

US 97 Bend North Corridor Project – Citizen Advisory Committee (CAC)
Meeting Minutes
10/11/07

CAC Members in attendance:

Neil Bryant
Tim Larocco

Wayne Schnur
Linda Perelli-Wright

ODOT & COIC Staff in attendance:

Rex Holloway, ODOT
Amy Pfeiffer, ODOT

Jon Heacock, ODOT
Andrew Spreadborough, COIC

Guests:

Angela Findley, Parson Brinckerhoff

Vaughn Brown, JLA Inc.

Welcome, Meeting Overview and Introductions

Rex Holloway opened the meeting and welcomed attendees. He said CAC Chair Mike Schmidt will not be able to attend today, though Mike did submit comments for Rex to share. The attendees introduced themselves. Wayne Schnur introduced Tim Larocco, and said that Tim will be sharing the CAC role as representative of the east side business community since Wayne will be traveling for a couple of years.

Overview of the NEPA Process

Angela Findley distributed a handout and went through a powerpoint presentation on the NEPA process.

Slide 2: Angela said the presentation will be a brief overview of the National Environmental Policy Act (NEPA), which is the federal law that is applicable to this project. She said that we will also be discussing two things what we'll be working on - a "purpose and need" statement, which explains why we are doing this project, and a "goals and objectives" statement.

Slide 4: NEPA is a federal law that was enacted 40 years ago. It is a required process for any projects that require federal action or funding from the federal government. It is a government process for making decisions that discloses the decision-making rationale so that the public is informed.

Slide 5: The intent of the law is to consider environmental impacts of major federal actions. In transportation projects such as this, we develop and evaluate alternatives and analyze their impact on the environment – not just land use and wildlife, but also the social and community impacts. The process provides continuous and meaningful public participation in the development of the project.

Slide 6: NEPA provides a process for informed decision-making that avoids arbitrary and capricious decisions. It provides a process for decisions that are grounded in data, and provides a defensible decision on the alternative. It discloses what impacts are likely, and the "pros and cons" of each alternative, so we can make a decision.

Slide 7: The NEPA process is required on projects using federal funds. The price is high on this project, and the NEPA process would position the project so that we are ready when we want to apply for funding.

Slide 8: NEPA is commonly referred to as an “umbrella” process that ensures all applicable federal laws are covered. One of the first steps is to define the “purpose and need” and “goals and objectives.” NEPA requires that we look at a range of alternatives to solve the problem. The NEPA process includes the public in the decision-making process, and through this process we will hold quite a few public outreach events. The process evaluates impacts, and will result in a document for public review that evaluates the range of alternatives and results in the identification of one preferred alternative.

Slide 9: Depending on the project type, different levels of documentation are required. Class 1 projects have significant impacts on the environment and require an Environmental Impact Statement (EIS). On the other end of the spectrum, Class 2 projects have no significant impact on the environment. Examples of Class 2 projects include adding a signal or a guardrail. Class 3 projects are in the middle of the spectrum, and require the preparation of an Environmental Assessment (EA) to determine if there is a Finding of No Significant Impact on the environment (FONSI), or, if there is significant impact, an EIS is prepared.

Slide 10: “Significant” impact is difficult to define. We use the terms context and intensity in judging impact. If you compare the context of Bend and Eugene, a project impacting a wetland would have greater impact in Bend where there are few wetlands, compared to Eugene where there are many. Intensity is fairly intuitive – if one acre is affected by one alternative, and twenty acres are affected by the second, then the second has greater intensity.

Slide 11: There are three types of impacts. If you think of a road project, the 1-2 lanes within the project footprint contain the “Direct” impacts. “Indirect” impacts are harder to grasp – these are impacts that occur from the project over time. For instance, snow melt from a widened street that runs into a stream two miles away. The third type of impact is “Cumulative” – this looks at impacts from the project and other projects nearby. One business may be displaced as a result of the first project, and three more on the next, and then a few others. Combined, there is a bigger impact on business. NEPA requires us to look at our project impacts, but also impacts combined with other projects.

Slide 12: We are assuming that there are likely to be significant impacts from this project, including impacts associated with community business and residential areas, land use (some alternatives may require improvements outside of the Urban Growth Boundary), and right of way (may need to acquire rights of way). There may be others.

Slide 13: The decision-making process overview flow chart was distributed to the committee last month. We are at the beginning of the NEPA process now - at the project purpose and need phase. We are moving toward the EIS and federal approval phases.

Slide 14: Angela reviewed the timeline of major milestones in the EIS process. The first step is publishing the Notice of Intent, which will happen in the next month or two. Then, purpose/need and goals/objectives will be developed. In the Spring/Summer of 2008 we will be developing a range of alternatives, using some of the work done in the refinement planning process. This is a lengthy process; we will take a range of alternatives and narrow to a few on which we will determine the environmental impacts. A draft EIS will be prepared in 2009 – this is a large document that considers

several alternatives. Public comment will then take place, followed by selection of the preferred alternative. Ultimate authority for deciding on the alternative is with the lead agency (Federal Highway Administration), and they will rely on recommendations from ODOT, the CAC, and the Steering Team. The Final EIS is then produced. Angela noted that the timeline is based on estimates derived from other projects, and that our process could move faster or slower.

Neil Bryant asked how long the decision is good, noting that securing funding could take some time. Angela answered that the decision is generally good for three years, but when the alternative is re-examined depends on other factors or significant changes to the project.

Slide 16: The NEPA work plan will state how we are going to implement the EIS over the next few years. Angela distributed a draft work plan schedule, and reviewed the CAC portion of the timeline for meetings and activities. Angela offered to meet one-on-one with CAC members to review the schedule in more detail.

Slide 17: The NEPA work plan includes review of a laundry list of federal and state laws that will potentially need to be complied with.

Slide 18: The purpose and need statement for this project will be based on the technical problem. The ODOT traffic unit is modeling traffic today and 30 years from. We will need to document safety issues and be aware of congestion.

Slide 19: The purpose and need statement should not be elaborate; it should be brief and state positive outcomes. We also do not want it to be too narrow so that only one solution can be considered. It needs to allow consideration of a range of solutions.

Slide 20: The purpose and need should be stated broadly enough so that more than one mode of transportation can be considered, and should allow that the solution can be phased over time.

Slides 21 and 22: Angela provided two examples of purpose and needs statements; the first a simple statement from a project in Grants Pass, the second a more complex, bi-state project.

Slide 23: “Need” should establish why the problem exists, will be based on facts and numeric data, and must correspond to the purpose statement.

Slide 24: Typical project needs include system linkage (connecting road types), capacity (often related to congestion), legislative acts, safety, modal interrelationships (looking beyond roads), and roadway deficiencies (e.g. a bridge about to fall, deficiency is the need to fix). This is not a full list – there may be others.

Slide 25: Goals and objective define issues to be addressed by the project beyond the purpose and need. If we come up with ten alternatives that meet the purpose and need, the goals and objectives provide the criteria for selecting the best alternative. We rely on community stakeholders to identify other goals and objectives for the project.

Slide 26: Angela reviewed a list of potential goals, noting that the list is not all-inclusive. The list included aesthetics, access, community (neighborhoods), cost (minimizing costs can be a goal), local street connections, multimodal, and safety. This process is an opportunity for stakeholders to identify

what other benefits we want to achieve through the project. These goals will lead to criteria for evaluating alternatives.

Work Session to Brainstorm Project Goals and Objectives

Vaughn Brown said that JLA will be handling the public involvement components of the project, and will provide information to the CAC, media and the public. They will be identifying opportunities for the public to feed input into the project. He said that engineering solutions for this project is not difficult – agreeing on the best solution is the challenge. We need to try to generate a set of criteria or guidance for how we want the solution to meet our needs. While this is not the most exciting part of the process, what we are doing is setting guidance and direction through the purpose and need and, more importantly, through the goals and objectives.

Vaughn handed out blank sheets of paper to the participants. He asked them to spend 3-5 minutes writing brief ideas about the project – 10 words or less per idea – that identify what is important when solving the transportation problem. He asked that they look beyond the purpose and need – and focus instead on goals and objectives over and above solving the transportation problem.

Angela said that the Steering Team will also be going through this exercise. On December 6 there will be a joint CAC-Steering Team meeting, and the compiled lists will be brought back for review. The public will also have the opportunity to contribute, and then we will finalize the goals and objectives for the project.

Vaughn went around the room, allowing the CAC members to present their goals/objectives. Rex read the list submitted prior to the meeting by Chair Mike Schmidt.

Flipchart Transcript - CAC initial brainstorm on Goals and Objectives

* indicates number of mentions by participants

- Ease of access for emergency vehicles – east of HWY 20**
- Balance the needs of intrastate (local and interstate (through) traffic
- Minimize physical intrusion into neighborhoods – includes noise, visual and fear of traffic impacts***
- Cost effectiveness**
- Maintain the Bend (Central Oregon) look and feel – incorporate the area’s natural beauty into the design – Gateway***
- Support public transit, bikes and pedestrian modes**
- Achieve flexibility in ODOT, Federal, county and state standards
- Separate through and local traffic while respecting standards
- Improve (maintain but do not reduce) access and egress for local business***
- Improve east-west bike and pedestrian connections and mobility
- Minimize impacts to critical environmental resources – support current stormwater bioswale activity**
- Find a regional solution that integrates public, private and agency needs**
- Recognize that the parkway will have local traffic
- Connect HWY 20 to the parkway**
- Incorporate BMPs for wildlife protection and mobility
- Provide access to Juniper Ridge*
- Facilitate flow and safety concerns for all neighbors and classes of transportation
- Avoid severed streets
- Promote connectivity through as well as in and out for delivery and freight

Critique and Adjourn

Rex wrapped up the meeting, noting that the CAC will not meet in November. The next meeting will be the combined CAC-Steering Team meeting, with a date and time to be determined.

Meeting adjourned at 6:35 p.m.