thereby encouraging non-auto travel that helps reduce congestion and improve air quality. In addition, the new bridge will be built to standards to withstand a Cascadian subduction zone earthquake, thereby providing connectivity between both sides of the river in the event of such an earthquake. In summary, the proposed use (new bridge crossing and related transportation improvements) will provide a significant public benefit and a Greenway goal exception is justified. The legal standard in OAR 660-004-0022(6)(c) has been met.

**Criteria – OAR 660-004-0022(6)(d):**

*(d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322.”*

**Findings - Consistency with Legislative Policy – (6)(d):**

Consistency with Legislative Policy is addressed in Section 5.1.2.2, below. Those findings are incorporated here by reference.

**5.1.2.2 Willamette Greenway Statutes (ORS 390.314 Legislative findings and policy)**

**Criteria - ORS 390.314(1):**

*(1) The Legislative Assembly finds that, to protect and preserve the natural, scenic and recreational qualities of lands along the Willamette River, to preserve and restore historical sites, structures, facilities and objects on lands along the Willamette River for public education and enjoyment and to further the state policy established under ORS 390.010, it is in the public interest to develop and maintain a natural, scenic, historical and recreational greenway upon lands along the Willamette River to be known as the Willamette River Greenway.*

**Findings - ORS 390.314(1):**

There are currently 25 highway bridges across the Willamette River in the span of almost 180 river miles between the St. Johns Bridge in Portland and the Springfield Bridge in the Eugene-Springfield area. Goal 15 provides that the qualities of the Willamette River Greenway shall be protected, conserved, enhanced and maintained consistent with the lawful uses present on December 6, 1975. Similar to the majority of Willamette River bridges, the existing Marion and Center Street bridges are lawful uses within the Greenway.

The City of Salem has adopted a plan for the Willamette River Greenway that is acknowledged. That plan was developed to comply with the legislative findings and policy

in ORS 390.314(1). OAR 660-004-0022(6) outlines the types of reasons that may be used to justify an exception to Goal 15. The findings in Section 5.1.2.1 (beginning on page 185) document the reasons why an exception is justified to accommodate the portions of the Preferred Alternative that are within the Greenway Overlay. The exception is justified based on significant public benefit balanced with impacts on natural, scenic, historical and greenway values that aren't significant and that can be mitigated. The findings in Section 5.1.2.1 are incorporated by this reference to show compliance with the legislative findings and policy in ORS 390.314.

**Criteria - ORS 390.314(2)(a):**

*2) In providing for the development and maintenance of the Willamette River Greenway, the Legislative Assembly:*

*(a) Recognizing the need for coordinated planning for such greenway, finds it necessary to provide for development and implementation of a plan for such greenway through the cooperative efforts of the state and units of local government.*

**Findings - ORS 390.314(2)(a):**

The State of Oregon and units of local government, including the cities of Salem and Keizer, Polk County and Marion County, have coordinated in the implementation of greenway planning as required by state law. The EIS process for the SRC project included substantial coordination with affected state and local units of government. The Preferred Alternative, subject to approval of this Greenway goal exception, will be considered through this established local and statewide greenway planning process. The LCDRC has adopted by reference and approved the Willamette River Greenway Plan for the City of Salem. As shown in Figure 4, the footprint for the Preferred Alternative within the Greenway Overlay is entirely within the current UGB and Salem City limits. Therefore, the acknowledged City of Salem Willamette River Greenway Plan and ordinances are the controlling local regulations that apply to the portions of the Preferred Alternative within the Greenway. The need for coordinated greenway planning set forth in ORS 390.314(2)(a) has been achieved.

**Criteria - ORS 390.314(2)(b):**

*(b) Recognizing the need of the people of this state for existing residential, commercial and agricultural use of lands along the Willamette River, finds it necessary to permit the continuation of existing uses of lands that are included within such greenway; but, for the benefit of the people of this state, also to limit the intensification and change in the use of such lands so that such uses shall remain, to the greatest possible degree, compatible with the preservation of the natural, scenic, historical and recreational qualities of such lands.*

**Findings - ORS 390.314(2)(b):**

DEIS Alternative 2A involved widening the existing bridges (adding a total of three lanes) and would be considered continuation and intensification of existing uses of lands within the Greenway Overlay. While Alternative 2A could be compatible with the preservation of the natural, scenic, historical and recreational qualities of the greenway, the City of Salem is initiating the consolidated plan amendments because Alternative 2A cannot reasonably meet the identified transportation need (see findings in Section 3.1.4.2, page 94, supporting the UGB amendment).

The segment of the Preferred Alternative that includes widening OR 22 within the Greenway Overlay represents continuation of the existing state highway use within ODOT right-of-way. The highway corridor is included in the Greenway Development District in Salem's Greenway Plan to reflect the existing use. An exception to Goal 15 for the fill associated with the new ramps connecting Marine Drive to OR 22 can be justified under the criteria in OAR 660-004-0022(6) and the findings in Section 5.1.2.1 (beginning on page 185) are incorporated by this cross-reference. That exception identifies impacts to Greenway values and demonstrates how those impacts are or can be minimized such that existing uses of land within the Greenway can remain compatible with the preservation of Greenway values to the greatest extent possible. Following plan amendment approval and prior to construction of the bridge and related transportation improvements within the Greenway Overlay, a Greenway Development Permit will be required under Chapter 600 of the Salem Revised Code. The standards for the Greenway Development Permit take natural, scenic, historical and recreational resources and other concerns into account. Through approval conditions to mitigate adverse impacts, which can be imposed during the permitting process, the legislative policy in ORS 390.314(2)(b) can and will be met.

**Criteria - ORS 390.314(2)(c):**

*(c) Recognizing that the use of lands for farm use is compatible with the purposes of the Willamette River Greenway, finds that the use of lands for farm use should continue within the greenway without restriction.*

**Findings - ORS 390.314(2)(c):**

Salem's acknowledged Greenway boundary does not include any lands designated or used for farm use. The new bridge for the Preferred Alternative will cross over lands designated for agricultural use by Polk County, but those lands are outside of the Greenway Overlay and Polk County has applied a Surface Mining Overlay to authorize aggregate mining within the EFU zone. Therefore, the Preferred Alternative and the Goal 15 exception have no impact on use of lands for farm use within the Greenway Overlay and the legislative policy in ORS 390.314(2)(c) has been met.

**Criteria - ORS 390.314(2)(d):**

*(d) Recognizing the need for central coordination of such greenway for the best interests of all the people of this state, finds it necessary to place the responsibility for the coordination of the development and maintenance of such greenway in the State Parks and Recreation Department.*

**Findings - ORS 390.314(2)(d):**

The SRC project has coordinated with all park providers, including Oregon Parks & Recreation Department (OPRD), during the EIS process. Additionally, the City of Salem has provided notice of the consolidated plan amendments, including the Greenway goal exception, to OPRD prior to the public hearing. The subsequent Greenway Development Permit process will also include notice and coordination with OPRD. The coordination policy set out in ORS 390.314(2)(d) has been and will be met.

**Criteria - ORS 390.314(2)(e):**

*(e) Recognizing the lack of need for the acquisition of fee title to all lands along the Willamette River for exclusive public use for recreational purposes in such greenway, finds it necessary to limit the area within such greenway that may be*

*acquired for state parks and recreational areas and for public recreational use within the boundaries of units of local government along the Willamette River.*

**Findings - ORS 390.314(2)(e):**

ORS Chapter 390.318(1) notes that the Willamette River Greenway boundaries shall include all lands situated within 150 feet from the ordinary low water line on each side of each channel of the Willamette River. However, the total area included within the boundaries of such Greenway shall not exceed, on the average, 320 acres per river mile along the Willamette River. For the purpose of computing the maximum acreage of lands within such Greenway, the acreage of lands situated on such islands and within state parks and recreation areas shall be excluded. The issue addressed in (e) above is state acquisition of land for public recreational use.

Salem's Willamette River Greenway Plan notes that the Greenway Overlay covers approximately 569 acres on both sides of the river and Minto Island. Approximately 473 acres (83%) are in public ownership, the remaining 96 acres (17%) are privately owned. The new bridge will cross over McLane Island and the northerly tip of Wallace Marine Park. However, public recreational uses of McLane Island and Wallace Marine Park will not be displaced and state acquisition of land for park or recreational purposes will not be needed as a consequence of this project. The policy set out in ORS 390.314(2)(e) limiting the area that may be acquired for state parks and recreational uses within the greenway is met.

In summary, the findings in Section 5.1.2.2 demonstrate that the Greenway goal exception is justified for the Preferred Alternative and the legislative policy set out in ORS 390.314 can be achieved.

**5.1.2.3 Requirements and Standards for a Reasons Exception: OAR 660-004-0020, Goal 2, Part II(c), Exception Requirements**

**Criteria – OAR 660-004-0020(1):**

*(1) If a jurisdiction determines there are reasons consistent with OAR 660-004-0022 to use resource lands for uses not allowed by the applicable Goal or to allow public facilities or services not allowed by the applicable Goal, the justification shall be set forth in the comprehensive plan as an exception. As provided in OAR 660-004-0000(1), rules in other divisions may also apply.*

**Findings – OAR 660-004-0020(1):**

Sections 5.1.2.1 and 5.1.2.2 provide the findings and reasons that demonstrate consistency with OAR 660-004-0022 to allow a Greenway goal exception for the Preferred Alternative. The exception to Goal 15 is set forth as an amendment to the Salem Area Comprehensive Plan. The Willamette River Greenway Plan is a component of the Salem Area Comprehensive Plan.<sup>187</sup>

The City of Salem has never taken a Greenway goal exception. The two most recent projects involving bicycle/pedestrian bridges over the Willamette River were exempt from Greenway Review permitting under the following exclusion in SRC 600.015(2)(N):

<sup>187</sup> See SRC 64.015(a)(8).

*(N) Development of a Willamette Greenway trail or access paths, provided that development and management standards meet the requirements of adopted parks management plans.*

To clarify that any Greenway goal exception must be adopted as part of the comprehensive plan, the following text amendment to Policy 7 of the Willamette Greenway Chapter of the Salem Area Comprehensive Plan (Section IV.O) is proposed as part of the consolidated plan amendments package:

*(7) New development and changes of land uses which are compatible with the Greenway concept as defined in the State Land Use Goal may be permitted along the Willamette River. Approval of an exception to Goal 15 shall be adopted by ordinance and attached as an Appendix to Salem's Willamette Greenway Plan.*

**Criteria – OAR 660-004-0020(2):**

*(2) The four standards in Goal 2 Part II(c) required to be addressed when taking a "reasons" exception to a goal are described in subsections (a) through (d) of this section, including general requirements applicable to each of the factors:*

*(a) Reasons justify why the state policy embodied in the applicable goals should not apply. The exception shall set forth the facts and assumptions used as the basis for determining that a state policy embodied in a goal should not apply to specific properties or situations, including the amount of land for the use being planned and why the use requires a location on resource land;*

**Findings – OAR 660-004-0020(2):**

Taking a Goal 15 exception requires and results in an amendment to the Salem Area Comprehensive Plan. The exception is required to accommodate the components of the Preferred Alternative that involve piers or fill within the Greenway Overlay because the transportation facility is not considered a water-dependent or water-related use.

The Willamette River is a major travel barrier between the east and west sides of Salem, as well as between Interstate 5 (I-5) and the Oregon Coast. The significant growth of the metropolitan area since the construction of the last crossing over the Willamette River (the Marion Street Bridge in 1952) has led to an increase in traffic that the Center Street and Marion Street Bridges can no longer efficiently or reasonably accommodate. This pair of one-way couplet bridges is the only motor-vehicle river crossing in the Salem-Keizer metropolitan area.

Background information in Chapter 2 provides an overview of the DEIS, including the purpose and need statements. That information, and the supporting documents in the record, is incorporated by this reference to explain why portions of the Preferred Alternative require a location within the greenway overlay.

All of the build alternatives evaluated in the DEIS, including improvements to the existing bridges (Alternative 2A), would require an exception to Goal 15. The purpose of the project, to improve mobility and safety for people and freight for local, regional, and through traffic across the Willamette River, and requires a location over resource land (the Willamette River in this case).

As shown on Figure 1, the majority of the transportation improvements associated with the Preferred Alternative are located outside of the Greenway Overlay, including improvements within established transportation corridors such as Wallace Road, OR 22, and Commercial and Liberty Streets. In total, the footprint for the Preferred Alternative impacts about 82 acres (including existing right-of-way), of which about 25 acres are located within the Greenway Overlay. The preliminary design for the Preferred Alternative has placed a high priority on reducing impacts within the Greenway Overlay by minimizing the number of in-water piers and piers within the riparian buffer. However, it is not possible to avoid piers or fill impacts entirely because of the length of the bridge span over the river. Additionally, the Preferred Alternative includes new ramps and a connection of Marine Drive to OR 22 to link to the new bridge and provide needed connectivity for local, regional and through trips. OR 22 is an existing high-volume transportation corridor within the Greenway Overlay, and the widening of OR 22 toward the river represents an intensification of that existing transportation use. Piers/fill in this segment will extend onto the bank, but will not encroach over or into the Willamette River itself.

The state policy embodied in Goal 15 prohibits uses that are not water-dependent or water-related within the Greenway setback (Salem has not specifically delineated a Greenway setback). Under Goal 15, roads and highways are not generally considered dependent on or related to water location needs. It is notable that Goal 15 does not explicitly state if a bridge over the Willamette River is considered a water-dependent or water-related use. There is no option to meet the purpose of the SRC project without improving the existing bridges or constructing a new bridge across the Willamette River. Therefore, there are reasons why the state policy embodied in Goal 15 that prohibits uses that are not water-dependent or water-related in the Greenway setback should not apply to Preferred Alternative and the proposed transportation use. The legal standard in OAR 660-004-0020(2)(a) has been met.

**Criteria – OAR 660-004-0020(2)(b):**

*(b) Areas that do not require a new exception cannot reasonably accommodate the use.*

**Findings – OAR 660-004-0020(2)(b):**

Table 15 provides a comparison of the Preferred Alternative and all DEIS build alternatives that include segments outside of the UGB. Many of the impacts compared for the evaluation of UGB alternatives (such as park impacts, riparian impacts, displacement impacts, visual impacts, etc.) are also relevant to the alternatives analysis for the Greenway goal exception. The summary of impacts in Table 15 is incorporated by this reference to provide a broader context for consideration of Greenway impacts.

The findings in this section focus more specifically on the comparison of the Preferred Alternative and other DEIS build alternatives relative to Greenway values.

Chapter 2 of the DEIS includes a discussion of alternatives that were considered but were not advanced for full evaluation in the DEIS because they did not meet the project purpose and need or other considerations. A brief summary is included in Section 2.4.5 of these findings, beginning on page 49. The DEIS documents the reasons why the following alternatives, which would not require a Greenway goal exception, could not reasonably accommodate the use. The following pages of the DEIS are incorporated by this reference:

- Tunnel Alternative – see DEIS page 2-23
- Double Deck the Existing Bridges Alternative – see DEIS page 2-23
- Two 2-Way Bridges Alternative – see DEIS page 2-25
- TWM/TDM Alternative – see DEIS page 2-26

Additionally, a No Build Alternative was carried forward for evaluation in the DEIS (page 2-28), but was not selected as the Preferred Alternative by the Oversight Team because it would not satisfy the purpose and need statement. These pages are incorporated into these findings by this reference.

The Preferred Alternative and all build alternatives evaluated in the DEIS require a Greenway goal exception. Because Alternative 2A includes improvements to existing transportation facilities that are already within the Greenway Overlay, Alternative 2A would be considered an “intensification of an existing use.” All other build alternatives involve construction of a new bridge and would be considered a “new use” or “development” within the Greenway Overlay. Given that fill would be required for pier support and bridge approaches regardless of where in the vicinity the bridge is located, there are no alternative areas crossing the Willamette River in the Salem-Keizer region that would not also require a new Greenway goal exception. The legal standard in OAR 660-004-0020(2)(b) has been met.

**Criteria – OAR 660-004-0020(2)(A):**

*The exception must meet the following requirements:*

*(A) The exception shall indicate on a map or otherwise describe the location of possible alternative areas considered for the use that do not require a new exception. The area for which the exception is taken shall be identified;*

**Findings – OAR 660-004-0020(2)(A):**

As noted above, the Preferred Alternative and all build alternatives considered for the transportation use, including 2A, require a Greenway goal exception. Therefore, Criterion (A) above is not applicable. Figure 4 illustrates the footprint of the Preferred Alternative within the Greenway Overlay. The figures in the record show the areas of earthwork (cut and fill) on the east and west sides of the river within the Greenway Overlay for which the exception is being taken.

**Criteria – OAR 660-004-0020(2)(B):**

*(B) To show why the particular site is justified, it is necessary to discuss why other areas that do not require a new exception cannot reasonably accommodate the proposed use. Economic factors may be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under this test the following questions shall be addressed:*

**Findings – OAR 660-004-0020(2)(B):**

As noted above, there are no other areas that do not require a Greenway goal exception that can reasonably accommodate the proposed transportation use (new or expanded bridge crossing and related transportation improvements). Therefore, Criterion (B) above is not applicable.

**Criteria – OAR 660-004-0020(2)(B)(i):**

*(i) Can the proposed use be reasonably accommodated on non-resource land that would not require an exception, including increasing the density of uses on non-resource land? If not, why not?*

**Findings – OAR 660-004-0020(2)(B)(i):**

As noted above, the proposed transportation use requires improvements of the existing bridges or a new bridge across the Willamette River to meet the SRC project purpose and need. The resource land in this case is the Willamette River and the proposed use cannot be reasonably accommodated without impacting the Willamette River Greenway and without an exception to Goal 15. Therefore, Criterion (i) above is not applicable.

**Criteria – OAR 660-004-0020(2)(B)(ii):**

*(ii) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to non-resource uses not allowed by the applicable Goal, including resource land in existing unincorporated communities, or by increasing the density of uses on committed lands? If not, why not?*

**Findings – OAR 660-004-0020(2)(B)(ii):**

As noted above, the proposed transportation use cannot be accommodated without an exception to Goal 15. Therefore, Criterion (ii) above is not relevant or applicable.

**Criteria – OAR 660-004-0020(2)(B)(iii):**

*(iii) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not?*

**Findings – OAR 660-004-0020(2)(B)(iii):**

Alternative 2A is the only build alternative that would not require a UGB amendment. However, all build alternatives, including 2A, require an exception to Goal 15 and Criterion (iii) above is not applicable.

**Criteria – OAR 660-004-0020(2)(B)(iv):**

*(iv) Can the proposed use be reasonably accommodated without the provision of a proposed public facility or service? If not, why not?*

**Findings – OAR 660-004-0020(2)(B)(iv):**

The consolidated plan amendments (UGB amendment, TSP amendments and Greenway goal exception) are associated with the provision of a needed transportation facility. The plan amendments will authorize transportation improvements to connect and support development of lands that are already within the Salem-Keizer UGB. The amendments are based only on the need for the transportation improvements and no land is being added to the UGB for housing, employment or other forms of urban development. Because transportation improvements, including bridges, are considered public facilities but are not considered water-dependent or water-related uses within the Greenway Overlay, the use cannot be reasonably accommodated without approval of the Greenway goal exception. Therefore, Criterion (iv) has been met because the proposed use cannot be reasonably accommodated without the provision of the proposed public facility (expanded or new bridge crossing and related transportation improvements).

**Criteria – OAR 660-004-0020(2)(C):**

*(C) The “alternative areas” standard in paragraph B may be met by a broad review of similar types of areas rather than a review of specific alternative sites. Initially, a local government adopting an exception need assess only whether those similar types of areas in the vicinity could not reasonably accommodate the proposed use. Site-specific comparisons are not required of a local government taking an exception unless another party to the local proceeding describes specific sites that can more reasonably accommodate the proposed use. A detailed evaluation of specific alternative sites is thus not required unless such sites are specifically described, with facts to support the assertion that the sites are more reasonable, by another party during the local exceptions proceeding.*

**Findings – OAR 660-004-0020(2)(C):**

The “alternatives areas” standard referenced above only applies to alternative areas that do not require a new goal exception. There are no alternative sites or areas to accommodate the proposed transportation use (new bridge across the Willamette River and related improvements) that do not require a Greenway goal exception. Therefore, Criterion (C) above is not applicable.

**5.1.2.4 Long-term ESEE Consequences of Alternatives Requiring an Exception****Criteria - OAR 660-004-0020(2)(c):**

*(c) “The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site.” The exception shall describe: the characteristics of each alternative area considered by the jurisdiction in which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to a description of: the facts used to determine which resource land is least productive, the ability to sustain resource uses near the proposed use, and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts to be addressed include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;*

**Findings - OAR 660-004-0020(2)(c):**

The findings in Section 5.1.2.1 (page 185) and 5.1.2.2 (page 201) focus on the reasons necessary to justify an exception to Goal 15 for the Preferred Alternative. The findings in this section address the eight build alternatives evaluated in the DEIS, which would also require an exception to Goal 15 for piers/fill associated with the transportation improvements within the Greenway Overlay. The build alternatives are located at three separate bridge

crossing locations, with associated local street system improvements and connections. Chapter 2 of the DEIS provides a description and detailed figures for each of the DEIS Alternatives. The DEIS build alternatives would:

- Widen the existing bridges (Alternative 2A);
- Construct a new bridge (Alternatives 2B, 3, 4A, 4C, 4D and 4E, and Preferred Alternative); or
- Construct a new bridge and widen the existing bridges (Alternative 4B)

Figure 9 shows the three bridge crossing locations.

Table 18 summarizes DEIS information on the direct impacts that are most relevant to Greenway values for each build alternative. The direct impacts for the Preferred Alternative are also included in Table 18. The facts in the DEIS and Technical Report Addendums for the Preferred Alternative that are summarized in Table 18 provide the basis for the following findings describing the relative Greenway impacts for build alternatives in the three bridge crossing locations.

A broader consideration of environmental, economic, social and energy consequences of all Build alternatives is included in Chapter 3 (Urban Growth Boundary Amendment) of the consolidated plan amendments report. Table 15 is incorporated by this reference to supplement the findings regarding the long-term ESEE consequences for the Greenway goal exception. Table 15 shows that the environmental, economic, social, and energy consequences of the Preferred alternative are not significantly more adverse than would typically result from the same proposal being located in another area requiring a Greenway goal exception.

City of Salem regulations do not allow any rise in the base flood elevation. Therefore, mitigation would be required as part of any build alternative and that is not a distinguishing feature between the alternatives. Minimizing the number of in-water piers, shaping piers in a streamlined manner, and removing existing fills could reduce the base flood elevation change. (See additional discussion of floodplain impacts in section 6.2.6.2, beginning on page 239; the findings in that section are incorporated by this reference.)

**Table 18**  
*Greenway Impacts*

| Element                                                                          | Preferred Alternative | Alternative 2A | Alternative 2B | Alternative 3 | Alternative 4A | Alternative 4B | Alternative 4C | Alternative 4D | Alternative 4E |
|----------------------------------------------------------------------------------|-----------------------|----------------|----------------|---------------|----------------|----------------|----------------|----------------|----------------|
| Total pier area of in-stream habitat                                             | 0.10 acres            | 0.05 acres     | 0.22 acres     | 0.54 acres    | 0.66 acres     | 0.71 acres     | 0.68 acres     | 0.68 acres     | 0.67 acres     |
| Total pier area in critical shallow water habitat                                | 0.09 acres            | 0.01 acres     | 0.15 acres     | 0.28 acres    | 0.46 acres     | 0.59 acres     | 0.60 acres     | 0.60 acres     | 0.60 acres     |
| Riparian habitat directly impacted                                               | 5 acres               | 0.9 acre       | 6.5 acres      | 7.6 acres     | 8.6 acres      | 9.5 acres      | 16.0 acres     | 16.0 acres     | 14.3 acres     |
| Wetlands directly impacted                                                       | 0.01 acres            | None           | None           | 0.6 acre      | 2.3 acres      | 2.3 acres      | 2.5 acres      | 2.5 acres      | 2.4 acres      |
| Maximum rise in 100-year flood water surface elevation from No Build Alternative | 0.27 feet             | 0.01 feet      | 0.16 feet      | 0.15 feet     | 0.35 feet      | 0.35 feet      | 0.35 feet      | 0.35 feet      | 0.35 feet      |
| Total area of parkland acquired                                                  | 1.4 acres             | 5.3 acres      | 8.7 acres      | None          | 1.9 acres      | 7.2 acres      | 4.9 acres      | 4.9 acres      | 2.9 acres      |

Sources: FIES 4f Evaluation Technical Report Addendum (2016), Table 5.1-2, 5.1-3. FEIS Aquatic Resources Technical Report Addendum (2016), Table 4.2-1. FEIS Wetlands Technical Report Addendum (2016), Table 5.3-1. DEIS Aquatic Resources Technical Report (2012), Table 5.5-7.

The following findings highlight the key characteristics, advantages and disadvantages of the Preferred Alternative and the DEIS Build alternatives in the three bridge crossing locations. All of these alternatives would require a Greenway goal exception. Reasons why the consequences of the use at the chosen site (the Preferred Alternative) are not significantly more adverse than would result from the other build alternatives that also require a greenway goal exception are summarized.

***Alternative 2A – Existing Bridges Crossing Location (see Figure 10)***

Alternative 2A would widen the existing Center Street and Marion Street Bridges. Two lanes would be added to the Marion Street Bridge traveling west, and one lane would be added to the Center Street Bridge traveling east.

**Key characteristics** of Alternative 2A include:

- Expansion of river crossing capacity in the location of the existing bridges (2 lanes added to the Marion Street bridge and 1 lane added to Center Street bridge)
- A new northbound ramp on the Marion Street Bridge that would form part of Marine Drive extension/connection to Glen Creek Road.
- Widening of Wallace Road (to six lanes) from the OR 22 interchange to Orchard Heights Road.
- Removal of existing and bicycle facilities on the Marion and Center Street bridges to accommodate additional travel lanes; the Union Street Pedestrian Bridge would accommodate bicycle/pedestrian movements in this location.

**Key advantages** of Alternative 2A relative to Greenway impacts include:

- Relative to other build alternatives, Alternative 2A would not be expected to have a significant adverse effect on greenway values because the bridge crossing and transportation improvements have been in place at this location for many years and new in-water piers would line up with existing piers. As a result, the scenic impacts to Greenway values are already established for this location.
- As shown in Table 18, Alternative 2A has the lowest impacts of all build alternatives in terms of pier impacts, direct impacts to riparian habitat and wetlands, and maximum rise in 100-year flood elevation.

**Key disadvantages other considerations** for Alternative 2A relative to Greenway impacts include:

- Removal of bike and pedestrian facilities on the existing bridges would result in a net reduction in the number of river crossing locations for these modes.
- Park impacts are in the mid-range of other build alternatives.
- As evaluated in the DEIS, the impacts of Alternative 2A on Marion Square Park were significantly more adverse than would result from other build alternatives that also require a Greenway goal exception.
- However, following publication of the DEIS and prior to initiating the consolidated plan amendments, the City of Salem evaluated a modified design for Alternative 2A

to eliminate the free right-turn lane from Commercial Street to Marion Street. Based on this modification, the City of Salem determined that the impacts to Marion Square Park were considered “de minimus” and would not be significantly more adverse than would result from other build alternatives that also require a Greenway goal exception.

***Alternative 2B – Existing Bridges Crossing Location (see Figure 11)***

**Alternative 2B** proposes a new bridge crossing between the Marion Street bridge and the Union Street Bicycle/Pedestrian bridge. The existing Marion and Center Street bridges would remain in service with no changes aside from closing the eastbound-to-northbound ramp onto Front Street.

**Key characteristics** of Alternative 2B include:

- The new bridge would provide two-way travel, with three lanes traveling east and two lanes traveling west. Bicycle and pedestrian facilities would be included on the new bridge.
- Alternative 2B would require a major restructuring of Commercial Street between Market and Center Streets.
- On the west end, the new bridge would connect exit and entrance ramps to the future north-south Marine Drive.

**Key advantages** of Alternative 2B relative to Greenway impacts include:

- Bicycle/pedestrian facilities on the new bridge would represent a net increase in the number of river crossing locations for these modes.
- As shown in Table 18, Alternative 2B would fall in the low to mid-range of Greenway impacts of all build alternatives, with the exception of impacts to parks (discussed below).

**Key disadvantages** of Alternative 2B relative to Greenway impacts include:

- The total area of parkland acquired for Alternative 2B (8.7 acres) would be the highest of all build alternatives. In particular, impacts to Wallace Marine Park (7.7 acres) would be significantly more adverse than all other build alternatives.

***Alternative 3 – Hope to Tryon Bridge Crossing Location (see Figure 12)***

**Alternative 3** is the northernmost of the three crossing locations. An objective of this alignment is to avoid affecting Wallace Marine Park. This alignment connects directly to Salem Parkway near Tryon Avenue on the east side of the Willamette River and to Wallace Road at Hope Avenue on the west side of the river.

**Key characteristics** of Alternative 3 include:

- The new bridge would have 3 lanes traveling east and 3 lanes traveling west. Bicycle and pedestrian facilities would be included on the new bridge.

- The existing center Street and Marion Street Bridges would remain in service without modification.

**Key advantages of Alternative 3 relative to Greenway impacts include:**

- Alternative 3 is the only build alternative that avoids acquisition of parklands.
- Bicycle/pedestrian facilities on the new bridge would represent a net increase in the number of river crossing locations for these modes.
- As shown in Table 18, the impacts of Alternative 3 would be in the low to mid-range range of all build alternatives for most greenway values (piers, wetland impacts on park impacts).

**Key disadvantages of Alternative 3 relative to Greenway impacts include:**

- Avoidance of Wallace Marine Park results in a lengthy structure and greater adverse impacts to the aggregate mining area relative to other build alternatives.

***Alternative 4A – Hope to Pine Bridge Crossing Location (see Figure 13)***

**Alternative 4A** would have the same crossing point (Hope to Pine/Hickory couplet) as all of the Alternative 4 crossings (4A – 4E). All build alternatives in the Hope to Pine/Hickory crossing location share similar design elements. The characteristics, advantages and disadvantages are similar, but there are some differences.

**Key characteristics of Alternative 4A include:**

- The new bridge would have 3 lanes traveling east and 3 lanes traveling west. Bicycle and pedestrian facilities would be included on the new bridge.
- The existing Center Street and Marion Street bridges would remain in service without modification.
- The new bridge would provide for a potential future direct roadway connection to OR 22 through construction of a stub ramp that would link to a potential OR 22 Connector.
- The new bridge would also include a stub ramp on the east side of the bridge that would provide for a potential future direct roadway connection to Salem Parkway.

**Key advantages of Alternative 4A relative to Greenway impacts include:**

- Park impacts (1.9 acre) are at the low range of all build alternatives.
- Bicycle/pedestrian facilities on the new bridge would represent a net increase in the number of river crossing locations for these modes.
- As shown in Table 18, the impacts of Alternative 4A would be in the mid-range range of all Build alternatives for most greenway values (number of riverbank piers, riparian and wetland impacts).

**Key disadvantages of Alternative 4A relative to Greenway impacts:**

- No key disadvantages (in terms of Greenway impacts) relative to other build alternatives.

***Alternative 4B – Hope to Pine Bridge Crossing Location (see Figure 14)***

**Alternative 4B** would combine Alternatives 4A and 2A. This alternative would increase capacity at the existing bridge crossing location and add a new bridge at the Hope to Pine/Hickory crossing location.

**Key characteristics** of Alternative 4B include:

- Alternative 4B is the only build alternative that modifies the existing Center Street and Marion Street bridges in addition to constructing a new bridge in the Hope to Pine crossing location.
- The new bridge would have 3 lanes traveling east and 3 lanes traveling west. Bicycle and pedestrian facilities would be included on the new bridge.
- As with Alternative 2A, the Marion Street Bridge would be widened to six lanes (adding two lanes) traveling west, and the Center Street Bridge would be widened to five lanes (adding one lane) traveling east. Existing bike and pedestrian facilities on the bridges would be removed.
- The new bridge would provide for a potential future roadway connection to OR 22 through construction of a stub ramp that would link to a potential OR 22 Connector.
- On the east side, entrance and exit ramps would connect at-grade to a proposed short Pine/Hickory couplet. Access to the Salem Parkway would be via the existing Commercial/Liberty couplet.

**Key advantages** of Alternative 4B relative to Greenway impacts include:

- No key advantages (in terms of Greenway impacts) relative to other build alternatives.

**Key disadvantages** of Alternative 4B relative to Greenway impacts include:

- As shown in Table 18, Alternative 4B would acquire a total of 7.2 acres of parkland, the second highest of all build alternatives. The total combined impacts to Wallace Marine Park, Riverfront Park and Marion Square Park would be significantly more adverse than other build alternatives. (Note: as described in the other considerations for Alternative 2A, impacts to Marion Square Park could be reduced with elimination of the free flow right turn lane. This modification would reduce the impacts at Marion Square Park).
- Highest impacts to total pier area of in-stream habitat relative to other build alternatives.

***Alternatives 4C, 4D and 4E – Hope to Pine Bridge Crossing Location (see Figures 15-17)***

**Alternatives 4C, 4D and 4E** would all have the same river crossing point and would have similar characteristics and impacts.

**Key characteristics** of Alternatives 4C, 4D and 4E include:

- These alternatives would all include a new bridge crossing (3 lanes in each direction) in the Hope to Pine/Hickory crossing location. Bicycle and pedestrian facilities would be provided on the new bridge.
- These alternatives would also include direct connections to Salem Parkway and OR 22 (via a viaduct over the Marine Drive extension).

**Key advantages** of Alternatives 4C, 4D and 4E relative to Greenway impacts include:

- Bicycle/pedestrian facilities on the new bridge would represent a net increase in the number of river crossing locations for these modes.
- The parkland impacts of Alternatives 4C-4E (2.9 to 4.9 acres) fall in the mid-range of all build alternatives. These alternatives would not impact Riverfront Park or Marion Square Park.

**Key disadvantages** of Alternatives 4C, 4D and 4E relative to Greenway impacts include:

- As shown in Table 18, the Greenway impacts for Alternatives 4C-4E would be at the high end of the range for all build alternatives. There would be higher impacts to in-stream habitat and critical shallow water habitat for piers, a larger area of riparian habitat impacted (14.3 to 16 acres), and higher wetland impacts (about 2.5 acres).

***Preferred Alternative – Hope to Pine Bridge Crossing Location (see Figure 1)***

The Preferred Alternative would be located in the same river crossing point as Alternatives 4A through 4E.

**Key characteristics** of the Preferred Alternative include:

- A new bridge crossing (2 lanes in each direction) in the Hope to Pine crossing location. Bicycle and pedestrian facilities would be provided on the new bridge.
- This alternative would also include ramps connecting Marine Drive with OR 22.

**Key advantages** of the Preferred Alternative relative to Greenway impacts include:

- As shown in Table 18, the Greenway impacts for the Preferred Alternative would have lower pier impacts to in-stream and critical shallow water habitat relative to other build alternatives.
- Lower direct impacts to riparian habitat and wetlands relative to other build alternatives.
- Lower impacts to parkland (1.4 acres) relative to other build alternatives.

**Key disadvantages** of the Preferred Alternative relative to Greenway impacts:

- No key disadvantages (in terms of Greenway impacts) relative to other build alternatives.

### **Summary Regarding Long-Term ESEE Consequences**

The Preferred Alternative and all build alternatives would require a Greenway goal exception. In general, the Preferred Alternative and Alternative 2A would generally have the lowest Greenway impacts relative to the other build alternatives. City of Salem regulations do not allow any rise in the base flood elevation. Therefore, mitigation and balanced cut and fill would be required as part of any build alternative.

Based on the information in Table 13, Table 15, Table 18, and the findings in Section 5.1.2.4 and 5.1.2.5 below, incorporated by this reference, the net adverse impacts on the Willamette River Greenway are not expected to be “significantly more adverse” for the Preferred Alternative relative to other build alternatives, particularly when accompanied by mitigation measures such as those identified in Section 5.1.2.5. In terms of Greenway impacts, the impacts to Wallace Marine Park are considered to be “significantly more adverse” for Alternative 2B relative to other build alternatives.

As shown in Table 18, the impacts of the Preferred Alternative are generally “less adverse” than would typically result from the same proposal being located at any of the three bridge crossing locations. In selecting the Preferred Alternative, the Oversight Team and partner agencies and jurisdictions balanced a range of factors and impacts, including but not limited to:

- Whether and how each alternative met the project purpose and need
- Transportation performance
- Right-of-way and displacement impacts
- Park impacts
- Land use, socioeconomic and environmental justice impacts
- Environmental impacts (riparian habitat, wetlands, air quality, noise, etc.)

Mitigation of impacts on Greenway values is feasible and will be required and detailed in the FEIS Record of Decision. In addition, subsequent Greenway Development Permitting for the Preferred Alternative will provide the opportunity to apply conditions to achieve compliance with all development standards in the Greenway Overlay. Therefore, the impacts of the Preferred Alternative are not significantly more adverse than would typically result from an expanded or new bridge crossing in any of the three crossing locations evaluated in the DEIS and the legal standard in OAR 660-004-0020(2)(c) has been met.

### **5.1.2.5 Compatibility with Adjacent Uses**

#### **Criteria - OAR 660-004-0020(2)(d):**

*(d) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts.” The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.*

**Findings - OAR 660-004-0020(2)(d):**

The Preferred Alternative's new bridge crossing and related improvements within the Greenway Overlay will be compatible with other adjacent uses or so rendered through measures designed to reduce adverse impacts for the following reasons:

- The Preferred Alternative can and will implement general best management practices (BMPs) to avoid and minimize impacts to natural systems and communities. These measures would address in-water work, erosion control, containment of construction materials, handling of hazardous materials, and disturbance limits for upland, wetland, and riparian vegetation. Removal and long-term control of invasive species (see DEIS Section 3.14, Invasive Species) and treatment and retention of stormwater runoff (see Section DEIS 3.9, Water Resources) would benefit Willamette River riparian habitats.
- The Preferred Alternative will minimize direct impacts to active recreational use areas of Wallace Marine Park. The segment of the new bridge crossing north of Wallace Marine Park can and will be separated and screened from the active recreational areas of the park by a wide buffer of trees and other heavy vegetation that was required as a condition of the Polk County approval of the large aggregate operation north of the park.
- The approved Polk County and DOGAMI permits for the aggregate site indicate that mining will be completed in the southerly area first and then move north toward Riverbend Road. Given the 20-year planning horizon for the UGB and the TSP, a future bridge crossing over the southerly mined area (and resulting lake) will be compatible with future mining operations to the north of the bridge crossing. The widening of OR 22 to accommodate the new ramps and connection to Marine Drive will be compatible with the existing transportation use and high-volume traffic characteristics of this corridor. The proposed transportation use represents an intensification of the existing use at this location rather than a new use within the riparian buffer. The new piers/fill associated with OR 22 improvements will extend onto the bank, but will not encroach over or into the Willamette River.
- The Goal 15 exception and subsequent Greenway Development Permit review process will ensure that the Preferred Alternative and proposed use within the Greenway Overlay will comply with the Salem Greenway Plan and standards of Chapter 600 (Willamette River Greenway) of the Salem Revised Code. Through the land use review, conditions may be imposed to preserve and enhance the natural, scenic, historic, and recreational qualities of the Willamette River Greenway.
- During final design of the Preferred Alternative, all design elements of the project will be evaluated from the visual perspective of how well they would reflect and complement their setting, including the Willamette River Greenway. These design elements would include alignments, supports, surface color, texture, and patterns of structures such as walls, roads, lighting, and signage. Mitigation measures recommended for consideration during final design and through the Greenway

Development Permit review would attempt to restore the natural environment in the Willamette River floodplain. Existing vegetation or replanted vegetation would be used to screen bridges, ramps, and potential retaining walls.

Therefore, the portions of the Preferred Alternative within the Greenway Overlay (new bridge crossing and Marine Drive to OR 22 ramps/improvements) are compatible with other adjacent uses (including park and recreational uses, aggregate mining, and existing transportation uses) within the Greenway Overlay. In addition, mitigation and design measures will be further detailed in the FEIS Record of Decision to assure compatibility. General mitigation measures described in the DEIS provide assurance that mitigation of impacts on Greenway values is achievable.

**Criteria - OAR 660-004-0020(3):**

*(3) If the exception involves more than one area for which the reasons and circumstances are the same, the areas may be considered as a group. Each of the areas shall be identified on a map, or their location otherwise described, and keyed to the appropriate findings.*

**Findings - OAR 660-004-0020(3):**

As described in the above findings, the reasons and circumstances for the Greenway goal exception would be similar for the Preferred Alternative and all other build alternatives evaluated in the DEIS. The three bridge crossing locations are shown on Figure 9 and the findings in Section 5.1.2.3 (page 204) summarize the impacts of each build alternative on Greenway values. The legal standard in OAR 660-004-0020(3) has been met.

**5.1.2.6 Planning and Zoning for Exception Areas - OAR 660-004-0018**

**Criteria - OAR 660-004-0018(1)-(4):**

*(1) Purpose. This rule explains the requirements for adoption of plan and zone designations for exceptions...*

*(4) "Reasons" Exceptions:*

*(a) When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, plan and zone designations must limit the uses, density, public facilities and services, and activities to only those uses that are justified in the exception.*

**Findings - OAR 660-004-0018(4)(a):**

The proposed Greenway goal exception only authorizes the components of the Preferred Alternative (bridge piers and cut and fill for related transportation improvements) within the Greenway Overlay. No other uses are justified in the Greenway goal exception. Existing plan and zone designations will be maintained for the portion of the Preferred Alternative A that is within the existing UGB and Salem city limits. Salem will apply the Parks/Open Space/Outdoor Recreation designation of the Salem Area Comprehensive Plan to the approximately 35 acres added to the UGB. The Salem Area Comprehensive Plan includes the following description of the designation:

*Open space may be categorized as space which is incorporated into the design of a development and that which is maintained, at least in part, by natural conditions which limits more intensive use.*

The plan specifically references the following under the heading of “Natural Open Space”:

- Willamette River
- Agricultural land within the Floodplain
- Aggregate mining and directly related industrial use in the Floodplain

As described in Chapter 3 (UGB Amendment) of the Findings Report, the proposed UGB amendment is based on a specific need for an urban transportation planning facility within the 20-year planning horizon (2015-2035). No land is being added to meet other urban land needs such as housing or employment. Under Oregon’s planning framework, local jurisdictions do not typically apply specific plan designations or zones to transportation facilities (including highways, bridges, roads, bicycle and pedestrian paths, etc.). Salem’s code does not include a specific “use category” for linear transportation facilities and the use is permitted outright in all zones.<sup>188</sup>

As allowed by the Goal 14 rule<sup>189</sup> and the Polk County Comprehensive Plan<sup>190</sup>, the existing Polk County EFU zoning will be retained on an interim basis and will maintain the land for the planned transportation facility. Ultimately, the City of Salem may annex the land and apply the Public Amusement zone that implements the Parks, Open Space/Outdoor Recreation plan designation. See Figure 28 for the proposed Salem Area Comprehensive Plan Designation for the 35 acres included in the UGB.

In summary, the proposed designation is the most appropriate plan designation to apply to the land added to the UGB for the needed bridge and transportation improvements. The Polk County EFU zoning will be retained in the interim. This approach reflects the relatively unique nature of the use (in terms of plan designations). The plan designation is implemented as part of the UGB amendment and no separate action is required for the Greenway goal exception. The legal standard in OAR 660-004-0018(4)(a) has been met.

## 5.2 Local Plans and Policies

### 5.2.1 Salem Area Comprehensive Plan: Willamette River Greenway

As described in the introduction to this chapter, the footprint of the Preferred Alternative within the Willamette River Greenway is entirely within the existing UGB and Salem city limits.

The following goal and policies are included in Section IV.O of the Salem Area Comprehensive Plan (SACP).

**Criteria - O. Willamette River Greenway:**

*Goal: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River.*

<sup>188</sup> Unless otherwise provided in Chapter 400 (Use Categories), activities allowed within the public right-of-way are not considered a “use” for purposes of classification under this Chapter. (Salem Revised Code 400.015(e)).

<sup>189</sup> See OAR 660-024-0050(6).

<sup>190</sup> See Polk County Comprehensive Plan, Section 4 Land Use Plan Designations for Urban Reserve.

- (1) Regulations to control the use of land and the intensity of uses within the Willamette River Greenway Boundary shall be maintained.*
- (2) Riparian vegetation and wildlife within the Greenway Boundary shall be conserved. Conservation shall include protecting and managing riverbanks, sloughs, wildlife, and vegetation.*
- (3) Scenic easements shall be used where practical to preserve and enhance the character of the river within the Greenway Boundary.*
- (4) Where private property is adjacent to public use areas, measures shall be taken to minimize disturbance to the private property.*
- (5) Development and redevelopment within the Greenway Boundary should include provisions for public access to and along the river.*
- (6) Existing parks within the Greenway Boundary shall be preserved and maintained. Additional sites for recreation and scenic views and access to the Willamette River should be acquired.*
- (7) New development and changes of land uses which are compatible with the Greenway concept as defined in the State Land Use Goal may be permitted along the Willamette River.*
- (8) The review of proposed land use changes shall include the establishment of an appropriate setback from the Willamette River.*
- (9) Aggregate extraction may be permitted within the river channel and on lands adjacent, when determined to be compatible with the purpose of the Greenway. Proposed extraction activities shall be designed to minimize the adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, noise and potential land use.*
- (10) The harvest of timber will be conducted in a manner which will ensure that the natural scenic qualities of the Greenway will be maintained to the greatest extent practicable or restored within a brief period of time.*
- (11) The continued dredging of the Willamette River shall be encouraged for the purpose of channel maintenance, bank stabilization, and to facilitate commercial river traffic and recreational boating. Dredging operations should minimize the adverse impact on existing fish and wildlife habitat, riverbank vegetation and public and private property.*
- (12) Visual access and a sense of openness should be provided by maximizing the open space between buildings and the river.*
- (13) Within Salem, the transition of the waterfront areas designated Commercial, Commercial Industrial or Industrial use to a mixture of commercial, office and high-density residential uses shall be encouraged.*
- (14) Except for aggregate and mineral extraction and processing, expansion of existing industries within the Salem Urban Area portion of the Greenway may be permitted only if such expansion is necessary to ensure their continuation or to comply with Federal or State requirements.*

***Findings - O. Willamette River Greenway:***

Salem's Willamette Greenway Plan is adopted as a component of the Salem Area Comprehensive Plan.<sup>191</sup> In addition, Salem has adopted specific code regulations for the Willamette River Overlay in Chapter 600 of the Salem Revised Code (SRC). The established policy framework in Section IV.O of the SACP and the regulations and standards in Chapter 600 of the SRC are acknowledged.

Because roads and highways are not generally considered a river-dependent or river-related use under Goal 15, a Greenway goal exception must be approved as a first step, consistent with Policy 7 above.

Compliance with the other relevant policies in Section IV.O of the SACP will be addressed in the subsequent Greenway Development Permitting process set out in Chapter 600 (Willamette River Greenway) of the Salem Revised Code.

Additional findings addressing Salem Revised Code procedures and criteria for a legislative plan amendment are provided in Chapter 7 (Section 7.1.1) and incorporated by this reference.

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<sup>191</sup> See Chapter 64.015(8) of the Salem Revised Code.

## 6 Findings Addressing Other Statewide Planning Goals and Administrative Rules

This chapter considers and makes findings addressing:

- Relevant Statewide Planning Goals and related Administrative Rules. The Statewide Goals are applicable to all of the plan amendments (UGB Amendment, Greenway Goal Exception, and amendments to the Salem TSP and Polk County TSP).
- The findings generally address the consolidated plan amendments for the Preferred Alternative as a whole. However, the findings addressing Goal 5 (mineral aggregate site) are only applicable to the UGB Amendment.
- Findings in other chapters are cross-referenced for Goal 12 (Transportation – addressed in Chapters 3 and 4), Goal 14 (Urbanization – addressed in Chapter 3) and Goal 15 (Willamette River Greenway – addressed in Chapter 5).

The foundation of Oregon’s statewide planning program is a set of 19 Statewide Planning Goals. The goals express the state’s policies on land use and related topics, such as citizen involvement, housing, and natural resources. LCDRC has adopted administrative rules to provide guidance on complying with many (but not all) of the Statewide Planning Goals.

Oregon’s statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan and zoning and land division ordinances needed to implement the plan. When LCDRC officially approves a local government’s plan, the plan is *acknowledged* and it then becomes the controlling document for land use in the geographic area covered by that plan. The City of Salem, the City of Keizer, Polk County and Marion County all have acknowledged comprehensive plans and transportation system plans (which are components of the comprehensive plans).

As described in Chapter 1 of this report, the City of Salem has initiated a consolidated package of comprehensive plan amendments (UGB Amendment, Greenway Goal Exception and Salem TSP Amendments) required to authorize components of the Preferred Alternative. Polk County has initiated related amendments to the Polk County TSP. The statewide planning goals apply to plan amendments.

### 6.1 State Post-Acknowledgement Plan Amendment Procedures

#### 6.1.1 ORS 197.610 and ORS 197.626

Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, ORS 197.610 provides the statutory framework for submittal of a Post-Acknowledgement Plan Amendment (PAPA) to the Department of Land Conservation and Development (DLCD). This statute is implemented through OAR 660, Division 18 and criteria and findings are provided in Section 6.1.2 below.

ORS 197.626 addresses submission of land use decisions that expand an urban growth boundary or designate urban or rural reserves. 197.626(1)(b) provides:

*(1) A local government shall submit for review and the Land Conservation and Development Commission shall review the following final land use decisions in the manner provided for review of a work task under ORS 197.633:*

*(b) An amendment of an urban growth boundary by a city with a population of 2,500 or more within its urban growth boundary that adds more than 50 acres to the area within the urban growth boundary.*

ORS 197.626 is implemented through OAR 660-024-0080:

*A metropolitan service district that amends its UGB to include more than 100 acres, or a city with a population of 2,500 or more within its UGB that amends the UGB to include more than 50 acres shall submit the amendment to the Commission in the manner provided for periodic review under ORS 197.628 to 197.650 and OAR 660-025-0175.*

The City of Salem (with a population of more than 2,500) is initiating the proposed amendment to add about 35 acres to the UGB to accommodate components of the Preferred Alternative for the SRC Project. The size of the UGB expansion (less than 50 acres) does not trigger the requirements of ORS 197.296 or OAR 660-024-0080 to submit the final land use decision to LCDC in the manner provided for periodic review.

## **6.1.2 OAR 660, Division 18**

### **6.1.2.1 660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation**

#### **Criteria - OAR 660-018-0010 Definitions:**

As defined in OAR 660-018-0010(1)(a):

*(a) "A change" to an acknowledged comprehensive plan or land use regulation means an amendment to the plan or implementing land use regulations, including an amendment to the plan text or map. This term includes additions and deletions to the acknowledged plan or regulations, the adoption of a new plan or regulation, or the repeal of an acknowledged plan or regulation.*

#### **Findings - OAR 660-018-0010:**

The consolidated package of plan amendments for the Preferred Alternative includes proposed amendments to the text of the Salem Area Comprehensive Plan, the Salem Revised Code and the Salem TSP; amendments to the Comprehensive Plan Map (for the 35 acres added to the UGB); and amendments to maps in the Salem TSP. The consolidated package includes additions and deletions to the acknowledged plan and regulations. Therefore, the consolidated package of plan amendments included in the Post-Acknowledgement Plan Amendment (PAPA) notice meets the definition in OAR 660-018-0010(1)(a).

**Criteria - OAR 660-018-0020 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation:**

*(1) Before a local government adopts a change to an acknowledged comprehensive plan or a land use regulation, unless circumstances described in OAR 660-018-0022 apply, the local government shall submit the proposed change to the department, including the information described in section (2) of this rule. The local government must submit the proposed change to the director at the department's Salem office at least 35 days before holding the first evidentiary hearing on adoption of the proposed change.*

*(2) The submittal must include applicable forms provided by the department, be in a format acceptable to the department, and include all of the following materials:*

*(a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan, as provided in section (3) of this rule;*

*(b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the relevant portion of the map that is created or altered;*

*(c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director and members of the public of the effect of the proposed change;*

*(d) The date set for the first evidentiary hearing;*

*(e) The notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable; and*

*(f) Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.*

*(3) The proposed text submitted to comply with subsection (2)(a) of this rule must include all of the proposed wording to be added to or deleted from the acknowledged plan or land use regulations. A general description of the proposal or its purpose, by itself, is not sufficient. For map changes, the material submitted to comply with Subsection (2)(b) must include a graphic depiction of the change; a legal description, tax account number, address or similar general description, by itself, is not sufficient. If a goal exception is proposed, the submittal must include the proposed wording of the exception.*

*(4) If a local government proposes a change to an acknowledged comprehensive plan or a land use regulation solely for the purpose of conforming the plan and regulations to new requirements in a land use statute, statewide land use planning goal, or a rule implementing the statutes or goals, the local government may adopt such a change without holding a public hearing, notwithstanding contrary provisions of state and local law, provided:*

*(a) The local government provides notice to the department of the proposed change identifying it as a change described under this section, and includes the materials described in section (2) of this rule, 35 days before the proposed change is adopted by the local government, and*

*(b) The department confirms in writing prior to the adoption of the change that the only effect of the proposed change is to conform the comprehensive plan or the land use regulations to the new requirements.*

*(5) For purposes of computation of time for the 35-day notice under this rule and OAR 660-018-0035(1)(c), the proposed change is considered to have been "submitted" on the day that paper copies or an electronic file of the applicable notice forms and other documents required by section (2) this rule are received or, if mailed, on the date of mailing. The materials must be mailed to or received by the department at its Salem office.*

**Findings - OAR 660-018-0020(1)-(3):**

The City of Salem submitted the PAPA notice to DLCD on September 8, 2016.<sup>192</sup> The notice was submitted at least 35 days prior to the first scheduled date for the first evidentiary hearing as required by 660-018-0020(1) and (2).

The PAPA notice includes the required information specified in 660-018-0020(2):

- The text of proposed changes to the comprehensive plan (SACP and Salem TSP) and land use regulations implementing the plan are shown in underline/strikeout format.
- Copies of the Salem Area Comprehensive Plan Map and Polk County Comprehensive Plan Map that are being altered for the 35 acre UGB expansion (with proposed plan designations). Copies of TSP maps that are being altered (for the SRC Preferred Alternative).
- Brief narrative summary of the proposed changes.
- The date set for the first evidentiary hearing on October 12, 2016.
- The plan amendments will be processed under legislative procedures and notice requirements for a quasi-judicial hearing are not applicable. The City will provide the public notice required for legislative amendments, and will also provide a broader courtesy notice regarding the proposed amendments at least 20 days prior to the first evidentiary hearing.
- The PAPA notice noted that that the staff report will be available at least 7 days prior to the first evidentiary hearing and how a copy may be obtained.

The PAPA notice includes the required information specified in 660-018-0020(3):

- The proposed text submitted with the PAPA notice included all of the proposed wording to be added to or deleted from the acknowledged plan (SACP, Salem TSP, and Salem Greenway Plan). In addition, maps and a surveyed legal description for the 35 acres proposed to be added to the UGB were provided.
- The consolidated package of plan amendments includes a Greenway goal exception (no other exceptions are required). The PAPA submittal includes information from

<sup>192</sup> The PAPA notice is included in the record on the web site <http://www.cityofsalem.net/CA16-04>

the Land Use Technical Report Addendum for the FEIS that includes the wording of the exception and supporting information and analysis.

**Findings - OAR 660-018-0020(4):**

This section is not applicable to the consolidated plan amendments for the Salem River Crossing Project Preferred Alternative.

**Findings - OAR 660-018-0020(5):**

The proposed changes were “submitted” on September 8, 2016 via electronic filing.

**6.1.2.2 660-018-0021 Joint Submittal of Notices and Changes**

**Criteria - OAR 660-018-0021(1):**

*(1) Where two or more local governments are required by plan provisions, coordination agreements, statutes or goals to agree on and mutually adopt a change to a comprehensive plan or land use regulation, the local governments shall jointly submit the notice required in OAR 660-018-0020 and, if the change is adopted, the decision and materials required by OAR 660-018-0040. Notice of such proposed changes must be jointly submitted at least 35 days prior to the first evidentiary hearing. For purposes of notice and appeal, the date of the decision is the date of the last local government’s adoption of the change.*

**Findings - OAR 660-018-0021(1):**

Amending the Salem-Keizer UGB requires concurrence by the City of Salem, City of Keizer, Polk County and Marion County. The footprint of the SRC Preferred Alternative directly impacts land within the jurisdiction of the City of Salem and Polk County. The PAPA notice lists the four jurisdictions that must agree on and mutually adopt the proposed plan amendment to expand the UGB by about 35 acres to accommodate the components of the Preferred Alternative that extend outside of the current UGB. For purposes of notice and appeal, the date of the decision will be the date of the last local government’s adoption of the change (City of Salem, 2<sup>nd</sup> reading of final ordinance).

The City of Salem has sole jurisdiction for the Greenway Goal Exception and amendments to the Salem TSP. Polk County has sole jurisdiction for amendments to the Polk County TSP.

**Criteria - OAR 660-018-0021(2):**

*(2) For purposes of this rule, a change to a comprehensive plan or land use regulation that requires two or more local governments to agree on and mutually adopt the change includes, but is not limited to, the establishment or amendment of an urban growth boundary or urban reserve by a city and county in the manner specified in Goal 14.*

**Findings - OAR 660-018-0021(2):**

As noted above, only the proposed UGB amendment requires four jurisdictions (Salem, Keizer, Polk County and Marion County) to concur with and mutually adopt the changes.

## 6.2 Statewide Planning Goals

### 6.2.1 Goal 1 (Citizen Involvement)

*To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

#### **Findings – Goal 1:**

Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in its acknowledged comprehensive plan and land use regulations. Outreach and citizen involvement have been a central part of the NEPA environmental process for the SRC project for about ten years. The project is complex, with many stakeholders and interest groups wanting to participate. Therefore, establishing a decision-making process was a key element of the project. The Oversight Team, Task Force, and Project Management Team established the project's public involvement program around the following major decision points:

- Establish Decision Process and Structure
- Define Purpose and Need
- Establish Evaluation Framework
- Develop a Range of Alternatives
- Screen Alternatives for the DEIS
- Identify the Preferred Alternative

The first five of these decision points featured public involvement activities that included briefings, newsletters, open houses, an interactive project Web site, and online surveys. Additional public involvement activities and outreach occurred after publication of the DEIS.<sup>193</sup>

The *Salem River Crossing Project EIS Public Involvement Summary* (CH2M HILL, July 2016)<sup>194</sup> provides a detailed summary of public involvement in three distinct phases:

- Prior to the Draft Environmental Impact Statement
- Draft Environmental Impact Statement Phase (including Key Issues & Themes)
- After the Draft Environmental Impact Statement

As summarized in Section 1.1 (Introduction, page 1) of this Findings Report, the project Oversight Team initially recommended DEIS Alternative 4D as the Preferred Alternative to the partner jurisdictions. Alternative 4D provided the largest increase in vehicle carrying capacity, but it also created larger environmental and community impacts and had a higher cost relative to other alternatives. After the initial Oversight Team recommendation, Salem City Council conducted a series of work sessions and a public hearing process between November 2012 and May 2013 to discuss the preliminary recommendation of Alternative 4D, its potential impacts, and various options and alternatives. A city website was

<sup>193</sup> Salem River Crossing DEIS, Chapter 5 *Public Involvement and Coordination*.

<sup>194</sup> Include or provide a link to this Report on Salem's project website.

established to provide public access to the information provided to Council at these work sessions and opportunities for public input at subsequent public meetings.

Ultimately, Salem City Council rejected Alternative 4D and instead proposed a hybrid alternative that was intended to focus transportation improvements on what is most important to the City of Salem, and to minimize the negative environmental and community impacts associated with Alternative 4D.

Relative to Alternative 4D, the Preferred Alternative reduces the potential negative impacts by limiting the size of the bridge (4 lanes instead of 6 lanes), and reducing the amount of elevated structure on both sides of the river. Following refinements, the Oversight Team and partner jurisdictions endorsed the alternative recommended by the City of Salem as the Preferred Alternative to advance in the consolidated Plan Amendments and the Final EIS (FEIS).

The City of Salem is initiating the consolidated plan amendments required for the Salem River Crossing Preferred Alternative in accordance with established Legislative code procedures for Major Comprehensive Plan Amendments in Chapters 64 and 300 of the Salem Revised Code. This process includes the following steps:

- Salem City Council initiation of Major Plan Amendment(s) by Resolution. This step occurred on August 8, 2016 with Council approval of Resolution No. 2016-35 to initiate Major Comprehensive Plan Amendments pertaining to the Salem River Crossing Preferred Alternative. Council also held a work session on this topic on August 1, 2016. The City of Keizer, Marion County and Polk County have also adopted Resolutions to initiate the plan amendment process for the UGB Amendment.
- Prior to the initial public hearing, the proposed plan amendments will require 35-day notification to the Director of the Oregon Department of Land Conservation and Development pursuant to SRC 300.1110(d). Because the UGB amendment affects land under Polk County jurisdiction, Salem and Polk County will send a joint Post-Acknowledgement Plan Amendment (PAPA) notice to DLCD. The UGB amendment also requires notice and coordination with the City of Keizer and Marion County, who must participate and concur in the land use decision. The joint PAPA notice for the consolidated plan amendments was submitted to DLCD on September 8, 2016.
- Polk County, Marion County and the City of Keizer also passed Resolutions to initiate the process to amend the regional UGB.
- The City of Salem has established a website to provide public access to all plan amendment materials, including initiation resolutions, staff reports, evidence in the record, public hearing notices, minutes of public hearings, etc. The City web site <http://www.cityofsalem.net/CA16-04> that will be maintained through the plan amendment process.
- Mailed public notice will be provided prior to first evidentiary hearing to those entitled to mailed notice under SRC 300.1110(e)(1). Salem will provide a “courtesy

notice” of the proposed plan amendments beyond the notice requirements for a legislative amendment.

- A joint public hearing of the Salem City Council, Keizer City Council, Keizer Planning Commission, Marion County Board of Commissioners, Polk County Board of Commissioners and Polk County Planning Commission has been scheduled and noticed for October 12, 2016.
- The UGB amendment requires concurrent review and action by the City of Salem, Polk County, the City of Keizer, and Marion County. The Salem TSP Amendments and Greenway Goal Exception are within Salem’s jurisdiction and do not require concurrent action by the other jurisdictions.

In coordination with the City of Salem, Polk County has initiated amendments to the Polk County Comprehensive Plan in accordance with the procedures and criteria for Legislative Plan Amendments in Chapter 115 of the Polk County Zoning Ordinance. The Polk County Plan amendments are required to apply the Urban Reserve plan designation to the land added to the UGB and to adopt targeted amendments to the Polk County TSP to reflect the Preferred Alternative.

In summary, there has been a long history of public involvement in the NEPA process for the SRC Project<sup>195</sup>, with additional opportunities provided for input to refine the Preferred Alternative (from the originally recommended 4D) to reduce the project footprint and impacts to community and natural resources – while still achieving important community goals regarding connectivity and redundancy. By following the public involvement and notice procedures set out in the acknowledged City of Salem and Polk County comprehensive plans and land use regulations for Major/Legislative Plan Amendments, including regional procedures for public involvement and concurrency on amendments to the Salem/Keizer UGB, Goal 1 is met.

## 6.2.2 Goal 2 (Land Use Planning)

*To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

### **Findings – Goal 2:**

Goal 2, Part I requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. The footprint of the Preferred Alternative directly impacts land within the city limits of Salem and unincorporated Polk County. Therefore, the acknowledged Salem Area Comprehensive Plan (SACP) and Polk County Comprehensive Plan are applicable to the proposed comprehensive plan amendments (UGB Amendment, Greenway Goal Exception and amendments to City of Salem and Polk County TSPs). Regional Procedures and Policies applicable to amendment of the Salem-Keizer UGB are included in Section III of the SACP and referenced in the Keizer Comprehensive Plan. Compliance with the relevant policies of the applicable comprehensive plans is primarily

<sup>195</sup> Detailed in the *Salem River Crossing Project EIS Public Involvement Summary*, July 2016.

address in Chapter 7 of this Findings Report (Findings in Support of Plan Amendments Package: Local Policies and Regulations).

Goal 2, Part I also requires coordination with affected governments and agencies, evaluation of alternatives, and an adequate factual base to support land use decisions. In developing the DEIS and selecting the Preferred Alternative, the City of Salem, ODOT and FHWA (the lead agencies) engaged in significant coordination efforts over an approximately ten year period with affected governments and agencies, including but not limited to officials with Polk and Marion Counties, the City of Keizer, the Mid-Willamette Valley Council of Governments, Salem-Keizer Transit, representatives of the Oregon Department of Land Conservation and Development, and other state and federal agencies and local and regional officials. The groups formed to carry out specific project roles (Project Management Team, Task Force, and Oversight Team), are described in Chapter 5 of the DEIS.<sup>196</sup>

In accordance with NEPA, cooperating and participating agencies were involved in the development of the Purpose and Need Statement and the Range of Alternatives. The DEIS evaluated a No Build Alternative and eight Build Alternatives in three specific crossing locations as summarized in Chapter 2 of this Findings Report. The DEIS provides the substantive factual base to support the decisions on the consolidated plan amendments. Because the Preferred Alternative represents a hybrid of Build alternatives evaluated in the DEIS, updated technical reports and traffic modeling for the Preferred Alternative developed for the FEIS will be entered into the record for the consolidated plan amendment to supplement the factual base for the decisions on the plan amendments.

The consolidated plan amendments, together with the supporting documents and evidence submitted in support of the plan amendments, provide the factual base to support the proposed plan amendments. For these reasons, the plan amendments are consistent with Goal 2, Part I.

Goal 2, Part II sets out the standards for goal exceptions. An exception to Goal 15 (Willamette River Greenway) is required for the portions of the new bridge crossing and related transportation improvements that are within the acknowledged Willamette River Greenway Overlay for the City of Salem. The findings justifying the Greenway Goal Exception are included in Chapter 5 of this report. Goal exceptions are not required for the UGB amendment or TSP amendments.

### 6.2.3 Goal 3 (Agricultural Lands)

*To preserve and maintain agricultural lands.*

#### **Findings – Goal 3:**

Goal 3 requires counties to preserve and maintain agricultural lands for farm uses. Counties must inventory agricultural lands and protect them by adopting exclusive farm use zones consistent with ORS 215.203. The majority of the footprint for the Preferred Alternative is located within the existing Salem-Keizer UGB and Goal 3 does not apply within the UGB. In

<sup>196</sup> DEIS, Chapter 5 – Public Involvement and Coordination, Section 5.1.

addition, Goal 3 is not applicable to amendment of a UGB under LCDC's Goal 14 administrative rule.<sup>197</sup>

However, statute and rule<sup>198</sup> establish priorities for consideration of which land to include when expanding a UGB, with land designated in an acknowledged comprehensive plan for agriculture or forestry identified as the fourth (lowest) priority. The findings in Section 3.1.5.3 (page 125) document that the statutory land priorities have been followed for the proposed UGB amendment, and there are reasons why approximately 35 acres of lower priority designated Agricultural land should be included in the Salem-Keizer UGB based on characteristics necessary for land to be suitable for the identified transportation need. As authorized by the Goal 14 rule and the Polk County Comprehensive Plan, EFU zoning will be retained for the land added to the UGB until annexation. In summary, Goal 3 is not directly applicable to the consolidated plan amendments but agricultural lands have been considered as part of the consideration of UGB alternatives.

#### 6.2.4 Goal 4 (Forest Lands)

*To conserve forest lands.*

##### **Findings – Goal 4:**

As with Goal 3, Goal 4 is not applicable within the existing UGB and it does not apply to amendment of a UGB. In addition, the Polk County Comprehensive Plan Map does not include designated forest lands within the footprint of the Preferred Alternative or in the vicinity of the proposed UGB amendment. Therefore, Goal 4 is not applicable to the proposed plan amendments.

#### 6.2.5 Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources)

*To protect natural resources and conserve scenic and historical areas and open spaces.*

##### **Findings – Goal 5:**

OAR, Division 23 implements Goal 5 and includes procedures and requirements for complying with Goal 5. This division establishes procedures and criteria for inventorying and evaluating Goal resources and for developing land use programs to conserve and protect significant Goal 5 resources. This division explains how local governments apply Goal 5 when conducting periodic review and when amending acknowledged comprehensive plans and land use regulations.

Local governments are not required to apply Goal 5 in post-acknowledgement plan amendment proceedings unless the amendment affects a Goal 5 resource to allow new uses that could be conflicting uses with a particular significant Goal 5 resource site. Under LCDC's Goal 14 administrative rule, for a UGB amendment, Goal 5 rules apply only in areas added to the UGB.<sup>199</sup>

As shown on Figure 26, the proposed UGB amendment impacts a portion of an aggregate site on the west side of the Willamette River and north of Wallace Marine Park. The site is

<sup>197</sup> OAR 660-024-0020(1)(b).

<sup>198</sup> ORS 197A and OAR 660-024-0067(2), for cities outside of Metro.

<sup>199</sup> OAR 660-024-0020(1)(c).

designated for Agricultural use in the Polk County Comprehensive Plan and is zoned for Exclusive Farm Use (EFU) (see Figure 8). In 1992, the Polk County Commission adopted Ordinance 92-9 and designated the approximately 350-acre site as a significant aggregate resource site in the Polk County Comprehensive Plan.<sup>200</sup> Ordinance No. 92-9 documents the Economic, Social, Environmental and Energy (ESEE) analysis that balanced protection of the significant resource (aggregate) with potential conflicting uses as required by Goal 5. Based on the ESEE analysis, the County applied the Mineral Aggregate (MA) Overlay Zone to the approximately 350-acre aggregate extraction area and impact area. Figure 30 provides an aerial overview of the aggregate mining area and parcel and ownership patterns in the vicinity.

The Goal 5 rule (OAR 660, Division 23) was amended in 1996, and new rules took effect on September 1, 1996. 660-023-0180 focuses on Mineral and Aggregate Resources. As set forth in 660-023-0180(1)(c):

*An “Existing site” is an aggregate site that meets the requirements of subsection (3)(a) of this rule and was lawfully operating , or was included on an inventory of significant aggregate sites in an acknowledged plan, on September 1, 1996.*

660-023-0180(3)(a) provides:

*A representative set of samples of aggregate material in the deposit on the site meets applicable Oregon Department of Transportation specifications for base rock for air degradation, abrasion, and soundness, and the estimated amount of material is more than 2,000,000 tons in the Willamette Valley, or more than 500,000 tons outside the Willamette Valley.*

Therefore, the “existing site” meets both tests under the amended Goal 5 rule: it was included on an inventory of significant aggregate site in the acknowledged Polk County Plan in 1992, the aggregate material meets applicable ODOT specifications and the estimated amount of material far exceeds 2,000,000 tons.

The remaining provisions of 660-023-0180 apply to post-acknowledgement plan amendments (PAPA) for mineral aggregate resources that are not an “existing site” or an “expansion area.” Therefore, those provisions are not applicable to the proposed UGB amendment.

Findings to address the significant aggregate site are set forth in Sections 6.2.5.1 and 6.2.5.2 below.

#### **6.2.5.1 Significant Aggregate Site**

In 1992, the Polk County Commission adopted Ordinance 92-9 and included the approximately 350-acre Riverbend Road site as a significant aggregate resource site in the Polk County Comprehensive Plan. As part of Ordinance 92-9, the County applied the Mineral and Aggregate (MA) Overlay Zone (see Figure 26) to the base Exclusive Farm Use

<sup>200</sup> Ordinance No. 92-9. *In the Matter of the Inventory of Significant Mineral and Aggregate Resources Plan Amendment 91-3/Zone Change 91-5: Site #3 – Riverbend Road*, adopted by Polk County Commissioners, May 13, 1992.

(EFU) zone to authorize the mining and processing of the aggregate resources on the 350-acre site.<sup>201</sup>

### **Goal 5 ESEE Analysis**

Key findings from Ordinance 92-9 and the Goal 5 Economic, Social, Environmental and Energy (ESEE) analysis pertaining to the subject site were adopted as part of the Polk County Comprehensive Plan and are briefly summarized below (with emphasis added for bold text).

1. The site is situated on alluvial bottom land between the present Willamette River channel on the east and an abandoned meander channel on the west. The meander is partially filled year-round and is inundated during high water and flood periods. Floodplain mapping by the Corps of Engineers shows a majority of the site within the 100-year floodplain.
2. There has been mining activity on the site since the 1940s and 1950s. Prior to the 1992 plan amendment, the mining operation utilized about 30 acres, with 10 acres actively mined.
3. It is anticipated that **when the site is fully developed, it will utilize an extraction area of about 200 to 250 acres within the larger 350-acre Mineral Aggregate Overlay shown on Figure 27.** It is anticipated that the operation will be phased in over an extended period of time. The ultimate operation will include wet (underwater) extraction areas and associated roads, outbuildings, processing facilities, and stockpiling areas.
4. Soils in the project area are of good quality, originating as deposit by the river during high water periods. SCS soil capability classes range from Class I through Class VI. Depth to groundwater can be minimal in the lower area closest to the river because of the influence of the river.
5. Test data show that the aggregate from the site exceeds ODOT source qualification standards and **that the available amount of aggregate material on the site is approximately 23 million cubic yards.** The operation will supply sand and gravel for use in the greater Salem and Polk County area.
6. The findings note that Goal 5 aggregate extraction sites are generally accompanied by some degree of noise, dust, odor, vibration, traffic, water quality, site alteration and visual impacts. The findings also document that the extraction technology (dredge) used to mine the gravel provides significant reduction in impacts relative to a dry land quarry operation.
7. For purposes of the Goal 5 ESEE analysis, the operator identified an impact area to analyze potential conflicting uses. The impact area generally extended 750 feet from the boundary of the extraction area. However, the impact area was limited on the south where Wallace Marine Park and the Salem city limits are adjacent to the aggregate site. In this location, the impact area was limited to land within Polk County's jurisdiction.
8. The findings concluded that the reduction from the 750-foot impact area will have little effect on the impacts created by the aggregate use because Wallace Marine Park

<sup>201</sup> Ordinance No. 92-9. *In the Matter of the Inventory of Significant Mineral and Aggregate Resource Plan Amendment 91-3/Zone Change 91-5: Site #3 – Riverbend Road*, adopted by Polk County Commissioners, May 13, 1992.

will be shielded from the aggregate operation by a 200-foot to 400-foot buffer of trees.

9. Within the impact area, the ESEE analysis considered 12 permitted uses and 28 conditional uses authorized in the underlying EFU zone. **A specific finding noted that public road and highway uses allowed in the EFU zone are uses that would not be adversely affected by the impacts of an aggregate site.** The findings concluded that these uses are not considered conflicting uses with the aggregate operation within the impact area.
10. The findings also noted that the extraction area is adjacent to the Willamette River and the Willamette River Greenway (Note: the portion of the Willamette River Greenway within the footprint of the Preferred Alternative is within Salem's jurisdiction). The extraction area will be either 150 feet from the Willamette River or 50 feet west of the boundary of the tree buffer along the river, whichever is greater. Therefore, the findings concluded that the adjacent Greenway boundary does not create a conflicting use with the proposed aggregate site. The findings also concluded that the setback will be sufficient to protect other designated Polk County Goal 5 resources (Willamette River riparian area and scenic view further north of the Preferred Alternative).
11. Based on the analysis, potentially conflicting uses fell into the following broad categories: (a) dwellings, (b) churches, (c) schools, and (d) parks, playgrounds and other recreational uses. The ESEE analysis examined the possible noise, dust, vibration, traffic, water quality, site alteration and visual impacts that the Goal 5 aggregate resource might have on these potential conflicting uses in and beyond the impact area.
12. Because of large lot ownership patterns and minimum lot size standards (associated with EFU zoning), flood plain designation and agricultural use of the area surrounding the proposed aggregate site, the County found that it was unlikely that conflicting uses such as dwellings, churches, schools and parks would be proposed or allowed in the impact area in the future (see Figures 8 and 30).
13. Under the provisions of the Mineral and Aggregate Overlay (174.090), no new "sensitive use" shall be located within the impact area determined through the ESEE analysis unless agreed upon in writing by the owner of the sensitive use and the owner or operator of the mining operation. The category of "sensitive uses" includes but is not limited to the following EFU uses: 1) farm dwelling, 2) churches, 3) public or private schools, 4) golf course, 5) parks, playgrounds, hunting and fishing preserves, and campgrounds.
14. Given the nature of the proposed aggregate operation at the site and the development standards imposed by the Mineral and Aggregate Overlay Zone, the County found that the aggregate use and conflicting uses can both be allowed subject to certain reasonable limitations (which resolve potential conflicts but do not significantly restrict any uses), to balance the uses and protect each other. The site-specific Development Plan requirements of the Mineral and Aggregate Overlay Zone provide the Goal 5 program to protect the aggregate resource and minimize impacts.
15. The following findings relating to Goal 3 (Agricultural Lands) were approved by the County as part of the ESEE analysis and decision. **"We find that although some agricultural land may be lost in extracting aggregate from the site, the amount of this loss is insignificant in comparison to the total agricultural land base in the**

**county. In addition, we find that the proposed aggregate use will not conflict with the agricultural uses in adjacent areas.** We find that agricultural use is being made of the subject property directly adjacent to the existing aggregate operation, and that such close proximity can continue in the future. We find, therefore, that the **aggregate mining activities will not force a significant change in or significantly increase the cost of accepted farming practices in the area and the proposed aggregate site will not conflict with the preservation and maintenance of agricultural lands.”** (See Figures 30 and 31).

16. Prior to commencement of expanded mining operations, PA 92-9 required that the operator submit a site development plan in compliance with the standards under PCZO 174.060. Conditions regarding required improvements to River Bend Road and Wallace Road were also specified in the decision. A reclamation plan (to be approved by DOGAMI) was also required to be submitted concurrently with the site development plan.

### ***Reclamation Plan and Site Development Plan***

The operator obtained approval of a Development, Mining & Reclamation Plan (DMRP) and operating permit (#27-0033) from DOGAMI in 1996. The operator also obtained approval of a site development plan in compliance with the standards of the Mineral and Aggregate Overlay (PCZO 174.060) from Polk County.

Key permit information from Development, Mining & Reclamation Plan approved by DOGAMI is summarized below.

1. Pre-Mine Conditions: The land which is not actively involved in mining is being leased for the growth of annual food crops and perennial berry crops. The intent is to continue to lease for farm use the acreage that is not intended for mining in the next 1-2 years. This will enable continued farm use of the property for as long as possible before it is mined.
2. Operating Plan: The method of mining will be pond excavation (underwater mining). The first mining phase will be the south section of the property. The second phase will be the north section of the property. As stated in the operating plan, this southerly area is the most likely area in which conflicting uses would develop, and it is best to commence and complete mining operations in this area in the first phase. The mining operations will be conducted in a longitudinal cell by cell type of mining.
3. Mining Methods: The dragline is the preferred method of underwater mining due to the operating capabilities and efficiencies that will be required for the production levels desired. **Cemented strata are found in the area at about 30-50' depth.**
4. Post Mining Land Use: There will be one post-mining water impoundment with an average depth of 30 feet and a surface area of approximately 325 acres, with in-water slopes of 3:1 to a depth of 6 feet below water level. The water source for the impoundment will be groundwater. To enhance the refuge for fish and wildlife, ponds with islands, irregular shorelines, and fish structures will be constructed.

In addition to construction of wildlife refuge areas, the DMRP notes other potential post-mining beneficial uses of the permit area include the possible addition of a water recreation area to Wallace Marine Park and aquaculture.

### ***Impacts of the Preferred Alternative on the Significant Aggregate Site***

Figure 30 shows an aerial view of the Preferred Alternative relative to the Surface Mining Overlay. It is clear that mining has occurred in the southerly portion of the site, underneath the proposed bridge crossing structure, consistent with the Goal 5 ESEE analysis and site plans for the aggregate operation approved by Polk County, DOGAMI, and other agencies (such as DEQ).

As can be seen on Figure 30, aggregate mining has not extended to the northerly half of the approximately 350-acre site within the Surface Mining Overlay. Substantial aggregate reserves are approved and available for long-term extraction in the northerly portion of the site.

City of Salem staff has coordinated with the mining operator and staff with Polk County and DOGAMI to explore the impacts of the Preferred Alternative on the significant aggregate site. Based on currently available information:

- Based on conversations with DOGAMI staff, aggregate extraction to the cemented strata layer (depth of about 35 feet) within the southerly boundary of the approved extraction area has been completed or is expected to be completed in the future (depending on market conditions). Several key milestones are required before construction of the Preferred Alternative can proceed, including but not limited to approval of the plan amendments, completion of the FEIS and issuance of the Record of Decision for the SRC project, and pursuit of local, regional, state and federal funding options for the project, which could be pursued in phases. Therefore, it is feasible and likely that aggregate extraction in the southerly portion of the Mineral Aggregate Overlay, under the segment of the structure extending west of the river to Marine Drive, would be completed long before there would be a need to acquire right-of-way in this area and place piers within the resulting water impoundment.
- The placement of piers within the southerly portion of the extraction area will not conflict with or preclude continued aggregate extraction north of the proposed bridge crossing.
- The Preferred Alternative will not conflict with long-term plans for reclamation of the aggregate site (post-mining water impoundment with an average depth of 30 feet and a surface area of approximately 325 acres). Post-mining beneficial uses include fish and wildlife refuge areas and possible addition of a water recreation area to Wallace Marine Park.
- If the aggregate owner/operator agrees to the bridge crossing use in writing as authorized by Section 174.090 of the Polk County Zoning Ordinance, no action is required by Polk County to amend the significant aggregate inventory in the Polk County Comprehensive Plan, the ESEE analysis, or the site plan approval for the aggregate operation.
- DOGAMI has indicated that the approved operating permit and reclamation plan would not need to be amended to allow for the bridge crossing over the aggregate site.

With the exception of the aggregate site, Polk County's acknowledged Comprehensive Plan does not identify other significant Goal 5 resources on the 35 acres proposed to be added to the UGB to accommodate portions of the Preferred Alternative. While the Polk County Comprehensive Plan identifies the Willamette River as a "scenic resource", the portion of the Willamette River underneath and abutting the bridge crossing for the Preferred Alternative is within Salem's land use jurisdiction (see Figure 4).

## 6.2.6 Goal 6 (Air, Water and Land Resources Quality)

*To maintain and improve the quality of air, water, and land resources of the state.*

### **Findings – Goal 6:**

LCDC has not adopted an administrative rule to implement Goal 6. In the context of comprehensive plan amendments, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendments will be able to satisfy applicable federal and state environmental standards, including air and water quality standards.<sup>202</sup>

### 6.2.6.1 Air Quality

Section 3.15 of the DEIS and the Air Quality Technical Report Addendum (CH2M Hill, 2016) address air quality regulations. The Clean Air Act, as amended in 1990, is the federal law that governs air quality. This law sets standards for the quantity of pollutants that can be in the air. Standards have been established for six criteria pollutants that have been linked to potential health concerns. EPA designates a region a "nonattainment area" when one or more monitoring stations in the region fail to attain the relevant standard. Areas that were previously designated as nonattainment areas but now meet the standard are called "maintenance areas".

The Preferred Alternative is located in an area currently designated as "maintenance" for carbon monoxide (CO<sub>2</sub>) and as "in attainment" for all other criteria pollutants. In 1978, EPA designated the project area as a "nonattainment" area for CO<sub>2</sub>. Since then, vehicle emission standards have become progressively more restrictive and CO<sub>2</sub> emissions from motor vehicles have declined steadily. CO<sub>2</sub> levels are expected to remain low as new vehicles with cleaner emissions make up an increasing proportion of the fleet of vehicles on the road.

The *Air Quality Technical Report Addendum* (CH2M Hill, 2016) focuses on analyzing the No Build and preferred alternative. The analysts performed an emissions burden analysis to evaluate emissions effects on the project area. The analysts calculated the emissions from vehicles in the project area for design-year (2040) conditions for the No Build and preferred alternative and for existing (2012) conditions.

The area selected for regional air emissions analysis included 23 origin-and-destination pairs identified in the SKATS MPO model as representing primary regional through traffic and local-to-regional connections across the region.

<sup>202</sup> Applicable standards include those in the federal Clean Air Act and Clean Water Act and their implementing regulations. Applicable state standards include those in the Oregon Wetland Removal/Fill Act and in Department of Environmental Quality administrative rules governing air, water and noise quality.

Of the 35 total intersections analyzed, two intersections were analyzed for the preferred build alternative—one intersection with the highest peak-hour volume and one intersection with the longest delay (in seconds). Only intersections with LOS D or worse were considered in the screening analysis. The screening analysis yielded the following two intersections:

- Wallace Road NW & Taggart Drive
- Broadway Street NE & Salem Parkway

The preferred alternative would result in decreased emissions in 2040 compared to existing conditions. Advances in engine technology have led to reduced emissions in newer vehicles. This, combined with older vehicles going out of service, will dramatically decrease emissions by 2040 for all pollutants, regardless of the alternative. By comparison, the No Build Alternative would result in higher criteria pollutant emissions in 2040 because it is associated with the greatest amount of delay and the lowest average speed compared to the preferred alternative.

The local hot spot analysis demonstrates that the project would not:

- Cause or contribute to a new violation of any air quality standards in any area,
- Increase the severity or frequency of an existing violation of any standard in any area, or
- Delay timely attainment of any standard, required interim emission reductions, or milestones in any area

The project is included in the conforming RTSP and TIP. The 2035 RTSP (SKATS MPO, adopted in 2015) includes three projects identified as part of the preferred alternative, and the 2015-2020 TIP (SKATS MPO, adopted in 2014) includes the Salem River Crossing Study EIS. The results of the hot spot analysis indicate that the project will be able to demonstrate conformity for the preferred alternative.

Therefore, evidence in the *Air Quality Technical Report Addendum* (2016) demonstrates that Goal 6 standards for air quality are met for the SRC Preferred Alternative.

#### **6.2.6.2 Water Quality and Quantity**

Section 3.9 of the DEIS examined the potential effects of the SRC project alternatives on water resources, including water quality and floodplains. The Clean Water Act (CWA) is the primary federal law covering water quality. Oregon water quality laws and regulations are found in Oregon Revised Statutes (ORS) Chapter 468B and Oregon Administrative Rules (OAR) Chapter 340, Division 041.

Generally, roadway and bridge projects can have a variety of water quality impacts, hydrologic impacts, floodplain impacts, and construction impacts.

- Water quality impacts result from an increase in pollutant-generating impervious area. Urban areas have a higher pollutant loading than rural areas.
- Hydrologic impacts result from increasing impervious area and reducing infiltration. These cause higher runoff flows to receiving waters that could erode the land and increase the risk of flooding.

- Floodplain and hydraulic impacts result from fill or structures (bridge piers) built in the floodplain. These could raise the base flood elevation.
- Construction of a roadway project could cause erosion and have water-quality impacts from in-water work.

Currently, stormwater runoff from the majority of the project area is collected in Salem's enclosed drainage system and is discharged, largely without treatment, to the Willamette River. By including stormwater treatment in the designs, all Build alternatives evaluated in the DEIS would meet state and federal water quality regulations and would provide more water quality treatment than with the No Build Alternative, even though the Build alternatives would increase impervious surfaces in the study area.<sup>203</sup>

The *Water Resources Technical Report Addendum* (CH2M Hill) focuses on the water quality and hydraulic impacts of the preferred alternative.

The Preferred Alternative would increase impervious area relative to existing conditions. The anticipated increase in impervious area is 16.75 percent of the total existing impervious area within the Glen Creek Watershed and the area draining directly to the Willamette River.<sup>204</sup> City of Salem regulations require that stormwater treatment be provided for all new and reconstructed impervious surfaces. Potential facilities were sized using ODOT and City of Salem guidelines. The most stringent and largest mitigation design was selected at this point in the project's development. Once the design is finalized and prior to construction, the water quality facility design will use the most current BMPs, and will use media and infiltration to the maximum extent practicable. For the preferred alternative, these regulations would result in a net decrease in pollutant load compared to the existing conditions.

The project would need City-approved erosion and sediment control plans prior to the start of any construction. Measures would include sediment fence and wattles for disturbed areas; inlet protection for storm systems; protection of engineered water quality facilities during construction; gravel construction entrances; wheel washes; and vegetative cover of disturbed areas. The contractor would also be required to maintain a spill control kit to be used in case of a material spill.

Erosion prevention, sediment control, and impacts from in-water work associated with the Preferred Alternative will be regulated through a variety of state and federal permits in addition to City of Salem permits. Both Oregon's Removal-Fill Law and Section 404 of the CWA require that water quality impacts associated with construction be addressed. Section 401 of the CWA requires Oregon DEQ certification that the project will not violate water quality standards.

The Preferred Alternative would encroach in the regulatory floodway of the Willamette River and the floodplain of Glen Creek, causing minor changes in flood stage and flood limits. As documented in the *Water Resources Technical Report Addendum* (2016), The Preferred Alternative would increase the base flood elevation in limited identified areas by

<sup>203</sup> DEIS Chapter 3.9, Water Resources, Section 3.9.3.2.

<sup>204</sup> *Water Resources Technical Report Addendum*, CH2M, July 2016, Section 4.2.

0.27 foot. City of Salem Revised Code (SRC) Chapter 601 establishes a no rise requirement of the base flood (100-year flood) elevation when a structure is constructed or placed within the regulated floodway zone. Piers and bridges associated with transportation structures are on the list of permitted structures within the floodplain overlay zone. However, the size and shape of the pier(s) is limited to that required for the intended use and the bridge deck must be located 3 feet above the base flood elevation. Required mitigation could include grading and changes to ground cover characteristics (balanced cut and fill) to address the rise in base flood elevation. This kind of mitigation is feasible for the Preferred Alternative and will be required as part of the project in the Record of Decision for the FEIS.

The primary opportunity to mitigate hydraulic impacts to the floodway would be to reduce the base flood elevation change. Minimizing the number of in-water piers, shaping piers in a streamlined manner, and removing existing fills could reduce the base flood elevation change.

Many of the mitigation measures would be detailed after final hydraulic designs for the bridge have been completed. The following are potential mitigation measures:

- Design the bridge to span the width of the natural channels. Set the abutments back onto the overbank areas so construction would not encroach into the channel or reduce piers in the floodplain.
- Size bridge openings to pass the 100-year peak flood discharge with little or no increase to the water surface elevation.
- Minimize interior piers.
- Investigate pier shaping to minimize energy losses.
- Excavate part of the streambank to compensate for the permanent loss in flow area (that is, the loss created by the installation of piers).

In conclusion, the new bridge crossing and related transportation improvements authorized by the plan amendments will be able to satisfy relevant local, state and federal standards relating to water quality, stormwater runoff and floodway/floodplains and comply with Statewide Planning Goal 6. Best Management Practices (BMPs) for erosion and sediment control can achieve compliance with clean water standards. Numerous site-specific local (City of Salem) and state (DEQ) permits relating to water quality and quantity will be required prior to construction. Such permits would include approval conditions to mitigate impacts. Subsequent City of Salem floodplain permitting will be required prior to construction and the Salem code requires a “no rise” in floodplain elevations.

### **6.2.6.3 Noise**

Section 3.16 of the DEIS addresses noise impacts of the SRC alternatives. For highway transportation projects with FHWA involvement, federal regulations (23 CFR 772) govern the analysis and abatement of traffic noise impacts. ODOT is responsible for implementing the FHWA regulations in Oregon.

In the project area, the dominant source of noise is from traffic on the arterials, highways, and adjacent local roads. Additional sources of noise include boat activity on the river, aircraft over-flights, and motor-operated equipment in commercial and industrial areas. For the DEIS, Existing noise levels in the SRC project study area were measured at

representative locations that included parks, outdoor use areas at residential homes, and sensitive outdoor areas of commercial locations. Measured noise levels at the representative locations ranged from 44 to 69 dBA.

Under existing conditions, 28 representative receptors have noise levels that approach or exceed the noise abatement criteria (NAC). That number would increase to 36 representative receptors under the No Build Alternative. The *Noise Technical Report Addendum* (2016) documents that the Preferred Alternative would have 30 direct impacts from noise.

Techniques available to decrease noise impacts include constructing noise barriers, realigning the roadway, modifying vehicle speed limits or restricting truck traffic. Of those potential noise-abatement measures, the noise barrier option is usually the most practical, reasonable, and effective choice. Specific noise-abatement strategies will also be detailed for the Preferred Alternative and included as part of the project in the Record of Decision.

In conclusion, the transportation improvements authorized by the plan amendments will be able to satisfy relevant local, state and federal standards relating to noise and comply with Statewide Planning Goal 6.

## 6.2.7 Goal 7 (Areas Subject to Natural Disasters and Hazards)

*To protect people and property from natural hazards.*

### **Findings – Goal 7:**

Goal 7, which LCDC amended on June 1, 2002, addresses hazards to development. LCDC has not adopted an administrative rule to implement Goal 7. Planning for natural hazards is an integral element of Oregon's statewide land use planning program. Goal 7 calls for local plans to include inventories, policies and ordinances to guide development in or away from hazard areas. Natural hazards for purposes of Goal 7 are: floods, landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Identified Goal 7 natural hazards in the area of the SRC Build alternatives include flood and earthquake hazards. Goal 7, along with other land use planning goals, has helped to reduce losses from natural hazards.

The primary responsibility for the implementation of natural hazard risk reduction policies lies with local jurisdictions. However, resources exist at the state and federal levels. Some of the key state agencies with roles under Goal 7 include Oregon Emergency Management (OEM), Oregon Building Codes Division (BCD), Oregon Department of Geology and Mineral Industries (DOGAMI), Oregon Department of Transportation (ODOT), and the Department of Land Conservation and Development (DLCD).

The City of Salem<sup>205</sup> and Polk County<sup>206</sup> have developed and adopted Natural Hazard Mitigation Plans in accordance with federal legislation that reinforce the importance of

<sup>205</sup> *City of Salem Natural Hazards Mitigation Plan* (June 2012). <http://www.cityofsalem.net/Departments/Fire/EmergencyManagement/Documents/2012NHMP.pdf>

<sup>206</sup> *Polk County Multi-Jurisdictional Hazards Mitigation Plan* (May 2009). <http://www.co.polk.or.us/sheriff/em/multi-jurisdictional-hazard-mitigation-plan-mhmp>

planning for natural hazards before they occur. Through risk identification and recommendation of risk-reduction actions, the City of Salem and Polk County Multi-Jurisdictional Hazard Mitigation Plans align with the goals of the jurisdictions' Comprehensive Plan, and help each jurisdiction meet the requirements of Goal 7.

Adopted and acknowledged comprehensive plans (TSPs) in Salem and Polk County reinforce the importance of transportation redundancy and lifeline routes to achieve the purpose of Goal 7 and implement recommendations from adopted natural hazard mitigation plans.

Salem's acknowledged TSP includes the following policies:

*(1.8) The City's street system shall be planned and constructed to provide multiple routes between locations, including making reasonable efforts to eliminate existing, and prevent creation of new, transportation chokepoints, both natural and man-made.*

*(1.9) The City shall identify, maintain, and periodically review a network of existing and planned critical routes to support timely emergency response and evacuation in the event of a natural or man-made disaster.*

*(4.2) The City shall select City-funded street improvement projects from those listed in the Salem Transportation System Plan when making significant increases in system capacity or bringing arterial or collector streets up to urban standards. The selection of improvement projects should be prioritized based on consideration of improvements to safety, creation of system redundancy, relief of existing congestion, response to near-term growth, system-wide benefits, geographic equity, designation as critical routes, and availability of funding.*

Polk County's acknowledged TSP includes the following goal and policy addressing redundancy:

*(6) To support the planning, construction and maintenance of multiple travel routes to connect critical facilities both to and within Polk County cities and neighboring counties.*

*(6.1) When evaluating transportation facility alternatives, Polk County will favor those alternatives that provide added redundancy to the connection of critical facilities.*

The Oregon Highway Plan includes a similar policy:

*(1E) It is the policy of the State of Oregon to provide a secure lifeline network of streets, highways, and bridges to facilitate emergency services response and to support rapid economic recovery after a disaster.*

#### **6.2.7.1 Flood Hazards**

Section 3.18 of the DEIS addresses geologic hazards in the project area and Section 3.9.3 of the DEIS addresses water resources, including floodplains. The *Geological Resources Technical Report Addendum* (CH2M Hill, 2016) and the *Water Resources Technical Report Addendum* (CH2M Hill) focus more specifically on the impacts of the preferred alternative.

All Build alternatives evaluated in the DEIS would encroach into the floodway of the Willamette River with the placement of piers. As estimated by the hydraulic computer models, without mitigation, the Preferred Alternative would result in a water surface elevation increase of 0.27 foot relative to the No Build Alternative.<sup>207</sup>

As noted in the findings to address Statewide Planning Goal 6 (see Section 6.2.6.2), City of Salem Revised Code (SRC) Chapter 601 establishes a “no rise” requirement for the base flood (100-year flood) elevation when a structure is constructed or placed within the regulated floodway zone. Piers and bridges associated with transportation structures are on the list of permitted structures within the floodplain overlay zone. The bridge deck must be located 3 feet above the base flood elevation. Required mitigation could include balanced cut and fill to offset the rise in base flood elevation. (See additional discussion of floodplain impacts in section 6.2.6.2, beginning on page 239; the findings in that section are incorporated by this reference.)

The Preferred Alternative would provide a new bridge crossing about one mile north of the existing bridges, thereby improving transportation system redundancy for emergencies relative to the No Build Alternative. The new bridge would be consistent with the acknowledged policies in the Salem TSP, the Polk County TSP, and the Oregon Highway Plan related to redundancy highlighted above.

The new bridge and related transportation improvements can and would be designed to comply with local and federal (FEMA) regulations relating to encroachments in the floodway/floodplain (e.g., no rise in 100-year flood elevation and balanced cut and fill) and the floodplain impacts associated with the Preferred Alternative can be mitigated in accordance with established regulations and Best Management Practices. In conclusion, the long-term benefits associated with having an additional bridge crossing will reduce the vulnerability of the Salem-Keizer region in the event of restricted access to and/or closure of the existing bridges and/or roadways because of a flooding emergency, consistent with Goal 7.

#### **6.2.7.2 Earthquake Hazards**

Seismic events were once thought to pose little or no threat to Oregon communities. However, recent earthquakes and scientific evidence indicate that the risk to people and property is much greater than previously thought. Oregon and the Pacific Northwest in general are susceptible to earthquakes from three sources: 1) shallow crustal events within the North American Plate; 2) deep intra-plate events within the subducting Juan de Fuca Plate; and 3) the off-shore Cascadian Subduction Zone (CSZ).

While all three types of earthquakes have the potential to cause major damage, subduction zone earthquakes pose the greatest danger. A major CSZ event could generate an earthquake with a magnitude of 9.0 or greater and result in devastating damage and substantial loss of life. Such earthquakes would cause great damage to the coastal area of Oregon and inland areas in western Oregon, including the City of Salem. It is estimated that shaking from a large CSZ earthquake could last up to five minutes.

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<sup>207</sup> Water Resources Technical Report Addendum, 2016.

The Department of Geology and Mineral Industries (DOGAMI), in partnership with other state and federal agencies, has mapped earthquake hazards in selected Oregon communities, including Salem. Through this partnership, DOGAMI has identified areas that will suffer more damage, relative to other areas, during an earthquake. Primary earthquake hazards include ground shaking amplification, liquefaction, and earthquake-induced landslides. Areas most susceptible to ground amplification and liquefaction have young, soft alluvial sediments, found in most of the Willamette Valley and along stream channels. The *City of Salem Natural Hazard Mitigation Plan* includes figures and other information from DOGAMI on earthquake hazards.

Policy 1E (Lifeline Routes) in the *Oregon Transportation Plan* states: “It is the policy of the State of Oregon to provide a secure lifeline network for streets, highways, and bridges to facilitate emergency services response and to support rapid economic recovery after a disaster.” ODOT has prepared several reports to implement Policy 1E.

At the state level, several documents have been prepared over the past ten years that focus on the vulnerabilities and functions the state highway system needs to serve after a major Cascadia Subduction Zone (CSZ) earthquake. Key documents include:

- Seismic Vulnerability of Oregon State Highway Bridges (2009)<sup>208</sup>
- Oregon Seismic Lifeline Routes Identification (2012)<sup>209</sup>
- The Oregon Resilience Plan (2013)<sup>210</sup>
- Oregon Highways Seismic Plus Report (2014)<sup>211</sup>

The Oregon *Seismic Lifeline Routes* project produced a study<sup>212</sup> which includes recommendations for designation of a Seismic Lifelines System. Further, it establishes a three-tiered system of seismic lifelines to help prioritize seismic retrofits on state-owned highways and bridges.

There are three main goals for the Oregon seismic lifeline routes:

- Support survivability immediately following the event
- Provide transportation facilities critical to life support for an interim period following the event
- Support statewide economic recovery

The three tiers were set from a statewide perspective to maximize rescue and economic recovery of the entire state, and not necessarily to ensure that local communities were connected to essential services or to the overall statewide network. That is an important

<sup>208</sup> [http://www.oregon.gov/ODOT/TD/TP\\_RES/docs/reports/2009/2009\\_seismic\\_vulnerability.pdf](http://www.oregon.gov/ODOT/TD/TP_RES/docs/reports/2009/2009_seismic_vulnerability.pdf)

<sup>209</sup> <http://www.oregon.gov/ODOT/TD/TP/Reports/Lifeline%20Selection%20Summary%20Report.pdf>

<sup>210</sup> [http://www.oregon.gov/OMD/OEM/osspace/docs/Oregon\\_Resilience\\_Plan\\_Final.pdf](http://www.oregon.gov/OMD/OEM/osspace/docs/Oregon_Resilience_Plan_Final.pdf)

<sup>211</sup> [http://www.oregon.gov/ODOT/HWY/BRIDGE/docs/2014\\_Seismic\\_Plus\\_Report.pdf](http://www.oregon.gov/ODOT/HWY/BRIDGE/docs/2014_Seismic_Plus_Report.pdf)

<sup>212</sup> CH2M Hill, *Seismic Lifelines Evaluation, Vulnerability Synthesis, and Identification Report*, (2012).

facet of seismic preparedness, but has not been addressed by ODOT for the statewide backbone network. The Marion and Center Street bridges are included in Tier 3 (the lowest priority).

The Oregon Legislature<sup>213</sup> directed the Oregon Seismic Safety Policy Advisory Commission (OSSPAC) “to lead and coordinate preparation of an *Oregon Resilience Plan* that reviews policy options, summarizes relevant reports and studies by state agencies, and makes recommendations on policy direction to protect lives and keep commerce flowing during and after a Cascadia earthquake and tsunami.” OSSPAC assembled eight task groups, including a task group on transportation. The *Oregon Resilience Plan* was presented to the Oregon Legislature (February 2013) to map a path of policy and investment priorities for the next fifty years. The plan and its recommendations build on the solid foundation laid over the past 25 years by some of Oregon’s top scientists, engineers, and policy-makers, including but not limited to ODOT’s earlier seismic reports referenced above.

### 6.2.7.3 Alternative 2A and the Preferred Alternative

As summarized in Section 3.18 of the DEIS, the project area is located in a seismically active region and could be subject to large earthquakes. Soils that underlie portions of the project area are anticipated to be susceptible to liquefaction during a seismic event. The areas subject to the highest liquefaction hazards are typically low-lying areas of sandy soils and shallow groundwater along the Willamette River (where bridge embankments and piers would be built).

Alternative 2A (adding 2 lanes to the Marion Street bridge and 1 lane to the Center Street bridge) would provide an “improved crossing” in terms of additional travel lanes and capacity across the Willamette River that would accommodate emergency response vehicles. However, Alternative 2A would not address key community goals embedded in local, regional, and statewide plan policies regarding the importance of connectivity and redundancy in the regional transportation system to reduce vulnerability in the event of a natural disaster such as a CSZ earthquake.

In addition, the cost of adding new lanes to the bridge under 2A, estimated at \$148 million<sup>214</sup> in the DEIS, did not include retrofitting the existing bridges to withstand a CSZ quake of the magnitude predicted for the region.

In an August 7, 2014 presentation to the MWACT, State Bridge Engineer Bruce Johnson noted that preliminary estimates of retrofitting and structural fixes for the Marion Street Bridge total approximately \$67 million and retrofitting and structural fixes for the Center Street Bridge total approximately \$64 million, for a combined \$131 million. Clearly, this level of seismic retrofit was not assumed in the project cost estimate of \$148 million for Alternative 2A.<sup>215</sup>

As summarized in the 2009 report on the seismic vulnerability of state highway bridges, older bridges such as the Marion and Center Street bridges were designed for much lower

<sup>213</sup> House Resolution 3, adopted in April 2011.

<sup>214</sup> *DEIS Executive Summary*, Table ES-1. Costs estimated in 2015 dollars.

<sup>215</sup> Mid-Willamette Valley Area Commission on Transportation (MWACT) Meeting Agenda Packet, October 2, 2014. (Includes summary of August 7, 2014 meeting and presentations.)

earthquake forces, and their foundations generally lack capacity to resist the expected horizontal loads. Retrofit of older foundations usually requires increasing the size of footings. Where foundations are supported by piling, more piles must be placed. Since there is often limited room to work under existing bridges, foundation retrofit is both difficult and very costly.<sup>216</sup>

The design philosophy for earthquake retrofit is similar to that of a new bridge. Where reasonable, retrofits are designed such that the bridge will be serviceable for a moderate earthquake and provide collapse prevention (life-safety) in a large earthquake. However, it is not always possible to retrofit a bridge to the desired level without complete replacement. Even under the best circumstances, a new bridge designed and built according to today's seismic standards would perform better than a retrofitted bridge.<sup>217</sup>

ODOT, with support from the City of Salem, submitted a request for SKATS funds for Fiscal Year 2017 to complete a Seismic Retrofit Study for the Center Street Bridge. The request for \$180,000 in federal funds (with a local \$20,000 match to be split by ODOT and the City of Salem) included the following project description:

*"The Marion and Center Street bridges are the only crossings of the Willamette River in the Salem area. The Marion Street bridge was constructed in 1953, has had only limited updates and regular maintenance, and is in poor condition. The Center Street bridge was replaced in 1985 and is in relatively good condition. In the event of a major seismic event, it is anticipated that both bridges would be significantly damaged and impassable. Because of its age and condition, it is felt seismic retrofit would not be a cost effective solution for the Marion Street bridge. Seismic retrofit would, however, be appropriate for the Center Street bridge. The purpose of this project is the completion of a seismic retrofit study of the Center Street bridge. The result of this study would be a plan to complete improvements to the bridge such that it could "survive" a major seismic event and continue to provide a functioning crossing of the Willamette River."*

All other Build Alternatives, including the Preferred Alternative, would be designed to meet at least the national bridge design standards established by AASHTO. In 2004, ODOT adopted a higher level of design ground motion (1000-yr return event) for use in combination with the no-collapse (life safety) criteria and also began designing and mitigating for the effects of liquefaction on bridge performance. Bridges designed since 2004 are based on ground motions, structural analysis, design detailing and liquefaction effects that are consistent with the most recent design standards.

In conclusion, the Preferred Alternative would include construction of a new bridge built to current standards that take a magnitude 9.0 CSZ and liquefaction into account and would be consistent with the purpose of Goal 7 to protect people and property from natural hazards. On a long-term basis, having a new bridge across the Willamette River would improve connectivity and reduce local vulnerability to a major seismic event relative to the No Build and Alternative 2A. However, this would not replace the need for continued local and regional support and advocacy for seismic improvements to the existing bridges, particularly in light of the designation of the segment of OR 22 that includes the existing

<sup>216</sup> Seismic Vulnerability of Oregon Statewide Bridges (2009), page 23.

<sup>217</sup> Seismic Vulnerability of Oregon Statewide Bridges (2009), page 23.

bridges as a Tier 3 (lower priority) seismic lifeline route by ODOT. As noted above, the City of Salem has partnered with ODOT in submitting a request to SKATS for federal funding to complete a seismic retrofit study for the Center Street bridge in 2017. In addition, as part of the package of Draft Amendments to the Salem TSP supporting the Preferred Alternative, the following new text is proposed:

*While there is a need for a new bridge across the Willamette River, the Marion and Center Street bridges will continue to be a critical part of the local, regional, and state transportation system. The City will continue to advocate for ODOT to maintain these bridges in a state of good repair. The City fully supports cost-effective efforts to undertake seismic upgrades of these existing facilities to protect life safety and to minimize disruption in the event of an earthquake.*

### **6.2.8 Goal 8 (Recreational Needs)**

*To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

#### **Findings – Goal 8:**

The Preferred Alternative will further Goal 8's objectives by providing additional transportation system connectivity and capacity and improving access from the Salem-Keizer urban area to recreational destinations such as the Oregon Coast, Polk and Yamhill County wineries, the Spirit Mountain Casino, and the Cascade mountains. The new bridge will also provide a more direct connection between neighborhoods in Keizer and the north Salem area and Wallace Marine Park, a regionally significant park and recreational area on the west side of the Willamette River.

Section 3.6 of the DEIS addresses parks and recreation resources. The recreational resources within the project vicinity include public parks, major waterways, multi-use trails, and recreational and athletic facilities. The Oregon Parks and Recreation Department (OPRD) owns one natural resource area (McLane Island).

Section 4(f) of the Department of Transportation Act of 1966 declares that "it is the policy of the United States government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." Section 4(f) further requires consultation with the U.S. Department of the Interior in developing transportation projects and programs that use parks and recreation sites protected by Section 4(f).

Section 6(f) of the Land and Water Conservation Fund (LWCF) Act applies to property acquired or developed with LWCF assistance. Any property so acquired and/or developed shall not be wholly or partly converted to a use other than public outdoor recreation uses without the approval of the National Park Service (NPS). Section 6(f) directs the NPS to assure that replacement lands of equal value, location, and usefulness are provided as conditions to approval of land conversions.

Twelve parks, natural resource areas, and recreational facilities are located within or adjacent to the SRC project study area.<sup>218</sup> Some of these parks – in particular Wallace Marine Park – are of regional significance and have approved master plans for future improvements and have received funding under the LWCF Act.

Portions of the Willamette River within the study area are designated as the Willamette River Water Trail which has been identified as a 4(f) resource. The Water Trail provides access to recreational activities such as fishing and boating occur in and on the Willamette River throughout the year, especially in the summer. A segment of the Willamette River Water Trail extends through the study area and there are informal rest points such as McLane Island (where primitive camping is allowed) and Keizer Rapids Park. McLane Island is not an official public recreation site and FHWA has determined that the island is not a Section 4(f) resource.<sup>219</sup>

The Preferred Alternative would incorporate approximately 1.4 acres of land from Wallace Marine Park for placement of bridge footings in the northern area of the park and the ramps from Marine Drive to OR 22. The northerly affected area of Wallace Marine Park is undeveloped and contains predominantly non-native forest and other riparian vegetation. The Preferred Alternative would not negatively impact the primary active areas in the central and south portions of Wallace Marine Park (ball fields, a boat launch, canoe launch, and walking paths). The City of Salem considers the anticipated impacts of the Preferred Alternative to Wallace Marine Park *de minimis* because they do not “adversely affect the features, attributes or activities qualifying the property for protection under Section 4(f).” In total, there would be *de minimis* impacts to three 4(f) resources – Wallace Marine Park, Wallace Natural Area and the Willamette River Water Trail.

Prior to project construction, ODOT and the local park sponsor (City of Salem), would coordinate with the Oregon Park and Recreation Department and the National Park Service regarding potential conversion and replacement properties associated with the Preferred Alternative.

In conclusion, approval of the consolidated plan amendments is consistent with Goal 8 because permanent impacts on existing parks and recreational facilities have been avoided or minimized with the Preferred Alternative. In addition, bicycle and pedestrian facilities will be included in the design of the new bridge and the overall improvement in transportation system connectivity will enhance public access (by multiple modes) to park and recreational facilities and open space resources on both sides of the Willamette River. Accordingly, the proposed amendments comply with Goal 8.

### 6.2.9 Goal 9 (Economic Development)

*To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.*

<sup>218</sup> DEIS Section 3.6, Parks and Recreation, Wildlife or Waterfowl Refuges, Table 3.6-1.

<sup>219</sup> SRC Project DEIS, *4(f) Resources Technical Report*, October, 2016. The Willamette River was designated as a “national water trail” by the US Congress in 2012.

**Findings – Goal 9:**

The Preferred Alternative will have positive long-term impacts to economic development by improving mobility and accessibility generally, and freight movement in particular, throughout the Salem-Keizer urban area, thus resulting in reduced congestion and vehicle hours of delay on the regional transportation system when compared to the No Build Alternative.

LCDC has adopted an administrative rule (OAR Chapter 660, Division 9) to implement Goal 9. The purpose of the Goal 9 rule is to:

*\*\*\*provide an adequate land supply for economic development and employment growth in Oregon \*\*\* [and] to link planning for an adequate land supply to infrastructure planning, community involvement and coordination among local governments and the state.*

The City of Salem adopted an *Economic Opportunities Analysis* (EOA) for the 2015 to 2035 planning period in compliance with the Goal 9 rule.<sup>220</sup> The EOA examined Salem's employment land needs over the next 20 years and determined that Salem's portion of the UGB has a deficit of 271 acres of commercial land and a surplus of 907 acres of industrial land.<sup>221</sup> The EOA, along with Salem's Housing Needs Analysis (HNA) for the 2015-2035 planning period, validated that the existing UGB does not need to be expanded to meet Salem's 20-year land needs.

There are about 900 acres of high value industrial land in Salem, including land in the Mill Creek Corporate Center in the southeastern portion of the UGB. High value industrial land has unique characteristics – such as being flat and having direct access to I-5 or a state highway – that make it highly desirable for manufacturing and other traded-sector businesses. This industrial land base is unique in the Willamette Valley.

The EOA documents that Salem is the regional employment center within the mid-Willamette Valley. Businesses in Salem are able to attract workers living within Salem and from the larger mid-Willamette Valley and Portland metropolitan areas. Nearly two-thirds of the people who work in Salem commute into the City. Many more people commute to Salem from outside the city to work in Salem than leave Salem to work outside of the city.<sup>222</sup>

The EOA also notes that Salem is encouraging redevelopment of underutilized employment areas in a number of ways. Salem has seven urban renewal areas (URAs), each of which has an urban renewal plan to facilitate redevelopment including identifying financial tools and targeting public investments to attract private investment. Two of the seven urban renewal areas, Riverfront-Downtown URA and West Salem URA, are located in the bridgehead areas of the existing Marion and Center Street bridges. Background information in Section 2.1.5 (page 26) addressing these URAs is incorporated by this reference.

The Purpose and Need Statement for the DEIS documents that increased congestion across the river has negatively affected freight mobility for local, regional and through trips. Truck

<sup>220</sup> Salem EOA adopted on October 26, 2015 by Ordinance No. 20-15. The EOA is acknowledged.

<sup>221</sup> The "surplus" of industrial land means that not only does Salem have enough land to accommodate projected employment growth over the next 20 years but has the land to accommodate additional growth.

<sup>222</sup> Salem EOA, pages B-23 and B-24.

mobility and circulation across the bridges are critical to the local, regional and state economy. The existing bridges are designated as Freight Routes in the *Oregon Highway Plan* and as Regional Freight Roadways in the *RTSP* and the *Salem TSP*. These designations recognize the importance of the bridges' role as an access and circulation route for the delivery of goods and services into, out of, and within the Salem-Keizer metropolitan area.

High traffic levels on the existing bridges and in the bridgehead areas are resulting in increasing levels of delay. The cost of freight movement is directly related to the time required to deliver goods: delays increase transportation costs, which, in turn, increase the costs of the goods being transported. Increasing congestion jeopardizes the efficiency of freight movement over the Willamette River bridges in Salem.

As emphasized in the findings in Chapter 3 (UGB Amendment), connectivity and redundancy in the transportation system are very important to distribute traffic to a broader geographic area. The existing bridges represent a "choke point" in the transportation system, increasing congestion in the bridgehead areas, and providing a barrier to improved multi-modal connectivity (including freight mobility) across the Willamette River.

As documented in Figure 4.2-1 of the *Right-of-Way Technical Report Addendum* (Universal Field Services, Inc., 2016), an estimated 55-65 businesses would be displaced with the Preferred Alternative. The impacted businesses are located on both sides of the Willamette River. To the extent feasible and practicable, the Preferred Alternative focuses improvements within existing public road rights-of-way such as OR 22 and Wallace Road to minimize business displacement impacts. Salem Council recognizes that in every instance where the Preferred Alternative displaces an existing business, that represents an adverse economic impact and has an effect on employment, incomes, services and taxes. Even though the adverse impacts associated with displacements may not be significant on a region-wide level, Salem Council is sympathetic to the significance of each business displacement at the individual business and neighborhood level.

It may be possible during final design of the Preferred Alternative to reduce some business displacements by taking only a portion of a property and/or structure and by modifying the remaining property and/or structure to allow continued occupancy. Where displacements are unavoidable, the project will provide compensation for real property and/or relocation benefits to property owners and tenants based on fair market value and a comprehensive relocation program.<sup>223</sup>

The Salem City Council advocated for the Preferred Alternative, in part, because it reduced business displacement impacts, particularly in the Edgewater District, relative to the initial alternative (4D) recommended by the Oversight Team. Approval of the consolidated plan amendments will authorize a new transportation connection across the river to serve land uses, including existing and planned employment areas, within the existing UGB. The plan amendments will also provide the opportunity to reduce congestion in the existing bridgehead areas and help support and reinforce new development and investment in the Riverfront-Downtown and West Salem urban renewal areas consistent with Goal 9.

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<sup>223</sup> SRC Project DEIS, Appendix A, *Right-of-Way/Summary of Relocation Benefits*.

### 6.2.10 Goal 10 (Housing)

*To provide for the housing needs of citizens of the state.*

#### **Findings – Goal 10:**

Goal 10 requires local governments to do their fair share to provide for the housing needs of people of all income levels. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet housing needs over a 20-year planning horizon. Goal 10 is implemented through the Housing Rule, OAR 660, Division 8.

Salem's *Housing Needs Analysis* (HNA)<sup>224</sup> focuses on planning for the housing needed to accommodate population growth between 2015 and 2035. Key findings about Salem's residential needs include:

- Salem has a surplus of land (within the existing UGB) for single-family housing and a deficit of land for multi-family housing. It needs land for about 2,900 multi-family dwelling units, which will require about 207 acres of land.
- Salem will need to address the deficit of multifamily land to comply with Goal 10.

The City is planning to meet the deficits of land for multi-family housing within the existing UGB. On February 8, 2016, City Council adopted Resolution No. 2016-05, accepting the Housing Needs Analysis and directing staff to implement the Salem Housing Needs Analysis Work Plan. Strategies that are being considered include: allowing a wider range of housing types (such as duplexes, triplexes, townhouses, accessory dwellings) in single-family zones, encouraging more mixed-use development, encouraging redevelopment of underutilized lands, and re-designating or re-zoning land to allow multifamily housing.

All of the Build Alternatives evaluated in the SRC project DEIS would displace residential units, with estimated displacement impacts ranging from 30 to 120 residential units. As documented in Figure 4.2-1 of the *Right-of-Way Technical Report Addendum* (Universal Field Services, Inc., 2016), an estimated 45-50 residential units would be displaced with the Preferred Alternative, primarily on the west side of the Willamette River. Approximately 16 of these units would be multi-family units which would be potentially impacted through widening and straightening of Wallace Road or Marine Drive. However, these projected displacements are based on conservative right-of-way assumptions that include enough land for a larger road than has been identified in the City's TSP road design standards for this area.

To the extent feasible and practicable, the SRC project follows and utilizes existing public road rights-of-way such as OR 22, Wallace Road Marine Drive to minimize displacement impacts. Salem Council recognizes that in every instance where the SRC project displaces an existing household, that represents an adverse social impact, and the Council is sympathetic to the significance of each residential displacement. It recognizes and acknowledges that relocations can cause significant anxiety and trauma to families, uprooting them from neighborhoods, schools and friends and imposing change on them.

<sup>224</sup> *Salem Housing Needs Analysis 2015 to 2035*, prepared by ECONorthwest, December 2014.

It may be possible during final design of the Preferred Alternative to reduce some residential displacements by taking only a portion of a property and/or structure and by modifying the remaining property and/or structure to allow continued occupancy. Refinements to the design of the road also can be implemented to minimize or avoid displacements to the greatest degree possible. Where displacements are unavoidable, the project will provide compensation for real property and/or relocation benefits to property owners and tenants based on fair market value and a comprehensive relocation program.<sup>225</sup>

The Salem City Council advocated for the Preferred Alternative, in part, because it reduced residential displacement impacts relative to the initial alternative (4D with 85-95 residential displacements) recommended by the Oversight Team. Based on the evidence in the recently completed Salem HNA, the Council concludes that the existing UGB includes sufficient buildable land to meet Salem's forecast housing needs over the 2015-2035 planning horizon. Much of the buildable residential land is located in west Salem, while much of the buildable employment land is located in east and south Salem. Approval of the consolidated plan amendments will improve transportation connectivity and capacity across the Willamette River and support development of lands designated for housing within the existing UGB. The City's commitment to pursue "efficiency measures" to accommodate the deficiency of needed multifamily units will address and incorporate the anticipated number of displacements associated with the Preferred Alternative. The City also has proposed to rezone residential land to allow for development of a larger share of multi-family units and already has taken steps in that direction. Comprehensive Plan amendments approved since adoption of the City's HNA have added three acres of land designated for multi-family housing to the City's inventory with the capacity for approximately 45-50 additional multi-family units.

In summary, based on the information described above, a combination of efficiency measures to increase the capacity for multi-family units, redesignation of land for multi-family housing, and road design refinements to minimize displacements can be used to significantly reduce and/or mitigate potential displacements resulting from this project. In conclusion, the consolidated plan amendments are consistent with Goal 10.

### **6.2.11 Goal 11 (Public Facilities and Services)**

*To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

#### **Findings – Goal 11:**

Goal 11 is intended to assure that urban development inside urban growth boundaries is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the urban areas to be served. Goal 11 is implemented through the Public Facilities Rule, OAR 660, Division 11.

The City of Salem has adopted public facilities plans describing the water, sewer, and storm water facilities needed to support the land uses designated in the Comprehensive Plan Map

<sup>225</sup> SRC Project DEIS, Appendix A, *Right-of-Way/Summary of Relocation Benefits*.

and lying within the Urban Growth Boundary: (1) Salem Area Wastewater Management Master Plan, (2) Stormwater Master Plan, and (3) Water System Master Plan.<sup>226</sup>

Construction of the Preferred Alternative will have an impact on the existing public facilities located within the footprint of construction. The effects expected from project construction are generally limited to temporary disruption for the short term and possibly an improvement in service for the long term since better technology will likely be used in relocation and replacements of utilities.

Public facilities and utilities are commonly located on bridge structures, particularly when they provide few crossing options over major waterways such as the Willamette River. Placing utilities on bridges can avoid and minimize the environmental impacts, costs and permitting required for placement of utilities in or under the river. Maintenance is also easier when utilities are located on bridges. This is evidenced by the number of different facilities/utilities that are located on the Marion and Center Street Bridges.

Staff with the Salem Public Works Department reviewed the impact that the Salem River Crossing Bridge may have on City of Salem sewer and water utilities. Excerpts from the review are highlighted below and the memo is included in the record.<sup>227</sup>

**Sewer:** The proposed SRC bridge is not likely to be used for sanitary sewer facilities due to the location of major existing facilities and the cost to construct new facilities (pump station, force main, gravity pipe, etc.) that would be necessary to use the bridge as a conduit between east and west Salem.

**Water:** The proposed SRC bridge is very likely to be used for water facilities. A pipeline is very likely to be hung on the bridge in order to improve the transmission capacity from east to west Salem. Evaluation of the pipeline size will be completed during design of the bridge project. It is anticipated that the City will use this opportunity to replace Transmission Line 2 (36-inch) which is currently located beneath the Willamette River with a new 36-inch line on the bridge.

The Salem City Council finds that approval of the plan amendments to authorize the new bridge crossing would benefit public facility/service providers by providing a new opportunity to extend public facilities across the river, enhance system connectivity and redundancy and better serve existing and planned urban development within the UGB on both sides of the Willamette River, consistent with Goal 11.

## 6.2.12 Goal 12 (Transportation)

*To provide and encourage a safe, convenient, and economic transportation system.*

### **Findings – Goal 12:**

Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR 660, Division 12. Compliance with the relevant TPR criteria is addressed in Chapter 3 (UGB Amendment) and Chapter 4 (TSP Amendments) and those findings are incorporated by this

<sup>226</sup> Salem Revised Code, Chapter 64.

<sup>227</sup> Letter from Keith Garlinghouse, Salem Utilities Engineer, to Julie Warncke, Transportation Manager, June 7, 2016.

reference. For the reasons stated therein, the consolidated plan amendments, particularly the UGB amendment and the TSP amendments, comply with Goal 12 and the TPR.

### 6.2.13 Goal 13 (Energy Conservation)

*To conserve energy.*

#### **Findings – Energy Conservation:**

Goal 13 directs cities and counties to manage and control land uses to maximize the conservation of all forms of energy, based on sound economic principles. LCDC has not adopted an administrative rule to implement Goal 13.

Highways are not generally synonymous with the notion of energy conservation. However, Goal 13 does not prohibit new highways or improvements to existing highways. Indeed, such an interpretation would conflict with the provisions in Goal 12 and the TPR authorizing highway facilities and improvements as part of an overall connected and multimodal transportation system plan.

Section 3.17 of the DEIS analyzes the energy required to construct and operate each of the Build alternatives and reviews energy consumption from the No Build Alternative. Currently, no federal laws regulate greenhouse gas (GHG) emissions in project-level NEPA documents. However, recognizing this as a growing issue, FHWA is working nationally with other agencies and organizations to develop strategies for reducing the transportation sector's contribution to GHG (particularly carbon dioxide emissions) and to assess the risks to transportation systems and services from climate change. Climate smart policies in Oregon are frequently built from the land use and transportation plans and visions already adopted by cities and counties to comply with the Statewide Planning Goals.

The DEIS notes that large traffic volumes, inefficient driving habits, and other traffic issues continue to increase in Oregon that, in turn, increases vehicle energy consumption. The Salem corridor, from the Salem Parkway to OR 22, is heavily used and frequently congested. Excessive idling and stop-and-go traffic conditions can substantially reduce fuel economy compared to free-flowing traffic. The energy analysis in the DEIS concluded that the No Build Alternative would use more energy than any of the Build alternatives in 2031. This is primarily because, compared to the Build alternatives, the No Build Alternative would have increased vehicle volumes, lower travel speeds, and longer travel distances in the study area.

The SRC project is intended to improve local, regional and statewide mobility through the Salem-Keizer area. The project will relieve the substantial traffic congestion that already exists on the existing Marion and Center Street bridges and bridgehead areas that will deteriorate further in the absence of the SRC project improvements. Providing safe and convenient travel through an area and facilitating the efficient movement of people, goods, and services in that area serves the growth needs and objectives of the region and the state and follows sound economic principles. Facilitating the smooth flow of traffic at acceptable levels of service also helps conserve fuel by avoiding the wasteful burning of fuel at intersections already above capacity or expected to exceed capacity during the planning period.

The proposed UGB amendment to accommodate the new bridge crossing is relatively unique from an energy perspective for two key reasons. First, the City has completed a Housing Needs Analysis and an Economic Opportunities Analysis and concluded that the existing UGB contains sufficient buildable land to meet Salem’s forecast population and employment growth during the 2015 to 2035 planning period. Second, the proposed new bridge is not building new transportation capacity at the fringe of the region – but instead will improve transportation connectivity and extend across a “notch” in the existing UGB to serve existing and planned land uses and forecast 20-year growth within the UGB.

As documented in the *Traffic and Transportation Technical Report Addendum* (CH2M HILL, 2016) this improved connectivity is expected to reduce annual Vehicle Hours of Delay (VHD) for the Preferred Alternative by 12% in the AM peak and 3% in the PM peak relative to the No Build Alternative, which is consistent with the objective of Goal 13 to conserve energy.

#### **6.2.14 Goal 14 (Urbanization)**

*To provide an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

##### **Findings – Goal 14:**

Every city in Oregon must establish an Urban Growth Boundary (UGB) to comply with the requirements of Goal 14. Pursuant to Goal 14, the cities of Salem and Keizer, in coordination with Polk County and Marion County, have established a regional UGB for the Salem-Keizer area. The UGB was acknowledged by LCDC more than 30 years ago.

Goal 14 is implemented through the UGB administrative rule, OAR 660, Division 24. The City of Salem initiated the plan amendment process to expand the UGB by about 35 acres to accommodate the following components of the Preferred Alternative that extend outside of the current UGB (see Figure 3):

- About 19 acres associated with the Marine Drive Extension (which is included in Salem’s acknowledged TSP); and
- Approximately 16 acres associated with the new bridge crossing west of the river.

Compliance with the relevant criteria for UGB amendment is addressed in Chapter 3 of this report and those findings are incorporated by this reference. For the reasons stated therein, the proposed UGB amendment complies with the legal standards in Goal 14 and OAR 660, Division 24.

#### **6.2.15 Goal 15 (Willamette River Greenway)**

*To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

##### **Findings – Goal 15:**

The Preferred Alternative and all of the Build alternatives evaluated in the SRC project DEIS would impact water and lands inside Salem’s Willamette River Greenway boundary. All Build alternatives would require an exception to the Willamette River Greenway goal

because roads and highways are not generally considered water-dependent or water-related uses. The City of Salem initiated the plan amendment in the form of a Greenway goal exception to authorize the placement of piers/fill associated with the portions of the new bridge crossing and Marine Drive ramps and connection to OR 22 within the Greenway Overlay. The criteria for a Greenway goal exception in an urban area are set forth in OAR 660, Division 4. Compliance with the relevant criteria for a Greenway goal exception is addressed in Chapter 5 of this report and those findings are incorporated by this reference. For the reasons stated therein, the Greenway goal exception for the Preferred Alternative complies with the criteria for a “reasons” exception to Goal 15.

## 7 Findings in Support of Plan Amendments Package: Local Policies and Regulations

This chapter considers and makes findings addressing procedures and criteria applicable to the consolidate plan amendments.

- Salem Revised Code Chapter 64 – Procedures and Criteria for Major Comprehensive Plan Amendments (applicable to UGB Amendment, Salem TSP Amendments and Greenway Goal Exception)
- Salem Area Comprehensive Plan – Section III Regional Procedures and Policies (applicable to UGB Amendment)
- Polk County Development Code Chapter 115 – Procedures and Criteria for Legislative Plan Amendments (applicable to UGB Amendment and Polk County TSP Amendments)

In addition, relevant local policies are addressed in other chapters of this Findings Report. Chapter 3 (Section 3.2, page 141) addresses compliance with City of Salem and Polk County plan amendment policies relevant to the proposed UGB Amendment. Chapter 4 (Section 4.2, page 162) includes findings of compliance with key relevant policies in the Salem TSP and the Polk County TSP. Chapter 5 includes findings of compliance with Salem Area Comprehensive Plan policies for the Willamette River Greenway (see Section 5.2.1, page 220).

### 7.1 Local & Regional Plan Amendment Procedures

#### 7.1.1 Salem Revised Code

##### **SRC 64.020. Comprehensive Plan Amendments.**

*(a) Applicability. Amendments to the Comprehensive Plan, other than an amendment to a Plan Map, as that term is defined in SRC 64.025, shall be adopted as provided in this section. The two types of Comprehensive Plan Amendments are Major and Minor. (Ord No. 6-13)*

*(b) Major Comprehensive Plan Amendment. A Major Comprehensive Plan Amendment is any amendment to the Comprehensive Plan that involves the creation, revision, or implementation of broad public policy generally affecting more than one property owner or affecting a large number of individual properties. (Ord No. 6-13)*

*(d) Procedure Type. Major and Minor Comprehensive Plan Amendments are legislative land use decisions, and are processed according to the Legislative Procedures under SRC Chapter 300.*

*(e) Standing to Initiate Comprehensive Plan Amendments.*

*(1) Notwithstanding SRC 300.1110, a Major Comprehensive Plan Amendment may only be initiated by the City Council.*

*(2) Notwithstanding SRC 300.1110, a Minor Comprehensive Plan Amendment may only be initiated by the City Council, the Planning Commission, or staff.*

*(f) Criteria.*

*(1) A Major Comprehensive Plan Amendment may be made if:*

*(A) The amendment is in the best interest of the public health, safety, and welfare of the City.*

*(B) The amendment conforms to the applicable Statewide Planning Goals and applicable administrative rules adopted by the Department of Land Conservation and Development.*

**Findings – SRC 64.020:**

The consolidated package of plan amendments for the Preferred Alternative, including the UGB Amendment, Amendments to the Salem TSP, and Greenway Goal Exception, are all defined as Major Comprehensive Plan Amendments under SRC 64.020(b). The consolidated amendments involve the creation, revision, or implementation of broad public policy and affect a large number of individual properties.

The Major Comprehensive Plan Amendments are classified as legislative land use decisions under 64.020(d) and will be processed according to the Legislative Procedures under SRC Chapter 300.

As required by SRC 64.020(e)(1), the consolidated plan amendments were initiated by Salem City Council on August 8, 2016 by Resolution 2016-35.

The Findings Report for the Consolidated Plan Amendments address a broad range of criteria and document that the amendments are in the best interest of the public health, safety, and welfare of the City. In particular, the findings in the following sections of the Findings Report are incorporated by this reference to address Criteria 1(A):

- UGB Amendment – see Section 3.1.3
- Salem TSP Amendments – see Section 4.2.2
- Greenway Goal Exception – see findings addressing public benefit (page 200)

The Consolidated Plan Amendments conform to the applicable Planning Goals and applicable administrative rules adopted by DLCD. In particular, the findings in the following sections of the Findings Report are incorporated by this reference to address Criteria 1(B):

- UGB Amendment – see Chapter 3 for findings addressing Goal 14 and OAR 660-24 and Goal 12 and relevant portions of OAR 660-12
- Salem and Polk County TSP Amendments – see Chapter 4 for findings addressing Goal 12 and other relevant portions of OAR 660-012

- Other Statewide Planning Goals – see findings in Chapter 6

In summary, the Consolidated Plan Amendments for the Preferred Alternative comply with the standards and requirements for a Major Comprehensive Plan Amendment as set forth in SRC 64.020.

#### **SRC 64.025. Plan Map Amendments.**

*(a) Applicability. Amendments to a Plan Map shall be adopted as provided in this section. The two types of Plan Map amendments are major and minor. As used in this section, "plan map" means the Urban Growth Boundary, the Comprehensive Plan Map, or a general land use map in a Neighborhood Plan.*

*(1) A Major Plan Map Amendment is:*

*(A) Any amendment to the Urban Growth Boundary; or*

*(B) An amendment to either the Comprehensive Plan Map or a general land use map in a Neighborhood Plan, where the amendment involves the creation, revision, or implementation of broad public policy generally affecting more than one property owner or a large number of individual properties.*

*(1) Notwithstanding SRC 300.1110, a Major Plan Map Amendment may only be initiated by the City Council.*

*(c) Procedure Type.*

*(1) Major Plan Map Amendments are legislative decisions, and are processed according to the Legislative Procedures under SRC Chapter 300.*

*(A) A Major or Minor Plan Map Amendment may be initiated by the City Council by the adoption of a resolution, identifying the property that is the subject of the amendment, and setting forth the public purpose for the amendment.*

#### **Findings – SRC 64.025:**

The proposed plan map amendments include an amendment to the Urban Growth Boundary; therefore, they are considered a Major Plan Map Amendment. The City Council passed a resolution to initiate the Major Plan Map Amendment (Resolution No. 2016-35) on August 8. The resolution identifies the property that is the subject of the amendment and sets forth the public purpose for the amendment, including accommodating the Salem River Crossing Preferred Alternative (a regional transportation facility), addressing compliance with statewide planning goals, and achieving compatibility with local comprehensive plans.

### **7.1.2 Salem Area Comprehensive Plan**

#### **7.1.2.1 Salem/Keizer Urban Area (Regional) Procedures and Policies (SACP, Section III)**

##### **B. JURISDICTION**

*(1) Salem's Jurisdiction: Salem has exclusive jurisdiction over all land use actions applicable within its city limits other than regional planning actions and amendments to urban area policies.*

*(2) Keizer's Jurisdiction: Keizer has exclusive jurisdiction over all land use actions applicable within its city limits other than regional planning actions and amendments to urban area policies.*

*(3) Polk County's Jurisdiction: Polk County has exclusive jurisdiction over all land use actions applicable within that portion of the Salem Urban Area that is outside the Salem city limits and inside Polk County other than regional planning actions and amendments to urban area policies.*

*(4) Marion County's Jurisdiction: Marion County has exclusive jurisdiction over all land use actions applicable within that portion of the Salem Urban Area and Keizer Urban Area that are outside the Salem city limits and outside the Keizer city limits other than regional planning actions and amendments to urban area policies.*

### **Findings – Jurisdiction:**

Salem has exclusive jurisdiction over all land use actions applicable within its city limits other than regional planning actions. For the SRC Preferred Alternative, Salem has exclusive jurisdiction over the Greenway Goal Exception. In addition, Salem has primary jurisdiction over the proposed Salem plan map amendments for land added to the UGB and proposed amendments to the Salem TSP. Salem is initiating the UGB amendment. The UGB decision requires concurrence by Salem, Keizer, Polk County and Marion County.

The Preferred Alternative does not have direct impacts on lands within Keizer's city limits. The UGB Amendment is a regional decision that requires concurrence from the City of Keizer.

Polk County has primary jurisdiction over the proposed Polk County plan map amendments for land added to the UGB and proposed amendments to the Polk County TSP. The UGB amendment is a regional decision that requires concurrence from Polk County.

The Preferred Alternative does not have direct impacts on unincorporated lands within Marion County. The UGB Amendment is a regional decision that requires concurrence from Marion County.

### **C. PROCEDURES FOR AMENDMENT**

*(a) Regional planning actions may be initiated by any one of the four jurisdictions (Cities of Salem and Keizer and Counties of Marion and Polk), but must be concurred in by all of the other jurisdictions as set forth below before they are considered effective amendments to the Plan.*

*(b) The proposing jurisdiction shall notify all of the other jurisdictions of the proposed regional planning action by sending to them a true copy of the 45- day notice sent to the Department of Land Conservation and Development (DLCD). That copy shall be sent to the other jurisdictions not less than 45 days prior to the date set for final hearing in the matter. If the final hearing is rescheduled, the other jurisdictions shall be notified of the new hearing date.*

*(c) All jurisdictions that concur with the regional planning action shall, at least 15 days prior to the final hearing as cited in the DLCD notice, indicate to the proposing jurisdiction their concurrence. Those jurisdictions that concur shall adopt*

*ordinances indicating their concurrence and transmit those ordinances to the proposing jurisdiction.*

*(d) Where "c" does not apply, jurisdictions shall at least 15 days prior to the final hearing as cited in the DLCD notice, indicate to the proposing jurisdiction their lack of concurrence, the conditions necessary for concurrence, or the need for a specific amount of additional time to consider the matter before responding. Those jurisdictions indicating non-concurrence shall provide their reasons, findings, and conclusions in writing to the proposing jurisdiction.*

*(e) When the proposing jurisdiction has received concurring ordinances which are identical with regard to the text of the regional planning action adopted from each of the other jurisdictions, it may take final action to adopt its own ordinance and the effective date of that final ordinance shall be the effective date of the amendment to this plan. The proposing jurisdiction shall send copies of the final ordinance to all of the other jurisdictions.*

*(f) If jurisdictions disagree as to regional planning actions or if there is a need for clarification of regional policies, the issue may be resolved through the Salem Keizer Area Plan Advisory Committee process.*

### **Findings – SACP Procedures for Regional Planning Actions:**

The City of Salem has initiated the regional planning action to add about 35 acres to the Salem-Keizer UGB to accommodate the components of the Preferred Alternative that extend outside of the current UGB.

The four jurisdictions have very limited experience applying the procedures for regional planning actions for UGB amendments. Since the UGB was acknowledged in 1982, the UGB has only been amended only two times – once to remove about 5 acres at the request of a property owner and the second time to add about 55 acres for a park at the request of the City of Keizer. The SACP includes the most detailed description of the regional procedures. The Keizer Comprehensive Plan also describes the procedures and approval criteria for an amendment to the UGB. The Polk County Comprehensive Plan includes no reference to the regional procedures for amending the UGB, and only Polk County and the City of Salem are parties to the Urban Growth Management Agreement. Similarly, the Marion County Comprehensive Plan includes no reference to the regional procedures for amending the Salem-Keizer UGB. Similar to Polk County, Marion County has entered into Urban Growth Management Agreements with cities in its jurisdiction, including the City of Keizer.

In the absence of clearly defined procedures in all four plans, the City of Salem has focused on the regional procedures included in the SACP and Keizer Comprehensive Plan and highlighted above.

- Salem's City Manager sent letters to the Keizer City Manager, the Administrative Officer of Polk County and the Chief Administrative Officer of Marion County on July 19, 2016 indicating that Salem was initiating an amendment to the Regional UGB and requesting participation in the process for concurrence.
- Salem Council passed Resolution No. 2016-35 on August 8, 2016 and "initiated" the consolidated plan amendments as allowed by provision 1.a above.

- The Polk County Commission, Marion County Commission and City of Keizer also passed resolutions on August 10, August 10, and September 6, respectively to participate in the concurrent process for the Regional UGB amendment initiated by Salem.
- Salem and Polk County submitted a joint PAPA notice to DLCD on September 7, 2016 for the consolidated plan amendments package (UGB Amendment, Greenway Goal Exception, and amendments to Salem TSP and Polk County TSP). The notice also listed the City of Keizer and Marion County as jurisdictions required to concur in the UGB decision.
- The Salem City Council will conduct a first reading of its adoption ordinance on October 10. It will be accompanied by a staff report and accompanying findings will not be made available until one week before the October 12 joint hearing (see below).
- October 12, 2016 was listed as the first evidentiary hearing date in the PAPA notice. The first evidentiary hearing will include decision-makers from all four jurisdictions to make it more efficient for the public to present testimony and for all decision-makers to hear and consider that testimony at one time. This approach could also potentially expedite the deliberation and adoption schedule. The final hearing date has not been scheduled and was not included in the PAPA notice. However, the final hearing will be held no earlier than 45 days from the initial notice on September 7, 2016, consistent with provision 1.b above and is tentatively expected to occur in mid-December.
- Additional, individual hearings will be conducted by Polk County, Marion County and the City of Keizer to allow their decision-making bodies to deliberate on their respective ordinances and/or UGB or Plan amendments. These hearings are expected to take place in October and November. Hearing dates will be announced at the October 12 hearing.
- The City of Salem will publish a notice of the hearing in the Salem Statesman Journal that serves as the official published public notice for the cities of Salem and Keizer, as well as Marion County. Polk County will publish its own notice in the Polk County Itemizer-Observer. All four jurisdictions will mail notice to interested parties as required by their Development Codes.
- A staff report prepared by the City of Salem will be available at least 7 days prior to the initial evidentiary hearing for the consolidated plan amendments, and will include draft findings. Staff reports or brief explanatory memos also will be prepared by and available from the other three jurisdictions at least one week in advance of the October 12 hearing.
- The draft findings will be supplemented as needed to address and respond to public testimony submitted at the public hearing(s).
- Salem will circulate the Draft Ordinance and supplemental findings to the jurisdictions that must concur in the UGB amendment decision.

- Following coordination with a concurrence from the other jurisdictions, Salem will take the final action in adopting the Ordinance and findings to support the UGB Amendment (the regional decision) and the related plan amendments (Greenway Goal Exception and Salem TSP Amendments) within Salem's jurisdiction.
- Polk County will adopt the Ordinance and take the final action in support of the Polk County TSP Amendments.

## **G. URBAN GROWTH BOUNDARY**

*(1) The cities of Salem and Keizer and Counties of Marion and Polk have adopted by legal description the Salem/Keizer urban growth boundary for the Salem and Keizer urban areas and shall review the Salem/Keizer urban growth boundary on a periodic basis or upon the request of one of the jurisdictions to identify if changes are necessary.*

*(2) All parties shall work toward the development of the most efficient and economical method for providing specific urban services to the area within the Salem/Keizer urban growth boundary.*

*(3) Changes to the Salem/Keizer urban growth boundary must be adopted concurrently by all four affected jurisdictions and shall be based upon consideration of the following factors:*

*(a) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.*

*(b) Need for housing, employment opportunities and livability.*

*(c) Orderly and economic provision for public facilities and services.*

*(d) Maximum efficiency of land uses within and on the fringe of the existing urban area.*

*(e) Environmental, energy, economic and social consequences.*

*(f) Retention of agricultural land, as defined, with Class I being the highest priority for retention and Class VI the lowest priority.*

*(g) Compatibility of the proposed urban uses with nearby agricultural activities; and*

*(h) Projections of land needs and supply of buildable land within the entire Salem and Keizer urban areas.*

### **Findings – SACP Regional Policies for UGB:**

Goal 14 and the Goal 14 administrative rule (OAR 660, Division 24) have been amended several times since the provisions above in the SACP were adopted and acknowledged. The findings in Chapter 3 (UGB Amendment) address the current versions of the Goal 14 rule, statutes and administrative rules.

The City of Salem initiated the proposed expansion of the Salem/Keizer UGB to include about 35 acres needed to accommodate portions of the SRC Preferred Alternative that

extend outside of the current UGB. The City has prepared a legal description and figures to identify the areas proposed to be added to the UGB.<sup>228</sup> Provision 1 has been met.

The proposed UGB expansion is based on a transportation need, and no land is being added to the UGB for housing, commercial, industrial or other urban uses. Salem has concluded that the Salem portion of the Regional UGB includes sufficient land to meet urban land needs over the 2015-2035 planning horizon. Adopted public facility plans are already in place to provide orderly and efficient urban services to lands within the current UGB. Adding 35 acres to the UGB to accommodate the SRC Preferred Alternative will improve transportation connectivity and redundancy and support efficient development of lands within the current UGB based on acknowledged comprehensive plan designations. Provision 2 is met.

Changes to the UGB will be coordinated with, considered and adopted by all four jurisdictions. Provision 3 will be met by following the regional procedures for a UGB amendment articulated in the SACP.

Seven of the factors to be considered for a UGB amendment (set out in 3 a-g above) are included in the findings in Chapter 3 that address the current versions of Goal 14 and related statutes and rules. Current versions of Goal 14 and the rule have moved away from the vague term “livability” used in factor b, and instead more specifically articulate uses that may be the basis for land need – including but not limited to schools, parks, public facilities, and roads and streets. There have not been substantial changes in the remaining factors of Goal 14 (set out in 3 c-g above). Therefore, the findings for the consolidated plan amendments, particularly the findings in Chapters 3, demonstrate compliance with the factors that must be considered for a UGB amendment under the provisions of SACP 3 a-g above.

The provision in factor 3h is unique to the Salem-Keizer UGB and is not included in Goal 14, ORS or OAR 660, Division 24. Essentially, this factor requires that if either Salem or Keizer initiates a plan amendment for a specific land need, they must consider land needs and the supply of buildable land within the entire Salem and Keizer urban area. The proposed UGB amendment is based on a transportation need, and no land will be included to meet needs for housing, employment or other urban uses. As noted earlier, the proposed UGB amendment will authorize the components of the SRC Preferred Alternative that will connect and support development of land within the current UGB to the west and east of the River. Therefore, the provision in SACP 3h is not applicable to the proposed UGB amendment.

### 7.1.3 Polk County Development Code

#### 7.1.3.1 CHAPTER 115 COMPREHENSIVE PLAN AMENDMENTS

##### **115.040. PROCEDURES FOR LEGISLATIVE PLAN AMENDMENTS.**

*(A) Legislative amendments may be initiated by the Board of Commissioners or Planning Commission. An interested party may request that the Planning Commission or Board initiate a legislative amendment. Legislative amendments*

<sup>228</sup> OTAK, Proposed Salem UGB Expansion, 4 Sheets and Parcel Details, July 26, 2016.

*shall only be initiated by the Board or Planning Commission after findings are made that the proposed change is in the public interest and will be of general public benefit. In the case of a legislative amendment to an adopted urban growth boundary, the amendment may be initiated by Polk County or by the affected city as specified in any applicable comprehensive plan or intergovernmental agreement pertaining to the urban growth boundary and urbanizable land.*

*(B) After a legislative amendment has been initiated, the Planning Commission shall hold a public hearing as prescribed in Chapter 111 on the complete petition for plan amendment. After concluding this hearing, the Planning Commission shall submit a recommendation to the Board of Commissioners.*

*(C) The Board of Commissioners shall hold a public hearing on the proposed plan amendment as provided in Chapter 111. Final decision by the Board of Commissioners shall not be effective until 21 days after mailing of the decision. Filing of an appeal to the Land Use Board of Appeals stays all proceedings by all parties in connection with the matter appealed until the appeal has been resolved. Any plan amendment or reclassification of property shall be by ordinance which shall be passed by the Board of Commissioners. Any denial of a proposed plan amendment shall be by order.*

**Findings – Chapter 115 Procedures:**

The Polk County Board of Commissioners initiated the legislative amendment for the SRC Preferred Alternative on August 10. The majority of the Preferred Alternative is within the current UGB and Salem city limits, and Salem took the lead in initiating the amendment on August 8, 2016 as authorized by 115.040(A).

As noted earlier, the procedures in the Polk County Code do not specifically address the unique regional procedures for amending the Salem-Keizer UGB. The Planning Commission will participate in the regional hearing that will include Salem City Council, Keizer City Council, Polk County Board of Commissioners and Marion County Board of Commissioners. Using a consolidated hearing format will provide the opportunity for all parties to present public testimony that can then be considered by all decision-makers at the same forum. It is expected that this approach will prove more efficient for all participants, and will streamline the overall process and schedule. The Polk County Planning Commission will have the opportunity to provide a recommendation to the Polk County Board of Commissioners as part of this process.

As noted earlier, it is expected that the City of Salem will take the last action in adopting the consolidated plan amendments and findings in support of the SRC Preferred Alternative and the final decision will not be effecting until 21 days after Salem's mailing of the decision.

However, because many of the plan amendments are interrelated, each jurisdiction may need to adopt separate ordinances, and amendments to the Polk County TSP are under Polk County jurisdiction. If separate appeals of different adoption ordinances are filed, they will likely be consolidated for a LUBA appeal.

**115.060. CRITERIA FOR LEGISLATIVE PLAN AMENDMENTS.**

*A legislative plan amendment may be approved provided that the request is based on substantive information providing a factual basis to support the change. In amending the Comprehensive Plan, Polk County shall demonstrate:*

*(A) Compliance with Oregon Revised Statutes, and the statewide planning goals and related administrative rules. If an exception to one or more of the goals is necessary, Polk County shall adopt findings which address the exception criteria in Oregon Administrative Rules, Chapter 660, Division 4;*

*(B) Conformance with the Comprehensive Plan goals, policies and intent, and any plan map amendment criteria in the plan;*

*(C) That the proposed change is in the public interest and will be of general public benefit; and*

*(D) Compliance with the provisions of any applicable intergovernmental agreement pertaining to urban growth boundaries and urbanizable land.*

**Findings – Chapter 115 Criteria:**

This Findings Report to support the consolidated plan amendments for the SRC Preferred Alternative is based on substantive information and an extensive factual base of information included in the record (including but not limited to the SRC Project DEIS and updated technical reports for the FEIS Preferred Alternative).

The Findings Report demonstrates compliance with Oregon Revised Statutes, the statewide planning goals and related administrative rules as required by 115.060(A). In particular:

- Chapter 3 (Urban Growth Boundary Amendment) provides findings to addresses Goal 14, OAR 660-24 (Urban Growth Boundaries), and relevant portions of Goal 12 and OAR 660-012 (the Transportation Planning Rule).
- Chapter 4 (TSP Amendments) provides findings to addresses other sections of Goal 12 and the TPR, and relevant goals and policies in local, regional and state transportation system plans.
- The City of Salem is taking an exception to Goal 15 (Willamette River Greenway) as part of the consolidated plan amendments. However, the portion of the Preferred Alternative within the Greenway is entirely within Salem's land use jurisdiction, and Polk County is not taking exceptions to any statewide goals.

The Findings Report demonstrates compliance with relevant goals, policies and intent statements in the Polk County Comprehensive Plan and Polk County TSP as required by 115.060(B). In particular:

- Findings to address relevant Polk County Comprehensive Plan goals and policies proposed UGB Amendment are provided in Section 3.2.2 (page 144).
- Findings to address relevant Polk County TSP goals and policies are provided in Section 4.2.3 (page 176).

The Findings Report demonstrates that approval of the consolidated plan amendments required for the SRC Preferred Alternative is in the public interest and will be of general public benefit as required by 115.060(C). In particular:

- Chapter 2 (Project Background) summarizes the project history, purpose and need and numerous transportation studies that have addressed the need for additional transportation capacity across the Willamette River. The NEPA process for the SRC Project also articulates the purpose and need for the project and Chapter 3 (Urban Growth Boundary) confirms this need in the context of Statewide Planning Goal 14.

The regional partners in the NEPA process for the SRC Project, including Polk County, have agreed in the selection of the Preferred Alternative. Proceeding with adoption of the package of consolidated plan amendments to authorize the components of the Preferred Alternative that are not already included in adopted TSPs is required as a key step that must be completed before the FEIS and a Record of Decision can be issued by the Federal Highway Administration.

The Findings Report demonstrates compliance with applicable provisions of the intergovernmental agreement between Polk County and the City of Salem as required by 115.060(D). In particular, this agreement recognizes that the City shall have the lead role in planning and implementation decisions relating to land added to the UGB. The agreement also lays out the coordination roles for land added to the UGB prior to annexation, and specifically references that County zoning (EFU in this case) is an appropriate zone to retain under the County's "Urban Reserve" plan designation prior to annexation.

## **7.1.4 Keizer Comprehensive Plan**

### **7.1.4.1 Salem/Keizer Urban Area (Regional) Procedures and Policies (Keizer Comprehensive Plan (KCP), Section IV)**

#### **B. JURISDICTION**

*(1) Salem's Jurisdiction: Salem has exclusive jurisdiction over all land use actions applicable within its city limits other than regional planning actions and amendments to urban area policies.*

*(2) Keizer's Jurisdiction: Keizer has exclusive jurisdiction over all land use actions applicable within its city limits other than regional planning actions and amendments to urban area policies.*

*(3) Polk County's Jurisdiction: Polk County has exclusive jurisdiction over all land use actions applicable within that portion of the Salem Urban Area that is outside the Salem city limits and inside Polk County other than regional planning actions and amendments to urban area policies.*

*(4) Marion County's Jurisdiction: Marion County has exclusive jurisdiction over all land use actions applicable within that portion of the Salem Urban Area and Keizer Urban Area that are outside the Salem city limits and outside the Keizer city limits other than regional planning actions and amendments to urban area policies.*

***Findings – Jurisdiction:***

As noted in section 7.1.2.1 (page 260) of these findings the Preferred Alternative does not have direct impacts on lands within Keizer’s city limits. The UGB Amendment is a regional decision that requires concurrence from the City of Keizer.

***C. PROCEDURES FOR AMENDMENT***

Procedures for amendment to the regional UGB are found in Chapter IV of the Keizer Comprehensive Plan (KCP) and are identical to those detailed in the SACP, as documented in section 7.1.2.1 (page 260) of these findings.

***Findings – Jurisdiction:***

The findings documented in section 7.1.2.1 (page 260) of this document detail actions to be undertaken by the City of Keizer, consistent with the procedural requirements identified in the KCP.

***G. URBAN GROWTH BOUNDARY***

Requirements and approval criteria for amendment to the regional UGB also are found in Chapter IV of the KCP and are identical to those detailed in the SACP, as documented in section 7.1.2.1 (page 260) of these findings.

***Findings – Jurisdiction:***

The findings documented in section 7.1.2.1 (page 260) of this document consistency with those approval criteria.

# Supplemental Findings Report

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## Salem River Crossing Preferred Alternative

ANGELO PLANNING GROUP

11/15/2016

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# 1 Overview of Plan Amendments Process

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## 1.1 Introduction

This report (Supplemental Findings) supplements the findings of fact and reasons set out in the Findings Report published on October 4, 2016 to respond to public testimony regarding proposed Land Use actions needed to implement the Salem River Crossing Project (SRC Project). These Supplemental Findings augment and reference the Findings Report, which is incorporated herein in its entirety by this reference. To the extent, if at all, the findings contained in these Supplemental Findings are inconsistent with the findings contained in the Findings Report, these Supplemental Findings will control.

The subject of this report is testimony submitted in regards to the plan amendments (UGB amendment, TSP amendments, and Greenway goal exception) needed to allow for the Preferred Alternative to be implemented from a state and local land use planning perspective. These amendments have a broader focus than the FEIS, and place consideration of the Preferred Alternative in the context of all alternatives evaluated in the DEIS. The findings of fact and conclusions in this document and in the earlier Findings Report draw from the DEIS and other evidence. However, because the Preferred Alternative represents a hybrid and refinement of alternatives evaluated in the DEIS, the technical reports developed for the Preferred Alternative/FEIS have been entered into the public hearing record to support the consolidated plan amendments.

Background information related to the SRC Project, including the environmental analysis process and results and the Plan Amendment process is found in Chapters 1 and 2 of the Findings Report and is not included here for brevity's sake.

The introduction to the Findings Report provides an overview of the proposed plan amendments and the plan amendment process.

## 1.2 Public Hearing and Testimony Process

Testimony related to the Plan amendment was submitted in advance of, during, and after a multi-jurisdictional public hearing conducted on October 12, 2016 at the Salem Center 50+ in Salem, Oregon. The following advisory and decision-making bodies took part in the hearing:

- City of Salem City Council
- City of Keizer Planning Commission
- City of Keizer City Council
- Marion County Board of Commissioners
- Polk County Planning Commission
- Polk County Board of Commissioners

The Findings Report was made available for public review in advance of the hearing. Written testimony was accepted until the afternoon of the hearing and at the hearing; verbal testimony was taken at the hearing. Forty-two (42) people submitted written testimony in advance of or at the hearing and approximately sixty (60) people testified during the hearing. During the course of the hearing, each jurisdictional body closed the hearing to further oral testimony but left the record open to additional written testimony for one week. An additional week was provided for rebuttal testimony to be submitted in response to testimony providing during the first week. Twenty one documents were submitted as written testimony during the open record period after the hearing. During the open record period, the local jurisdictions and their consultants entered 26 additional documents into the record as potential evidence in support of the proposed plan amendments. Some testimony is related directly or indirectly to approval criteria addressed in the Findings Report. Other testimony is related to issues or topics not directly related to the criteria. This Report addresses both types of testimony but focuses and provides greater detail related to issues associated with the relevant approval criteria.

## 1.3 Report Organization

This Supplemental Findings document is organized into the following chapters:

Chapter 1 – Overview of Plan Amendments Package

Chapter 2 – Supplemental Findings in Support of UGB Amendment

Chapter 3 – Supplemental Findings in Support of TSP Amendments (Salem and Polk County)

Chapter 4 – Supplemental Findings in Support of Greenway Goal Exception

Chapter 5 – Supplemental Findings addressing Statewide Planning Goals

Chapter 6 – Supplemental Findings addressing other Relevant Local Policies and Regulations

Chapter 7 – Additional findings in response to testimony not related to specific land use approval criteria

References to additional information previously published in the Findings Report are included throughout this document, rather than repeating the content of those Findings.

Throughout this document, *indented italic font* is used for goal, policy and statutory language.

## 2 Testimony and Supplemental Findings in Support of Urban Growth Boundary Amendment

This chapter summarizes testimony, and considers and makes supplemental findings addressing:

- Statewide Planning Goal 14 (Urbanization)
- OAR 660, Division 24 (Urban Growth Boundaries)
- Statewide Planning Goal 12 (Transportation) and relevant portions of OAR 660-012-0030 (Determination of Transportation Needs)
- Goals and policies in the Salem Area Comprehensive Plan and Polk County Comprehensive Plan relevant to the UGB Amendment.

Additional supplemental findings to address other statewide planning goals relevant to the UGB Amendment are provided in Chapter 5. Findings to address applicable procedures for the consolidated plan amendments (UGB Amendment, TSP Amendments, and Greenway Goal Exception) are provided in Chapter 6.

### 2.1 Findings Addressing Relevant Portions of Goals 12 and 14 and Related Statutes and Administrative Rules

#### 2.1.1 Applicability

##### 2.1.1.1 Division 24 Applicability (660-024-0000)

No testimony was submitted in regard to this provision of Division 24.

##### 2.1.1.2 Applicability of Statewide Planning Goals to a UGB Amendment (660-024-0020)

*(1) All statewide goals and related administrative rules are applicable when establishing or amending a UGB, except as follows:*

*(a) The exceptions process in Goal 2 and OAR chapter 660, division 4, is not applicable unless a local government chooses to take an exception to a particular goal requirement, for example, as provided in OAR 660-004-0010(1);*

#### **Testimony**

One commentor provided testimony including criteria associated with approval of goal exceptions and stated that the Findings Report did not address these criteria. The commentor also asserted that a Goal Exception is required under the Transportation Planning Rule (TPR, OAR 660-012-0070) in order to implement the project.

### **Supplemental Findings**

As noted in the criteria cited above, the exceptions process is not applicable unless an exception to a particular goal requirement is needed. A goal exception is required where it is not otherwise possible to comply with the statewide planning goal. The provisions cited in relation to a goal exception in the TPR (OAR 660-012-0070) apply to certain transportation improvements on rural lands. The proposed UGB amendment expands the UGB to include the land where the transportation facilities will be located, thus converting the land from rural to urban and urbanizable land. As a result, exceptions to goals 3, 4, 11, and 14 are not required.

As noted in the Findings Report (page 76), the portions of the Preferred Alternative that are within the Willamette River Greenway require a Greenway goal exception. The findings for the Greenway goal exception are included in Section 5.1.2 of the Findings Report and through supplemental findings in Chapter 4 (page 40) of this report.

*(b) Goals 3 and 4 are not applicable;*

### **Testimony and Findings**

No testimony was submitted in relation to these approval criteria.

## **2.1.2 Land Need**

### **2.1.2.1 Goal 14 – Land Need:**

*Goal 14: Urbanization*

*To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

*Land Need*

*Establishment and change of urban growth boundaries shall be based on the following:*

- (1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and*
- (2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).*

*In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need.*

*Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.*

### **Testimony**

Several testifiers questioned the need for a new bridge or asserted that the need could be met on land already inside the urban growth boundary.

**Goal 14 Supplemental Findings:**

Supplemental findings to address testimony on the determination of land need are provided in Sections 2.1.2.2 and 2.1.3. In addition, suitability characteristics applied in Section 3.1.5 of the Findings Report relating to establishment of a Study Area to evaluate land for inclusion in the UGB are discussed in that section of the Findings Report (page 119) and in Section 2.1.5 of this report (page 16).

**2.1.2.2 660-024-0040 Land Need**

The applicable sections of OAR 660-024-0040 applicable to a UGB amendment for a specific transportation need are (1), (2), (3), and (7). The remaining sections address other land needs.

**Criteria – 660-024-0040(1), Population Forecasts:**

*(1) The UGB must be based on the appropriate 20-year population forecast for the urban area as determined under Rules in OAR 660, div 32, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.*

**Testimony**

Commenters assert that a different set of population projections should have been used, consistent with the most recent changes to OAR 660 Division 32. They note that the methodology outlined in OAR 660 Division 32 would result in a lower regional population forecast (approximately 301,000 vs. 317,000). They describe the forecast on which the transportation modeling is based as representing a 25% increase in population growth, although it should be noted that the two forecasts differ by approximately 5% in total future population, which is the primary basis of future traffic forecasts.

**Supplemental Findings**

The Findings Report provides background on the population forecasts used for both regional and local transportation planning (see Section 2.1.4.1, pages 22-26). Findings in Section 3.1.2.2 of the Findings Report, beginning on page 79, address compliance with population forecast rules set out in OAR 660, Divisions 24 and 32. The following supplemental findings incorporate highlights from those findings as well as additional findings on the issue of the appropriate population forecast methodology.

The issue of which population projection methodology to use is very complicated. New administrative rules for population forecasting were created within OAR 660, Division 32 within the last few years. These rules became effective on March 25, 2015. Amendments to OAR 660-024-0040 making those rules applicable to UGB expansions were also effective on March 25, 2015. The transportation analysis for the SRC Preferred Alternative was already well underway at that time, using population forecasts that were developed in compliance with the rules in Division 24 (OAR 660-024-003(4)) that were in effect before March 25, 2015. However, the City must address the rules in place at the time that the UGB amendment is “initiated”, which is the date that the City provides official notice to DLCD of the proposed amendment, not the date that the analysis began. As noted on page 226 of the Findings

Report, the City of Salem submitted the Post Acknowledgement Plan Amendment (PAPA) notice to DLCD on September 8, 2016.<sup>1</sup> Therefore, the Division 32 rules are applicable.

As described in the Findings Report, pages 79-80, the rules in Division 32 direct the Population Research Center (PRC) at Portland State University to prepare population forecasts for all counties in the state. The PRC is scheduled to finalize the population forecasts for counties and cities in Region 3 in June 2017. OAR 660-032-0040 outlines a process for local governments to use when initiating a UGB amendment prior to the date the PRC issues its final population forecast. This process involves the use of interim forecasts. Since the PRC forecast for the Salem region was not finalized when the UGB amendment was initiated (via PAPA notice to DLCD), the proposed UGB amendment is subject to the interim forecast rules.

Those rules, which are cited on pages 79-80 of the Findings Report, provide that when the final PRC forecast is not available, the local government may use “the population forecast that was acknowledged before the review was initiated,” provided the acknowledged forecast meets the following conditions:<sup>2</sup>

*(a) Adopted by the local government not more than 10 years before the date of initiation, as a part of the comprehensive plan, consistent with the requirements of ORS 195.034 and 195.036 as those sections were in effect immediately before July 1, 2013, and*

*(b) Acknowledged as provided in ORS 197.251 or 197.625 prior to the effective date of this rule.*

Thus, a previously adopted forecast must pass both OAR 660-032-0040(1) tests before it can be used as an “interim forecast”. Under subsection (1)(a), it must be less than 10 years old, and must have been adopted under former ORS 195.034 and 195.036; and under subsection (1)(b), it must have been adopted prior to March 25, 2015. Such a forecast exists for the Salem-Keizer UGB—the coordinated 2010-2030 forecast was adopted on October 7, 2009, as Marion County Ordinance 1291.<sup>3</sup> However, that forecast does not cover the entire 20-year planning period required for the UGB evaluation and amendment (2015-2035). Various Salem planning documents have been adopted and acknowledged using a 2015-2035 planning horizon and population forecast (a Housing Needs Analysis was adopted February 8, 2016; an Economic Opportunities Analysis was adopted October 26, 2015; and the Transportation System Plan was adopted February 8, 2016); however, none was acknowledged prior to March 25, 2015.

<sup>1</sup> The PAPA notice is included in the record on the web site <http://www.cityofsalem.net/CA16-04>

<sup>2</sup> OAR 660-032-0040(1)

<sup>3</sup> Ordinance 1291 adopted a report titled “Population Forecasts for Marion County, its Cities and Unincorporated Area 2010-2030.” The Marion County forecast encompasses the entire Salem-Keizer UGB, including the portion that lies in Polk County. The West Salem numbers were also adopted by Polk County as part of its 2008-2030 forecast. That Polk County forecast also qualifies as an interim forecast under OAR 660-032-0040(1). We treat the Marion and Polk forecasts for the Salem-Keizer UGB as a single forecast, even though they were adopted separately, because they were coordinated and are consistent with one another. In addition, as will be explained later, Division 32’s methodology for preparing an extended forecast for the Salem-Keizer UGB requires the use of one forecast for the entire UGB

As described in the Findings Report (page 80), the UGB amendment is based on the 20-year population forecast for the 2035 RTSP and the adopted and acknowledged Salem TSP.<sup>4</sup> This creates consistency in transportation modeling with the adopted and acknowledged Salem TSP. The 2015 to 2035 forecast for these plans was originally created as part of developing the 2035 RTSP. For consistency in transportation planning assumptions at the local and regional level, the population forecast for the 2035 RTSP also became the basis for the adopted and acknowledged Salem Transportation System Plan (Salem TSP).<sup>5</sup> (Note that the 2035 RTSP is based on regional population and employment trends and forecasts for the entire SKATS boundary, an area slightly larger than the Salem-Keizer UGB.) Salem adopted the updated 2035 RTSP population and employment forecasts for the Salem-Keizer UGB as a component of the Salem TSP on February 8, 2016.<sup>6</sup>

The methodology used to develop the population forecast for the 2035 RTSP used the Marion County 2010-2030 coordinated population forecast as the starting point.<sup>7</sup> As noted, this forecast was acknowledged prior to March 25, 2015. The 2035 forecast for the Salem-Keizer UGB (316,479) was determined by extending the acknowledged 2030 Marion County forecast for the Salem-Keizer UGB for five years and then allocating that forecast to the Salem and Keizer portions of the regional UGB.<sup>8</sup> The methodology was consistent with the version of OAR 660 Division 24 that was in effect prior to March 25, 2015, which provided:<sup>9</sup>

*(a) If a coordinated population forecast was adopted by a county within the previous 10 years but does not provide a 20-year forecast for an urban area at the time a city initiates an evaluation or amendment of the UGB, a city and county may adopt an updated forecast for the urban area consistent with this section. The updated forecast is deemed to comply with applicable goals and laws regarding population forecasts for purposes of the current UGB evaluation or amendment provided the forecast:*

*(A) Is adopted by the city and county in accordance with the notice, procedures and requirements described in section (1) of this rule; and*

*(B) Extends the current urban area forecast to a 20-year period commencing on the date determined under OAR 660-024-0040(2) by using the same growth trend for the urban area assumed in the county's current adopted forecast.*

The new rules in OAR 660-032-0040 provide more specific guidance on how forecasts should be extended:

*(4) If the forecast is consistent with sections (1)(a) and (1)(b) of this rule but does not provide a forecast for the entire applicable planning period for a purpose*

<sup>4</sup> City of Salem, *Salem Transportation System Plan*, amended by Ordinance 1-16 (February 8, 2016).

<sup>5</sup> City of Salem, *Salem Transportation System Plan*, amended by Ordinance 1-16 (February 8, 2016).

<sup>6</sup> The PAPA notice initiating the TSP amendments to incorporate the population and employment forecasts was provided on November 10, 2015. These forecasts for the Salem TSP are acknowledged. However, the forecasts are intended only for the purposes of transportation planning and do not replace forecasts adopted for the purpose of analyzing land needed for housing and employment.

<sup>7</sup> SKATS, *2015-2035 Regional Transportation System Plan*, adopted May 24, 2015.

<sup>8</sup> A detailed discussion of the population and employment trends, forecasts, and methodologies used for the region is included in Appendix A of the 2035 RTSP.

<sup>9</sup> OAR 660-024-0030(4), effective 4-16-09.

*described in section (2), the local government may apply an extended forecast for such purpose. The extended forecast shall be developed by applying the long term growth trend that was assumed in the acknowledged forecast, for the particular planning area, to the current population of the planning area.*

\* \* \*

*(8) For purposes of this rule:*

\* \* \*

*(d) "Current population of the planning area" for an urban area means the PRC estimate of population of the city at the time the review is initiated, plus the population for the area between the urban growth boundary and the city limits as determined by the most recent Decennial Census published by the U.S. Census Bureau.*

The "long term growth trend" for the older adopted forecast is the 1.2% annual growth rate for the 2010-2030 period. The "current population of the planning period" must be computed using the instructions in subsection (8)(d) of OAR 660-032-0040. The resulting 2015 UGB population using the rule's methodology as amended in 2015 is 236,678 people. Extending that forecast to 2035 in a manner consistent with the rules cited above results in a 2035 regional population projection of 300,447 people.

The new methodology would result in a relatively modest (roughly 5%) reduction in the projected population of the UGB in 2035 relative to the older methodology used in generating the 2035 population forecast for the RTSP (300,440 vs. 316,479).

Nearly all technical analysis and traffic modeling for the SRC was completed prior to the adoption of either Division 32 or the most recent update to Division 24. The population projections used for the analysis were consistent with the rules in place at the time they were developed. Furthermore, because the UGB amendment is for transportation facilities only, rather than other categories of land need, and because the project is proposed to be added to the Salem TSP, it would seem that the most appropriate population forecast on which to base the traffic analysis is one consistent with the acknowledged TSP and with other regional transportation modeling for the same planning horizon. Nevertheless, changes to the OAR's guiding population projections that occurred after traffic analysis was completed require using a different methodology for preparing the projections, as described above.

Division 24 rules explicitly state that: "The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision."<sup>10</sup>

Given all of the above, the question has been raised whether the small reduction in the population projection to 2035 using the appropriate methodology impacts the determination of need for the project. The answer is "no." The project's transportation planning consultants note that "a 5% difference in the population forecast will not have a substantive influence on the design of the transportation system, nor the resulting traffic performance" and further

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<sup>10</sup> OAR 660-024-0040(1)

state that the use of the lower forecast “would not have an appreciable influence on design of the street or highway to address the capacity needs and such a difference falls within the level of accuracy of travel forecasting models.”<sup>11</sup> In other words, either forecast would indicate the need for additional transportation facility capacity to address projected future population growth.

**Criteria – 660-024-0040(2)-(3)**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

**Criteria - 660-024-0040(7):**

*(7) The determination of 20-year land needs for transportation and public facilities for an urban area must comply with applicable requirements of Goals 11 and 12, rules in OAR chapter 660, divisions 11 and 12, and public facilities requirements in ORS 197.712 and 197.768. The determination of school facility needs must also comply with 195.110 and 197.296 for local governments specified in those statutes.*

**Findings - 660-024-0040(7):**

No testimony was provided on this criterion and no supplemental findings have been prepared for it. However, supplemental findings related to relevant sections of Division 12 associated with determining needs for transportation are addressed in Section 2.1.3 below.

## **2.1.3 Transportation Need**

### **2.1.3.1 660-012-0030 Determination of Transportation Needs**

**Criteria – 660-012-0030(1)-(2):**

*(1) The TSP shall identify transportation needs relevant to the planning area and the scale of the transportation network being planned including:*

- (a) State, regional, and local transportation needs;*
- (b) Needs of the transportation disadvantaged;*
- (c) Needs for movement of goods and services to support industrial and commercial development planned for pursuant to OAR chapter 660, division 9 and Goal 9 (Economic Development).*

*(2) ... Local governments preparing local TSP's shall rely on the analyses of state and regional transportation needs in adopted elements of the state TSP and adopted regional TSP's.*

### **Testimony and Findings**

Most testimony related to the need for the bridge was oriented to evaluating other alternatives for improvements instead of, or in advance of, considering a new river crossing. That testimony and supplemental findings to address it are summarized in subsequent sections of this document.

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<sup>11</sup> David Simmons, P.E. to Salem River Crossing Project Management Team, 10/19/2016, Salem River Crossing EIS: Population Impacts on Design and Traffic Performance.

**Criteria – 660-012-0030(3):**

*(3) Within urban growth boundaries, the determination of local and regional transportation needs shall be based upon:*

*(a) Population and employment forecasts and distributions that are consistent with the acknowledged comprehensive plan, including those policies that implement Goal 14. Forecasts and distributions shall be for 20 years and, if desired, for longer periods; and*

*(b) Measures adopted pursuant to OAR 660-012-0045 to encourage reduced reliance on the automobile.*

**Testimony**

As noted in Section 2.1.2.2 of this Report, the adequacy or correctness of population forecasts was the subject of public testimony. In addition, other commenters questioned whether the City has done enough to reduce reliance on the automobile prior to considering or planning for a new river crossing.

**Supplemental Findings**

The Findings Report includes findings about the City's programs and policies aimed at reducing reliance on the automobile (pages 87-90). These include a variety of land use, planning, and zoning initiatives and enhancements to bicycle facilities and transit services. In addition, all "build" alternatives studied in the DEIS (including the Preferred Alternative) assumed a set of transportation demand management and transportation system management (TDM and TSM) measures, such as the ones which were evaluated as part of the Alternative Modes Study prepared concurrently with the EIS process. Aggressive implementation of these strategies is estimated to result in a further reduction in traffic of eight percent (8%).

Additional findings related to reducing reliance on the automobile are found under the discussion of Transportation Planning Rule (TPR) requirements (OAR 660-012-0030(4) and OAR 660-012-0035(4)), below, and are incorporated by this reference.

**Criteria – 660-012-0030(4) and 660-012-0035(4):**

*(4) In MPO areas, calculation of local and regional transportation needs also shall be based upon accomplishment of the requirement in OAR 660-012-0035(4) to reduce reliance on the automobile.*

**Testimony**

Commentors noted that the Findings Report did not demonstrate consistency with requirements to reduce reliance on the automobile.

**Supplemental Findings**

The criteria cited by commenters (OAR 660-012-0030(4) and OAR 660-012-0035(4)) apply to overall updates to a local Transportation System Plan and/or to performance of the transportation system as a whole. They do not apply to specific transportation projects or to targeted amendments to a TSP (as is the case here). As a result, neither of these criteria are applicable to the proposed UGB and TSP amendments in isolation. Both are addressed in the Findings Report in the context of the overall TSP's compliance with these criteria, given the proposed amendments: OAR 660-012-0035(4) is addressed in Section 4.2.1.5, and OAR 660-012-0030(4) is addressed in Section 3.1.3.1.

Salem's TSP includes a variety of measures to reduce reliance on the automobile, including policies that support enhanced transit service and transit-supportive land use and design, improved bicycle and pedestrian facilities, policies that support transportation demand management strategies, and transportation system management policies and projects. Taken together, these measures plus the improvements for bicycles, pedestrians, and vehicles that would result from the Preferred Alternative create a transportation system that increases transportation choices.

The city's implementation of measures to improve transportation options since 1994 is documented in a presentation by the Mid-Willamette Valley Council of Governments to the Salem City Club dated February 8, 2013, which is part of the record of this proceeding. The presentation includes a map and list of projects that have been completed, which include TDM, TSM, bicycle/pedestrian system improvements, and transit facility enhancements. An additional summary of implementation of the SRC Alternative Modes Study recommendations was provided by the City on July 1, 2015.<sup>12</sup> This memo, which is part of the record of this proceeding, identifies bicycle and pedestrian system improvements that the City has implemented over the past few years as well as those with approved funding over the next five years; planned transit enhancements; and TDM implementation strategies that have been advanced, including parking management and pricing. Together, these summaries demonstrate that the City has made progress towards improving transportation choices.

## 2.1.4 Meeting Identified Land Needs

### 2.1.4.1 660-024-0050 Land Inventory and Response to Deficiency

The sections of OAR 660-024-0050 applicable to a UGB amendment for a specific transportation need are (1), (4), (5), (6), and (7).

#### **Criteria - 660-024-0050(1) and (4):**

*(1) When evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For residential land... For employment land...*

*(4) If the inventory demonstrates that the development capacity of land inside the UGB is inadequate to accommodate the estimated 20-year needs determined under OAR 660-024-0040, the local government must amend the plan to satisfy the need deficiency, either by increasing the development capacity of land already inside the city or by expanding the UGB, or both, and in accordance with ORS 197.296 where applicable. **Prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB.** If the local government determines there is a need to expand the UGB, changes to the UGB must be determined by evaluating alternative boundary locations consistent with Goal 14 and applicable rules at OAR 660-024-0060 or 660-024-0065 and 660-024-0067.*

<sup>12</sup> Memorandum from Julie Warncke, City of Salem, to Salem River Crossing Project File, dated July 1, 2015, regarding "Salem River Crossing Alternate Modes Study Implementation Overview".

**Testimony**

A number of commenters asserted that Alternative 2A or other measures undertaken within the existing UGB would be adequate to meet future transportation needs and should be proposed, rather than the Preferred Alternative. Commenters made several assertions related to this topic, including:

- Alternative 2A reasonably meets the project needs, particularly in terms of addressing congestion.
- Other improvements or policies could be implemented in concert with or in addition to Alternative 2A within the UGB that would address the project needs, such as seismic retrofits to existing bridges, additional bridgehead improvements, modifying the Union Street Rail Bridge to allow emergency vehicle use during bridge closures, TSM and TDM actions, and additional investments in alternative modes.
- Improvements to existing facilities must be undertaken prior to considering new facilities.
- Land use findings do not address 1974 and 1980 bridge studies that indicated that transportation needs could be met through improvements to existing bridges.

**Supplemental Findings*****Adequacy of Alternative 2A to Meet Project Needs***

The Findings Report provides extensive documentation supporting the conclusion that Alternative 2A cannot reasonably meet the project needs (Section 3.1.4.2, pages 94-112). While Alternative 2A would cost less to build and result in fewer dislocations than the Preferred Alternative, Alternative 2A would not address key aspects of the needs identified for this project and is inferior to the Preferred Alternative in a number of respects:

- Alternative 2A would continue to funnel all traffic into and through downtown and contribute to related livability issues.
- Alternative 2A would result in a bridge that is too large in the context of connecting infrastructure at either end of the bridge.
- Alternative 2A has significant operational issues in relation to connections to transportation facilities at either end of the bridge.
- Alternative 2A would not be able to provide multi-modal (bicycle/pedestrian) facilities.
- Alternative 2A does not provide redundancy which is important for emergency preparedness and resiliency.

***Assessment of Other Actions Within the UGB to Meet the Project Needs***

The Findings Report summarizes the analysis of other actions that could be undertaken within the UGB to meet the project needs, including alternatives considered but dismissed prior to DEIS alternatives and other improvements within the existing bridge footprint (Section 3.1.4.1, pages 92-94). Supplemental findings are provided below.

### **TDM, TSM, and Alternative Modes**

One of the alternatives considered early in the EIS process focused exclusively on transportation demand management and transportation system management strategies within the existing corridor and associated facilities. This alternative included a combination of new high capacity transit services; a lane of capacity across the river dedicated to transit, with supportive improvements to the roadway, pedestrian, and cycling system; a set of demand management policies; and a set of changes to comprehensive plan designations in west Salem. This option was evaluated and found not to meet the mobility objectives of the project. It also would not have addressed the redundancy and emergency operations goals of the project. However, all “build” alternatives (including the Preferred Alternative and Alternative 2A) assumed a set of TDM and TSM measures, such as the ones that were evaluated as part of the Alternative Modes Study prepared concurrently with the EIS process. While aggressive implementation of these strategies is estimated to result in a further reduction in traffic of 8%, that is still not enough to solve the transportation issues identified in the project’s purpose and need statement.

### **Improvements to Existing Bridges & Bridgeheads**

Over the last several decades, a variety of improvements have been considered and made to the existing bridges. Those improvements are described in Section 2.3 (pages 37-40) of the Findings Report, and detailed further in a memorandum from ODOT Region 2 to the City of Salem, which is part of the record of this proceeding. The memorandum details actions that have been taken to protect, improve the efficiency of, and add capacity to, the existing system, including the following types of improvements.

- Protect the existing transportation, including access management on adjacent roads, relocation of traffic signals, expansion of transit service and completion of the SRC Alternative Modes Study.
- Improved efficiency and capacity of highway facilities, including addition of additional turning lanes, pedestrian facilities, widened approach lanes and exit ramp enhancements, as well as construction of transit facilities, bicycle facilities and local street connections.
- Added capacity, including for OR 221 and the Wallace Road at Glen Creek project.

The memorandum concludes that the SRC has met state requirements to improve system efficiency and management before adding capacity.<sup>13</sup>

In addition, the No Build alternative, Alternative 2A and all “build” alternatives included modifications to the existing bridgeheads that are already adopted in the Regional Transportation System Plan.

Alternative 2A included further improvements at both bridgeheads, described in Section 2.3.2 of the DEIS (pages 2-31 through 2-32), in addition to adding lanes to the bridges themselves. The improvements to bridgeheads that were part of Alternative 2A include

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<sup>13</sup> Memorandum from Dan Fricke (Oregon Department of Transportation Region 2) to Julie Warncke (City of Salem), dated October 19, 2016, regarding “Salem River Crossing – Oregon Highway Plan Policy 1G – Major Improvements”.

improvements to the Center Street Bridge to Northbound Front Street ramp, one of the items suggested in testimony as something that could have been added to Alternative 2A.

### **Emergency Response / Seismic Upgrades**

Findings addressing testimony asserting that seismic upgrades to the existing bridges could meet the need for improved resiliency and redundancy are provided in Section 5.2.7.2 of this document (see page 56) and are incorporated by this reference.

As described in Section 1.5 of the DEIS, the Union Street Railroad Bridge is already designed to handle a 20,000-pound vehicle or a 40,800-pound fire engine, but infrequently at low speed. This connection is only suitable for use under extreme circumstances, and does not provide an adequate alternative for emergency response vehicles in the event of the closure of the existing bridges.<sup>14</sup>

### **Consideration of Previous Bridge Studies**

Commenters cite studies conducted in 1974 and 1980 that indicate that additional river crossings are not needed to address local and regional transportation needs. While those studies provide relevant historical information about analyses and recommendations prepared at the time, their conclusions are no longer directly relevant to the need for a new bridge or the ability of the existing bridges to accommodate current or future traffic needs, given increases in population, traffic congestion, and other conditions that have changed during the past 36-42 years. In addition, those earlier studies did not evaluate the same range of project needs that the current study does.

Additionally, those studies do not take into account the many improvements that have been made to the existing bridge since that time, discussed above.

### **Timing of Undertaking Improvements Within the UGB**

This approval criterion says that “prior to expanding the UGB, a local government must demonstrate that the estimated needs cannot reasonably be accommodated on land already inside the UGB.” This does not mean that improvements must actually be undertaken or completed within the UGB prior to considering or planning for an UGB amendment and does not preclude the City from expanding the UGB while simultaneously implementing improvements within the UGB. The Findings Report and supporting documentation have clearly demonstrated that other actions within the UGB by themselves will not meet the project need.

### **Evaluation of Alternative Boundary Locations**

Findings regarding the evaluation of alternative boundary locations, demonstrating compliance with OAR 660-024-0065 and -0067, are provided in Sections 3.1.5.2 (page 119) and 3.1.5.3 (page 125) of the Findings Report, respectively.

### **Criteria - 660-024-0050(5):**

*(5) In evaluating an amendment of a UGB submitted under ORS 197.626, the director or the commission may determine that a difference between the estimated 20-year needs determined under OAR 660-024-0040 and the amount of land and development capacity added to the UGB by the submitted amendment is unlikely to*

<sup>14</sup> DEIS Chapter 1, Purpose and Need for the Project, pages 1-17 – 1-18.

*significantly affect land supply or resource land protection, and as a result, may determine that the proposed amendment complies with section (4) of this rule.*

### **Testimony and Findings**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

#### **Criteria - 660-024-0050(6)-(7):**

*(6) When land is added to the UGB, the local government must assign appropriate urban plan designations to the added land, consistent with the need determination and the requirements of section (7) of this rule, if applicable. The local government must also apply appropriate zoning to the added land consistent with the plan designation or may maintain the land as urbanizable land until the land is rezoned for the planned urban uses, either by retaining the zoning that was assigned prior to inclusion in the boundary or by applying other interim zoning that maintains the land's potential for planned urban development. The requirements of ORS 197.296 regarding planning and zoning also apply when local governments specified in that statute add land to the UGB.*

*(7) Lands included within a UGB pursuant to OAR 660-024-0065(3) to provide for a particular industrial use, or a particular public facility, must be planned and zoned for the intended use and must remain planned and zoned for that use unless the city removes the land from the UGB.*

### **Testimony**

Commenters note that the City is not proposing to apply zoning designations concurrently with adoption of the UGB amendment and application of new Comprehensive Plan designations and question whether the proposed Comprehensive Plan designation adequately protects the land for transportation uses.

### **Supplemental Findings**

As noted in the Findings Report (page 116), the City of Salem will apply a *Parks, Open Space and Outdoor Recreation* (POS) plan designation to the 35 acres added to the UGB, but the existing Polk County EFU zoning will be retained as interim zoning and will maintain the land for the planned transportation facility. The EFU zone precludes urban development, while allowing a continuation of current rural uses in the interim. The City has no Comprehensive Plan designation or zone that allows for only transportation facilities; as noted in the Findings Report (page 116), Salem's zoning designations extend to the centerline of the right-of-way and the zoning code does not include a specific "use category" for linear transportation facilities; the use is permitted outright in all zones. The City also does not have zones or Comprehensive Plan designations that allow only public uses; however, the Public Amusement (PA) zone that implements the POS Comprehensive Plan designation allows a very limited set of uses. Further, the 35 acres will continue to be located in outside the city, within Polk County, and the City does not have authority to rezone the property.

## 2.1.5 Boundary Location

### 2.1.5.1 Goal 14 – Boundary Location:

*The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197.298 and with consideration of the following factors:*

- (1) Efficient accommodation of identified land needs;*
- (2) Orderly and economic provision of public facilities and services;*
- (3) Comparative environmental, energy, economic and social consequences; and*
- (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.*

#### **Testimony**

Some comments relate generally or indirectly to these factors, including comments related to the cost of and ability to fund the facility, as well as concern that a cost-benefit analysis had not been done.

Another commenter noted that potential impacts on surrounding agricultural uses had not been addressed.

#### **Supplemental Findings**

##### **Costs and Funding**

No statute or administrative rule requires a cost-benefit analysis to amend the UGB, the TSP, or the Comprehensive Plan.

As noted in the Findings Report, findings to address the administrative rule provisions implementing the four Goal 14 factors highlighted above are provided in the response to 660-024-0067(7) in Section 3.1.5.3 (page 125) and in Table 15 of the Findings Report. Those findings include estimated project costs along with many other performance measures related to the Goal 14 factors. Goal 14 does not require a cost-benefit analysis per se, but rather consideration and balancing of the four location factors above. It also does not require selection of the lowest cost alternative. The information provided in Table 15 demonstrates that all four factors were considered, including cost and a variety of benefits. As discussed in Section 1.1 of the Findings Report, the City Council took costs and impacts into consideration in balancing the factors to identifying a preferred alternative that would meet the City's key transportation needs of improvement multimodal connectivity and system redundancy while minimizing social, economic and fiscal costs.<sup>15</sup>

That said, the issues of cost and funding are addressed in the Findings Report (page 159) and in the proposed TSP amendments, which note that portions of the project will likely be under the jurisdiction of the State (ODOT), while other portions will be maintained and operated by the City. The overall project is a high priority for the City of Salem, but given

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<sup>15</sup> Salem City Council packet for June 24, 2013, *Salem River Crossing Preferred Alternative – Input from City Council to Regional Partners*, Agenda Item 4(d). <http://www.cityofsalem.net/CouncilMeetingAgenda/Documents/273/4d.pdf>. This document is part of the record of this proceeding.

the significant costs, it will likely be designed and constructed in phases. Costs associated with the Salem River Crossing Preferred Alternative (\$425M) are noted in the High Priority Street Improvement Projects Table of the proposed Salem TSP amendments, with a footnote that costs will be shared by Local, State, and Regional partners.

Approval of funding is not feasible without completing the EIS process and the EIS process cannot be completed without approval of the UGB amendment process. Furthermore, implementation of the project will require significant partnerships and phasing to make it a reality. These partnerships and decisions cannot be made until the footprint and general design are established, which also requires completion of the UGB amendment process. For all these reasons, it is not feasible to have an approved funding plan at this stage in the planning process.

### ***Impacts to Farm Land***

Impacts to farm land in the form of bringing that land into the UGB are discussed in Section 3.1.5.3 of the Findings Report (pages 126-129) and in Table 15 of the Findings Report. Compatibility with farm land that will remain outside the UGB is discussed in supplemental findings below.

A map identifying farm land adjacent to the proposed UGB expansion is part of the record of this proceeding.<sup>16</sup> It shows several properties that are already wholly or partially within the current UGB or are already abutting the UGB that are receiving farm deferral. All but one of these properties would not be impacted by urban uses to a greater degree than they are today, because there is no change to the UGB line in those areas. Only one small parcel (less than one acre) within or abutting the proposed UGB amendment areas is currently receiving farm deferral for agricultural activities. This parcel would be acquired for right-of-way to construct Marine Drive and the property owner would be offered compensation. Other large properties receiving farm deferral are located to the north along River Bend Road. These properties would see little impact, because River Bend Road will continue to be a dead end, and the Marine Drive alignment will route traffic to the west onto OR 221 / Wallace Road rather than east onto River Bend Road.

Several properties closer to the proposed UGB expansion area along River Bend Road appear to be cultivated in some fashion based on the aerial photography, but are not currently receiving farm deferral. The farm uses appear to be low impact hay or similar crops that will have few compatibility issues with the new Marine Drive collector road nearby.

The properties most directly adjacent to the proposed UGB expansion areas and the proposed future transportation facilities are currently not receiving farm deferral and/or actively being farmed. One of the affected areas is an active aggregate site that does not have farming uses on it. Many of these parcels are currently vacant, while a few have residential structures and/or businesses.

Given the degree of parcelization already present, the absence of farm tax deferrals, and the presence of nonfarm uses on several of the parcels most directly affected, these parcels do not and are not likely to maintain or contribute in any substantial or meaningful way to the

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<sup>16</sup> Attachment to email dated October 19, 2016 from Clinton Doxsee to Matt Hastie and Becky Hewitt.

commercial agricultural enterprise of the area. Those properties that are actively farmed are located at some distance from proposed UGB expansion areas and future transportation facilities. As a result, the proposed UGB expansion will be compatible with adjacent farm uses.

**2.1.5.2 660-024-0065 Establishment of Study Area to Evaluate Land for Inclusion in the UGB**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

**2.1.5.3 660-024-0067 Evaluation of Land in the Study Area for Inclusion in the UGB; Priorities**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

**2.1.5.4 660-024-0020 Adoption or Amendment of a UGB**

**Criteria - 660-024-0020(2):**

*(2) The UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location.*

**Testimony and Findings – 660-024-0020(2):**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

## 2.2 Findings Addressing Local Comprehensive Plan Policies

### 2.2.1 Salem Area Comprehensive Plan

#### **N. NATURAL RESOURCES:**

##### *Waterways*

*(5) Waterways shall be protected, preserved, and maintained as drainage courses and scenic, recreational, and natural resources. These characteristics shall be considered during the development review process. Public access to waterways for maintenance purposes should be provided.*

#### **Testimony – Waterways:**

Commenters noted potential adverse impacts to water resources and associated activities.

#### **Findings – Waterways:**

Chapter 5 (Greenway Goal Exception) of the Findings Report and supplemental findings in Chapter 4 of this report (Greenway Goal Exemption) are incorporated by this reference to address this criterion. They indicate that prior to construction, a subsequent Greenway Development Review will be required and will ensure compliance with all greenway development standards relating to protection of the riparian area, stormwater management, design, potential public access, etc. The findings in Section 6.2.6 of the Findings Report (page 238) address Statewide Planning Goal 6 (Air, Water and Land Resource Quality) and also summarize the potential effects of the SRC project on water resources, wetlands, and riparian areas. FEIS technical reports are included in the record to provide evidence to support the conclusion that waterways will be protected, preserved and maintained and compliance with all applicable local, state, and federal standards relating to waterways can and will be met.

##### *Flood Hazards*

*(7) Development in the floodplain shall be regulated to preserve and maintain the capability of the floodplain to convey the flood water discharges and to minimize danger to life and property.*

#### **Testimony – Flood Hazards:**

Commenters noted potential adverse impacts to flood hazard areas and asserted that the Preferred Alternative will not meet flood hazard or floodplain management requirements.

#### **Findings - Flood Hazards:**

As noted in the Findings Report (Section 3.2.1) the 35 acres proposed to be added to the UGB are largely within the 100-year floodplain. The Federal Emergency Management Agency (FEMA) addresses floodplain areas at the federal level. In addition, goals and policies relating to development in natural hazard areas are also addressed in Statewide Planning Goal 7. The findings in Section 6.2.6.2 (page 239) and 6.2.7.1 (pages 243-244) of the Findings Report and supplemental findings in Section 5.2.6.2 and 5.2.7.1 of this report addressing water quality and quantity are incorporated by this cross-reference to show compliance with the Salem Area Comprehensive Plan policy regarding flood hazards.

##### *Aggregate Resources*

*(9) The location, quality, and quantity of aggregate resources shall be identified. The property owner shall plan for the conservation, development, and redevelopment of the resource land as appropriate to meet future needs. The map designation of these lands shall be Resource Extraction, with a secondary designation established based on the redevelopment potential of the residual lands. The secondary designation shall not be activated until extraction operations have been terminated. The reclamation plans of the individual extraction operations, which are subject to local governmental review and approval, shall incorporate secondary land use designations for each parcel.*

**Testimony and Findings - Aggregate Resources:**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

**O. WILLAMETTE RIVER GREENWAY**

Findings addressing the Salem Area Comprehensive Plan policies for the Willamette River Greenway are provided in Section 5.2.1 of the Findings Report (page 220) and in Section 4.2.1 of this document and are incorporated by this cross-reference.

**2.2.2 Polk County Comprehensive Plan**

**2.2.2.1 Section 2 Goals & Policies**

**A. Citizen Involvement**

*(1) To provide for a wide range of opportunities for citizens to be involved in all public phases of the planning process in Polk County. For the purposes of the Polk County Citizen Involvement Program, the term "citizen" shall mean property owners, land use applicants and the general public.*

*(1.5) Polk County will provide notice to those citizens that may be affected by proposed and adopted land use decisions and actions including but not limited to: amendments to the comprehensive plan and implementing regulations, zone changes, land use determinations, variances, conditional use permits, dwelling approvals, land divisions and subdivisions.*

*(2) To make land use information readily available to the public in an understandable form and provided in a timely manner.*

*(2.1) Polk County will prepare and make available to the public upon request clear and concise information reports, and supporting findings of fact and conclusions of law to citizens regarding County land use decisions and actions.*

*(2.2) Polk County will, as required by law provide public notices of proposed and approved land use decisions that sufficient and concise information to enable citizens to provide timely, informed comments.*

**Testimony – Citizen Involvement:**

Several commenters testified that there was inadequate time for the public to review documents and findings prior to the hearing.

**Findings - Citizen Involvement:**

Findings addressing Statewide Planning Goal 1 (Citizen Involvement) are provided in Section 6.2.1 of the Findings Report (page 228) and are incorporated by this reference. Additional findings are found in Section 5.2.1 of this report (page 51). As noted in those findings, public outreach and citizen involvement have been a central part of the NEPA environmental process for the SRC project for about ten years. The *Salem River Crossing Project EIS Public Involvement Summary* (2016) provides a detailed summary of public involvement in three distinct phases: 1) Prior to the DEIS, 2) DEIS Phase, including key issues and themes, and 3) following the DEIS and selection of the Preferred Alternative.

All four jurisdictions (Salem, Keizer, Polk County and Marion County) must concur in a decision to expand the Salem-Keizer UGB. The City of Salem initiated the UGB amendment, and the other jurisdictions have passed Resolutions to participate in the regional process, including holding a joint public hearing(s) to accept and consider public testimony on the consolidated plan amendments. Subsequent to the joint public hearing, all four jurisdictions left the record open for one week to accept additional public testimony, and another week for rebuttal testimony. Over 60 pieces of written testimony were received, some as long as 35 pages or more. Decision-making bodies for each jurisdiction have met or will meet separately to deliberate on the proposed land use actions and will consider all public testimony, new information, evidence added to the record, and these supplemental findings prior to making a decision. As the lead jurisdiction, the City of Salem has established a website to provide public access to all plan amendment materials. All jurisdictions provided public notice prior to the first evidentiary hearing to those entitled to mailed notice under the provisions of their respective zoning ordinances. Additional courtesy notices to other community members also have been provided.

**B. Agricultural Lands**

*(1.1) Polk County will endeavor to conserve for agriculture those areas which exhibit a predominance of agricultural soils, and an absence of nonfarm use interference and conflicts.*

*(1.2) Polk County will place lands designated as agriculture on the Comprehensive Plan Map consistent with Oregon Revised Statutes Chapter 215 and Oregon Administrative Rules Chapter 660, Division 33 in an exclusive farm use zoning district.*

**Testimony - Agricultural Lands:**

One commentor noted that the findings had not adequately addressed potential impacts on surrounding agricultural uses.

**Findings - Agricultural Lands:**

Findings in response to this issue are provided above, under Goal 14, on page 17, and are incorporated by this reference.

**D. Natural Resources**

*(2.3) When adequate information regarding the location, quality and quantity of mineral and aggregate resources becomes available, Polk County will make a determination of significance and, for significant sites, complete the Goal 5 process to provide a suitable level of protection to the resources site (Amended by Ordinance 91-34, dated September 25, 1991).*

**Testimony and Findings – Natural Resources (Mineral and Aggregate):**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

**F. Land Capability/Resource Quality**

*(1.1) Polk County will cooperate with governmental agencies to protect life and property from natural hazards and disasters.*

*(1.2) Polk County will review all proposed development in floodplains and may prohibit construction of habitable structures in designated floodplains.*

**Testimony – Land Capability/Resource Quality (Floodplains):**

Commenters asserted that the Preferred Alternative would have adverse impacts on flood hazard management and that such impacts would not be properly mitigated.

**Findings – Land Capability/Resource Quality (Floodplains):**

As noted previously in this report, the 35 acres proposed to be added to the UGB is largely within the 100-year floodplain. The findings in Section 6.2.6.2 (page 239) of the Findings Report and in Section 5.2.6.2 of this document (page 54) addressing water quality and quantity are incorporated by this cross-reference to show compliance with the Polk County Plan policy regarding natural hazards. In addition, the Preferred Alternative will improve transportation connectivity and redundancy with an additional crossing of the Willamette River that will benefit urban and rural areas of the region in the event of a natural disaster such as a major flood or earthquake.

**K. Urban Land Development**

*(1.1) Polk County and each municipality will contain future urban development within the geographical limits of a mutually adopted Urban Growth Boundary.*

*(1.3) Polk County and municipalities will base establishment and change of urban growth boundaries upon consideration of the following factors:*

*(a) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;*

*(b) Need for housing, employment opportunities and livability;*

*(c) Orderly and economic provision for public facilities and services;*

*(d) Maximum efficiency of land uses within and on the fringe of the existing urban area;*

*(e) Environmental, energy, economic and social consequences;*

*(f) Retention of agricultural lands as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,*

*(g) Compatibility of the proposed urban uses with nearby agricultural activities.*

*Change of an adopted Urban Growth Boundary will be a cooperative process between Polk County and the affected municipality.*

**Findings - Urban Land Development (UGB Amendment):**

Testimony and associated findings related to the support of the proposed UGB amendment are provided in Chapter 3 of the Findings Report and Chapter 2 of this report and are incorporated by this reference and cross-reference to show compliance with Policies 1.1 and 1.3 listed above. The findings in Chapter 3 of the Findings Report address all applicable standards in the current version of Goal 14 and the Goal 14 administrative rule.

Supplemental findings in this document address testimony related to these issues.

*(2.1) Polk County will consider areas lying between unincorporated city limits and an adopted urban growth boundary as "urbanizable," available for annexation and urban development over time.*

*(2.2) Polk County will support the development of land within existing urban areas before the conversion of urbanizable lands to urban uses. Expansion of urban areas should occur outward from existing development in an orderly, efficient and logical manner.*

*(2.5) Polk County zoning will reflect and support the intent of a municipality's coordinated and adopted land use plan for the urbanizable area in order to protect that area from random development actions.*

*(2.8) Polk County will encourage the orderly annexation to municipalities of the land within the adopted urban growth boundary.*

**Testimony and Findings - Urban Land Development (Urbanizable Lands):**

Testimony regarding this criterion and associated findings are found in Section 2.1.4.1 (page 11) of this report and Sections 3.1.4.1 (page 91-94) and 3.2.2.1 (pages 147-148) of the Findings Report and are incorporated here by reference and cross-reference.

*(3.1) Polk County and each municipality will adopt a plan for the management of growth and the provision of services to the urbanizable area. Growth management plans are to set forth priorities for the provision of urban services over time, and to guide the eventual annexation and development of urbanizable lands. Growth management plans should include a process for plan implementation and review.*

*(3.3) Polk County and municipalities will utilize policies contained within the intergovernmental agreement between the two parties to guide the annexation and development of urbanizable lands until specific growth management plans are developed.*

**Testimony and Findings – Urban Land Development (Growth Management):**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

## 3 Findings in Support of Transportation System Plan Amendments

This chapter addresses testimony and provides supplemental findings and references to the Findings Report addressing:

- Statewide Planning Goal 12 (Transportation)
- Relevant portions of OAR 660, Division 12 (the Transportation Planning Rule)
- Relevant goals and policies in Salem TSP, Polk County TSP, RTSP and State Transportation Plans.

Findings to address other statewide planning goals relevant to the TSP Amendments are provided in Chapter 6 of the Findings Report and Chapter 5 of this document. Findings to address applicable procedures for the consolidated plan amendments (UGB Amendment, TSP Amendments and Greenway Goal Exception) are provided in Chapter 7 of the Findings Report and Chapter 6 of this report.

### 3.1 Findings Addressing Goal 12 and Related Administrative Rules

#### 3.1.1 Goal 12 (Transportation)

*To provide and encourage a safe, convenient and economic transportation system.*

*A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans.*

#### **Goal 12 Findings:**

OAR 660, Division 12 (the Transportation Planning Rule or TPR) implements Goal 12. Findings addressing applicable provisions of the TPR are provided in Section 4.1.2 of the Findings Report. Specific issues identified during public testimony are further addressed in Section 3.1.2 of this report below and demonstrate compliance with Goal 12.

### 3.1.2 OAR 660, Division 12 (the “Transportation Planning Rule”)

#### 3.1.2.1 660-012-0015 Preparation and Coordination of Transportation System Plans

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

#### 3.1.2.2 660-012-0016 Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

#### 3.1.2.3 660-012-0020 Elements of Transportation System Plans

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

#### 3.1.2.4 660-012-0025 Complying with the Goals in Preparing Transportation System Plans; Refinement Plans

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

#### 3.1.2.5 660-012-0030 Determination of Transportation Needs

**Criteria** – See criteria in Section 2.1.3.1 (page 9).

**Testimony** – See summary of testimony in Section 2.1.3.1 (page 9)

**Supplemental Findings** – See findings in Section 2.1.3.1 (page 9).

#### 3.1.2.6 660-012-0035 Evaluation and Selection of Transportation System Alternatives

**Criteria – 660-012-0035(1)-(3):**

*(1) The TSP shall be based upon evaluation of potential impacts of system alternatives that can reasonably be expected to meet the identified transportation needs in a safe manner and at a reasonable cost with available technology. The following shall be evaluated as components of system alternatives:*

*(a) Improvements to existing facilities or services;*

*(b) New facilities and services, including different modes or combinations of modes that could reasonably meet identified transportation needs;*

*(c) Transportation system management measures;*

*(d) Demand management measures; and*

*(e) A no-build system alternative required by the National Environmental Policy Act of 1969 or other laws.*

*(2) Local governments in MPO areas of larger than 1,000,000 population shall, and other governments may also, evaluate alternative land use designations, densities, and design standards to meet local and regional transportation needs.*

*(3) The following standards shall be used to evaluate and select alternatives:*

- (a) The transportation system shall support urban and rural development by providing types and levels of transportation facilities and services appropriate to serve the land uses identified in the acknowledged comprehensive plan;*
- (b) The transportation system shall be consistent with state and federal standards for protection of air, land and water quality including the State Implementation Plan under the Federal Clean Air Act and the State Water Quality Management Plan;*
- (c) The transportation system shall minimize adverse economic, social, environmental and energy consequences;*
- (d) The transportation system shall minimize conflicts and facilitate connections between modes of transportation; and*
- (e) The transportation system shall avoid principal reliance on any one mode of transportation by increasing transportation choices to reduce principal reliance on the automobile. In MPO areas this shall be accomplished by selecting transportation alternatives which meet the requirements in section (4) of this rule.*

### **Testimony**

Several commentors testified that additional consideration should have been given to transportation system management, transportation demand management, and improvements to existing facilities.

### **Supplemental Findings**

Supplemental findings related to consideration of TDM, TSM, and improvements to existing facilities are provided in Section 2.1.3.1 of this document, beginning on page 9. Those findings are incorporated by this reference.

### **Criteria – 660-012-0035(4):**

*(4) In MPO areas, regional and local TSPs shall be designed to achieve adopted standards for increasing transportation choices and reducing reliance on the automobile. Adopted standards are intended as means of measuring progress of metropolitan areas towards developing and implementing transportation systems and land use plans that increase transportation choices and reduce reliance on the automobile. It is anticipated that metropolitan areas will accomplish reduced reliance by changing land use patterns and transportation systems so that walking, cycling, and use of transit are highly convenient and so that, on balance, people need to and are likely to drive less than they do today.*

### **Testimony and Findings – 660-012-0035(4):**

One commenter noted that findings had not been prepared for this criterion. However, that commenter was reviewing an early draft of the findings. The Findings Report published in advance of the October 12, 2016 joint hearing contains findings in support of this criterion (Section 4.1.2.5, page 157). Supplemental findings related to compliance with requirements to reduce reliance on the automobile are provided in Section 2.1.3.1 of this document (page 9). Those findings are incorporated by this reference.

### **660-012-0035(10)-(12)**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

### 3.1.2.7 660-012-0040 Transportation Financing Program

#### **Criteria – 660-1012-0040:**

- (1) For areas within an urban growth boundary containing a population greater than 2,500 persons, the TSP shall include a transportation financing program.*
- (2) A transportation financing program shall include the items listed in (a)-(d):*
  - (a) A list of planned transportation facilities and major improvements;*
  - (b) A general estimate of the timing for planned transportation facilities and major improvements;*
  - (c) A determination of rough cost estimates for the transportation facilities and major improvements identified in the TSP; and*
  - (d) In metropolitan areas, policies to guide selection of transportation facility and improvement projects for funding in the short-term to meet the standards and benchmarks established pursuant to 0035(4)-(6). Such policies shall consider, and shall include among the priorities, facilities and improvements that support mixed-use, pedestrian friendly development and increased use of alternative modes.*

#### **Testimony**

A number of commenters testified that the Preferred Alternative should not be carried forward due to the relatively high cost of the new crossing and because potential funding sources are not guaranteed. Other commenters suggest that a cost-benefit analysis should have been conducted for the proposed project.

#### **Findings**

These issues are addressed in Section 4.1.2.6 (pages 159-160) of the Findings Report and in supplemental findings in Section 2.1.5.1 (page 16) of this document. Those findings describe how regional and local financing plans address the proposed project. They note that: “Portions of the project will likely be under the jurisdiction of the State (ODOT), while other portions will be maintained and operated by the City. The overall project is a high priority for the City of Salem, but given the significant costs, it will likely be designed and constructed in phases. Costs associated with the Salem River Crossing Preferred Alternative (\$425M) are noted in the High Priority Street Improvement Projects Table of the proposed Salem TSP amendments, with a footnote that costs will be shared by Local, State, and Regional partners.” Clearly, there is awareness that funding is a significant issue to be addressed as the project moves forward.

It also should be noted that approval of funding is not feasible without completing the EIS process and the EIS process cannot be completed without first approving the UGB amendment process. Furthermore, implementation of the project will require significant partnerships and phasing to make it a reality. These partnerships and decisions cannot be made until the footprint and general design are established, which also requires completion of the UGB amendment process. For all these reasons, it is not feasible or practicable to have an approved funding plan at this stage in the planning process.

### 3.1.2.8 660-012-0050 Transportation Project Development

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

### 3.1.2.9 660-012-0055 Timing of Adoption and Update of Transportation System Plans; Exemptions

No testimony was provided relevant to this section and no supplemental findings have been prepared.

### 3.1.2.10 660-012-0060 Plan and Land Use Regulation Amendments

#### **Criteria – 660-012-0060(1) and (2):**

*(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

*(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

*(b) Change standards implementing a functional classification system; or*

*(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

*(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.*

*(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*

*(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or*

*mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.*

*(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.*

*(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.*

*(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.*

**Testimony – 660-012-0060(1) and (2):**

Testimony related to these criteria included the following comments:

- A. Amendments to the Oregon Highway Plan (OHP) to revise mobility targets must be in place prior to approval of the project and have not yet been adopted.
- B. Closure of the Rosemont ramps would significantly affect the transportation system and those effects are not adequately addressed in the findings.
- C. The Preferred Alternative would adversely affect performance at several intersections which would not meet local performance targets.
- D. One commenter was reviewing an older draft of the findings that did not fully address these criteria, and noted that it had not addressed all elements.

**Findings – 660-012-0060(1):**

The Findings Report addresses these criteria generally (Section 4.1.2.9, pages 160-162). Supplemental findings to address testimony are provided below.

**A. OHP Mobility Target Amendments**

ODOT guidelines and administrative rules do not require revision of the Alternative Mobility Targets prior to adoption of a UGB amendment. ODOT is in the process of developing alternative mobility targets for the state highway intersections affected by, and consistent with, the Preferred Alternative for the Salem River Crossing project. ODOT Region 2 will prepare documentation and a recommendation for the Oregon Transportation Commission (OTC) to amend the Oregon Highway Plan (OHP) to include the alternate mobility targets. By ODOT and OTC policy, the proposed amendment will not be presented to the OTC until the local land use adoption process for the Salem River Crossing has been completed. This is consistent with other ODOT and local planning processes where OHP

amendments are adopted as the last step after local adoption to demonstrate the local agency support for the amendment.<sup>17</sup>

### **B. Rosemont Ramp Closure**

The project assumes future closure of the Rosemont Avenue off-ramp with the possibility of relocating it to Eola Drive or further west. The primary reason for the closure of the westbound Rosemont off ramp is the short weave distance and the anticipated high volume of traffic that would be using both ramps. Illustrations entered into the record illustrate these unsafe conditions. During peak traffic periods, the weave movement would be heavier, resulting in this area becoming congested as drivers slow down to make the weave movement. The potential for conflict would occur during all periods of the day, but would likely be more severe during the off-peak periods when speeds would be higher. The DEIS and Land Use findings state that the potential relocation of the Rosemont Interchange to Eola will be deferred pending development of a Facility Plan for OR 22 to be prepared by ODOT in coordination with local jurisdictions (Salem and Polk County). That Facility Plan will identify measures to mitigate any adverse impacts of the Rosemont closure and strengthen beneficial impacts. The City adoption of the Preferred Alternative into the Salem Transportation System Plan includes the following language:

Access to OR 22: The City will not support closure of the exit at Rosemont Avenue NW until a facility plan has been adopted that addresses access to the southwest portion of west Salem from westbound OR 22.

### **C. Intersection Performance**

It is true that some intersections in the study area will remain congested in the future under the Preferred Alternative. However, this alternative improves performance of the transportation system overall in comparison to the No Build alternative and Alternative 2A. Improvements to the overall system and the portions of the system associated with the existing bridges and downtown Salem are a key objective of the project. There is no review standard that requires that the proposed alternative must result in less congestion than the no-build at every affected intersection or at some minimum number of intersections. In addition, the proposed TSP amendments include the following statement:

*The City supports a greater level of peak hour congestion in order to reduce the physical impact to the surrounding neighborhoods and business districts.<sup>18</sup>*

## **3.2 Findings Addressing Consistency with Local, Regional and State Transportation Plans**

### **3.2.1 Salem Urban Area Goals and Policies (SACP, Section IV)**

The supplemental findings in this section focus on goals and policies that are most applicable to the proposed Salem TSP amendments. General goals and policies in the SACP are addressed first, followed by relevant goals and policies in the Salem TSP. There is quite a bit of redundancy in the SACP policies for Transportation and the TSP policies, and findings

<sup>17</sup> Email from Dan Fricke, ODOT Region 2 to Matt Hastie, dated October 19, 2016, and part of the record of this proceeding.

<sup>18</sup> Proposed Addition to Salem Transportation System Plan Street System Element, Ordinance Bill No. 14-16, Exhibit 2.

are cross-referenced where appropriate to minimize duplication. Relevant policies in the Polk County TSP are addressed in 4.2.2. For the majority of the specific goals and policies, no public testimony was provided.

## **E. RESIDENTIAL DEVELOPMENT**

### *Circulation System and Through Traffic*

*(7) Residential neighborhoods shall be served by a transportation system that provides access for pedestrian, bicycles, and vehicles while recognizing the neighborhoods physical constraints and transportation service needs:*

*(a) The transportation system shall promote all modes of transportation and dispersal rather than concentration of through traffic;*

*(b) Through traffic shall be addressed by siting street improvements and road networks that serve new development so that short trips can be made without driving;*

*(c) The transportation system shall provide for a network of streets fitted to the terrain with due consideration for safety, drainage, views, and vegetation.*

### **Testimony – Residential Development:**

Several commenters testified that the Preferred Alternative would negatively impact neighborhoods on both sides of the river (West Salem / Edgewater and Highland Neighborhood).

### **Findings - Residential Development:**

Findings addressing these standards are provided on pages 162-163 of the Findings Report. Supplemental findings are provided below.

Virtually all transportation projects of this scale can expect to have some adverse impacts on affected neighborhoods. They also typically have benefits in terms of providing better mobility, improved access and enhanced safety. The Preferred Alternative would be no exception. The mere fact that a transportation project may have some negative impacts does not mean that such projects are disallowed. Instead, transportation improvement projects are expected to identify adverse impacts and provide reasonable mitigation.

The DEIS summarizes a number of measures that will be undertaken to address impacts to adjacent neighborhoods. For example the DEIS indicates that project design shall include consideration of traffic calming needs in neighborhoods adjoining the bridgeheads on both sides of the Willamette River. Mitigation measures may include access restrictions or other traffic calming features, such as speed humps, diverters, or similar measures. In addition to mitigating negative impacts, the Preferred Alternative was designed to avoid other negative impacts. For example, it displaces significantly fewer residents and businesses in comparison to other Build Alternatives. It also will provide improved multi-modal access across the river to adjacent and surrounding neighborhoods.

## **G. COMMERCIAL DEVELOPMENT**

### *Central Business District*

*(1) The central business district shall be maintained and developed as a mixed-use regional retail and employment center for the Salem urban area as well as Marion and Polk counties.*

**Testimony and Findings - Commercial Development:**

No testimony was provided on this criterion and no supplemental findings have been prepared for them.

**J. TRANSPORTATION**

**Regional Mobility**

*(3) A balanced system of transportation facilities and services shall be designed to meet the regional travel patterns and mobility needs of residents, businesses, and industries.*

**Testimony and Findings – Regional Mobility:**

No testimony was provided on this criterion and no supplemental findings have been prepared for them.

**Multimodal Transportation System**

*(4) The transportation system for the Salem Urban Area shall consist of an integrated network of facilities and services for a variety of motorized and nonmotorized travel modes.*

**Findings - Multimodal System:**

No testimony was provided on this criterion and no supplemental findings have been prepared for them.

**Connectivity and Circulation**

*(5) The vehicle, transit, bicycle, and pedestrian circulation systems shall be designed to connect major population and employment centers in the Salem Urban Area, as well as provide access to local neighborhood residential, shopping, schools, and other activity centers.*

**Testimony and Findings - Connectivity and Circulation:**

One commenter asserted that the Preferred Alternative will not enhance pedestrian and bicycle connectivity. Findings in support of this criterion are found in the Findings Report (Section 4.2.1.J, page 165) and supporting documents. No supplemental findings have been prepared for this criterion.

**Supportive of Land Use Plan Designations and Development Patterns**

*(6) The provision of transportation facilities and services shall reflect and support land use designations and development patterns as identified in the Salem Area Comprehensive Plan. The design and implementation of transportation facilities and services shall be based on serving current and future travel demand, residential densities, retail, and employment centers.*

*(7) Local governments shall encourage the expansion of transit services throughout and beyond the Salem Urban Area, especially to areas of increased residential densities, major commercial concentrations, and large institutional and employment centers.*

**Testimony and Findings - Supportive of Land Use Plan Designations and Development Patterns:**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

**Growth Management**

*(8) The construction of transportation facilities shall be timed to coincide with community needs, and shall be implemented in such a way as to minimize impacts on existing development.*

**Testimony - Growth Management:**

Commenters asserted that the Preferred Alternative will adversely impact homes and businesses in the area and that closure of Rosemont Avenue will have adverse impacts on existing and future residents.

**Findings - Growth Management:**

Findings in support of this criterion are found in the Findings Report (Section 4.2.1, pages 166-167) and supporting documents. Supplemental findings associated with these issues are found in section 3.1.2.10 of this report (beginning on page 30).

**System Efficiency**

*(12) The implementation of transportation system and demand management measures, enhanced transit service, and provision for bicycle and pedestrian facilities shall be pursued as a first choice for accommodating travel demand and relieving congestion in a travel corridor, before widening projects are constructed.*

*(13) The Salem Transportation System Plan shall identify methods that citizens can use to commute to work and decrease overall traffic demand on the transportation system. Such methods include transit ridership, telecommuting, carpooling, vanpooling, flexible work schedules, walking, and bicycling.*

**Testimony - System Efficiency:**

Commenters testified that the Preferred Alternative does not do enough to promote alternative methods of reducing vehicle trips and/or that those actions should be undertaken prior to considering the Preferred Alternative.

**Findings - System Efficiency:**

These issues are addressed in the Findings Report (Section 4.2.1.J, page 167). Supplemental findings related to these issues also are found in this document in Section 2.1.4.1 (pages 17-19).

**Public Safety**

*(15) The rapid and safe movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the transportation system.*

**Testimony and Findings - Public Safety:**

No testimony was provided on this criterion and no supplemental findings have been prepared for them.

**Economic Development**

*(17) Supportive of the mobility needs of businesses and industries, the transportation system shall consist of the infrastructure necessary for the safe and efficient movement of goods, services, and people throughout the Salem Urban Area.*

*The Salem Transportation System Plan shall include consideration of the area's rail, aviation, inland marine, pipeline, and truck movement network. The Plan shall include ways to facilitate the intermodal transfer of freight in the area.*

**Testimony and Findings - Economic Development:**

No testimony was provided on this criterion and no supplemental findings have been prepared for them.

**Neighborhood Livability**

*(19) Transportation facilities shall be designed and constructed to: minimize noise; energy consumption; neighborhood disruption; economic losses to the private or public economy, and social, environmental, and institutional disruptions; and to encourage the use of public transit, bikeways, and walkways.*

**Testimony - Neighborhood Livability:**

Several commenters described potential negative impacts on neighborhood livability issues including displacements of residents and businesses, local streets and traffic.

**Findings - Neighborhood Livability:**

Findings addressing these standards are provided on pages 1672-163 of the Findings Report. Supplemental findings addressing impacts on neighborhoods are provided on page 37 of this document.

**Aesthetics and Landscaping**

*(20) Aesthetics and landscaping shall be considered in the design of the transportation system. Within the physical and financial constraints of the project, landscaping, and where appropriate, public art, shall be included in the design of the transportation facility. Various landscaping designs, plants, and materials shall be utilized by local governments, private entities, or individuals to enhance the livability of the area.*

**Testimony - Aesthetics and Landscaping:**

Commenters testified that the construction of ramps and other structures proposed for the Preferred Alternative will have adverse impacts on views of the Willamette River, including from nearby parks (e.g., Wallace Park) and other viewpoints.

**Findings - Aesthetics and Landscaping:**

The Findings Report (Section 5.1.2.1, pages 190-194) contains a detailed discussion of the visual resources evaluation undertaken as part of the DEIS and FEIS, which evaluated impacts to viewpoints throughout the project area. In addition, the findings in Section 4.2.1.J of the Findings Report (pages 169-170) address the issue of aesthetics in the context of the TSP policy above, and note that prior to construction, a Greenway Development Review will be required, which will include consideration of more detailed plans for design of the bridge, potential viewpoints and/or access to the river, etc. In addition, the Findings Report (page 170) notes that the proposed Salem TSP amendments include a requirement for public input into the design of the bridge and related improvements.

While the *FEIS Visual Resources Technical Report Addendum* (CH2M Hill, 2016) notes that new structures would result in visual impacts, from many viewpoints they would occur within the context of a number of elevated structures (including the existing bridges) already located within the area. They also would be generally consistent with adopted plans for a

road proposed to be located along the western edge of the park shown in the adopted Wallace Park Master Plan. Physical connectivity under the new ramps also would be maintained where feasible. In addition, a variety of improvements would be undertaken as part of the process which would result in beneficial impacts to park users and others, including bicycle and pedestrian pathway improvements, park enhancements, new and enhanced viewing points, acquisition of additional public land and enhanced public access to other areas along the river.

### **Citizen Involvement**

*(22) Opportunities for broad-based citizen involvement in the development, revision, monitoring and implementation of the Salem Area Comprehensive Plan shall be provided by the City of Salem and Marion and Polk Counties. Where neighborhood groups have been officially recognized by the governing body, they shall be included in the planning process. To help assure citizen participation and information, public hearings shall be held prior to adoption of all land use ordinances.*

### **Testimony – Citizen Involvement:**

Commenters testified that the City of Salem and other participating jurisdictions did not provide adequate time or opportunities for community members to review or comment on recommendations associated with the Preferred Alternative or findings and other materials prepared in support of the proposal Plan Amendments.

### **Findings - Citizen Involvement:**

Findings addressing Statewide Planning Goal 1 (Citizen Involvement) are provided in Section 6.2.1 of the Findings Report (page 51). Supplemental findings in response to testimony about lack of time for review are provided on page 21 of this document.

### **Intergovernmental Coordination and Consistency**

*(23) Local governments within the Salem Urban Area shall coordinate their transportation planning and construction efforts with those of the SKATS, the State of Oregon Department of Transportation, the Salem Area Mass Transit District, and each other. Local transportation plans will be consistent with those developed at the regional and State level.*

### **Testimony – Coordination and Consistency:**

Commenters testified that the City of Salem and did not adequately coordinate with the Salem Transit District.

### **Findings - Coordination and Consistency:**

This criterion is addressed in the Section 4.2.4 of the Findings Report (page 177) which is incorporated by this reference. Supplemental findings associated with this criterion are found in Section 5.2.1 (page 53) of this report.

### **Environment**

*(24) The City shall take proactive measures to reduce the environmental impacts from transportation programs and projects by ensuring that environmental resources are identified and evaluated for impacts early in the planning stage. Design, construction, and maintenance activities should avoid, minimize, or mitigate adverse environmental impacts. Where appropriate, the City shall look for cooperative opportunities with other public and private organizations to enhance the*

*natural environment as a component of transportation projects and maintenance activities.*

**Testimony and Findings – Environment:**

No testimony was provided on this criterion and no supplemental findings have been prepared for them.

### **3.2.2 Salem Transportation System Plan (TSP)**

#### **3.2.2.1 Street System Element**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

#### **3.2.2.2 Bicycle System Element**

*Goal: To provide a comprehensive system that accommodates a range of bicyclists with varying skill levels by providing a well-connected system of bicycle facilities that will encourage increased ridership, safe bicycle travel, active transportation, and support public health.*

**Testimony - Bicycle System Element:**

Commenters assert that the Preferred Alternative will not provide adequate improvements to the bicycle system. The commenters also state that the improvements made to the city's bicycle system to date have not been robust enough.

**Findings - Bicycle System Element:**

This criterion is addressed in the Findings Report (Section 4.2.2.2, page 174) which demonstrate that the bicycle system improvements integrated in the Preferred Alternative will result in improvements to the overall bicycle element of the transportation system. This criterion is not intended to be used to judge the overall adequacy of the system in evaluating a single project.

#### **3.2.2.3 Pedestrian System Element**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

#### **3.2.2.4 Transit System Element**

*Goal: A public mass transit system that provides convenient and accessible transit services to the citizens of the Salem Urban Area.*

**Testimony and Findings - Transit System Element:**

No testimony was provided on this criterion and no supplemental findings have been prepared for them. Testimony related to coordination with the Salem Keizer Transit District and consideration of other transit-related strategies is addressed in Section 5.2.1 of this report (page 53)

#### **3.2.2.5 Freight Movement Element**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

### 3.2.2.6 TSP Guiding Principles and Strategies – Policy 5

*Policy: The City shall work with the Oregon Department of Transportation to first identify what types of capacity and seismic improvements can and should be made to the existing Center Street and Marion Street Bridges. Secondly, the City shall work with the State and other regional jurisdictions to identify the need for additional river crossings over the next 20-40 years. If such a need is justified, the location of additional river crossings should be identified. The type of crossing method should then be determined. Finally, the method of construction and operation should be identified and pursued.<sup>19</sup>*

#### **Testimony – Policy 5:**

One commenter asserts that the City must make seismic improvements before determining the need for a new river crossing.

#### **Findings – Policy 5:**

The commenter appears to interpret the words “first” and “secondly”, as used in this policy, as requirements that the second item (determining the need for a new river crossing) cannot take place prior to implementing seismic upgrades to the existing bridge. However, the language more accurately means that the City must pursue both avenues.

As noted in the Findings Report, the Preferred Alternative would include construction of a new bridge built to current standards that take a magnitude 9.0 CSZ and liquefaction into account and would be consistent with the purpose of Goal 7 to protect people and property from natural hazards. On a long-term basis, having a new bridge across the Willamette River would improve connectivity and reduce local vulnerability to a major seismic event relative to the No Build and Alternative 2A.

However, the City agrees that construction of a new bridge would not replace the need for continued local and regional support and advocacy for seismic improvements to the existing bridges, particularly in light of ODOT’s designation of the segment of OR 22 that includes the existing bridges as a Tier 3 (lower priority) seismic lifeline route. Towards that end, the City of Salem has partnered with ODOT in submitting a request to SKATS for federal funding to complete a seismic retrofit study for the Center Street bridge in 2017. This funding was approved by SKATS in September 2016. In addition, as part of the package of Draft Amendments to the Salem TSP supporting the Preferred Alternative, the following new text is proposed:

*While there is a need for a new bridge across the Willamette River, the Marion and Center Street bridges will continue to be a critical part of the local, regional, and state transportation system. The City will continue to advocate for ODOT to maintain these bridges in a state of good repair. The City fully supports cost-effective efforts to undertake seismic upgrades of these existing facilities to protect life safety and to minimize disruption in the event of an earthquake.*

<sup>19</sup> Guiding Principles of the Long-Range Transportation Strategy, #5, Salem TSP, February 2016, page 16-3.

### 3.2.3 Polk County Transportation System Plan

#### 3.2.3.1 Goal 2

No testimony was provided on this criterion in relation to coordination and participation undertaken by Polk County and no supplemental findings have been prepared for it.

#### 3.2.3.2 Goal 3

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

#### 3.2.3.3 Goal 6

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

### 3.2.4 Regional Transportation Plan

#### 3.2.4.1 2015-2035 SKATS Regional Transportation System Plan (SKATS MPO, 2015)

##### **Testimony and Findings**

No testimony was provided directly related to goals and objectives in the SKATS Regional Transportation Plan and no additional findings related to those criteria have been prepared.

### 3.2.5 State Transportation Plans

#### 3.2.5.1 Oregon Transportation Plan (ODOT, 2006)

No testimony was provided directly related to goals in the Oregon Transportation Plan and no additional findings related to those criteria have been prepared.

#### 3.2.5.2 Oregon Highway Plan (ODOT, 1999, republished with all amendments, 2015)

##### **Policy 1B – 1E**

No testimony was provided directly related to these policies of the Oregon Highway Plan and no additional findings related to those criteria have been prepared.

##### **Policy 1F: Highway Mobility Standards**

*It is the policy of the State of Oregon to maintain acceptable and reliable levels of mobility on the state highway system, consistent with the expectations for each facility type, location and functional objectives. Highway mobility targets will be the initial tool to identify deficiencies and consider solutions for vehicular mobility on the state system. Specifically, mobility targets shall be used for:*

*Identifying state highway mobility performance expectations for planning and plan implementation;*

*Evaluating the impacts on state highways of amendments to transportation plans, acknowledged comprehensive plans and land use regulations pursuant to the Transportation Planning Rule (OAR 660-12-060); and*

*Guiding operations decisions such as managing access and traffic control systems to maintain acceptable highway performance.*

*Where it is infeasible or impractical to meet the mobility targets, acceptable and reliable levels of mobility for a specific facility, corridor or area will be determined through an efficient, collaborative planning process between ODOT and the local jurisdiction(s) with land use authority. The resulting mobility targets will reflect the balance between relevant objectives related to land use, economic development, social equity, and mobility and safety for all modes of transportation.*

*Oregon Transportation Commission adoption of alternative mobility targets through system and facility plans should be accompanied by acknowledgement in local policy that state highway improvements to further reduce congestion and improve traffic mobility conditions in the subject area are not expected.*

*Traffic mobility exemptions in compliance with the TPR do not obligate state highway improvements that further reduce congestion and improve traffic mobility conditions in the subject area.*

#### **Testimony - Policy 1F:**

One commenter asserts that the state must adopt amendments to the alternative mobility standards for the facilities associated with the Preferred Alternative prior to adoption of the proposed local TSP amendments.

#### **Findings - Policy 1F:**

This issue is addressed in the Findings Report (Section 4.2.5.2, page 181). Supplemental findings associated with this criterion are found in Section 3.1.2.9 (page 28) of this document.

#### **Policy 1G: Major Improvements**

*It is the policy of the State of Oregon to maintain highway performance and improve safety by improving system efficiency and management before adding capacity. ODOT will work in partnership with regional and local governments to address highway performance and safety needs.*

*Use the following priorities for developing corridor plans, transportation system plans, the Statewide Transportation Improvement Program, and project plans to respond to highway needs:*

- (1) Protect the existing system*
- (2) Improve efficiency and capacity of existing highway facilities*
- (3) Add capacity to the existing system*
- (4) Add new facilities to the system*

#### **Testimony - Policy 1G:**

One commenter asserts that the City and ODOT have not adequately considered or undertaken improvements to the existing bridge facilities prior to considering a new river crossing.

#### **Findings – Policy 1G:**

The Findings Report addresses this criterion in background information in Section 2.3 (page 37) and the findings addressing OAR 660-024-0050(4) (page 92) of that report. Supplemental findings associated with this criterion are found in Section 2.1.4.1 (page 11) of this report.

## 4 Findings in Support of Greenway Goal Exception

This chapter provides supplemental findings in response to public testimony related to:

- Statewide Planning Goal 15
- ORS 390.310 to 390.368 (Willamette Greenway Statutes)
- OAR 660, Division 4 (Goal Exceptions)
- Relevant City of Salem Greenway Policies

### ***Description of Greenway Goal Exception***

The portion of the Preferred Alternative within the Greenway Overlay is within the existing UGB and Salem city limits. Therefore, Salem's plans and regulations are the controlling local documents for the Greenway goal exception. Additional information about the proposed Goal Exception and applicable elements of the Preferred Alternative are found in the Findings Report (Chapter 5, page 183).

### ***Summary of Testimony***

Commenters testified about the following aspects of the proposed Greenway Exception and impacts to the Greenway area:

- Coordination with public agencies (Salem Parks and Recreation Board, Oregon Parks and Recreation District) and community groups
- Overall attention to and assessment of Greenway impacts
- Scenic impacts related to proposed bridge structures
- Impacts on flood hazard areas and floodplain management
- Riparian vegetation impacts
- Recreation use, particularly the navigability of small boats (e.g., kayaks and canoes) and their ability to use landing points on McLane Island

The first item is addressed below. Remaining issues are addressed in relation to applicable approval criteria in the following pages. Only approval criteria relevant to these issues are addressed. All other approval criteria are addressed in Chapter 5 of the Findings Report.

### ***Findings – Coordination with Public Agencies and Citizens***

Extensive coordination and review of the DEIS and the Preferred Alternative has taken place. Findings in support of these efforts are found in Section 6.2.1 of the Findings Report (pages 228-230) and Section 5.2.1 of this report (beginning on page 51).

## 4.1 Statewide Planning Goal 15 and Related Statutes and Rules

### 4.1.1 Goal 15

Statewide Planning Goal 15 is intended to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

#### **Criteria – Goal 15, Section A.1:**

*(1) The qualities of the Willamette River Greenway shall be protected, conserved, enhanced and maintained consistent with the lawful uses present on December 6, 1975. Intensification of uses, changes in use or developments may be permitted after this date only when they are consistent with the Willamette Greenway Statute, this goal, the interim goals in ORS 215.515(1) and the statewide planning goals, as the case may be, and when such changes have been approved as provided in the Preliminary Greenway Plan or similar provisions in the completed plan as appropriate.*

#### **Testimony**

Several commentors raised concerns about how the Preferred Alternative would affect the qualities of the Willamette River Greenway.

#### **Findings**

Findings addressing this criterion are provided in Section 5.1.1 of the Findings Report, on pages 184-185. Supplemental findings responding to testimony about greenway impacts are provided in the following sections.

### 4.1.2 Goal Exceptions Statutes and Rules

Goal 15 exceptions need to show compliance with the standards for “reasons” exceptions set out in ORS 197.732(1)(c), Goal 2 Part II and OAR chapter 660, Division 4 (especially OAR 660-004-0018, -0020, and -0022(6)). Briefly, these require a demonstration of (1) reasons why the policies in Goal 15 should not apply; (2) consideration of alternative locations; (3) analysis of the economic, social, environmental and energy (ESEE) consequences of locating the use at the proposed location rather than other locations also requiring goal exceptions, and (4) analysis of how the use is or can be made compatible with adjacent uses.

OAR 660-004-0022(6) provides guidance on specific reasons that can be used to support an exception to Goal 15. Those specific criteria are addressed first in Section 5.1.2.1 below, followed by findings in Sections 5.1.2.2 through 5.1.2.6 (pages 201 through 220) that address the more general exception requirements of OAR 660-004-0020 and the provisions in OAR 660-004-0018 relating to planning and zoning for exception areas.

#### **4.1.2.1 OAR 660-004-0022:**

##### **Criteria – OAR 660-004-0022(6):**

*(6) Willamette Greenway: Within an urban area designated on the approved Willamette Greenway Boundary maps, the siting of uses which are neither water-dependent nor water-related within the setback line required by Section C.3.k of the Goal may be approved where reasons demonstrate the following:*

- (a) The use will not have a significant adverse effect on the greenway values of the site under consideration or on adjacent land or water areas;*
- (b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction;*
- (c) The use will provide a significant public benefit; and*
- (d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322."*

**Testimony – Greenway Values (6)(a):**

As noted above, commenters asserted that overall attention to and assessment of Greenway impacts was not adequate.

**Findings – Greenway Values (6)(a):**

The values of the Greenway are embodied in Goal 15: *"to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities along the Willamette River as the Willamette River Greenway."*

The Findings Report devotes approximately 40 pages to a review of consistency with state and local approval criteria associated with an exception to Statewide Willamette River Greenway Goal 15. These findings rely on the DEIS and supporting technical reports, and updated technical reports for the FEIS that focus on the Preferred Alternative that examine impacts on resources within the Greenway in detail and include comparisons of the relatively impacts of all DEIS alternatives, including the Preferred Alternative and Alternative 2A. This represents a significant amount of attention to the proposed Greenway Exception which the City finds to be adequate for the proposed Plan amendments.

Specific issues noted by commenters are addressed below.

**Testimony – Natural Qualities (6)(a):**

Commentors assert that the Preferred Alternative would have adverse impacts on natural resources, including vegetation, wildlife and flood hazard management and that more analysis is needed.

**Findings – Natural Qualities (6)(a):**

The Findings Report includes extensive findings on these issues in Section 5.1.2.1 (pages 186-190). In addition, supplemental findings include:

The Preferred Alternative will be required to adhere to all adopted floodplain requirements as they exist now or at the time permit applications are filed and will obtain all required permits necessary to construct the project. The new floodplain measures are expected to require specific study, documentation, and design requirements. This project will not be able to move forward without meeting future floodplain management requirements and obtaining required permits.

In addition, due to the potential impacts of this project to aquatic species, continued coordination with the National Marine Fisheries Service (NMFS) is required and a Biological Assessment (BA) is currently being drafted in coordination with NMFS and ODOT. The BA will make some conservative estimates about bridge design and will include potential mitigation measures that are agreed upon by NMFS to offset any impacts the project may

incur, including impacts to listed species and their habitat. Once the draft BA is complete, the Federal Highway Administration (FHWA) will submit it to NMFS officially and NMFS will issue a Biological Opinion (BiOP). This BiOP will affirm and/or refine recommended mitigation activities and must be issued by NMFS prior to FHWA approving the project by signing the Record of Decision (ROD).<sup>20</sup> Measures that could be included in the BiOP to offset potential impacts include:

- Work within the active channel of the river will be completed during the in water work period as established by ODFW.
- Minimize impact area - confine construction impacts to the minimum area necessary to achieve project goals.
- Under high flow conditions, operations will cease that could result in inundation of the project area.
- Pollution and Erosion Control Plan implementation including inspection of erosion control best management practices (BMP).
- Construction discharge water will be treated.
- Isolation and fish salvage will occur within work areas.
- Prepare project completion report with photos.
- Site restoration - finish grade slopes and elevations.
- Look at opportunities to enhance riparian zones to allow for more shade, lower stream temperatures and more potential for large wood to be added to the system

These documents will require a variety of mitigation measures to be undertaken as part of any future bridge construction. Those measures are generally described in technical reports prepared for the FEIS and will be described in more detail in the BiOP.

**Testimony – Scenic Qualities (6)(a):**

Commentors assert that the Preferred Alternative would have adverse impacts on scenic resources associated with new bridge structures.

**Findings – Scenic Qualities (6)(a):**

The Findings Report includes extensive findings on these issues in Section 5.1.2.1 (pages 190-194). In summary, those findings state that based on the evidence in the DEIS and the *Visual Resources Technical Report Addendum* (2016), the Preferred Alternative will have some impact, but not a significant adverse effect, on Greenway scenic values. In addition, the new bridge, and associated bicycle and pedestrian facilities on and off the bridge, would provide additional opportunities for views of the Willamette River, McLane Island, and Wallace Marine Park and riparian areas that aren't available today.

Also, many people find bridges to be attractive and they become part of the character of the city. While some people may find a new bridge over the river to detract from the scenic qualities of the river, others may conclude that it enhances those scenic qualities. In the subsequent Greenway Development Permit phase, the public and decision-makers will have an opportunity to review the bridge design details and bicycle and pedestrian facilities and

<sup>20</sup> Anna Henson, ODOT, "Re: ESA Consultation Process" Message to Julie Warncke, City of Salem, 10/18/2016

amenities, to ensure that the new bridge results in an overall net positive impact on the visual and scenic quality of the Willamette River Greenway.

Potential measures to avoid, minimize, and mitigate for adverse impacts to scenic values identified in the EIS include, but are not limited to:

- The use of sensitively designed architectural elements and details to be integrated with, complement, or otherwise enhance existing and new features.
- A sustainable, functional, and aesthetic landscape design.
- Increased spacing between bridge columns to open up views under bridge structures.

**Testimony – Historical Qualities (6)(a):**

Commentors assert that the Preferred Alternative would have adverse impacts on historic resources which are not adequately addressed in the Findings Report.

**Findings – Historical Qualities (6)(a)**

The Findings Report documents research, potential impacts, consultation, and assessment of impacts (Section 5.1.2.1, page 194). No additional findings are needed or have been prepared regarding this topic.

**Testimony – Recreational Qualities (6)(a):**

Commentors assert that the Preferred Alternative would have adverse impacts on park facilities and recreation use, particularly the navigability of small boats (e.g., kayaks and canoes) and their ability to use landing points on McLane Island, as well as on Wallace Marine Park.

**Findings – Recreational Qualities (6)(a):**

The Findings Report includes extensive findings on these issues in Section 5.1.2.1 (pages 196-199). In summary, those findings state that the Preferred Alternative would have relatively minimal impacts on area parks and associated recreational activities. In addition, the Hydraulics Technical Report Addendum states:

*No impacts to river traffic (e.g., recreational boating, Willamette River Queen tours) in the Willamette River are anticipated as a result of the preferred alternative. The preferred alternative new bridge would have full navigational clearance in both channels of the river around McLane Island and it is located far north of the boat ramp.*<sup>21</sup>

In addition, the Salem River Crossing Project Final Section 4(f) Evaluation states that “no impacts to small watercraft using the Willamette River Water Trail during construction are anticipated” and that “the design of the project has and will continue to ensure that recreation activities that currently occur within the Willamette River Water Trail will be maintained both during and after construction of the Project.”<sup>22</sup>

<sup>21</sup> Salem River Crossing Project Hydraulics Technical Report Addendum, prepared by CH2M, September 2016, page 1-16.

<sup>22</sup> Memorandum titled Salem River Crossing Project Final Section 4(f) Evaluation: Draft Findings for Park/Recreation Resources, to City of Salem and Oregon Department of Transportation, from: Michael Hoffmann/CH2M; October 5, 2016, page 21.

**Criteria – OAR 660-004-0022(6)(b)-(d):**

*(b) The use will not significantly reduce the sites available for water-dependent or water-related uses within the jurisdiction;*

*(c) The use will provide a significant public benefit; and*

*(d) The use is consistent with the Legislative findings and policy in ORS 390.314 and the Willamette Greenway Plan approved by LCDC under ORS 390.322.”*

**Testimony and Findings - OAR 660-004-0022(6)(b)-(d):**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

**4.1.2.2 Willamette Greenway Statutes (ORS 390.314 Legislative findings and policy)****Criteria - ORS 390.314(1):**

*(1) The Legislative Assembly finds that, to protect and preserve the natural, scenic and recreational qualities of lands along the Willamette River, to preserve and restore historical sites, structures, facilities and objects on lands along the Willamette River for public education and enjoyment and to further the state policy established under ORS 390.010, it is in the public interest to develop and maintain a natural, scenic, historical and recreational greenway upon lands along the Willamette River to be known as the Willamette River Greenway.*

**Testimony**

As noted above, several commentors raised concerns about how the Preferred Alternative would affect the qualities of the Willamette River Greenway.

**Findings**

Findings addressing this criterion are provided in Section 5.1.1 of the Findings Report, on pages 184-185. Supplemental findings responding to testimony about greenway impacts are provided in Section 4.1.2.1 of this report, beginning on page 42.

**Criteria - ORS 390.314(2)(a):**

*2) In providing for the development and maintenance of the Willamette River Greenway, the Legislative Assembly:*

*(a) Recognizing the need for coordinated planning for such greenway, finds it necessary to provide for development and implementation of a plan for such greenway through the cooperative efforts of the state and units of local government.*

**Testimony - ORS 390.314(2)(a):**

Commentors testified that there was not adequate coordination with the Oregon Parks and Recreation Department, the Salem Parks Board and the Willamette Riverkeepers.

**Findings - ORS 390.314(2)(a):**

As noted above, extensive coordination and review of the DEIS and the Preferred Alternative has taken place. Findings in support of these efforts are found in Section 6.2.1 of the Findings Report (pages 228-230) and Section 5.2.1 of this report (beginning on page 51).

**Criteria - ORS 390.314(2)(b):**

*(b) Recognizing the need of the people of this state for existing residential, commercial and agricultural use of lands along the Willamette River, finds it*

*necessary to permit the continuation of existing uses of lands that are included within such greenway; but, for the benefit of the people of this state, also to limit the intensification and change in the use of such lands so that such uses shall remain, to the greatest possible degree, compatible with the preservation of the natural, scenic, historical and recreational qualities of such lands.*

*(c) Recognizing that the use of lands for farm use is compatible with the purposes of the Willamette River Greenway, finds that the use of lands for farm use should continue within the greenway without restriction.*

**Testimony and Findings - ORS 390.314(1)(b)-(c):**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

**Criteria - ORS 390.314(2)(d):**

*(d) Recognizing the need for central coordination of such greenway for the best interests of all the people of this state, finds it necessary to place the responsibility for the coordination of the development and maintenance of such greenway in the State Parks and Recreation Department.*

**Testimony - ORS 390.314(2)(d):**

Commentors testified that there was not adequate coordination with the Oregon Parks and Recreation Department.

**Findings - ORS 390.314(2)(d):**

As noted above, extensive coordination and review of the DEIS and the Preferred Alternative has taken place. Findings in support of these efforts are found in Section 6.2.1 of the Findings Report (pages 228-230) and Section 5.2.1 of this report (beginning on page 51).

**Criteria - ORS 390.314(2)(e):**

*(e) Recognizing the lack of need for the acquisition of fee title to all lands along the Willamette River for exclusive public use for recreational purposes in such greenway, finds it necessary to limit the area within such greenway that may be acquired for state parks and recreational areas and for public recreational use within the boundaries of units of local government along the Willamette River.*

**Testimony and Findings - ORS 390.314(2)(e):**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

**4.1.2.3 Requirements and Standards for a Reasons Exception: OAR 660-004-0020, Goal 2, Part II(c), Exception Requirements**

**Testimony and Findings – OAR 660-004-0020(1),(2):**

No testimony was provided on these criteria and no supplemental findings have been prepared for them.

**4.1.2.4 Long-term ESEE Consequences of Alternatives Requiring an Exception**

**Criteria - OAR 660-004-0020(2)(c):**

*(c) "The long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse*

*impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site." The exception shall describe: the characteristics of each alternative area considered by the jurisdiction in which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts. A detailed evaluation of specific alternative sites is not required unless such sites are specifically described with facts to support the assertion that the sites have significantly fewer adverse impacts during the local exceptions proceeding. The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to a description of: the facts used to determine which resource land is least productive, the ability to sustain resource uses near the proposed use, and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts to be addressed include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;*

**Testimony - OAR 660-004-0020(2)(c):**

Testimony related to the overall assessment of Greenway values and impacts also could be applied to this criterion.

**Findings - OAR 660-004-0020(2)(c):**

The Findings Report address this topic in detail in Section 5.1.2.1 (page 41), 5.1.2.2 (page 45), and 5.1.2.4 (page 209-217). In summary, those findings state that the Preferred Alternative and all build alternatives would require a Greenway goal exception. In general, the Preferred Alternative and Alternative 2A would have the lowest Greenway impacts relative to the other build alternatives. City of Salem regulations do not allow any rise in the base flood elevation. Therefore, mitigation and balanced cut and fill would be required as part of any build alternative.

Based on the information in Table 13, Table 15, Table 18, and the findings in Section 5.1.2.4 and 5.1.2.5 of the Findings Report, incorporated by this reference, the net adverse impacts on the Willamette River Greenway are not expected to be "significantly more adverse" for the Preferred Alternative relative to other build alternatives, particularly when accompanied by mitigation measures such as those identified in Section 5.1.2.5.

**4.1.2.5 The findings referenced above from the Findings Report demonstrate that the impacts of the Preferred Alternative are generally "less adverse" than would typically result from the same proposal being located at any of the three bridge crossing locations. Compatibility with Adjacent Uses**

**Criteria - OAR 660-004-0020(2)(d):**

*(d) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts." The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or*

*production practices. "Compatible" is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.*

**Testimony - OAR 660-004-0020(2)(d):**

Testimony related to impacts on visual resources, parks and surrounding neighborhoods may be relevant to this criterion.

**Findings - OAR 660-004-0020(2)(d):**

Section 5.1.2.5 of the Findings Report (pages 218-219) addresses these comments, as do Sections 4.1.2.1, 4.1.2.2, and 4.1.2.4 of this report (pages 41, 45, and 46). No other findings have been prepared.

**Criteria - OAR 660-004-0020(3):**

*(3) If the exception involves more than one area for which the reasons and circumstances are the same, the areas may be considered as a group. Each of the areas shall be identified on a map, or their location otherwise described, and keyed to the appropriate findings.*

**Testimony and Findings - OAR 660-004-0020(3):**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

#### **4.1.2.6 Planning and Zoning for Exception Areas - OAR 660-004-0018**

**Criteria - OAR 660-004-0018(1)-(4):**

*(1) Purpose. This rule explains the requirements for adoption of plan and zone designations for exceptions...*

*(4) "Reasons" Exceptions:*

*(a) When a local government takes an exception under the "Reasons" section of ORS 197.732(1)(c) and OAR 660-004-0020 through 660-004-0022, plan and zone designations must limit the uses, density, public facilities and services, and activities to only those uses that are justified in the exception.*

**Testimony and Findings - OAR 660-004-0018(4)(a):**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

## **4.2 Local Plans and Policies**

### **4.2.1 Salem Area Comprehensive Plan: Willamette River Greenway**

As described in the introduction to this chapter, the footprint of the Preferred Alternative within the Willamette River Greenway is entirely within the existing UGB and Salem city limits.

The following goal and policies are included in Section IV.O of the Salem Area Comprehensive Plan (SACP).

**Criteria - O. Willamette River Greenway:**

*Goal: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River.*

- (1) Regulations to control the use of land and the intensity of uses within the Willamette River Greenway Boundary shall be maintained.*
- (2) Riparian vegetation and wildlife within the Greenway Boundary shall be conserved. Conservation shall include protecting and managing riverbanks, sloughs, wildlife, and vegetation.*
- (3) Scenic easements shall be used where practical to preserve and enhance the character of the river within the Greenway Boundary.*
- (4) Where private property is adjacent to public use areas, measures shall be taken to minimize disturbance to the private property.*
- (5) Development and redevelopment within the Greenway Boundary should include provisions for public access to and along the river.*
- (6) Existing parks within the Greenway Boundary shall be preserved and maintained. Additional sites for recreation and scenic views and access to the Willamette River should be acquired.*
- (7) New development and changes of land uses which are compatible with the Greenway concept as defined in the State Land Use Goal may be permitted along the Willamette River.*
- (8) The review of proposed land use changes shall include the establishment of an appropriate setback from the Willamette River.*
- (9) Aggregate extraction may be permitted within the river channel and on lands adjacent, when determined to be compatible with the purpose of the Greenway. Proposed extraction activities shall be designed to minimize the adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, noise and potential land use.*
- (10) The harvest of timber will be conducted in a manner which will ensure that the natural scenic qualities of the Greenway will be maintained to the greatest extent practicable or restored within a brief period of time.*
- (11) The continued dredging of the Willamette River shall be encouraged for the purpose of channel maintenance, bank stabilization, and to facilitate commercial river traffic and recreational boating. Dredging operations should minimize the adverse impact on existing fish and wildlife habitat, riverbank vegetation and public and private property.*
- (12) Visual access and a sense of openness should be provided by maximizing the open space between buildings and the river.*

*(13) Within Salem, the transition of the waterfront areas designated Commercial, Commercial Industrial or Industrial use to a mixture of commercial, office and high-density residential uses shall be encouraged.*

*(14) Except for aggregate and mineral extraction and processing, expansion of existing industries within the Salem Urban Area portion of the Greenway may be permitted only if such expansion is necessary to ensure their continuation or to comply with Federal or State requirements.*

**Testimony**

As noted above, several commentors raised concerns about how the Preferred Alternative would affect various aspects of the Willamette River Greenway.

**Findings**

Findings addressing these criteria are provided in Section 5.1.1 of the Findings Report, on pages 184-185. Supplemental findings responding to testimony about greenway impacts are provided above in this report.

## 5 Findings Addressing Other Statewide Planning Goals and Administrative Rules

This chapter includes supplemental findings related to testimony addressing:

- Relevant Statewide Planning Goals and related Administrative Rules. The Statewide Goals are applicable to all of the plan amendments (UGB Amendment, Greenway Goal Exception, and amendments to the Salem TSP and Polk County TSP).
- The findings generally address the consolidated plan amendments for the Preferred Alternative as a whole. However, the findings addressing Goal 5 (mineral aggregate site) are only applicable to the UGB Amendment.
- Findings in other chapters are cross-referenced for Goal 12 (Transportation – addressed in Chapters 3), Goal 14 (Urbanization – addressed in Chapter 2) and Goal 15 (Willamette River Greenway – addressed in Chapter 4).

### 5.1 State Post-Acknowledgement Plan Amendment Procedures

#### 5.1.1 ORS 197.610 and ORS 197.626

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

#### 5.1.2 OAR 660, Division 18

##### 5.1.2.1 660-018-0010 - 660-018-0021 Notice of a Proposed Change to a Comprehensive Plan or Land Use Regulation

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

### 5.2 Statewide Planning Goals

#### 5.2.1 Goal 1 (Citizen Involvement)

*To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

##### **Testimony – Goal 1:**

Several commenters testified in relation to this goal. Comments included:

- A. There was not adequate coordination with the Oregon Department of Parks and Recreation (OPRD) during the planning process
- B. There was not adequate coordination with the Salem Parks Board, given their testimony at the October 12 public hearing

- C. Coordination with the public and with coordinating public agencies, including the Salem Transit District was not adequate and violates Goal 2 of the Statewide Planning Goals
- D. The City did not meet Goal 1 because there was inadequate time for the public to review documents and findings prior to the hearing

### **Findings – Goal 1:**

Consistency with Goal 1 is addressed extensively in Section 6.2.1 of the Findings Report (pages 228-230). Those findings are incorporated here by reference. They noted that generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in its acknowledged comprehensive plan and land use regulations. Outreach and citizen involvement have been a central part of the NEPA environmental process for the SRC project for about ten years. The project is complex, with many stakeholders and interest groups wanting to participate. Therefore, establishing a decision-making process was a key element of the project. The Oversight Team, Task Force, and Project Management Team established the project's public involvement program around the major decision points. The Findings Report goes on to document those efforts in detail. In summary, they document that there has been a long history of public involvement in the NEPA process for the SRC Project<sup>23</sup>, with additional opportunities provided for input to refine the Preferred Alternative (from the originally recommended 4D) to reduce the project footprint and impacts to community and natural resources – while still achieving important community goals regarding connectivity and redundancy. Following are additional findings which address the public testimony described above.

#### **A. Coordination with OPRD**

Coordination with state agencies is required as part of a UGB amendment. However, coordination is not defined as formal support or concurrence. The OPRD was notified of the project through the DEIS coordination process and was provided notice of the proposed land use amendments. The OPRD has continued to be consulted during preparation of the Final EIS and will continue to be consulted during any future bridge design and construction processes in regards to potential impacts and mitigations to the Willamette River Water Trail and Willamette Greenway.

#### **B. Coordination with the Salem Parks and Recreation Advisory Board**

The Salem Parks and Recreation Advisory Board is advisory to the Salem City Council per Salem Revised Code Chapter 13 (SRC 13.080). The Board is not a separate agency or a formal decision-making body. Staff to the Board reviewed all EIS analyses associated with impacts to City park and recreation facilities. In addition, City of Salem staff met with the Board both before and after the October 12 hearing to review the status of the project, discuss the concerns raised by the Board at the October 12 hearing and review procedures for continued involvement of the board in the design of the project if it ultimately proceeds. Based on that consultation, the Board passed a motion regarding future participation in the bridge design process that reads:

<sup>23</sup> Detailed in the *Salem River Crossing Project EIS Public Involvement Summary*, July 2016.

*“The Salem Parks and Recreation Advisory Board (SPRAB), being concerned about the effects on Wallace Marine Park, supports the amendments to the Salem Transportation System Plan with the design mitigation provisions outlined in the draft ordinance text amendments to the Transportation System Plan, which includes having SPRAB weigh in on future design phases.”*

### **C. Coordination with the Salem-Keizer Transit Board**

The Salem-Keizer Transit Board (“Transit Board”) has had ample opportunities to be engaged in and comment on this project. The Salem-Keizer Transit District, along with other local agencies, was a part of the Oversight Team for the NEPA process, providing a direct avenue for input from the Transit District. Salem staff also attended and made presentations to the Transit Board at least five times between 2012 and 2014 regarding the selection of the Preferred Alternative (see Transit Board Coordination email included in the record from 10/18/2016). Comments from the Transit Board have been considered throughout the process. In addition, many of the issues raised by the Transit Board would be more appropriately addressed during project design. Accommodations for transit operations also will require greater clarity from the Transit District as to future operational needs. Creating an alternate crossing of the Willamette River is intended to support all modes of transportation, including transit.

### **D. Inadequate Time for Public Review and Comment**

The City of Salem initiated the current land use proceedings, consistent with its policies and procedures for such land use actions. The City coordinated with the City of Keizer and Marion and Polk Counties in these actions and has exceeded the City’s requirements for public notification for this type of land use procedure. The City provided required published notice of the action and associated hearings and mailed public notice of the first evidentiary hearing to those entitled to mailed notice under SRC 300.1110(e)(1). Salem also provide a “courtesy notice” of the proposed plan amendments beyond the notice requirements for a legislative amendment. This notice provided ample time to submit testimony as evidenced by the number and length of comments submitted (up to 30 pages of testimony from individual reviewers).

At the conclusion of the October 12 hearing, the City kept the record open for public testimony for an additional seven days and allowed additional rebuttal testimony for another seven days. The City has established and consistently maintained a website to provide public access to all plan amendment materials, including initiation resolutions, staff reports, evidence in the record, public hearing notices, minutes of public hearings, etc. The website will continue to be maintained and regularly updated throughout the course of the plan amendment process. The City also conducted briefings with interested parties and responded to requests for information during that same time period. Overall, the City has met and exceeded its own guidelines for informing the public and providing opportunities for public comments during this process.

## **5.2.2 Goal 2 (Land Use Planning)**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

### **5.2.3 Goal 3 (Agricultural Lands)**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

### **5.2.4 Goal 4 (Forest Lands)**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

### **5.2.5 Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources)**

*To protect natural resources and conserve scenic and historical areas and open spaces.*

#### **Testimony**

Several commenters testified regarding concerns about impacts to riparian vegetation and wildlife.

#### **Supplemental Findings**

Supplemental findings addressing testimony on Greenway impacts is provided in Section 4.1 of this document, and is incorporated by this reference.

### **5.2.6 Goal 6 (Air, Water and Land Resources Quality)**

*To maintain and improve the quality of air, water, and land resources of the state.*

#### **5.2.6.1 Air Quality**

##### **Testimony and Findings – Air Quality:**

Commenters asserted that the Preferred Alternative will have adverse impacts on air quality due to increases in traffic. Section 6.2.6.1 (pages 238-239) of the Findings Report includes extensive findings related to this criterion which address these comments and are incorporated by reference. No additional findings have been prepared for this criterion.

#### **5.2.6.2 Water Quality and Quantity**

##### **Testimony – Water Quality and Quantity:**

Commenters assert that the Preferred Alternative will have adverse impacts on water resources, including impacts on management of flood hazards and the floodplain.

##### **Findings – Water Quality and Quantity:**

Section 6.2.6.2 (pages 239-241) of the Findings Report includes extensive findings related to this criterion which address these comments and are incorporated by reference. Supplemental findings follow.

The Preferred Alternative will be required to adhere to all adopted floodplain requirements as they exist now or at the time permit applications are filed and will obtain all required permits necessary to construct the project. The new floodplain measures are expected to require specific study, documentation, and design requirements. This project will not be able to move forward without meeting future floodplain management requirements and obtaining required permits.

In addition, due to the potential impacts of this project to aquatic species, continued coordination with the National Marine Fisheries Service (NMFS) is required and a Biological

Assessment (BA) is currently being drafted in coordination with NMFS and ODOT. The BA will make some conservative estimates about bridge design and will include potential mitigation measures that are agreed upon by NMFS to offset any impacts the project may incur, including impacts to listed species and their habitat. Once the draft BA is complete, the Federal Highway Administration (FHWA) will submit it to NMFS officially and NMFS will issue a Biological Opinion (BiOP). This BiOP will affirm and/or refine recommended mitigation activities and must be issued by NMFS prior to FHWA approving the project by signing the Record of Decision (ROD).<sup>24</sup> Measures that could be included in the BiOP to offset potential impacts include:

- Work within the active channel of the river will be completed during the in water work period as established by ODFW.
- Minimize impact area - confine construction impacts to the minimum area necessary to achieve project goals.
- Under high flow conditions, operations will cease that could result in inundation of the project area.
- Pollution and Erosion Control Plan implementation including inspection of erosion control best management practices (BMP).
- Construction discharge water will be treated.
- Isolation and fish salvage will occur within work areas.
- Prepare project completion report with photos.
- Site restoration - finish grade slopes and elevations.
- Look at opportunities to enhance riparian zones to allow for more shade, lower stream temperatures and more potential for large wood to be added to the system

These documents will require a variety of mitigation measures to be undertaken as part of any future bridge construction. Those measures are generally described in technical reports prepared for the FEIS and will be described in more detail in the BiOP.

### 5.2.6.3 Noise

#### ***Testimony and Findings – Noise:***

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

## 5.2.7 Goal 7 (Areas Subject to Natural Disasters and Hazards)

*To protect people and property from natural hazards.*

### 5.2.7.1 Flood Hazards

#### ***Testimony – Flood Hazards:***

As noted in Section 5.2.6.2 of this document, commenters assert that the Preferred Alternative will have adverse impacts on water resources, including impacts on management of flood hazards and the floodplain.

<sup>24</sup> Anna Henson, ODOT, "Re: ESA Consultation Process" Message to Julie Warncke, City of Salem, 10/18/2016

**Findings – Flood Hazards:**

Section 6.2.6.2 of the Findings Report (pages 243-244) and Section 5.2.6.2 of this document (page 54) references and includes findings that address comments related to risks associated with flood hazards. Those findings are incorporated here by reference and cross-reference.

**5.2.7.2 Earthquake Hazards****Testimony – Earthquake Hazards:**

Commenters assert that seismic retrofit of the existing bridges is a preferable alternative to construction of a new bridge and question whether the new bridge will be designed or able to withstand a significant earthquake, given soil characteristics in the area.

**Findings – Earthquake Hazards:**

Section 6.2.6.2 of the Findings Report (pages 244-248) includes findings that address comments related to risks associated with earthquake hazards. In summary, those findings indicate that, the Preferred Alternative would include construction of a new bridge built to current standards that take a magnitude 9.0 CSZ and liquefaction into account and would be consistent with the purpose of Goal 7 to protect people and property from natural hazards. On a long-term basis, having a new bridge across the Willamette River would improve connectivity and reduce local vulnerability to a major seismic event relative to the No Build and Alternative 2A.

At the same time, construction of a new bridge would not replace the need for continued local and regional support and advocacy for seismic improvements to the existing bridges, particularly in light of the designation of the segment of OR 22 that includes the existing bridges as a Tier 3 (lower priority) seismic lifeline route by ODOT. Towards that end, the City of Salem has partnered with ODOT in submitting a request to SKATS for federal funding to complete a seismic retrofit study for the Center Street bridge in 2017. This funding was approved by SKATS in September 2016. In addition, as part of the package of Draft Amendments to the Salem TSP supporting the Preferred Alternative, the following new text is proposed:

*While there is a need for a new bridge across the Willamette River, the Marion and Center Street bridges will continue to be a critical part of the local, regional, and state transportation system. The City will continue to advocate for ODOT to maintain these bridges in a state of good repair. The City fully supports cost-effective efforts to undertake seismic upgrades of these existing facilities to protect life safety and to minimize disruption in the event of an earthquake.*

**5.2.8 Goal 8 (Recreational Needs)**

*To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

**Testimony – Goal 8:**

Commenters noted potential adverse impacts to Wallace Marine Park and use by recreational boaters of the Willamette River Trail, and McLane Island, including including the ability to land boats there. One commenter notes that impacts to McLane Island are not consistent with stated policies to preserve the island for open space and recreational use.

**Findings – Goal 8:**

The Findings Report (Section 6.2.6.2, pages 248-249) and supporting documents address these issues. They note that the Preferred Alternative will improve connections between neighborhoods in Keizer and the north Salem area and Wallace Marine Park, a regionally significant park and recreational area on the west side of the Willamette River.

The Findings Report also indicates that the Preferred Alternative would not negatively impact the primary active areas in the central and south portions of Wallace Marine Park (ball fields, a boat launch, canoe launch, and walking paths). The City of Salem considers the anticipated impacts of the Preferred Alternative to Wallace Marine Park *de minimis* because they do not “adversely affect the features, attributes or activities qualifying the property for protection under Section 4(f).” In total, there would be *de minimis* impacts to three 4(f) resources – Wallace Marine Park, Wallace Natural Area and the Willamette River Water Trail.

Prior to project construction, ODOT and the local park sponsor (City of Salem), would coordinate with the Oregon Park and Recreation Department and the National Park Service regarding potential conversion and replacement properties associated with the Preferred Alternative.

In addition, the Salem River Crossing Project Final Section 4(f) Evaluation states that: “No impacts to small watercraft using the Willamette River Water Trail during construction are anticipated” and that “the design of the project has and will continue to ensure that recreation activities that currently occur within the Willamette River Water Trail will be maintained both during and after construction of the Project.”<sup>25</sup>

Furthermore, the bridge piers will affect only a small portion of the island, preserving the majority of the island for continued open space and recreational use.

**5.2.9 Goal 9 (Economic Development)**

*To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.*

**Testimony and Findings – Goal 9:**

A number of commenters note that the Preferred Alternative will have positive impacts on the local and regional economy, echoing information in Section 6.2.6.2 of the Findings Report. No additional findings have been prepared in relation to this criterion.

**5.2.10 Goal 10 (Housing)**

*To provide for the housing needs of citizens of the state.*

**Testimony – Goal 10:**

Commenters note that the Preferred Alternative would would displace affordable housing units and would have a disproportionate impact on elderly and low income residents as result of needed funding for the river crossing borne by area residents. They also note that

<sup>25</sup> Memorandum titled *Salem River Crossing Project Final Section 4(f) Evaluation: Draft Findings for Park/Recreation Resources*, to City of Salem and Oregon Department of Transportation, from: Michael Hoffmann/CH2M; October 5, 2016, page 21.

displacement of multi-family units would exacerbate a potential future deficit of land needed for multi-family units.

**Findings – Goal 10:**

The Findings Report (Section 6.2.6.2, pages 252-253) and supporting documents address these issues. They indicate that the potential displacement would be mitigated through a combination of factors, including refinements designed to reduce displacements and adoption of housing and land use efficiency measures to increase the development of future multi-family units.

In addition, while the most recently completed, but as yet unacknowledged housing needs analysis (HNA) from 2014 for Salem indicates a deficit of land needed for multi-family units, the current acknowledged HNA does not indicate a deficit. Until the 2014 HNA is acknowledged by DLCD, a UGB amendment must rely on the most recently acknowledged HNA, completed in 1997 and acknowledged by DLCD during Salem’s periodic review work regarding Multifamily Residential Lands in November of 2001.<sup>26</sup> Cumulatively at the time, the City designated or committed 490.5 acres to multifamily residential in the Comprehensive Plan and Zoning Code.

Finally, a 2005 LUBA decision indicates that amending a TSP or Comprehensive Plan to include proposed transportation improvements, where transportation improvements are a permitted use within the zoning district and the amendment does not change the plan designation or zoning, does not violate Goal 9, even where there is a projected shortfall of industrial land. LUBA explained that an amendment that (1) does not establish regulations that apply to future applications in the industrial zone, and (2) authorizes a use that is permitted outright in the zone and will serve other industrial uses in the area, is consistent with Goal 9 despite any present or long-term shortage of industrial land. The same would hold true with regard to housing under Goal 10.<sup>27</sup>

### **5.2.11 Goal 11 (Public Facilities and Services)**

No testimony was provided on this criterion and no supplemental findings have been prepared for it.

### **5.2.12 Goal 12 (Transportation)**

*To provide and encourage a safe, convenient, and economic transportation system.*

**Findings – Goal 12:**

As noted in the Findings Report (Section 6.2.12, page 254), Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR 660, Division 12. Supplemental findings related to the TPR are provided in Chapter 2 (UGB Amendment) and Chapter 3 (TSP Amendments) of this report, and those findings are incorporated by this reference.

### **5.2.13 Goal 13 (Energy Conservation)**

*To conserve energy.*

<sup>26</sup> City of Salem Residential Land Study (1997), Completed Periodic Review Work Task #1 – Multifamily Residential Inventory (2001), Periodic Review Task Approval Order #001346 (2001).

<sup>27</sup> *Grahn v. City of Newberg* 50 Or LUBA 219, affirmed 203 Or App 639 (2005).

**Testimony – Energy Conservation:**

Commenters assert that construction of a new bridge is incompatible with actions needed to address climate change, does not comply with state and local requirements to reduce auto reliance, will result in an increase in idling and emissions, and is not consistent with Goal 13.

**Findings – Energy Conservation:**

Goal 13 directs cities and counties to manage and control land uses to maximize the conservation of all forms of energy, based on sound economic principles. LCDC has not adopted an administrative rule to implement Goal 13.

Highways are not generally synonymous with the notion of energy conservation. However, Goal 13 does not prohibit new highways or improvements to existing highways even if those actions could result in an increase in energy use. Indeed, such an interpretation would conflict with the provisions in Goal 12 and the TPR authorizing highway facilities and improvements as part of an overall connected and multimodal transportation system plan.

Section 6.2.13 of the Findings Report generally addresses comments related to this criterion and are incorporated by reference. Supplemental findings follow.

Potential impacts of climate changes are addressed in the analysis of the Preferred Alternative found in the DEIS and FEIS technical reports in the following ways:

- Reduction in vehicle trips through transportation demand management. Analysis of all “build” alternatives, including the Preferred Alternative and Alternative 2A assume a set of transportation demand management and transportation system management (TDM and TSM) measures, such as ones which were evaluated as part of the Alternative Modes Study prepared concurrently with the EIS process. These strategies are consistent with climate change strategies and are estimated to result in a further reduction in traffic of eight percent, which is a significant reduction.
- Improved multi-modal facilities. The conceptual design of the new bridge assumes development of significantly improved bicycle and pedestrian facilities in comparison to the no build alternative and improvements that would be feasible through improvements to the existing bridge under Alternative 2A. Providing these and other multi-modal improvements is consistent with strategies to address climate change.
- Analysis of induced traffic. There is projected to be increased traffic due to future increases in population no matter which improvement alternative is implemented, in comparison to the No-Build alternative. The potential for induced growth and induced traffic caused by construction of a new facility was addressed in the Land Use Technical Report for the DEIS. That report indicates that a review of literature associated with the issue of induced traffic does not provide the basis for a measurable increase in traffic which would be induced by a new transportation facility. Increases in traffic are much more likely to relate to population increases and other socio-economic factors than to construction of a new bridge or other transportation improvements.

- Overall energy impacts. There is expected to be an increase in energy usage associated with all of the build alternatives. However, even with the increased energy usage, the regional emissions analysis findings show that vehicle operations of the preferred alternative would contribute fewer overall emissions to the project area than they would under the No Build Alternative (see Table 4.2-1 of the draft *Air Quality Final Technical Report Addendum*). The reason the No Build Alternative would result in higher criteria pollutant emissions in 2040 than the preferred alternative is because under the No Build there would be a greater amount of delay and a lower average speed compared to the preferred alternative. In addition, current and future improvements in non-fossil fuel vehicle technologies as well as coordinated land use and transportation planning efforts may further substantially offset energy usage impacts. Reduction of emissions is a key strategy in addressing climate change.
- Transportation Rule requirements. Goal 12, Transportation, and its implementing rule, the Transportation Planning Rule (TPR), direct local governments to adopt transportation system plans that consider all modes of transportation, including highways. While attention must be given to climate change impacts, concerns regarding climate change impacts are not sufficient in themselves to remove roadway and highway improvements as reasonable and often necessary transportation options under Goal 12 and the TPR. Indeed, where need for such improvements has been demonstrated, the failure to plan for them might itself violate Goal 12.

#### **5.2.14 Goal 14 (Urbanization)**

Goal 14 is addressed in Section 2.1.2.1 of this document beginning on page 4.

#### **5.2.15 Goal 15 (Willamette River Greenway)**

*To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

#### **Testimony and Findings – Goal 15:**

Testimony and supplemental findings regarding this criterion are described in Chapter 4 of this report. Those findings are incorporated by this reference.

## 6 Findings in Support of Plan Amendments Package: Local Policies and Regulations

This chapter includes supplemental findings addressing procedures and criteria applicable to the consolidate plan amendments.

- Salem Revised Code Chapter 64 – Procedures and Criteria for Major Comprehensive Plan Amendments (applicable to UGB Amendment, Salem TSP Amendments and Greenway Goal Exception)
- Salem Area Comprehensive Plan – Section III Regional Procedures and Policies (applicable to UGB Amendment)
- Polk County Development Code Chapter 115 – Procedures and Criteria for Legislative Plan Amendments (applicable to UGB Amendment and Polk County TSP Amendments)

In addition, relevant local policies are addressed in other chapters of this Report. Chapter 2 (Section 2.2, page 19) addresses compliance with City of Salem and Polk County plan amendment policies relevant to the proposed UGB Amendment. Chapter 3 (Section 0, page 30) includes findings of compliance with key relevant policies in the Salem TSP and the Polk County TSP. Chapter 4 includes findings of compliance with Salem Area Comprehensive Plan policies for the Willamette River Greenway (see Section 4.2.1, page 48).

### 6.1 Local & Regional Plan Amendment Procedures

#### 6.1.1 Salem Revised Code

***Testimony and Findings – SRC 64.020:***

No testimony was provided in relation to these criterion and no supplemental findings have been prepared for them.

#### 6.1.2 Salem Area Comprehensive Plan

##### 6.1.2.1 Salem/Keizer Urban Area (Regional) Procedures and Policies (SACP, Section III)

***Testimony and Findings – SACP:***

No testimony was provided in relation to these criterion and no supplemental findings have been prepared for them.

**Findings – Jurisdiction:****6.1.3 Polk County Development Code****6.1.3.1 CHAPTER 115 COMPREHENSIVE PLAN AMENDMENTS****115.040. PROCEDURES FOR LEGISLATIVE PLAN AMENDMENTS.**

No testimony was provided in relation to these criteria and no supplemental findings have been prepared for them.

**115.060. CRITERIA FOR LEGISLATIVE PLAN AMENDMENTS.**

*A legislative plan amendment may be approved provided that the request is based on substantive information providing a factual basis to support the change. In amending the Comprehensive Plan, Polk County shall demonstrate:*

*(A) Compliance with Oregon Revised Statutes, and the statewide planning goals and related administrative rules. If an exception to one or more of the goals is necessary, Polk County shall adopt findings which address the exception criteria in Oregon Administrative Rules, Chapter 660, Division 4;*

*(B) Conformance with the Comprehensive Plan goals, policies and intent, and any plan map amendment criteria in the plan;*

*(C) That the proposed change is in the public interest and will be of general public benefit; and*

*(D) Compliance with the provisions of any applicable intergovernmental agreement pertaining to urban growth boundaries and urbanizable land.*

**Testimony – Chapter 115 Criteria:**

One commentor asserts that a portion of the proposed UGB amendment is within the Polk County Willamette River Greenway and an exception to Statewide Goal 15 (Willamette River Greenway) by Polk County is required to move forward with the project.

**Findings – Chapter 115 Criteria:**

The City of Salem is taking an exception to Goal 15 (Willamette River Greenway) as part of the consolidated plan amendments. However, the portion of the Preferred Alternative within the Greenway is entirely within Salem's land use jurisdiction, and Polk County is not taking exceptions to any statewide goals.

In regards to the assertion that Polk County has jurisdiction over a portion of the Willamette River Greenway, Polk County never represented that the Greenway Boundary was located within the limits of Polk County's Jurisdiction at the UGB expansion site as part of LA 16-02. Furthermore, the City of Salem has consistently represented the Greenway as within their jurisdiction and has provided maps as part of the application which clearly indicate that.

It is possible, as some commenters have done, to zoom in on the Polk County Webmaps internet application, which provides an approximation of the boundary and interpret a portion of the Greenway as being within Polk County due to the fact that the County's Greenway layer that was hand-geocoded is not accurate at a scale that allows comparison with the alignment with the city limits layer at a scale beyond the official scale of the map. However, the Polk County Zoning Ordinance identifies the Official Zoning Map in PCZO

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111.090 at the scale of 1:24,000 and PCZO 111.130 describes the rules for interpretation of zone boundaries. Use of those guidelines and review of maps prepared by the City and County at their official scale confirm that the portion of the Greenway in question is entirely within the City of Salem's jurisdiction.

## **6.1.4 Keizer Comprehensive Plan**

### **6.1.4.1 Salem/Keizer Urban Area (Regional) Procedures and Policies (Keizer Comprehensive Plan (KCP), Section IV)**

No testimony was provided in relation to these criteria and no supplemental findings have been prepared for them.

## 7 Findings Regarding Additional Public Testimony

Additional public testimony was submitted that does not relate to land use approval criteria relevant to the proposed Plan amendments. Responses to those comments are provided below.

**Is inclusion of the Marine Drive improvements in the UGB amendment necessary and can that element of the amendment be separated from the location and implementation of the new bridge?**

Improvements to Marine Drive have been contemplated for many years. Since 2001, the City of Salem and its partner local jurisdictions have determined that a UGB amendment or goal exception would be needed to allow for these improvements. As part of the EIS process for the proposed river crossing, Salem has gone to extensive lengths in the findings package to demonstrate how the new bridge and Marine Drive will work together to provide an overall transportation system that will function more efficiently and effectively as planned. While the inclusion of Marine Drive impacts the project and makes up over half of the acreage needed in the proposed UGB expansion (approx. 19 acres), without that element, the project could not be effectively implemented. Furthermore, without a UGB amendment or an exception to the statewide goals, urban improvements to Marine Drive to meet other local transportation needs could not be undertaken.

Some commenters implied that the UGB expansion needed for Marine Drive should be undertaken now, but either did not support or took no position on the new bridge and plan amendments needed to allow for it. As noted above, extending Marine Drive has been in the City's plans for years, but that alone does not meet the identified transportation need to provide better multimodal connections across the Willamette River.

**The thresholds analysis used in draft EIS documents is flawed in a variety of ways.**

One commenter described a number of issues associated with a "Thresholds Analysis" that was included in an early draft of the FEIS Land Use Technical Report. However, that analysis was not included in the Final Technical Report or in the Findings prepared in support of the proposed UGB analysis and was not ultimately used to justify the UGB expansion. As a result, much of that testimony is not relevant to the decision at hand. In cases where the comments on the Thresholds Analysis are related to specific land use findings, those issues have been addressed in these Supplemental Findings.

**The proposed Plan amendments will impact property values of potentially displaced properties and will affect the ability of those owners to sell homes or businesses or make plans for properties affected by displacement. Displacements also would diminish tax revenues.**

Property owners are free to continue to use their properties according to existing regulations until right of way acquisition occurs. Property acquisition requires payment of fair market value for the property; those affected will be compensated fairly.

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**The Preferred Alternative is not the same as the Salem Alternative approved by City Council.**

Relatively minor refinements were made to the Salem Alternative in formulating the Preferred Alternative. Specifically, changes included:

- The Preferred Alternative includes a bridge crossing in the Hope Avenue to Pine Street/Hickory Street crossing location. The Preferred Alternative is most similar to Alternative 4A in terms of the location of the bridge crossing and the bridgehead and distribution network on the east and west sides of the Willamette River.
- The Preferred Alternative includes construction of Marine Drive (at grade) from River Bend Road on the north to Glen Creek Road in the south, with a connection to OR 22 south of Glen Creek Road via elevated fly-over ramps. Some of the alternatives in the DEIS facilitated, but did not include this connection (4A and 4B). Other alternatives (4C, 4D and 4E) included the OR 22 connector on a viaduct/structure, with Marine Drive underneath. The Preferred Alternative eliminated this lengthy viaduct/structure.
- The preferred alternative assumes that the potential relocation of the Rosemont Interchange to Eola will be deferred pending development of a Facility Plan for OR 22 prepared by ODOT.

Analysis of the Preferred Alternative has been conducted as part of the EIS process and the results of that analysis are documented in technical reports associated with the FEIS and in the Findings Report. The Salem City Council and members of the public have had an opportunity to review those analyses as part of the Plan amendments process and as documented in Section 5.2.1 of this report (page 51) and Sections 6.2.1 (pages 229-230) and 7.1.2.1 (pages 262-264) of the Findings Report.

# Proposed UGB Expansion Areas Salem River Crossing



1 inch = 1,000 feet