

August 8, 2016

Salem City Council
555 Liberty Street SE
Salem OR 97301

RE: Agenda Item 3.2a: Resolution to initiate UGB amendment for the Salem River Crossing

Mayor and Councilors:

I have three comments for your consideration.

1. Make upgrading the existing bridges to survive a Cascadia Subduction Zone earthquake the city's top transportation priority.

While we've been studying how to better address future transportation needs, we've discovered that our transportation system faces a much bigger challenge, specifically a Cascadia Subduction zone earthquake. Experts now say that there is a 20% chance of a magnitude 8+ earthquake striking Western Oregon in the next 50 years. And, if that happens, ODOT says the Marion and Center Street bridges are likely to collapse. We need to get our priorities straight: fixing our existing bridges so that they survive an earthquake is simply much more important to keeping our community livable and prosperous than building a new bridge. We should put off planning for a new bridge until we have funding in place to make our existing bridges earthquake-safe.

2. The city can - and should - move forward with Marine Drive and the proposed bike path without a UGB amendment.

At last Monday's meeting (August 1), the council was advised by staff that a UGB amendment was needed to allow construction of Marine Drive and/or a bikepath on the Marine Drive alignment. That advice was incorrect. The Transportation Planning Rule (TPR) lists transportation facilities and improvements that may be allowed on rural lands (i.e. outside of a UGB) without a goal exception. The rules clearly allow for bikepaths and, in limited circumstances, new collector roads. Specifically, the TPR allows two-lane collector roads where the function of the road is to reduce local access on circulation on a state highway. It appears that Marine Drive, as currently called for in the city's transportation plan would meet this requirement: it is intended to reduce local traffic and provide for local circulation away from Wallace Road, which is a state highway.

Here are the relevant portions of the TPR (OAR 660-012-0065):

- (3) The following transportation improvements are consistent with Goals 3, 4, 11, and 14 subject to the requirements of this rule:
- (a) Accessory transportation improvements for a use that is allowed or conditionally allowed by ORS 215.213, 215.283 or OAR chapter 660, division 6 (Forest Lands);
 - (b) Transportation improvements that are allowed or conditionally allowed by ORS 215.213, 215.283 or OAR chapter 660, division 6 (Forest Lands);
 - (c) Channelization not otherwise allowed under subsections (a) or (b) of this section;
 - (d) Realignment of roads not otherwise allowed under subsection (a) or (b) of this section;
 - (e) Replacement of an intersection with an interchange;

- (f) Continuous median turn lane;
- (g) New access roads and collectors within a built or committed exception area, or in other areas where the function of the road is to reduce local access to or local traffic on a state highway. These roads shall be limited to two travel lanes. Private access and intersections shall be limited to rural needs or to provide adequate emergency access.
- (h) Bikeways, footpaths and recreation trails not otherwise allowed as a modification or part of an existing road;

Marine Drive and the proposed bike path are both good projects that will help make West Salem more livable and ease traffic problems on Wallace Road.

3. If you do move forward, adopt a schedule that gives the public a meaningful opportunity to participate in this decision.

The essence of good land use planning is that the public be given a meaningful opportunity to participate, especially in major decisions.

An urban growth boundary (UGB) amendment and goal exception are big land use decisions. They need to be carefully considered and properly justified. Specifically, to meet state land use requirements for a UGB amendment for a new bridge the city must show that there are no reasonable options for meeting transportation needs within the UGB. However, the analysis to support this decision has yet to be done. Neither the Draft EIS prepared in 2012 nor the Land Use Technical Report prepared in 2013 provide necessary information to address land use requirements. Detailed technical reports that address land use requirements have yet to be completed. Until these reports are available, and the public and elected officials have had a meaningful opportunity to review, comment and discuss them, a decision is premature.

A two or three month process with one or two public hearings provides too little time and too little opportunity for meaningful public participation or a well-considered decision. If you do adopt this resolution, you should adopt a schedule that builds in sufficient time and additional public hearings so that you can carefully consider the information and make well thought out decision, and also give the public, including the city's neighborhoods, a chance to effectively participate in this decision.

Sincerely,

Robert Cortright

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