

Supplemental Information Regarding Adopted Goal Exceptions for Roadway Projects.

A. Exceptions Adopted Prior to TPR Adoption.

Coquille Highway 42 Reroute: Adopted 1990.

Corvallis Highway 34 Bypass: Adopted 1983.

West Eugene Parkway: Adopted 1986.

- All three of these exceptions were approved prior to 1991, when LCDC adopted the TPR. Accordingly, the TPR exceptions standards were not applied to these projects when approved.
- The West Eugene Parkway exception was modified in the late 1990s to avoid threatened and endangered species. The modification was limited to the project's location, not its need. Opponents appealed the exception modification to LUBA and the Court of Appeals, both of which affirmed the decision.
- The West Eugene Parkway is no longer listed as a project in the Eugene/Springfield Regional Transportation Plan.

B. Exceptions Adopted Pursuant to OAR 660, Division 4, not OAR 660, Division 12 (TPR).

Haynes Slough Bridge Replacement: Goal 16 exception.

I-5 Willamette River Bridge Replacement (temporary bridge): Goal 15 exception

- The TPR addresses exceptions taken to Goals 3, 4, 11 and 14. These two projects involved exceptions to other goals, respectively Goal 16 (Estuarine Resources) and Goal 15 (Willamette River Greenway). Exceptions to Goals 15 and 16 and to coastal goals 17 and 18 are governed by OAR 660, Division 4 (LCDC's Exception Rule), not Division 12 (TPR). Accordingly, the TPR exception standards were not applied to these projects.

C. Exceptions Adopted for Uses Now Allowed on Rural Lands without Exceptions.

Highway 20 realignment – Eddyville-Cline Hill

Highway 20 realignment – Pioneer Mountain-Eddyville

- These projects are described as realignments. While realignments initially required exceptions to the TPR, LCDC amended the TPR in the 1990s to allow them without the need to take goal exceptions (OAR 660-012-0065(3)(d)).

D. *Exceptions Subject to TPR Exceptions Standards (Local highways).*

Beef Bend Extension (Washington County):

- 1.3 mile new road along part of an existing 5.8 mile existing road connecting Sherwood/Tualatin area with Beaverton/Aloha/Hillsboro outside the Metro UGB
- Alternatives not requiring goal exceptions were considered and rejected because they were either operationally unsafe, in violation of County design standards for arterials, or had greater adverse consequences on commercial farms in the area
- Although Sensible Transportation Options for People (STOP) opposed this exception because it impacted farm land, the project had the unanimous support of the area's commercial farmers.

Stanton Boulevard Extension (Malheur County):

- Construction and opening of the Snake River Correctional Institution north of Ontario converted a narrow, windy rural "local" road into a collector serving employees residing in Payette and Washington County, Idaho.
- Jacobsen Gulch Road is a narrow, winding local/farming road with few shoulders and many sharp horizontal and vertical curves. The road has a high incidence of traffic accidents and is especially dangerous in icy conditions, which are common in winter months due to the roadway's location along a watercourse at the base of a north-facing slope.
- Reconstructing Jacobsen Gulch Road to collector standards would create numerous uneconomic farm fragments in an area of irrigated agricultural lands and would not avoid hazardous conditions during winter icy periods.
- The 1.0 mile Stanton Boulevard extension affects lower value non-irrigated land, avoids creating uneconomic farm fragments, and is less hazardous in winter.

E. *Exceptions Subject to TPR Standards (State Highways).*

Newberg Dundee Bypass (ODOT/Yamhill County):

- Goal exception taken to Goals 3, 11 and 14 based on identified need for new facility to accommodate statewide and regional through traffic. Without the Bypass but with significantly improved transit, transportation system management, and numerous arterial roadway improvements, Or 99W still needed expanding to 8 lanes in Newberg and 7 lanes in Dundee to meet ODOT standards for statewide highways and freight routes.
- DLCD did not oppose the Bypass corridor element of the Newberg Dundee Transportation Improvement Project (NDTIP) or challenge or comment upon the use of v/c as a threshold to justify the corridor.
- Numerous non-exception alternatives were studied and rejected because they could not reasonably accommodate the identified transportation need in many regards.
- The exceptions were challenged before LUBA/Court of Appeals and affirmed on the critical issue of how thresholds are applied.

East Dundee Interchange (ODOT/Yamhill County):

- Goal exception to Goals 3, 11 and 14 to authorize intermediate interchange between Newberg and Dundee to serve southbound traffic bypassing Newberg and northbound traffic bypassing Dundee. With the Bypass but without this interchange, v/c on Highway 99W in Dundee would exceed 1.0 as a three lane highway but meet standards as a five lane highway.
- DLCD objected to this element of the NDTIP, stating that v/c would not exceed 1.0 for about 10-15 years. However, the TPR directs that decisions be made based on 20 year traffic volume projections.
- In rejecting alternatives, Yamhill County did not rely on the OHP highway performance threshold, but on thresholds addressing safety (to avoid new rail crossings consistent with OHP 2G), livability, and consistency with acknowledged plans (measured by the ability to develop consistent with Smart Growth principles).

Pacific Way Dooley Bridge – Highway 101 Realignment (ODOT/Clatsop County):

- Bypass around Seaside rejected in favor of a couplet located along existing US 101 and an abandoned railroad right of way east of Hwy 101; except for less than one acre of land located in unincorporated Clatsop County outside the Seaside UGB, all the land needed to accommodate the couplet is inside the UGB.
- Bypass option rejected as unjustifiable under the TPR, based on the availability of reasonable alternatives not requiring goal exceptions.
- In Seaside, exceptions to Goals 16 and 17 were taken for this improvement. These exceptions were taken pursuant to OAR 660, Division 4, not the TPR.

Tank Farm Road Interchange (ODOT/Linn County):

- This interchange replaces two sub-standard interchanges. The new interchange improves access to industrial land uses in Millersburg, including two state-certified “shovel ready” sites, improves highway mobility on I-5, and avoids important water resources.
- The interchange was selected over alternatives not requiring exceptions because it improved access spacing, resulted in a net reduction of one interchange, and avoided impacts to significant wetland resources and to a significant industrial employment base.

Morrow County Speedway (Morrow County):

- In 2002, Morrow County approved an application from the Port of Morrow authorizing a 145,000 capacity motor speedway along I-84 west of Boardman. The application included exceptions for a new I-84/Speedway Interchange to accommodate peak event traffic and a new four-lane local surface road system looping around the speedway property.

F. TPR Exceptions under Further Study.

Sunrise Corridor (ODOT/Metro/Clackamas County):

- Metro determined a need for this project as part of its 2040 planning effort in the 1990's. That effort included designation of regional and town centers and other land use design concepts aimed at encouraging travel by foot, bike and transit and reducing overall automobile traffic. Metro determined that the land use designations did not eliminate a need for the Sunrise project.
- Metro has not yet determined whether this project will require a goal exception. However, that is a possibility if non-exception alternatives do not prove reasonable. Hence, a conclusion that this project will result in TPR goal exceptions is premature.

I-5 to 99W Connector (ODOT/Metro/Washington County):

- Metro determined a need for a new limited access highway serving the Tualatin-Sherwood area as part of the Western Bypass Study and 2040 study. Metro's 1997 RTP determined that the transportation need could not reasonably be accommodated through improvements to existing facilities within the study area
- Metro has not yet determined whether this project will require a goal exception. That is a possibility if non-exception alternatives do not prove reasonable. Accordingly, a conclusion that this project will result in TPR goal exceptions is premature.

Supplemental Information Regarding Potential Goal Exception Projects

A. *Projects Subject to TPR Standards Involving State Highways.*

Spencer Creek Bridge Project (ODOT/Lincoln County):

- Bridge replacement and reconstruction of US 101 north of Newport. ODOT considered but rejected exception alternatives based on the availability of a reasonable alternative not requiring exceptions to Goals 3, 4, 11 or 14.

Western Bypass Study (ODOT/Metro/Washington County):

- A major study thoroughly examining the transportation needs of the western portions of the metropolitan area. The study rejected a new bypass connecting I-5 to US 26 in favor of arterial and light rail improvements, primarily on the grounds that (1) a new bypass would not reasonably accommodate the identified transportation needs in the study area (which were primarily along the Highway 217 corridor), and (2) transportation needs in the region could reasonably be accommodated through non-exception alternatives (except possibly for the I-5 to 99W Connector). Study was linked to the 2040 study that included designation of regional and town centers and other land use design concepts aimed at encouraging travel by foot, bike and transit and reducing overall automobile traffic.

Mt. Hood Parkway (ODOT/Multnomah County):

- A new facility connecting I-84 with US 26 was proposed in the early 1990s. This project is not currently listed in Metro's RTP or any other acknowledged plan. Another project serving the same purpose, the Hogan Road (242nd connector), is in the RTP, although not in the financially constrained list.

Astoria Highway 30 Bypass (ODOT/Clatsop County):

- This project is mentioned in a TSP, but the data supporting it is obsolete. The document has been rendered irrelevant by ODOT's new Traffic Model & Truck Study.

Astoria-Warrenton Extended Bypass (ODOT/Clatsop County):

- This project may be feasible if local matching funds become available. It is not clear that the need can't be met through non-exception alternatives.

Seaside Highway 101 Bypass (ODOT/Seaside):

- Bypass around Seaside rejected in favor of a couplet located along existing US 101 and an abandoned railroad right of way east of Hwy 101; except for less than one acre of land located in unincorporated Clatsop County outside the Seaside UGB, all the land needed to accommodate the couplet is inside the UGB.
- ODOT rejected bypass alternative based on its finding that an abandoned railroad right-of-way inside the UGB could reasonably accommodate the identified need

Sandy Highway 26 Bypass (ODOT/Sandy):

- A bypass was considered and rejected in 1995 based on the availability of reasonable alternatives not requiring goal exceptions to meet the identified need.

Lincoln City Highway 101 Bypass (ODOT/Lincoln City):

- A bypass was considered but not adopted in 1994 based on the availability of reasonable alternatives not requiring goal exceptions. A bypass would not qualify under the OHP Major Investment or Bypass Policies.

Willamette River Bridge Crossing (ODOT/Salem):

- Process getting underway to study new bridge crossing, which may or may not require a goal exception; as part of this analysis, ODOT will consider whether reasonable non-exception alternatives are available. May require Goal 15 exceptions.

West Hills Road/Oregon 20/34 (ODOT/Philomath):

- Exception rejected in favor of non-exception alternatives.

Cape Perpetua Highway 101 Bypass (ODOT/Lincoln County):

- Lincoln County TSP update now underway does not include this proposed bypass.

Lebanon Highway 20/34 Bypass (ODOT/Linn County):

- Northern portion of proposed bypass not shown as needed within the planning horizon in the Lebanon TSP; southern route connecting US 20 is retained as a project within the planning horizon and is within the UGB.

Sisters Highway 20 Bypass (ODOT/Sisters):

- Bypass rejected in 2001 in favor of non-exception alternatives (a couplet on existing city streets). Bypass would not qualify under OHP Major Investments policy.

Philomath Bypass (ODOT/Benton County):

- A new road was rejected for a couplet option that avoided goal exceptions.

B. Projects Subject to TPR Standards Involving Local Roads.

Woodburn Southside Arterial and Crosby Road Improvements (Woodburn):

- According to DLCD, these improvements may not require goal exceptions.

Barnhardt Road (Umatilla County):

- This project is identified in an acknowledged plan; a new road would provide a second airport access to the existing access, which is a steep, switch-backed road that can be icy in winter. An exception will be needed but has not yet been approved.

C. Projects Not Subject to TPR Exceptions Standards.

New Young's Bay Bridge Widening or Replacement (ODOT/Astoria):

- Goal 16 exceptions are governed by OAR 660, Division 4 (LCDC's Exception Rule), not Division 12 (TPR). Accordingly, the TPR exception standards would not apply to this project.

Wilsonville Willamette River Crossing (ODOT/Clackamas County/Wilsonville):

- Goal 15 exceptions are governed by OAR 660, Division 4, not Division 12 (TPR).
- While city officials have expressed concern about the impacts of an I-5/99W Connector through Wilsonville, Metro's acknowledged RTP states that the connector is needed in order for its Town Centers in Tigard, Tualatin, and Sherwood to function properly.

Yaquina Bay Bridge Crossing (ODOT/Newport):

- Goal 16 exceptions are governed by OAR 660, Division 4 (LCDC's Exception Rule), not Division 12 (TPR). TSP update is evaluating ways to extend the useful life of the bridge.

Granger Avenue Realignment (Benton County):

- Realignments are permitted on rural resource lands without goal exceptions (OAR 660-012-0065).

Highway 62 (ODOT/Jackson County):

- Realignments are permitted on rural resource lands without goal exceptions (OAR 660-012-0065). This project is in an acknowledged plan and would comply with OHP policies. However, there is not sufficient funding for the project within the next 20 years.