



MEETING MINUTES

Meeting Date: September 3, 2009

Purpose: Fern Valley Interchange Project
Citizen Advisory Committee, Project Development Team
Meeting

Distribution: CAC Members, Project Development Team, Public

From: Sue Casavan, RVCOG

Date Prepared: September 2009

CAC Attendees: Lenny Neimark, David Lowry, David Lewin, Pauly Hinesly,
Joan Haukom, Joe Strahl

PDT Attendees: Laurel Prairie-Kuntz, Mike Kuntz, Brian Sheadel, Peter
Schuytema

Project Team Attendees: Art Anderson, ODOT
Mike Baker, ODOT
Dick Leever, ODOT Project Manager
Anna Henson, ODOT Environmental Project Manager
Nancy Reynolds, URS Project Manager
Kate Lyman, URS
Pat Foley, RVCOG
Sue Casavan, RVCOG

Other Attendees: 12 members of the public signed in (sign-in sheet in file)

1. Introductions, Review Agenda, Approve Minutes

Pat Foley, RVCOG Facilitator

Pat Foley began the meeting at 7:15 and announced that this was a working meeting of the Fern Valley CAC and PDT committees and that there would be time for public comment later in the meeting. She said the last meeting for this group was held on March 5, 2008 and since then there have been changes in members. Committee members began with introductions. Pat F. asked if there were any additions or corrections to the March 5, 2008 minutes.

On a motion by David L. and seconded by Joan H. the committee unanimously approved the March 5, 2008 minutes as presented.

2. Discussion EA - Alternatives

Art Anderson, ODOT

Art A. said that there were times in the life of a project where big decisions had to be made and important information needed to be clearly disclosed and answered to. He noted that this evening was one of those cases and referred to the letter that was given to members dated August 12, 2009, from Kathy Lincoln of the Oregon Department of Justice. He reported that about two months ago, Federal Highway Administration (FHWA) told ODOT staff that they had concerns about forwarding the Fern Valley Thru alternative and the reason was the fact that the alternative would require a goal exception, whereas the North Phoenix Thru would not require a goal exception. He noted that ODOT staff had actually discussed the issue before that time but staff decided not to intervene until they heard the decision from Federal Highway Administration DOJ. He briefly discussed the ongoing Regional Problem Solving (RPS) process which could have expanded the Urban Growth Boundary (UGB) and a goal exception would not have been required. He explained that once the information was received from FHWA, it was noted that if an alternative was forwarded that does not require a goal exception it is a conflict in Oregon land use planning to forward two alternatives, one which does require a goal exception. FHWA said at this point, the Fern Valley Thru alternative requiring the goal exception needed to be removed from consideration.

David Lowry asked if the CAC and PDT needed to take any action votes or was this just an accomplished fact and Art A. responded that this will set the stage for a vote on the No-Build or the North Phoenix Thru alternatives.

Brian Sheadel briefly explained maps in the PowerPoint presentation. Anna H. said the PowerPoint was presented as a graphic to show how the Fern Valley Thru alternative goes through Exclusive Farm Use (EFU) property outside the urban growth boundary requiring a goal exception.

Brian S. presented a map of the bike/ped movements on the Crossing Diamond Interchange. David Lewin asked if bicyclists would follow the same path as cars and Brian S. replied yes, explained the movements and added that there would be an 8-foot wide bike lane until the other side of the intersection.

Joan H. commented that previously there was an approach at Fern Valley that was for pedestrians and asked if that was still part of the design. Brian S. yes, on the east side of the interchange there would be a path that led from the northbound ramp terminal down to Old Fern Valley Road.

David Lewin commented that since this form of interchange was new to this country he wondered if when traffic is travelling from one side of the road to the other across I-5 if cars will have additional difficulty with the process concerning bike/ped travel. Brian S. said the bike lanes will be 8 ft. wide and the travel lanes will be wider on the interchange.

Joan H. asked to see what the bike/ped path onto the ramp would look like. Brian S. said the path would go from the northbound ramp terminal, the signal by the Home Depot, a crosswalk from that point, build a path that goes down the embankment and ties into the cul-de-sac on Old Fern Valley Road to the interchange. He said the path from the top of the interchange down to Old Fern Valley Road will be in the plan.

David Lewin said at one time there was discussion about using the present alignment and making it a dedicated bike/ped bridge over I-5 and asked if that option was still on the table. Dick L. said that was no longer on the table.

3. Environmental Assessment Status and Next Steps

Nancy Reynolds, URS

Nancy R. presented the Environmental Assessment (EA) schedule.

EA Schedule

- Publication of the EA - Jan/Feb 2010
- Public Hearing - Feb/Mar 2010
- Decision on Build vs. No-Build Alternative - Mar/Apr 2010
- Revised (Final) EA - Aug 2010
- Finding of No Significant Impact - Sep 2010

David Lowry asked if there was a timeline for detailed design, right-of-way acquisition, and startup construction. Dick L. said the design will go to bid in 2011 or beginning 2012, planning construction in 2012, probably be a three-year contract but hopefully could be done before that.

5. Public Comment

Don Mitchell asked for an explanation of what build and no-build meant. Nancy R. responded that the North Phoenix Thru alternative was now called the build alternative, they are the same thing; the no-build is as indicated no new interchange.

Don M. asked if that meant there would be no remodeling or revision of any kind. Nancy R. responded that normally a no-build is just that. Don M. asked about the maintenance that is now needed and Dick L. responded that if a no-build is chosen ODOT will step back and look at the issues again because there will be things that need to be addressed if that decision comes forward. Don M. asked who will make the decision to do a no-build and Dick L. said that the CAC will make a recommendation to the PDT, the PDT puts together a recommendation and the final decision will come from Federal Highway Administration (FHWA).

Don M. asked what role the city council would have in the decision and Nancy R. responded that they make recommendations and comments on the environmental document. She added that everyone has an opportunity to make comments on the document, issues of concern, preference for an alternative, but the final decision will be from FHWA. She emphasized that FHWA takes comments and issues of concern into consideration and try to address them in the best way possible. Don M. stated that the city and the people of Phoenix actually don't have any say and Nancy R. explained that in terms of the final decision it is a Federal Highway Administration decision but they do take the public comments seriously as a consideration in the process. Don M. asked if the decision is made for a no-build would ODOT consider building a new interchange nearby and Dick L. responded that it would be another process and staff would take another look at things and move forward.

Don M. commented that if there was a no-build in Phoenix perhaps there would be other alternatives that might be re-considered. He asked if there was some urgency in starting soon and Dick L. said there was about 25 million added to the project with House Bill 2001 from the state legislature and on that bill there is a requirement to start construction by 2013.

Don M. said the reason he was concerned was that there will be impacts on the City of Phoenix and wondered if these will be discussed not only for now but in the future.

Nancy R. reported that the EA included all different kinds of subject areas: socioeconomics, land use, and incorporated into that are business impacts and she added that if felt something was being missed there will be an opportunity at the public hearing and public comment and we will address those concerns.

Don M. emphasized that citizens of Phoenix would like to know for sure what kind of impacts this project will have on their community and reassurance that the citizens, current and those to come are not going to be impacted by some compromise initiated now that they will have to live with in the future.

6. Comfort Check

Pat Foley, RVCOG Facilitator

Pauly Hinesly said she was satisfied.

David Lewin was still absorbing the fact that there were no longer two build alternatives. He commented that he remembered from previous meetings that EFU encroachment was a potential issue and was surprised that it all relied on the EFU land. He said it at least looked like it was positioned to move forward.

Brian Sheadel reported that he will be available for further discussion on the alternatives and the bike/ped issues.

David Lowry stated that he was glad the project was finally moving ahead.

Peter Schuytema said he was fine.

Mike Kuntz said he was good.

Laurel Prairie-Kuntz said she was fine and that she had a public information announcement: the Phoenix City Council's meeting on Tuesday night September 8th on the IAMP will not be discussed; it will continue to September 21st and will be at Public Works.

Lenny Neimark remarked that it was certainly no secret that he favored the Fern Valley Thru in the many discussions leading up to this. He informed members that he had numerous questions about the process given that how all this worked that allowed to simply drop the alternative to be looked at and compared. He stated that given all the discussion, votes, even the fact that in February 2008 the CAC and PDT voted on the preferred alternative and as he recalled that vote by both bodies slightly favored the Fern Valley Thru alternative. He reminded the committee that they had all agreed that it would be responsible to include both alternatives and there was always a major push by everyone to have more than one alternative on the table. He found it rather shocking to simply have it go away. He felt the EA needed the evidence to make that decision and indicated that many members honestly wanted to look at result comparisons and be convinced that one was better than the other. He said this raised a lot of questions in his mind based on the original vote to forward the items into the EA. He would like to hear more about the process that allowed to just simply drop the alternative and thought the committee really needed

to look at the comparison. He will have more specific questions when he has had time to read the documents and share the information with others.

Joe Strahl said he was okay.

Anna Henson said she was good.

Joan Haukom supported what Lenny N. said in terms of feeling rather shocked that all of a sudden this just came to an end like this. Although she was a strong supporter of the alternative being put forward she thought that the process somehow did not sit well and felt strange.

Dick L. thanked everyone for their attendance and told members to feel free to contact staff with questions.

7. Adjournment

The meeting was adjourned at 7:52 p.m.