



Chapter 5. Public Involvement and Agency Coordination



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Multnomah County and its agency partners developed a stakeholder involvement approach to accomplish the following tasks:

- Delivering a “transparent” analysis and environmental review process that provided ongoing, inclusive, and meaningful two-way communication between the project team and the public
- Meeting the applicable regulatory requirements, such as the National Environmental Policy Act of 1969 (NEPA)
- Encouraging active participation of those stakeholders with an interest in the outcome of the project

A key element of the stakeholder involvement approach was a structured decision-making process that included a well-defined decision-making organization. This process created a clear path for the project using major “decision points.” This structure enabled the project team to inform stakeholders of current progress, what

had been accomplished, and future decisions. The process defined how stakeholders would participate to answer the following questions typically asked by stakeholders:

- Who will make the decisions?
- How can I influence the decisions?
- When will I have an opportunity to participate?
- Who will consider my input?

5.1 Decision Structure and Public Involvement Process

The following subsections summarize the decision structure and public involvement process. For a more detailed summary, see the *Sellwood Bridge Project Decision Process and Public Involvement Summary Report* (Jeanne Lawson Associates [JLA], 2008).

National Environmental Policy Act of 1969

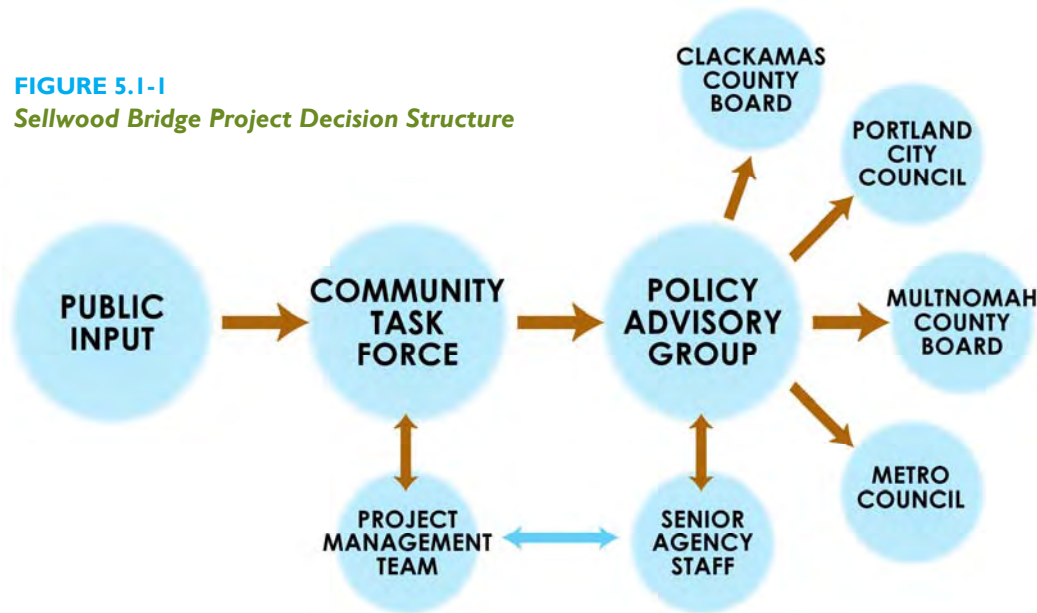
On January 1, 1970, the National Environmental Policy Act of 1969 (NEPA) was signed into law. NEPA established a national environmental policy intentionally focused on federal activities and the desire for a sustainable environment balanced with other essential needs of present and future generations. NEPA established a supplemental mandate for federal agencies to consider the potential environmental consequences of their proposals, document the analysis, and make this information available to the public for comment prior to implementation.

NEPA requires, to the fullest extent possible, that the policies, regulations, and laws of the federal government be interpreted and administered in accordance with its environmental protection goals. NEPA also requires federal agencies to use an interdisciplinary approach in planning and decision-making for any action that adversely impacts the environment.

While NEPA established the basic framework for integrating environmental considerations into federal decision-making, it did not provide the details of the process by which it would be accomplished. Federal implementation of NEPA is the charge of the Council on Environmental Quality (CEQ), which interprets the law and addresses NEPA’s action-forcing provisions in the form of regulations and guidance.

This Final Environmental Impact Statement (FEIS), which was prepared following the Federal Highway Administration’s (FHWA’s) environmental process and guidelines for preparing an FEIS, complies with FHWA NEPA regulations. FHWA was the final approver of this document.

FIGURE 5.1-1
 Sellwood Bridge Project Decision Structure



5.1.1 Project Groups

Because the Sellwood Bridge project is complex, with many stakeholders and interest groups wanting to participate, the project team established a structured decision-making process at the outset. This process helped to direct community input related to key project milestones, referred to as major decision points. Primary groups involved in the decision-making process included the following:

- Project Management Team
- Community Task Force
- Policy Advisory Group
- Senior Agency Staff
- Working Groups

Figure 5.1-1 illustrates the decision structure. The following subsections describe the composition, roles, and responsibilities of each group.

Project Management Team

The Project Management Team (PMT), which guided the project, consisted of staff members from Multnomah County, Oregon Department of Transportation (ODOT), Federal Highway Administration (FHWA), the City of Portland,

Metro, and the consulting team. The PMT’s responsibilities included the following:

- Management of project scope, schedule, and budget
- Direction, production, and quality assurance of technical and public/agency involvement work
- Staff support to the Policy Advisory Group (PAG), Senior Agency Staff (SAS), and Community Task Force (CTF)

Community Task Force

The CTF was comprised of a balanced representation of stakeholder interests. The group included representatives from neighborhoods on both sides of the bridge; local and regional business groups; advocates for different bridge user groups (such as bridge commuters, freight and transit users, river users, pedestrians, and bicyclists); and representatives of natural resource, historic resource, and aesthetic interests. The Multnomah County Board of Commissioners appointed members to the CTF at the beginning of the project. CTF responsibilities included:

TABLE 5.1-1

Sellwood Bridge Project Policy Advisory Group Members and Agencies/Jurisdictions

Member	Agency/Jurisdiction
PAG Chair, Commissioner Maria Rojo de Steffey	Multnomah County
County Chair, Commissioner Ted Wheeler	Multnomah County
Commissioner Sam Adams	City of Portland
Councilor Robert Liberty	Metro
Commissioner Lynn Peterson	Clackamas County
Mayor Jim Bernard	City of Milwaukie
Fred Hansen	TriMet
Senator Kate Brown	Oregon State Senate
Representative Carolyn Tomei	Oregon State House
Jason Tell	Oregon Department of Transportation
Phillip Ditzler	Federal Highway Administration

- Representing their constituents’ perspectives and input during group deliberations
- Communicating project progress with their constituents
- Preparing for and attending CTF meetings and public outreach events
- Working to develop consensus recommendations for presentation to the PAG

- Setting the policy framework for the project
- Representing the interests of their agencies or jurisdictions in group deliberations
- Communicating project progress to their fellow elected or appointed officials, and to their constituents
- Reviewing recommendations from the CTF and other background materials and making decisions at key decision points

Policy Advisory Group

The PAG consisted of elected and appointed officials of local agencies and jurisdictions with regulatory responsibility for the project or those who had a strong interest in the outcome. These officials included individuals from Multnomah County, Clackamas County, City of Portland, City of Milwaukie, Metro, ODOT, TriMet, FHWA, and the Oregon Legislature. Responsibilities of the PAG included:

Table 5.1-1 lists PAG members.

Senior Agency Staff

The SAS group consisted of senior level staff from each of the PAG member organizations. Each PAG member appointed a representative to serve on the SAS to stay current on project activities, gather input from the staffs of the organizations, and provide timely and accurate project information and recommendations to the PAG.

FIGURE 5.1-2

Project Schedule and Decision Points



Working Groups

Working groups were organized to provide detailed input to the PMT and CTF in the areas of bridge design; bicycle and pedestrian facility design; freight interests; bridge type; and aesthetics. The groups consisted of consultants, agency staff, and experts who volunteered their services. Each group met several times throughout the project to provide input on alternative development, evaluation of alternatives, and selection of alternatives for the Draft Environmental Impact Statement (DEIS; Multnomah County et al., 2008). A special City of Portland Technical Advisory Committee, which consisted of representatives of those city departments with an interest in the project, met to provide input during each round of outreach.

5.1.2 Decision Process and Structure

Creating a decision-making process was a key element of the project. The CTF, PMT, and PAG guided its development, forming a logical path with major decision points throughout the project. The public involvement program was established around the six major decision points shown on Figure 5.1-2.

1. Establish Decision Process and Structure
2. Define Purpose and Need
3. Establish Evaluation Framework

4. Develop Alternatives
5. Screen Alternatives
6. Identify Preferred Alternative

These major decision points, all of which have been completed, featured public involvement activities that included the following elements: briefings, newsletters, open houses, an interactive project Web site, online surveys, and a speakers' bureau. Figure 5.1-2 shows the project schedule with the six decision points.

The following subsections summarize the six major decision points and the associated public involvement activities. The *Sellwood Bridge Project Decision Process and Public Involvement Summary Report* (JLA, 2008) provides the public involvement materials, including stakeholder interviews, newsletters, technical memorandums, and summaries of open houses and meetings.

Decision Point 1: Establish Decision Process and Structure

The first major decision point ensured understanding and agreement about the project's decision process and structure, and about the roles, responsibilities, and membership of the various project groups (CTF, PAG, SAS, and PMT). The PAG formally reached this decision point on June 7, 2006.

Decision Point 2: Define Purpose and Need

The second major decision point, conducted in the summer and fall of 2006, established the need for the project and defined the problems the project was expected to address. To develop the purpose and need statement, the PMT and the CTF considered:

- Comments from a project newsletter (October, 2006)
- Issues raised in the first open house (Scoping Open House, October 2006)
- An online survey (Community Values and Issues) available on the project Web site between early September and late October 2006
- Stakeholder interviews with business, freight, neighborhood, and transit interests

Most issues were addressed directly in the purpose and need statement. Issues raised that could not be addressed by the project were referred to other agencies, as appropriate. In November 2006, the PAG adopted the purpose and need statement, located in Section 1.5 (What is the purpose of the project?) and Section 1.6 (Why is the project needed?).

Decision Point 3: Establish Evaluation Framework

The third major decision point, conducted in late 2006 and early 2007, established threshold and evaluation criteria that were used in subsequent decision points for screening and identifying alternatives for further study. The evaluation framework set criteria and quantitative performance measures to gauge the effectiveness of alternatives—how well they solved the identified problems and how well they performed against the broad range of stakeholder values. Public comments from the October 2006 scoping open house and the first online survey (Community Values and Issues) influenced the

evaluation framework for the project. The evaluation framework included the following ten evaluation criteria categories (project goals), each with separate evaluation criteria and performance measures:

- Aesthetics
- Bicycle and Pedestrian
- Community Quality of Life
- Automobiles, Freight, and Emergency Vehicles
- Construction
- Cost and Economic Impacts
- Natural Environment
- Material Resources
- Mass Transit
- Seismic

The PAG adopted the evaluation framework on January 29, 2007 (Multnomah County, 2007a).

Decision Point 4: Develop Alternatives

The fourth major decision point, conducted in the spring of 2007, developed a broad range of alternatives to address the purpose and need of the project (Decision Point 2). This step ensured that the stakeholders were consulted and their ideas were considered. Public involvement activities included an informative newsletter (March 2007), an alternatives development open house in April 2007, and a second online survey (Proposed Alignment and Interchange Concepts). The online survey, conducted between March and April 2007, solicited input on alignments, the west-side interchange types, and bridge cross-sections. The CTF considered this public input when recommending a range of alternatives for further consideration. The PAG adopted the range of alternatives in June 2007. Chapter 2 summarizes the concepts and alternatives developed during this process.

Decision Point 5: Screen Alternatives

The fifth major decision point, conducted in the summer of 2007, selected alternatives for analysis in the DEIS. A newsletter (July 2007), an open house in July 2007, and a third online survey (Alternative Screening), conducted from July to the beginning of September 2007, accompanied this decision point.

The newsletter summarized the decision points that had been reached, the alternatives under consideration, and information about the third open house.

The July 2007 open house provided a project update and explained the results of the alternative-screening process. Participants had the opportunity to use an online decision-making tool called “Build a Bridge.” The process involved looking at unique combinations of alternative elements, including interchange types, roadway alignments, and bridge cross-sections. Participants built their own virtual bridges by combining their favored elements. The tool displayed the performance of favored elements, including costs and displacements of businesses and households.

The Alternative Screening online survey, posted on the project Web site, asked the public to compare the pros and cons of the alternatives using the Build a Bridge tool.

A newsletter (October 2007) included information on the alternatives that would be evaluated in the DEIS. The alignments, cross-sections, and west-side interchange types in the Build alternatives reflect community input.

This decision step also selected bridge design types for the replacement alternatives. In the fall of 2007, a Bridge Type Working Group of local bridge experts recommended six replacement bridge options for further consideration. A fourth online survey (Bridge Types), conducted in November 2007, obtained public input on the various bridge types. A fourth public open house in November 2007 obtained additional public feedback on bridge types. The CTF and PAG

weighed public input from the fourth online survey and the fourth open house before selecting the bridge types for evaluation in the DEIS.

The CTF and PAG screened alternatives using the evaluation criteria and selected five alternatives (that the PAG adopted) to be carried forward for additional analysis in the DEIS.

The project team then prepared the DEIS to analyze the alternatives identified for further study. FHWA approved the DEIS before it was released in November 2008. The project team provided the results of the DEIS to project stakeholders, the public, and elected officials for use in identifying a preferred alternative.

Decision Point 6: Identify Preferred Alternative

The project completed the sixth and final major decision point, identification of the preferred alternative, in early 2009. A formal public comment period and a formal public hearing were held following distribution of the DEIS. The PAG considered the analysis documented in the DEIS, CTF input, and public comments when identifying a preferred alternative. The Multnomah County Board of Commissioners, Clackamas County Board of Commissioners, Metro Council, Portland City Council, and ODOT, adopted the preferred alternative. FHWA will ultimately select the preferred alternative when it issues the Record of Decision. Section 5.5.1 outlines the process used to identify the preferred alternative in more detail.

5.2 Key Issues and Themes

The project team received thousands of public comments throughout the public involvement process. These comments included issues and themes that have influenced project decision-making, directly shaping the range of alternatives and, ultimately, the elements of the alternatives analyzed in this document. This Final Environmental Impact Statement (FEIS) addresses

many of the issues raised. The other comments are outside the scope of the project and, therefore, are not in this FEIS. However, the project team has attempted to respond to the most frequently voiced issues through community meetings and in public outreach information, such as the project Web site and newsletters.

Table 5.2-1 lists the most frequently voiced issues from public involvement activities, along with the associated responses.

TABLE 5.2-1
Key Issues, Themes, and Associated Responses

Issue/Theme	Response
Build a new bridge in another corridor	Multnomah County officials reviewed the findings of a 1999 study conducted by Metro (<i>South Willamette River Crossing Study</i>) that considered various bridge alignments. The study concluded that improvements were needed to the existing Sellwood Bridge or the existing bridge would need to be rebuilt in the existing east-west corridor. Additional project studies confirmed that assumptions of the 1999 Metro study are still valid.
Neighborhood livability in Sellwood	Livability is defined as maintaining a two-travel lane bridge, making bridge improvements compatible with the <i>Tacoma Main Street Plan</i> (City of Portland, 2001), and reducing commuter and neighborhood cut-through traffic impacts. In this FEIS, Alternatives A, B, D, and D Refined are two-lane bridge options for a new and rehabilitated bridge. (Alternative A also features a narrow cross-section width [39 feet] to reduce right-of-way impacts.) Neighborhood livability elements, such as community cohesion, are addressed in Section 3.7 (Social Elements) for the No Build Alternative and the Build alternatives.
Neighborhood cut-through traffic	The No Build Alternative would maintain existing conditions on SE Tacoma Street east of the bridge. The Build alternatives include four different options for the intersection of SE Tacoma Street and SE 6th Avenue—existing conditions, a right-turn loop under the bridge, a signal, and a bicyclist/pedestrian-activated signal. Section 3.1 (Transportation) addresses the potential for neighborhood cut-through traffic for each of the four intersection options.
Consistency with the policies, goals, and objectives in the <i>Tacoma Main Street Plan</i> (City of Portland, 2001)	The adopted <i>Tacoma Main Street Plan</i> (City of Portland, 2001) and other approved planning documents call for two travel lanes on the Sellwood Bridge and two travel lanes on SE Tacoma Street. Alternatives A, B, D, E, and D Refined would include two travel lanes on the Sellwood Bridge. Alternative E would include two additional lanes limited to transit use. The No Build Alternative and the Build alternatives would maintain two travel lanes on SE Tacoma Street.
Private property impacts	Property impact evaluation criteria were included in the evaluation framework to screen the range of alternatives. Multnomah County communicated and coordinated with private property owners in the area to minimize private property impacts throughout this phase of the project. Section 3.3 (Right-of-Way and Relocation) addresses private property impacts of the No Build Alternative and the Build alternatives.

TABLE 5.2-1
Key Issues, Themes, and Associated Responses

Issue/Theme	Response
Residential and business impacts	Residential and business impact evaluation criteria were included in the evaluation framework to screen the range of alternatives. Sections 3.6 (Economic), 3.7 (Social Elements), and 3.3 (Right-of-Way and Relocation) address residential and business impacts of the No Build Alternative and the Build alternatives.
Route a new bridge to the north to reduce residential impacts	The project team developed and analyzed three alignments (Pink, Teal, and Gold alignments; Subsection 2.1.4) to the north of the existing alignment to address public comments. The PAG adopted Alternative E (hybrid of the Pink and Teal alignments) for analysis in the DEIS and this FEIS to address public comments and to minimize impacts to the residential units immediately north and south of the existing bridge. In addition, the PAG eliminated other alignments closer to the existing alignment (Blue and Purple; Subsection 2.1.5) from consideration because of the residential impacts of these alignments.
Bicycle and pedestrian access and connections to area trails	Bicycle and pedestrian connectivity, mobility, and safety to and across the river in the corridor were included in the evaluation framework as a threshold criterion. Bicycle and pedestrian evaluation criteria were also included in the evaluation framework. Section 3.2 (Bicyclists and Pedestrians) addresses benefits and impacts to bicyclists and pedestrian safety, mobility, and connectivity. The Build alternatives include wider facilities for bicyclists and pedestrians and improve connections to the trail facilities on the east and west sides of the river. The No Build Alternative would maintain existing bicycle and pedestrian facilities.
Build for the long-term future and ensure adequate bridge capacity for all users	The 2035 traffic demands in the study area are estimated to be similar under the No Build Alternative and each of the Build alternatives because none of the Build alternatives would increase vehicle-traffic-carrying capacity along OR 43 beyond the immediate area of the bridge or along SE Tacoma Street east of the bridge. However, the Build alternatives would provide substantially increased person-throughput in the project corridor because the Build alternatives could serve mass transit and dramatically increase bicyclist and pedestrian trips. The PAG adopted alternatives with two travel lanes (Alternatives A, B, and D) and three travel lanes (Alternative C) in the DEIS to evaluate the tradeoffs (benefits and impacts) of the number of travel lanes on the bridge. Alternative E includes four lanes, but two are dedicated transit lanes. Because only transit vehicles would be allowed to use these lanes, Alternative E is categorized as a two-lane bridge. No alternatives consider four travel lanes for automobiles and trucks. Chapter 3 addresses the impacts of the No Build Alternative and the Build alternatives (including Alternative D Refined) to the natural and built environment. Specifically, Section 3.1 (Transportation) addresses traffic operations for the No Build Alternative and the Build alternatives.

TABLE 5.2-1
Key Issues, Themes, and Associated Responses

Issue/Theme	Response
Bus transit on the bridge and/or future streetcar	Connectivity, reliability, and operations of existing and future public transit were included in the evaluation framework as a threshold criterion. Transit evaluation criteria were also included in the evaluation framework. Section 3.1 (Transportation) addresses transit impacts. Each of the Build alternatives would restore TriMet bus service across the Sellwood Bridge and would include building the bridge strong enough to accommodate streetcar transit in the future, if this mode is pursued. The existing 10-ton weight restriction would continue under the No Build Alternative, precluding buses from crossing the bridge.
Accommodate large vehicles, including transit, trucks, and emergency vehicles	A geometrically functional and safe roadway design was included in the evaluation framework as a threshold criterion. Providing for improved freight mobility to and across the bridge was also included as a threshold criterion in the evaluation framework. The Build alternatives would meet applicable geometric roadway design standards to safely accommodate various vehicle types (including transit vehicles, trucks, and emergency vehicles). The No Build Alternative would not improve geometric roadway deficiencies or remove the 10-ton weight restriction that precludes large vehicles from crossing the bridge.
Structural integrity for large vehicles and seismic events	Providing structural integrity to accommodate safely various vehicle types (including transit vehicles, trucks, and emergency vehicles) and to withstand moderate seismic events was included as a threshold criterion and as an evaluation criterion in the evaluation framework. Section 3.12 (Geology) addresses seismic protection. All Build alternatives would meet current seismic design standards and have a design life of 75 years. The No Build Alternative, which is designed for a 20-year design life, would not meet these design standards.
Bridge approach and interchange safety	A geometrically functional and safe roadway design was included as a threshold criterion in the evaluation framework. The Build alternatives would improve the bridge approaches to meet current engineering design standards. The No Build Alternative would not improve the geometric deficiencies of the Sellwood Bridge/OR 43 interchange on the west side.
West-side landslide	The No Build Alternative would rebuild the west-side bridge approach with drilled shafts, which could help to stabilize the existing landslide in the area. The Build alternatives would include mitigation measures to improve stability of the existing landslide. Section 3.12 (Geology) addresses landslide and other geologic impacts.
Bridge closure during construction	Traffic across the river during construction would be maintained under Alternatives D, E, and D Refined, except for interim closures to replace the existing bridge and construct the new bridge under Alternatives D and D Refined. Alternative B includes the option of a temporary detour bridge during construction. Traffic across the river would not be maintained during maintenance activities under the No Build Alternative and during construction activities under Build alternatives A, B (without the temporary detour bridge), and C. Chapter 2 addresses estimated bridge construction time and construction methods.

TABLE 5.2-1
Key Issues, Themes, and Associated Responses

Issue/Theme	Response
Construction impacts	Construction impact evaluation criteria were addressed in the evaluation framework to screen the range of alternatives. Section 2.2 (Alternatives Carried Forward to and Evaluated in the DEIS) addresses construction impacts of the No Build Alternative and the Build alternatives.
Funding to construct bridge improvements	Chapter 2 provides the estimated cost for the No Build Alternative and the Build alternatives. Section 3.6 (Economic) discusses economic impacts, including funding to construct bridge improvements. Multnomah County has identified a preliminary Financial Plan to fund construction of the Sellwood Bridge project from various funding sources. Multnomah County would not be able to move ahead with construction until future project phases are included in the financially constrained Regional Transportation Plan (anticipated to be adopted by Metro in June 2010), and a Financial Plan demonstrating how the project would be funded is developed and approved by FHWA.
Recreational facility impacts	Recreational facility impacts were included in the evaluation framework to screen the range of alternatives. Section 3.9 (Parks and Recreation) addresses impacts to these facilities. The Final Section 4(f) Evaluation, appended to this FEIS, also addresses impacts to recreational resources. The visual simulations in Section 3.11 (Visual Resources) illustrate the impacts of the Build alternatives to selected recreational facilities. The No Build Alternative would have no impact on recreational facilities.
Historic resource impacts	Historic resource impact evaluation criteria were included in the evaluation framework to screen the range of alternatives. On the west side, the Build alternatives were designed to minimize impacts to River View Cemetery and the Superintendent's House. The Build alternatives would avoid direct impacts to Oaks Pioneer Church. All Build alternatives, including the rehabilitation alternatives, would adversely affect the historic status of the Sellwood Bridge. Section 3.10 (Archaeological and Historic Resources) and the Final Section 4(f) Evaluation, appended to this FEIS, address the criteria to determine historic resources and document impacts to historic resources. The No Build Alternative would not impact historic resources.
Natural environment impacts, including riparian vegetation, fish, water quality, and wetlands	Natural environment evaluation criteria were included in the evaluation framework to screen the range of alternatives. Sections 3.13 (Water Quality), 3.14 (Hydraulics), 3.15 (Aquatic Resources), 3.16 (Vegetation), 3.17 (Wetlands), and 3.18 (Wildlife) address natural environment impacts.
River users and navigation	The No Build Alternative and the Build alternatives would maintain or improve the existing vertical clearance between the Willamette River and the bottom of the bridge. Section 3.1 (Transportation) addresses navigational and river-user impacts.
Bridge aesthetics and visual impacts	Aesthetic evaluation criteria were included in the evaluation framework to screen the range of alternatives. The public commented on proposed bridge types through an online survey in November 2007. Section 3.11 (Visual Resources) addresses visual impacts.
Use of resources to construct the project	An evaluation criterion addressed material use in the evaluation framework to screen the range of alternatives. Section 3.20 (Energy) addresses energy impacts of the No Build Alternative and the Build alternatives.

TABLE 5.2-1
Key Issues, Themes, and Associated Responses

Issue/Theme	Response
Include all of SE Tacoma Street in the project	Multnomah County owns and maintains the existing Sellwood Bridge. This project addresses the Sellwood Bridge and its immediate bridge approaches, owned by Multnomah County and ODOT. Its aim is development of a solution for the structurally deficient structure. Because SE Tacoma Street (owned and maintained by the City of Portland) is not part of the bridge structure, it is out of scope for this project. Section 3.1 (Transportation) includes traffic impacts beyond the Sellwood Bridge and its approaches. Improvements on SE Tacoma Street for any of the Build alternatives would include the necessary transition and approach work to match with the new or rehabilitated Sellwood Bridge.

5.3 Agency Review and Coordination

This FEIS is prepared to comply with NEPA, which is a federal law that governs all projects receiving federal funding or receiving permits from federal agencies. NEPA regulations are contained in 40 Code of Federal Regulations (CFR) 1500–1508. Three agencies are leading the NEPA process for this project—Multnomah County, FHWA, and ODOT. Groups formed to carry out specific project roles (the PMT, CTF, PAG, SAS, and working groups) were described in Subsection 5.1.1. The following subsections summarize additional agency coordination activities.

5.3.1 Collaborative Environmental and Transportation Agreement for Streamlining Process

ODOT established the Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) process to coordinate review of transportation construction projects. The process establishes a working relationship between ODOT and 10 federal and state transportation, natural resource, cultural resource, and land-use planning agencies. In addition to ODOT, the agencies include:

- FHWA
- National Marine Fisheries Service
- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Oregon Department of Environmental Quality
- Oregon Department of Fish and Wildlife
- Oregon Department of Land Conservation and Development
- Oregon Department of State Lands
- Oregon State Historic Preservation Office

The charter agreement among these agencies is intended to facilitate environmental streamlining and stewardship in environmental programs. The Major Transportation Projects Agreement is a follow-on agreement that provides the framework for tracking transportation projects undergoing NEPA environmental impact statements.

CETAS agencies have provided input throughout this project and have concurred on project decisions (such as the purpose and need [Chapter 1], the range of alternatives to be studied [Chapter 2]), the criteria for the

identification of the preferred alternative, and the identification of a preferred alternative.

5.3.2 Lead, Cooperating, and Participating Agencies

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized federal surface transportation programs through fiscal year 2009. (The United States Congress has extended SAFETEA-LU into fiscal year 2010.) Section 6002 of SAFETEA-LU created consolidated and enhanced environmental streamlining regulations. It requires transportation agencies to work together with the public, resource agencies, and other interested parties to establish timeframes for the environmental review of transportation projects. The efficient and effective coordination of multiple environmental reviews, analysis, and permitting actions is essential for meeting the environmental streamlining mandates under SAFETEA-LU.

The lead agencies for this project are Multnomah County, FHWA, and ODOT. In accordance with Section 6002 of SAFETEA-LU, letters were sent to various local agencies that might have been interested in participating in the project as cooperating or participating agencies. Cooperating agencies are certain federal agencies having jurisdiction by law or special expertise with respect to any environmental impact in a proposed project or project alternative. Participating agencies include all federal, state, regional, or local governmental agencies and tribes that have interest in the project. By definition, cooperating agencies are also participating agencies. These agencies included local jurisdictions, natural resource agencies, and other agencies that FHWA suggested. The cooperating and participating agencies that were involved in the project are listed in Table 5.3-1. Each of these agencies was afforded the opportunity to comment at each of the six decision points in the project.

TABLE 5.3-1
Cooperating and Participating Agencies

Federal Agencies	
Federal Emergency Management Agency (p)	U.S. Army Corps of Engineers (c)
National Marine Fisheries Service (c)	U.S. Environmental Protection Agency (c)
U.S. Coast Guard (c)	U.S. Fish and Wildlife Service (c)
State Agencies	
Oregon Department of Environmental Quality (p)	Oregon Department of State Lands (p)
Oregon Department of Fish and Wildlife (p)	Oregon State Historic Preservation Office (p)
Oregon Department of Land Conservation and Development (p)	
Tribes and Local Agencies	
Confederated Tribes of Siletz (p)	Clackamas County (p)
City of Milwaukie (p)	Metro (p)
City of Portland (p)	TriMet (p)

c = cooperating agency
 p = participating agency

This FEIS followed and complied with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Section 6002 requirements. The following list summarizes how this FEIS complies with Section 6002 requirements:

- **Multnomah County, ODOT, and FHWA are joint lead agencies.**
- **The U.S. Environmental Protection Agency (EPA) published the Notice of Intent in the Federal Register on November 9, 2006, to announce the initiation of the project.**
- **Invitation letters were mailed to cooperating and participating agencies on October 6, 2006.**
- **Scoping comments were collected from cooperating and participating agencies during an agency scoping meeting in December 2006, and additional written comments were mailed to the lead agencies and the project team. Cooperating and participating agencies also helped prepare and adopt a Coordination Plan in December 2006.**
- **The public was invited to attend a public scoping open house on October 25, 2006, and to take an online survey to collect public opinions on the draft Purpose and Need statement.**
- **Cooperating and participating agencies were involved in the development of the Purpose and Need statement and the Range of Alternatives. They also commented as members of the Policy Advisory Group (PAG) and Project Management Team (PMT; described in Section 5.1), and as agencies in the Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) process (described in Section 5.3).**
- **The public was asked to help develop the Range of Alternatives at public scoping workshops in April 2007 and July 2007 and through an online survey.**
- **The cooperating and participating agencies reviewed the methodology and coordinated with the project to determine the correct level of detail for analyzing each alternative in July 2007.**
- **The lead agencies established a comment period on the DEIS (November 18, 2008, through December 22, 2008) and advertised the comment period through notices, postcards, and the project Web site.**
- **The lead agencies identified a preferred alternative (Alternative D Refined). The development of the preferred alternative to a higher level of detail than the other alternatives evaluated in this FEIS will not prevent the lead agencies from making an impartial decision on the appropriate course of action. In addition, identifying a preferred alternative was necessary to facilitate the development of mitigation measures.**
- **Following distribution of this FEIS, if any comments received on this FEIS can be satisfied within the context of the preferred alternative, FHWA will issue a Record of Decision.**

5.4 Comments on the DEIS

The public and agencies were offered the opportunity to comment on the alternatives, their potential impacts, and the proposed mitigation measures identified during the DEIS comment period. The comment period began on November 18, 2008. Multnomah County accepted comments through December 22, 2008. The comment period was publicized through:

- A mailing to 23,000 households in the project vicinity
- An email announcement to the project mailing list
- Information in the local media, including newspapers and radio
- A banner over the bridge

Comments could be made on the project Web site at <http://www.sellwoodbridge.org>, emailed to comment@sellwoodbridge.org, sent to Multnomah County, or provided at the public briefings, hearings, and open house (which are described in the next section).

In October 2008, approximately 330 postcards were mailed to those individuals on the project mailing list who did not have an email address. Recipients were encouraged to return the postcard to order a copy of the DEIS, a DEIS CD-ROM, or an Executive Summary of the DEIS. On November 7 and 8, 2008, email messages with the same information were sent to the remaining individuals on the project mailing list (over 5,000 email addresses).

The DEIS was made available at the project Web site (<http://www.sellwoodbridge.org>), on a CD-ROM (which could be obtained free of charge from Multnomah County), and as printed copies (at select Multnomah County and Clackamas County libraries). Printed copies or CD-ROM versions of the DEIS were

provided directly to those on the Distribution List (Appendix E).

5.4.1 Public Briefings, Hearing, and Open House

Public briefings, a public hearing, and a public open house were held to provide information and accept comments on the DEIS.

- **Public Briefings.** Written comments were collected at these informational briefings. The informational presentation was posted on the project Web site.
 - November 10, 2008
Multnomah County Building
501 SE Hawthorne Boulevard, Portland
6:00 to 7:00 p.m. and 7:15 to 8:15 p.m.
 - November 13, 2008
Oaks Park Dance Pavilion
7100 SE Oaks Park Way, Portland
6:00 to 7:00 p.m. and 7:15 to 8:15 p.m.
- **Public Hearing and Public Open House.** Written and oral comments were taken during the Open House. Oral testimony was taken during the public hearing that members of the PAG attended and Multnomah County Chair Ted Wheeler led.
 - December 10, 2008
Oregon Museum of Science and Industry
1945 SE Water Avenue, Portland
6:00 to 8:30 p.m. (Public Hearing from 7:00 to 8:30 p.m.)

5.4.2 DEIS Comment Summary

A total of 184 individuals, 13 agencies, and 12 organizations commented on the DEIS:

- **Public Comments**
 - 98 individuals submitted comments through the project Web site
 - 32 individuals gave oral testimony at the December 10, 2008, Public Hearing

- 29 individuals mailed comments to Multnomah County
- 14 individuals submitted comments at the December 10, 2008, Open House
- 11 individuals gave oral testimony at the December 10, 2008, Open House
- **Agency Comments**
 - 10 agencies mailed comments to Multnomah County
 - 3 agencies submitted comments through the project Web site
- **Organization Comments**
 - 6 organizations gave oral testimony at the December 10, 2008, Public Hearing
 - 3 organizations submitted comments through the project Web site
 - 3 organizations mailed comments to Multnomah County

Primarily, the public and organization comments related to the traffic and economic impacts of closing the bridge during construction and the livability impacts with a temporary detour bridge. (During construction, the preferred alternative, as outlined in Section 5.5.1, would maintain bridge access across the river without a temporary detour bridge.)

Primarily, the agency comments related to natural resource impacts and park and recreational facility impacts. (The preferred alternative, as outlined in Section 2.3, was refined to minimize natural resource and park and recreational facility impacts.)

The *Draft Environmental Impact Statement: Public, Agency, and Organization Comment Summary Technical Memorandum* (CH2M HILL, 2009a) summarizes public and agency comments received during the DEIS comment period in more detail. Appendix I presents a summary of the comments received during the comment period and provides responses to these

comments. Appendix J provides the text of the comments received on the DEIS and copies of the original comments received via the Open House and mail-in.

5.5 Activities Completed after Distribution of the DEIS

5.5.1 Identification of a Preferred Alternative

The following information summarizes the CTF and PAG process used to identify a preferred alternative. The process is outlined in more detail in the *Identification and Refinement of the Preferred Alternative Technical Memorandum* (CH2M HILL, 2009b).

Community Task Force Deliberations

The CTF deliberated five times to discuss and recommend a preferred alternative to the PAG. The following items summarize each of the five CTF meetings (two of which were joint meetings with the PAG):

- **October 26, 2008, Joint CTF/PAG Meeting.** The project team presented preliminary findings of the DEIS to the CTF and PAG.
- **November 17, 2008, Meeting.** After its independent review of the DEIS, the CTF was provided the opportunity to ask questions about the DEIS findings. The CTF discussed the strengths and weaknesses of each of the six alternatives evaluated in the DEIS and the elements of the alternatives (alignment, bridge closure, bridge cross-section, west-side interchanges, and east-side connection).
- **January 5, 2009, Meeting.** The project team presented to the CTF a summary of comments received on the DEIS and the results of the online survey that allowed interested people to identify a preferred

alternative and to suggest desired modifications to that alternative. The CTF discussed the strengths and weaknesses of alternatives and their elements. In addition, the CTF developed topics they wanted the project team to provide more information on at the next meeting.

- **January 19, 2009, Meeting.** The project team presented their findings related to the more detailed information the CTF requested at its January 5, 2009, meeting. After discussion, the CTF reached a strong consensus on the following elements for the preferred alternative:

- A grade-separated and signalized interchange on the west side at the intersection with Oregon 43 (OR 43)
- The existing alignment built to the south (alignment “D” in the DEIS) to accommodate a cross-section with no long-term bridge closure during construction
- A bicyclist/pedestrian-activated signal at the SE Tacoma Street/SE 6th Avenue intersection

The CTF could not reach a consensus on the bridge cross-section. There was a split decision amongst CTF members regarding the width of the two-lane cross-section (either 64 feet wide or 74 feet wide at its narrowest point).

- **January 26, 2009, Joint CTF/PAG Meeting.** The CTF presented its recommended preferred alternative to the PAG. The PAG clarified with the CTF the process and primary considerations the CTF used to identify the preferred alternative. In its presentation, the CTF emphasized the following points:

- Although the preferred alternative could be phased, phasing was not a driver in the recommendation

- The higher cost and construction impacts of a project phased over many years would not be ideal for the community
- It is important to develop a financing plan for building the entire project at one time
- The bridge is in poor condition and the project needs to start soon

Policy Advisory Group Deliberations

At its meeting on February 6, 2009, the PAG discussed elements of the CTF-recommended preferred alternative in the following order:

- Alignment
- East-side connection
- West-side interchange
- Bridge cross-section

The PAG considered the analysis documented in the DEIS, CTF input, and public comments when identifying the preferred alternative. The PAG unanimously endorsed the recommendations of the CTF and adopted the following as the preferred alternative:

1. Alignment “D” (existing bridge alignment and widen to the south)
2. A bicyclist/pedestrian-activated signal at the SE Tacoma Street/SE 6th Avenue intersection as the east-side connection
3. A grade-separated and signalized interchange on the west side at the intersection with OR 43
4. A bridge cross-section of 64 feet or less at its narrowest point

The PAG endorsed this preferred alternative predicated on the following conditions:

- Strive to reduce total project cost
- Consider project phases as constrained by funding availability

- Recognize that the established purpose of the project is: "To rehabilitate or replace the Sellwood Bridge within its existing east-west corridor to provide a structurally safe bridge and connections that accommodate multi-modal mobility needs"
- Explore options for reducing the cost of the west-side interchange without making traffic conditions worse than with the No Build Alternative
- Design the bridge as narrow as possible while maintaining two vehicular travel lanes, bike lanes/shoulders, and sidewalks
- Produce a design consistent with the adopted *Tacoma Main Street Plan* (City of Portland, 2001)
- Design the bridge to accommodate streetcar use
- Minimize impacts to affected property owners
- Strive to use sustainable construction materials and practices

The primary concern for the CTF in recommending, and the PAG in adopting, Alternative D as the preferred alternative was to maintain traffic across the river during construction. The temporary detour bridge was not preferred because of its social and natural environmental impacts during construction. While Alternative E would have also maintained traffic across the river during construction, the bridge would have been located on a new alignment. Therefore, construction could not

have been phased if full funding for the project were not available. In addition, compared to Alternative D, Alternative E would have displaced more residences and businesses, and caused greater adverse impacts to parks and historic resources.

5.5.2 Local Jurisdiction Adoption of a Preferred Alternative

The Multnomah County Board of Commissioners, Clackamas County Board of Commissioners, Metro Council, Portland City Council, and ODOT adopted the preferred alternative in February and March of 2009. FHWA will select one of the alternatives evaluated in this FEIS (that is, the No Build Alternative or Alternatives A through E, including Alternative D Refined, the preferred alternative) when it issues a Record of Decision (see Section 5.5.6).

5.5.3 Agency Coordination

After local jurisdictions adopted the preferred alternative, Multnomah County coordinated with other agencies to:

- Address the PAG's preferred alternative conditions (summarized in Section 5.5.1)
- Further develop project elements (such as access locations and stormwater facilities)
- Develop mitigation measures
- Meet permitting and approval requirements

Table 5.5-1 summarizes the agency coordination meetings that were conducted.

TABLE 5.5-1
Agency Coordination Meetings

Date	Meeting	Agencies Present (in addition to Multnomah County)	Purpose of Meeting
May 18 and 19, 2009	Interchange Area Management Plan (IAMP) Charette	ODOT, Portland Bureau of Transportation (PBOT)	Develop access options for the IAMP
May 28, 2009	IAMP Preferred Access	PBOT	Discuss IAMP preferred access resolution
June 4, 2009	Stormwater Management	ODOT	Discuss stormwater facility options
June 25, 2009	IAMP Meeting	ODOT	Discuss access options for the IAMP
July 1, 2009	IAMP Meeting	ODOT, PBOT	Discuss access options for the IAMP
July 8, 2009	IAMP Meeting	ODOT, PBOT	Discuss access options for the IAMP
July 9, 2009	IAMP Meeting	ODOT, PBOT	Discuss access options for the IAMP
July 13, 2009	Mitigation Approach	<ul style="list-style-type: none"> • PBOT • City of Portland Bureau of Development Services (BDS) • Portland Parks & Recreation (PP&R) • Portland Bureau of Environmental Services (BES) • Portland Water Bureau 	Discuss approach and process for developing measures to mitigate impacts to City of Portland resources
July 16, 2009	IAMP Meeting	ODOT, PBOT	Discuss access options for the IAMP
July 16, 2009	Willamette River Greenway Goal Exception	BDS	Discuss approach and requirements for the Goal Exception application
July 22, 2009	Archaeological and Historic Resources Mitigation	State Historic Preservation Office (SHPO), ODOT	Discuss archaeological and historic resource mitigation options
July 23, 2009	Parks and Recreation Mitigation	PP&R, BES, Portland Water Bureau	Discuss park and recreational facility impact mitigation options
August 4, 2009	Sellwood Bridge Streetcar Access	ODOT, PBOT	Discuss opportunities to incorporate a streetcar into the project design
August 5, 2009	Parks and Recreation Mitigation	PP&R	Discuss park and recreational facility impact mitigation options

TABLE 5.5-1
Agency Coordination Meetings

Date	Meeting	Agencies Present (in addition to Multnomah County)	Purpose of Meeting
August 6, 2009	Bicycle/pedestrian Facilities	PBOT	Discuss the project's bicycle and pedestrian facilities
August 12, 2009	Parks and Recreation Mitigation	PP&R, BES	Discuss park and recreational facility impact mitigation options
August 24, 2009	Willamette Moorage Park and Powers Marine Park Site Visit	PP&R, BES, Oregon Department of Fish and Wildlife (ODFW)	Discuss park and recreational facility impact mitigation options on-site
August 24, 2009	FEIS Coordination	ODOT	Discuss FEIS coordination
August 27, 2009	Coordination with Portland to Lake Oswego Streetcar Project	TriMet	Discuss the status of the Sellwood Bridge project and receive an update on the Portland to Lake Oswego Streetcar Project
September 2, 2009	Parks and Recreation Mitigation	PP&R, BES, Portland Water Bureau	Discuss park and recreational facility impact mitigation options
September 3, 2009	Coordination with Portland to Lake Oswego Streetcar Project	TriMet, Metro	Discuss the status of the Sellwood Bridge project and receive an update on the Portland to Lake Oswego Streetcar Project
September 4, 2009	Greenway Goal Exception Pre-Submittal Meeting	BDS	Discuss requirements for the Goal Exception application
September 15, 2009	ODOT Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) Process (Section 5.3.1 describes CETAS)	<ul style="list-style-type: none"> • FHWA • National Marine Fisheries Service (NMFS) • U.S. Army Corps of Engineers • U.S. Environmental Protection Agency • U.S. Fish and Wildlife Service • ODOT • ODFW • Oregon Department of State Lands • SHPO 	Receive concurrence on the criteria for selecting the preferred alternative and the identification of a preferred alternative
September 16, 2009	Biological Assessment	ODOT, NMFS	Discuss approach for development of the Biological Assessment
September 24, 2009	Archaeological and Historic Resources Mitigation	SHPO, ODOT	Discuss and finalize archaeological and historic resources mitigation options

TABLE 5.5-1
Agency Coordination Meetings

Date	Meeting	Agencies Present (in addition to Multnomah County)	Purpose of Meeting
November 12, 2009	IAMP Coordination	ODOT	Discuss process to prepare and adopt the IAMP
January 20, 2010	FHWA and ODOT Consultation	FHWA, ODOT	Discuss process to finalize and distribute the FEIS and requirements for a Record of Decision
February 1, 2010	Greenway Goal Exception Public Hearing (City of Portland)	BDS	Public hearing for Greenway Permit

BDS = City of Portland Bureau of Development Services
 BES = Portland Bureau of Environmental Services
 IAMP = Interchange Area Management Plan
 NMFS = National Marine Fisheries Service
 ODFW = Oregon Department of Fish and Wildlife
 ODOT = Oregon Department of Transportation
 PBOT = Portland Bureau of Transportation
 PP&R = Portland Parks & Recreation
 SHPO = State Historic Preservation Office

5.5.4 Refinement of the Preferred Alternative

After the PAG adopted a preferred alternative (Alternative D evaluated in the DEIS with a bicyclist/pedestrian-activated signal at the SE Tacoma Street/SE 6th Avenue intersection), the project team made various design refinements to Alternative D. Section 2.3 of this FEIS summarizes how Alternative D was refined to incorporate new features that would minimize environmental impacts and address public and agency comments received on the DEIS and at the December 10, 2008, public hearing.

5.5.5 Other Federal, State, and Local Actions Required for the Proposed Action

A number of actions are required before final project approval would occur, as shown in Table 5.5-2.

FHWA, in cooperation with ODOT and Multnomah County, intends to issue a “statute of limitations” (SOL) notice in the *Federal Register*, pursuant to 23 United States Code (USC) Section 139(l). This notice would indicate that one or more federal agencies have taken final action on permits, licenses, or approvals for this transportation project. This SOL notice would establish that claims seeking judicial review of those federal-agency actions would be barred unless such claims were filed within 180 days after the date of publication of

the notice in the *Federal Register*. Multnomah County will also make the SOL notice available on the project website at <http://www.sellwoodbridge.org>.

5.5.6 Record of Decision

This FEIS evaluates the economic, social, and natural resource effects of the No Build Alternative, the five Build alternatives evaluated in the DEIS, and the preferred alternative

(Alternative D Refined). Following distribution of this FEIS, if any comments received on this FEIS can be satisfied within the context of the preferred alternative, FHWA will issue a Record of Decision. FHWA approval of any of the Build alternatives, including the preferred alternative, would allow Multnomah County to move ahead with selection of a bridge type and project design.

TABLE 5.5-2
Other Federal, State, and Local Actions Required

Agency	Regulation or Approval
Federal Highway Administration	Section 4(f) of the U.S. Department of Transportation Act of 1966
National Park Service	Section 6(f) of the Land and Water Conservation Act
U.S. Army Corps of Engineers/Oregon Department of State Lands	Clean Water Act, Section 404
U.S. Army Corps of Engineers/Oregon Department of State Lands	Oregon's Removal-Fill Law
U.S. Army Corps of Engineers/Oregon Department of State Lands	Section 10 of the Rivers and Harbors Act
U.S. Coast Guard	Section 9 of the Rivers and Harbors Act
National Marine Fisheries Service	Section 7 of the Endangered Species Act Consultation; Biological Opinion
U.S. Fish and Wildlife Service/National Marine Fisheries Service	Fish and Wildlife Coordination Act
U.S. Fish and Wildlife Service/National Marine Fisheries Service	Magnuson-Stevens Fishery Conservation and Management Act
U.S. Fish and Wildlife Service/National Marine Fisheries Service	Migratory Bird Treaty Act
Oregon Department of Agriculture	Oregon Endangered Species Act (Plants)
Oregon Department of Environmental Quality	Clean Water Act Section 401: Water Quality Certification
Oregon Department of Environmental Quality	Clean Water Act Section 402: National Pollutant Discharge Elimination System (NPDES) Program
Oregon Department of Environmental Quality	Clean Water Act Section 402: NPDES Municipal Separate Storm Sewer System (MS4) Program

TABLE 5.5-2
Other Federal, State, and Local Actions Required

Agency	Regulation or Approval
Oregon Department of Environmental Quality	Conformance with Oregon Department of Environmental Quality's National Ambient Air Quality Standards
Oregon Department of Fish and Wildlife	Oregon Endangered Species Act (Wildlife)
Oregon Department of Fish and Wildlife	Fish Passage Plan Approval (Oregon Administrative Rule [OAR] 635-012)
Oregon Department of Transportation	Interchange Area Management and Access Management Plan (OAR 734-051-0155)
Oregon Department of Transportation	Access spacing deviation
Oregon State Marine Board	Recreational Waters Coordination Requirements
State Historic Preservation Office	Section 106 Consultation, National Historic Preservation Act
City of Portland	Floodplain Development Permit
City of Portland	Type II Greenway Permit
City of Portland	Type II Environmental Permit
City of Portland	Type II Historic Design Review
City of Portland	Conditional Use Permit
City of Portland	Non Park Use Permit
City of Portland	Noise Ordinance Variance
City of Portland	Harbor Master Permit