

## MINUTES

Joint Planning Commissions  
Eugene, Springfield, Lane County  
Bascom-Tykeson Room—Eugene Public Library—100 West 10<sup>th</sup> Avenue

April 29, 2008  
6 p.m.

**PRESENT:** **Eugene Planning Commission:** Randy Hledik, President; Vice President; Richard Duncan, John Lawless, Ann Kneeland, Phillip Carroll, Heidi Beirle, Anthony McCown.

**Lane County Planning Commission:** John Sullivan, Chair; Lisa Arkin, Vice Chair; Nancy Nichols, Todd Johnston, Steve Dignam, Josef Siekiel-Zdzienicki

**Springfield Planning Commission:** Frank Cross, Chair; Johnny Kirschenmann, Vice Chair; Lee Beyer, Bill Carpenter, Terri Leezer, Sheri Moore, Eric Smith.

Steve Nystrom, Heather O'Donnell, Eugene Planning Division; Chris Henry, Eugene Transportation Division; Planning Director Kent Howe, Stephanie Schuetz, Lane County Land Management; Springfield Planning Director Greg Mott.

### **I-5 Willamette Bridge Project** (MA 07 – 3, RA 08 – 01)

Metro Plan Amendment (MA 07 – 3): To amend the text of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), Policy D.11, to allow for the placement of fill in the Willamette River Greenway for the I-5 Willamette Bridge Replacement Project and to allow for a goal exception to Statewide Planning goal 15 (Willamette River Greenway) to authorize a non-water dependent, non-water related use within the Willamette River Greenway setback.

Refinement Plan Amendment (RA 08 – 1): To amend the text of the Willakenzie Area Plan to allow for the placement of fill within 35 feet from the top of bank of the Willamette River for the I-5 Willamette Bridge Replacement Project.

The members of the Eugene, Springfield, and Lane County planning commissions introduced themselves to the audience. Staff members present also introduced themselves.

Mr. Hledik opened the public hearing for the three commissions. He reviewed the applications before the commissions, which had been submitted by the Oregon Department of Transportation (ODOT). Mr. Hledik said that the amendment to the Eugene-Springfield Metropolitan Area General Plan was within the purview of all three commissions while the refinement plan amendment was within the purview of Eugene, but the applications had been combined. The commissions would forward a recommendation to Springfield and Eugene city councils and Lane County Board of County Commissioners, and those bodies would also hold a public hearing on the applications.

Mr. Hledik called for *ex parte* contacts, conflicts of interest, biases, abstentions, or challenges to impartiality.

Mr. Kirschenmann indicated he worked for a company that did work as a subcontractor on the temporary bridge and could had a potential conflict of interest because there was a possibility it would bid on the contracts associated with the permanent bridge.

Mr. Sullivan indicated he was identified as a stakeholder for the project and had attended ODOT meetings in that role.

Mr. Hledik indicated he also worked for a contractor who could bid on the projects in question and had a potential conflict of interest.

Ms. O'Donnell provided the staff report. She said the hearing regarding a request for approval of a Metro Plan amendment and refinement plan amendment for the I-5 bridge project. She noted the extent of the project area. Ms. O'Donnell called attention to Figure 3 on page I-55 of the meeting packet, which depicted the location of the replacement bridges. She also called attention to Figure 5 on page I-99, which depicted the temporary staging areas associated with the bridge construction.

Ms. O'Donnell reviewed the scope of the project.

Ms. O'Donnell reviewed the requested text amendment, which was "A Metro Plan amendment to amend the text of Policy D.11 of the Metro Plan, which includes taking an exception to the Statewide Planning Goal 15 to allow fill within the Willamette River Greenway boundary."

Ms. O'Donnell explained that an exemption was required because Policy D-11 directed non-water dependent transportation facilities, which included fill in the greenway boundary, to obtain an exception to Statewide Goal 15, the Willamette Greenway Goal. Such facilities were not allowed within the greenway unless specifically accepted. She said that Statewide Planning Goal 2 laid out the standards for such an exception, such as no alternative project site, no significant impact on greenway values, and the public benefit involved. The applicant also requested a refinement plan amendment to amend the text of the Willamette Greenway Use Management Standard of the Willakenzie Area Plan to allow for the placement of fill for the project within 35 feet of the top of bank for the project..

Ms. O'Donnell reviewed public notice for the project. She noted that three letters of public testimony had been received, including one from the Laurelhill Valley Citizens and Harlow Neighborhood Association. The letters commented about pedestrian and bicycle connections in relation to the projects and details such as sound walls and construction details. Those letters were included in the packet. No additional testimony had been received.

Ms. O'Donnell called attention to the approval criteria for the applications, found in sections 9.7730(3) and 9.8424 of the Eugene Code. She noted that the Springfield and Lane County codes included identical approval criteria for Metro Plan amendments. The criteria were included in the meeting packet and mounted on the meeting room wall. Ms. O'Donnell said staff evaluated the application in light of those approval criteria and, at the conceptual level, and found the proposal and text amendments met the applicable approval criteria, including the need for an exception. She emphasized the text amendments would allow for the opportunity for the project to occur in the greenway after further review. No project design was reviewed when the staff determination was made. The project would be monitored for other federal and local requirements, such as the federal National Environmental Policy Act and the Water Resources Conservation Overlay zone.

Ms. O'Donnell called attention to a correction to the findings related to the refinement plan amendment, reporting that the reference to subsection (c) should actually be to (a), which was applicable because of the change in circumstance to be addressed.

Ms. O'Donnell recommended approval of the text amendments. She said that Eugene was lead staff on the application but staff from the other jurisdictions was present to answer questions. She suggested that should the commissions be unable to deliberate tonight, it provide questions and information requests to staff so it could respond before deliberations occurred.

Mr. Hledik reviewed the rules of the public hearing.

Mr. Hledik called for those in support of the proposal.

Jane **Lee**, Regional 2 Manager for ODOT, introduced **Mark Greenfield** and **Tim Dodson**, also of ODOT. She asked that the display materials, which were also replicated in paper form, be entered into the record. She expressed appreciation for the opportunity for ODOT to make the presentation and asked the commissions to approve the applications.

Mr. Dodson discussed the project need, recalling the cracks discovered in the Willamette Bridge during an inspection and the bridge's subsequent decommissioning. He recalled the temporary bridge project constructed in 2004, which was approved contingent on there being a new bridge in place in ten years. He noted that the temporary bridge did not meet earthquake standards.

Mr. Dodson reviewed a process flow chart for the project and an outline of the public outreach anticipated.

Mr. Dodson shared images of potential bridge design and noted that to this point, 970 responses largely favored the arch type bridge over the other bridges. He said that ODOT wanted a bridge that complimented the river setting and the community's image. He pointed out the park land nearby and indicated that ODOT was working with park advocates, including the Citizen Planning Committee for the Whilamut Natural Area, to mitigate the impact on the park.

Mr. Dodson used an aerial photograph of the area to show the stages of the bridge project.

Mr. Dodson entered into the record a memorandum explaining how ODOT would mitigate the noise associated with the project. He provided a copy to Ms. O'Donnell.

Mr. Siekiel-Zdzienicki asked where the fill would be. Mr. Dodson used the aerial photograph to demonstrate where fill would be placed in the southern approach. He said the fill would be temporary fill used for the work bridge and work area. On the west side of the project, ODOT would be widening the approach area and there would be additional fill placed along the western slope. Mr. Siekiel-Zdzienicki asked how much fill would enter the setback. Mr. Dodson said the fill placed by ODOT would be no closer to the river than it was now. The fill would be placed laterally next to the existing fill and not next to the river.

Responding to question from Ms. Arkin, Mr. Dodson said the detour would meet detour standards with four lanes of traffic but at the end of the project it would be striped with two lanes in each direction.

Responding to a question from Mr. McCown, Mr. Dodson said that the risk of an earthquake occurrence during the brief time the temporary bridge was in place did not justify the additional expense and would have slowed construction.

Responding to a question from Mr. Johnston, Mr. Greenfield clarified that ODOT was asking the commissions to approve the Goal 15 exception.

Responding to a question from Ms. Moore, Mr. Dodson described the location of the proposed sound walls.

Mr. Greenfield discussed the proposal's consistency with the Department of Land Conservation and Development goals and rules, and the unamended portions of the comprehensive plan, including refinement plans. He highlighted the Metro Plan amendment being requested.

Mr. Greenfield described the fill anticipated, noting there would be a net reduction but the need for an exception due to the new fill being added. Mr. Greenfield reviewed the standards found in Oregon Administrative Rule (OAR) 660-004-0022(6) that must be met for an exception for development in a greenway. He addressed each standard in turn and indicated that ODOT's evaluation of the standards indicated each was met. He referred the commissions to the staff report for more information about the

standards related to alternative locations and EESE consequences and compatibility.

Mr. Greenfield concluded by saying the use was needed, it was in the best location because it stayed inside the right-of-way, and compatibility with natural resources values and Goal 5 could be achieved through compliance with acknowledged permitting requirements. He requested approval of the Metro Plan amendment as set out in the staff report.

With regard to the Goal 15 exception required for the non-water dependent use inside the setback, Mr. Greenfield said ODOT requested the exception because the bridge was not a water-dependent use. While ODOT was not sure the exception was needed because the same roadway alignment was involved and it was a continuing use, which under law was permitted without the exception. That stated, Mr. Greenfield said, ODOT continued to ask for the exception as a precaution, and because DLCD staff and local staff also supported it. The justification for that was the same as the justification for the amendment related to fill; the same standards apply.

Speaking to the refinement plan amendment, Mr. Greenfield said ODOT requested the amendment because use management standard 1 of the Neighborhood Design Element for the Willamette River Greenway Development Criteria prohibited new structures within 35 feet from the top of the riverbank. Because the development would have that result, ODOT needed the amendment. The standards allowed for three existing exceptions, but none allowed for a bridge replacement. He reviewed the fourth exception ODOT wished to add regarding replacement of the bridge and its approaches, saying it would maintain consistency with existing plans and ODOT's transportation planning goal and rule related to consistency between State and local projects. He said the amendment could be approved because it reflected a change in circumstances not anticipated at the time the refinement plan was adopted, that is, to replace the bridge because of structural defects.

Mr. Greenfield discussed compliance with Goal 5 and Goal 12. In regard to Goal 5, Mr. Greenfield said the rule allowed roads through riparian corridors if designed to minimize the intrusion on the area. He anticipated that minimization would occur through conditions imposed in the permitting process. In regard to Goal 12, Mr. Greenfield said there was no significant impact because the bridge would serve the same function as before and there would be no increase in traffic volumes, merely a shift in traffic from the replacement to the new bridge.

Speaking to compliance with the Metro Plan, Mr. Greenfield said TransPlan TSI System Policy 1 called for the region to manage and plan for transportation infrastructure in a way that sustained the long-term capacity and function; that was precisely the purpose of the project. He added as clarification that I-5 was a single facility that included the crossing over the Willamette River Bridge.

Mr. Greenfield thanked local staff, particularly Ms. O'Donnell and Mr. Mott, and asked the commissions to approve the applications.

Ms. Arkin referred to the exception to Goal 18 and asked if there was a land use decision related to the lack of a north ramp approach to the bridge. Mr. Greenfield said that was outside the greenway setback area and not affected by the applications. Ms. Arkin asked if one was planned for the future. Mr. Dodson said that Representative Peter DeFazio secured \$500,000 in grant funding to plan for connections to the freeway and that study was ongoing and was very complex. He pointed out the cemetery near the interchange and the railroad and emphasized the constrained nature of the area in question. Mr. Dodson said there were no specific plans for a ramp.

Responding to a question from Mr. Carpenter, Mr. Dodson provided details about the bridge width and height and confirmed it would be wider than the existing fill but still within the right-of-way. Mr. Carpenter assumed that ODOT would be adding more cubic yards of fill. Mr. Dodson said that ODOT would add 30,000 yards of fill along the west side of southbound approach and would remove 60,000 yards of fill out of the east side. That might leave about 30,000 cubic yards on that side but he was not

sure. He said there might be 60,000 yards then was there originally. Mr. Carpenter suggested that the extra 60,000 cubic yards of fill should somewhat affect the commission's decision. Mr. Greenfield did not think so. He did not think the quantity of fill was a standard in itself. Mr. Carpenter believed it would affect the commission's decision. Mr. Greenfield said the standards were to identify what was needed. He would not term it diminutive; it was the amount needed for the project to work.

Mr. Carpenter wanted to condition the project by limiting the fill. Mr. Greenfield indicated the State's opposition to such a condition. Mr. Carpenter wanted to know how the project was different than what was originally there. He maintained that ODOT was widening both bridges for an expected expansion of the freeway. Mr. Greenfield said the bridge was wider because the analysis was that by 2030 there may be a need for three lanes in each direction; the federal highway was telling us to build three lanes, and TransPlan has two projects, not in the constrained list, that authorize widening to six lanes. Allowing this to happen in the future was consistent with TransPlan. He said the exception was for the use, not the fill. The fill was the element that made the bridge possible. He did not think it was in the interest of ODOT or the community to put in too much fill. Mr. Dodson said that was possible with sheer walls to limit the fill, but it could be less desirable. He suggested it was good to leave as much flexibility as possible.

Responding to a question from Mr. McCown, Mr. Greenfield indicated that the replacement bridge was entirely inside of the City of Springfield.

Ms. Bierle asked how traffic demand was calculated. Mr. Dodson said that it was calculated using standard growth calculations. Ms. Lee noted that the Federal Highway Administration (FHA) originally wanted a five-lane bridge in each direction because of the demand that agency anticipated. ODOT had resisted that because of the very wide bridge that would result and because it questioned how much the freeway needed to be widened at this time.

Ms. Bierle questioned how current the standards could be given the price of oil and government's interest in reducing vehicle miles (VMT) traveled. Ms. Lee said ODOT planned for a 20-year horizon and extrapolated from what it knew at this time. She said that ODOT anticipated more than one million new people would move to in Oregon in the next ten years and even if VMT dropped, more lanes would be needed in the future.

Mr. Dodson said ODOT got federal approval for the narrowest bridge possible. In terms of the roadway approaches to the bridges, if there was ever a project to widen the highway, an Environmental Impact Statement (EIS) would be required due to the much greater impact. The bridge in question was being built so that in the future, if the highway widening occurred, the bridge would be in place. Mr. Dodson pointed out the bridge was being designed for 125 years, and it was difficult to project traffic over that time.

Responding to a question from Mr. Carroll, Mr. Dodson said no bank armoring would be required to accommodate the bridge; the piers would be located in the bedrock, eliminating the need. Mr. Carroll asked if ODOT had considered alternatives to pier locations to avoid placing more piers in the river. Mr. Dodson said that ODOT considered two configurations, which he shared using a photograph of the area. The alternative selected was considered to have the least impact and cost while being the most aesthetically acceptable.

Mr. Carroll asked if ODOT objected to a condition that restricted the bridge to within the ODOT right-of-way. Mr. Dodson and Mr. Greenfield did not think that was a problem.

At the request of Mr. Siekiel-Zdzienicki, Mr. Mott clarified the location of the greenway setback as it related to the fill being proposed.

Ms. Leezer asked if the old bridge had reached the end of its life. Mr. Dodson said the bridges built at the time of the bridge over the Willamette River were considered to have a 50 year life span and many had not quite reached that, but he acknowledged the traffic loads the bridges were asked to carry were much larger

than what they were designed for.

**Charles Biggs**, 541 Antelope Way, Eugene, asked that the record be held open for two weeks for both items given the size and scope of the project.

Mr. Hledik asked for testimony in opposition to the bridge.

**Mark Robinowitz**, PO Box 54122, Eugene, said he only learned of the meeting earlier that day and thus concluded that there was no public involvement, only an illusion of public involvement. He called attention to an article in *Business Week* entitled *Gas May Finally Cost Too Much*. He opposed a wider bridge because he considered it a stealth approach to a wider I-5 and thought there were other needs, such as seismic retrofitting for bridges, which should be considered instead.

Mr. Robinowitz shared statistics from the United State Department of Transportation about peak traffic and indicated he would share a paper copy with the commissions.

Mr. Hledik called on staff for comment.

Ms. O'Donnell referred the commissions to I-77 and I-78, which showed the location of sound walls.

Ms. O'Donnell referred the commissions to I-79 and I-80, which showed the sound walls. She referred to page I-97, which showed the conceptual location of piers.

Regarding the discussion of adding clarifying language to the WAP text amendment, Ms. O'Donnell clarified there was a portion of the project proposed outside ODOT rights-of-way, but that was for temporary staging and the Eugene Planning Commission might want to ensure that was allowed.

Ms. O'Donnell referred to I-73 and I-94 for depictions of the Willamette Greenway.

Mr. Hledik called for rebuttal testimony.

Mr. Greenfield asked the commissions to keep the record open for seven days given that it was only one project even if two amendments were involved. He also asked if the commissions could make its recommendations within the next few weeks. He did not think that ODOT intended to provide new testimony.

Responding to the testimony offered by Mr. Robinowitz, Mr. Greenfield said that the project was primarily a safety project rather than a capacity project. In regard to traffic use, he hoped that many people in Eugene-Springfield would carpool and take advantage of public transportation, but I-5's primary function was not to serve local traffic but through traffic. It would continue to serve that function into the future. He did not think the communities wanted those trucks coming off I-5 to use the Ferry Street Bridge to cross the river. He emphasized the fill was all in the right-of-way and the project was not in the park. He said there was no interchange associated with the project in question.

Ms. Arkin asked if there was no way to repair the bridge. Mr. Dodson said it was not feasible to repair the bridge. It would cost \$50 million to rehabilitate it to carry traffic and the bridge would still be too narrow.

Ms. Arkin asked if a potential third lane could be used for local commuting purposes. Mr. Greenfield said that would depend on the FHWA. He suspected that light rail could be located along the highway inside the right-of-way in the future. Mr. Greenfield said the bridge was not being designed to carry that type of facility and he did not if it could be adapted to that use. If a piece of the bridge was dedicated to that type of use, it would never be used for any other type of use.

Mr. Duncan determined from Ms. O'Donnell that the staging areas would go through the WG permit

processes, which was a Hearings Official decision. Conditions on those staging areas would occur during those processes.

Mr. Hledik closed the public hearing.

Responding to a question from Mr. McCown, Ms. O'Donnell suggested that the tentative June 3 date could accommodate the time needed for the submission of testimony and rebuttal.

Mr. Duncan, seconded by Mr. McCown, moved to keep the record open until May 13, 2008, with an additional week for applicant's rebuttal. The motion passed unanimously.

The Lane County and Springfield planning commissions unanimously concurred, by voice vote, with the request to keep the record open until May 13, with an additional week for applicant's rebuttal (May 20).

The record was held open until May 13, 2008, with an additional week for applicant's rebuttal. The commissions agreed to meet again on June 3 at 6 p.m. in Springfield to deliberate on the applications.

Mr. Hledik adjourned the meeting at 8 p.m.

*(Recorded by Kimberly Young)*