July 2000

From: John Morrison, RVCOG

Date: July 20, 2000

Attendees: Solution Team members present: Dan Moore, Mark McQueen, Reeve Hennion, Brian Dunn, Jeff Graham, Greg Holthoff, Jim Oldland, Mark Ashby, Julie Brown, Skip Knight, Mark Gallagher. Solution Team Members absent: Joe Strahl, Lisa Owens, Mike Burrill, Robin Marshall

Re: SOLUTION TEAM MEETING MINUTES FOR JULY 12, 2000

Location: ODOT/Jackson County Annex Conference Room, 200 Antelope Road, White City.

Guests: Dale Wolford, Linda Wolford, Ruth Staten, Eric Stark, Tom Oldenburg, Pat Oldenburg, Bon Dysart, Janice Shyrer, Lawrence Blight, Tim Staten, Paul Williams, Rob Patridge.

Project Team Present: David Mayfield, URS; Mike Gallagher, URS; Frank Stevens, ODOT; John Morrison, RVCOG.

1.0 Call to Order/Approval of Minutes
Frank Stevens called the meeting to order at 9:05 AM. He welcomed the public, reviewed the agenda and asked for approval of minutes of the previous meeting. Minutes were approved unanimously without change.

2.0 Citizen Input
Frank Stevens asked if there was any citizen comment. Dale Wolford of 2115 Halsey Street, Medford presented information that he had presented to the Medford City Council in May 2000. He is especially concerned with the negative impacts of the Ellendale alternative. He feels the project team has failed to address how many people will be affected by the proposed actions in the area. He said 530 people, including those living in the ACCESS low-income housing and some 200 school children use Ellendale as their primary access to Barnett Road. He feels the proposal to use the Ellendale connection would block and other wise hinder their access. Also, he is concerned with the transient people who hang around the present interchange. Will they move to Ellendale? Ruth Staten, 2103 Hobert Street presented a letter from Laidlaw Transportation (the district school bus contractor) indicating that 65 children currently catch the school bus on Ellendale. She asked that the Ellendale alternative be reconsidered because of its huge impact on low-income housing, children and seniors. Lawrence Blight, 2101 Halsey Street, said he feared he would lose value in his home if the Ellendale alternative was built, and he finds this unfair, particularly when he doesn't feel the alternative will do much to improve traffic. He encourages the Project Team to find another alternative that is "less intrusive." Rob Patridge, an attorney representing the interests of the Rogue Valley Manor spoke to the land use workshop report on the agenda. He said Rogue Valley Manor principals had received notice of the land use charrette only a week and a half ahead . This was not enough time to allow for adequate preparation and participation by landowners. The RV Manor did not have enough time to get its preferred people there to participate. He urged that the Solution Team not adopt the charrette report until the public has had adequate time to review and respond to its content.

He asked for more prior notice to affected property owners. He also said the team needs to keep the Couplet alternative moving forward, since it offers the only real alternative to the Highland and Ellendale alternatives. There was no further comment.

3.0 Citizen Advisory Committee Report

CAC facilitator John Morrison reported that the CAC's June meeting had focussed primarily on updating the CAC on project progress, including a brief overview of the land use charrette and the NEPA 404 agency meeting. Morrison said the CAC was made aware that the Couplet alternative appears "fatally flawed" due to its impact on Medford's Bear Creek Park. Federal regulation does not allow impacts to park lands unless there is no feasible alternative. He noted that CAC members were displeased that an alternative which had been considered for so long, and which offered a number of benefits could be eliminated for a single reason prior to completion of the EIS process. He also noted that the South Medford Interchange Project would be one of the key presentations at the ODOT booth at the upcoming Jackson County Fair July 18-23. He said CAC members had been asked to volunteer to help staff the booth during the week and at least one had agree to do so.

4.0 Purpose of Meeting

Dave Mayfield said the purpose of the meeting was to review what has been going on in the two months since the Team last met. (There was no June meeting). He said the Team has been doing a lot of fieldwork. And ODOT has been looking at access management issues. He said today, the Project Team would expose what's been going on and what the responses have been, and given the input received, what has happened to the alternatives.

5.0 Agency Input: Addressing 4(f), wetlands and ESA

Mike Gallagher presented an update of project activities that include engineering and traffic analyses and some environmental analysis. He said the specific regulations that guided the process were the Section 404 of the Federal Clean Water Act (wetlands) and the Endangered Species Act and that the permitting process is complicated. He said the project team has had two meetings with the regulatory agency representatives to keep the apprised of project progress and objectives, one in Portland in May, another in Medford in June. Gallagher noted that there is not as much wetland impact in this project as in some. However, there are three endangered fish species. He noted the issues that have to be brought up: flood plains, ESA; riparian impacts (remove fill, keep out of stream, looking at impervious surfaces, and water quality). Gallagher note that FEMA is not a part of this process and must be considered separately. FEMA guidelines will not allow any constriction that would cause more than a 1-foot rise in the 100-year flood plain. Gallagher said several environmental studies are under way: biology, land use, archeology, air and noise. He indicated the tech reports might not be available until the end of 2000 or possibly February, 2001. Jeff Graham asked what would happen if NMFS makes a "jeopardy" call. Dave Mayfield said we have to make sure they don't. Frank Stevens noted that this is not the only Bear Creek impact project under study in the region. He noted that a comprehensive study for mitigation measures is being conducted by ODOT. He said the real question is how does this project contribute to the cumulative impacts to the creek.

Discussion then turned to 4(f) protections as they impact the three alternatives. Mike Gallagher stated that 4(f0 says protected parklands can't be used if there is a feasible and prudent alternative. If there is no alternative, it might be possible, but only if potential harm is mitigated. The bottom line, he said, based on a study of impacts on wetlands and parklands, is that the Couplet concept as currently proposed can't be used if Ellendale or Highland is at all feasible. He said the Consultant Team has minimized impacts as part of the design strategy, but the Solution Team needs to keep in mind that the 4(f) law is not about trade-offs – it's about preservation. The problem is closing Alba Street as a part of

access control at the interchange. Providing other access to the Little League ball fields impacts parkland. The Couplet alternative may be fatally flawed if there's no access and ODOT says it can't recommend access at Alba due to safety considerations. With no access at Alba, the Couplet is twice as intrusive on parkland as the Ellendale or Highland alternatives.

6.0 Update on the Alternatives

Dave Mayfield gave the Team an update on the alternatives.

Ellendale: Mayfield presented a map showing a revised RV Manor entrance which would reduce impacts on some low income housing in the area and better meet environmental justice issues. The new entrance would pass under Ellendale and connect directly to Barnett at Highland. Skip Knight said to propose putting in another street that would impact both Highland and Ellendale doesn't make sense and doesn't deserve even a minute of deliberation. Brian Dunn said OAR changes to access management impacts probably require that we look at the design option. Dave Mayfield said it was the cumulative impacts of 1) access management issues, 2) environmental justice and 3) right-of-way issues that provided a compelling reason for the Team to take a look at the redesign. After some discussion, the Solution Team voted not to adopt the new access design and to go forward with the previous Ellendale concept.

Dave Mayfield referred to the transit concepts associated with the three alternatives, and stated that these concepts would not be part of the no-build alternative. Skip Knight stated that the no build seemed to be coming up a lot. And asked if this was indicative of something. He said the no build is not acceptable, and he doesn't want to mess with the alternatives at this point.

Dave Mayfield then said he wanted the Solution Team to consider whether or not to "shelve" the Couplet based upon the access control issues along Barnett at Alba and Stewart, and 4(f) problems that seemed to be creating fatal flaws. For the Couplet, both Alba and Stewart may need to be closed at Barnett based upon new OAR access control regulations. This led to a discussion of all of the alternatives. Jim Oldland asked if the Team at this point were to get rid of Ellendale alternative and go with the Highland alternative, will some other group show up to protest that move? He asked if the Team could put the Ellendale and Highland alternatives together and come up with something that fits in between? Oldland stated that he too feels the no build alternative is not an option. Frank Stevens restated from earlier meetings that no matter which option is chosen, someone will get hurt. The Team must focus on the greatest good to the greatest number of people. Greg Holthoff asked if anyone had ever seen a no build as the preferred option in a project of this magnitude. No one had. Mark Gallagher asked if the Team would get to see more on the multi-modal elements. Answer: Yes, it will be conceptually done, and the Team will get to look at it. Mark Ashby said the Team needs more information on multi-modal, and needs assurance that it is consistent with the RTP, MPO and city of Medford plans. It was agreed that at the next meeting, the Team would have a presentation by RVTD on their plans for transit in the area.

The Solution Team returned to a discussion of whether the Couplet should by dropped or "shelved" until it was determined there is some way to salvage it. After extensive discussion, Reeve Hennion moved that while the project proceeds with studying the Ellendale and Highland alternatives, and taking a good hard look at them, the Couplet should be "set aside" for the time being with the idea that, if for some reason we need to bring it back to the table, we can do it. The only further study on the Couplet at this time

would be as needed where it might be efficient and appropriate to do so. The motion to shelve the Couplet passed unanimously.

7.0 Land Use Workshop Report

Dan Moore then gave a presentation on the workshop results. He said the focus was on three scenarios 1) commercial center, 2) mixed use) and 3) protection of the infrastructure investment. Each scenario was developed for each of the three alternatives for a total of nine maps. Later, the scenarios were consolidated to produce three maps, one for each alternative. Following the presentation, the Team voted to make the report available as a tool and resource guide for further EIS phases, and to share the report for information purposes with the City of Medford. The vote did not serve as an endorsement of the report's content. The Team felt it would be premature to do so until they had more opportunity to critique the content.

8.0 Meeting Critique

Frank Stevens then asked each member of the Solution Team if they were comfortable with the meeting and the progress being made. Some members expressed comfort with the process and state of progress. But several expressed frustration that the technical study phase was taking the project "backward." The 4(f) revelations did not sit well with several members of the Team. Among those expressing frustration were Greg Holthoff, Reeve Hennion, Skip Knight, Jim Oldland and Julie Brown.

9.0 Next Meeting

Next meeting tentatively scheduled for Wednesday September 13, 2000, with the possibility that the meeting can be postponed to October if there is not enough new information. Suggestions for the next meeting agenda included: a) a presentation on transit and multi-modal, b) more on 4(f) issues, c) more on the deviation process for allowing access (at Alba and Stewart under the Couplet Alternative), d) hearing more information about possible impacts to the RV Manor and, e) a report on potential impacts caused by the Highland alternative. The meeting was adjourned at 11:38 a.m.