

**A RESOLUTION PROVIDING DIRECTION TO THE OREGON DEPARTMENT OF TRANSPORTATION (ODOT)
ON THE I-5 ROSE QUARTER IMPROVEMENT PROJECT**

AS ADOPTED BY THE OREGON TRANSPORTATION COMMISSION ON MAY 13, 2021

WHEREAS, The Oregon Transportation Commission (Commission) acknowledges the historic adverse impact that Interstate 5 (I-5), and other public and private developments in Albina constructed over many decades, has had and continues to have on the Albina community and sees the opportunity for a process that actively engages affected communities to find design solutions for the Rose Quarter Improvement Project (Project) that reduce some of the negative impacts created by the construction of I-5; and

WHEREAS, The ODOT has completed or shown significant progress toward completing eleven OTC directives provided in January 2020 to further demonstrate collaborative and transparent project delivery and oversight incorporating regional partner and community input including establishing a Project Executive Steering Committee (ESC) that adopted Project values in October 2020; the Environmental Assessment (EA); and retention of an expert peer review of the EA; and

WHEREAS, I-5 between Interstate 84 (I-84) and Interstate 405 (I-405) has the highest urban interstate crash rate in Oregon, is the State's top bottleneck, and as of 2021 is the 28th worst freight bottleneck in the nation; and

WHEREAS, The 2012 Broadway/Weidler Facility Plan, adopted by Portland City Council (October 2012) and the Oregon Transportation Commission (December 2012), states that recommended design concepts for I-5 mainline improvements include the extension of auxiliary lanes and the addition of full-width shoulders on I-5 between I-84 and I-405 in both directions (see Table 3, I-5 Broadway/Weidler Interchange Recommended Concept Facility Plan Elements); and

WHEREAS, The Project's purpose is to improve the safety and operations on I-5 between I-405 and I-84, of the Broadway/Weidler interchange, and on adjacent surface streets in the vicinity of the Broadway/Weidler interchange, and to enhance multimodal facilities in the Project area. In achieving the purpose, the Project also supports improved local connectivity and multimodal access in the vicinity of the Broadway/Weidler interchange and improved multimodal connections between neighborhoods located east and west of I-5; and

WHEREAS, The Environmental Assessment, published in February 2019, states that the Project would extend the existing auxiliary lanes on I-5 between I-84 and I-405 in both directions and add 12-foot shoulders (both inside and outside) in both directions (see Section 2.2.1, I-5 Mainline Improvements); and

WHEREAS, The Project includes the addition of a highway cover and local multimodal street improvements in the Broadway/Weidler interchange area and new connections over I-5 including a bicycle and pedestrian bridge at Clackamas Street and new roadway at Hancock Street; and

WHEREAS, The Federal Highway Administration and the Oregon Department of Transportation published the Finding of No Significant Impact (FONSI) and Revised Environmental Assessment in November 2020, documenting the expected Project impacts and required mitigation measures of the approved project elements including, but not limited to: directional 12-foot-wide auxiliary lanes and directional 12-foot wide inside and outside safety shoulders on I-5; on- and off-ramp lanes and tapers, fire-life safety access and ventilation, etc.; and

WHEREAS, As documented in the FONSI and Revised Environmental Assessment, the Project would result in small noise level increases but not to a level perceptible to an average human ear (max 3 decibel [dba] increase)- for reference, human breathing represents 10 decibels; and

WHEREAS, an independent peer review by a panel of six national experts in air quality, noise, greenhouse gas and community impact mitigation occurred in 2020 and validated that ODOT followed proper evaluation methodology, conducted proper analysis and identified appropriate mitigation resulting from the Project's impacts; and

WHEREAS, the independent peer reviewers encouraged ODOT to further explore the following measures to enhance mitigation of construction-related air and noise effects and to advance restorative justice: (1) reference the New York City noise ordinance regarding construction equipment, (2) use of 'quiet pavement', (3) use of sound attenuating drapes and cantilevered plywood tops with blankets, (4) National Cooperative Highway Research Program (NCHRP) best practice recommendations, (5); contractor equipment requirements identified in the I-5 Columbia River Crossing Project, (6) Special provisions in Section 8 of the ODOT Noise Manual, and (7) evaluate potential effects to nearby receptors from reflective noise through increases in total noise or in certain sound frequencies ("sound quality"), (8) require use of low-emission construction equipment, and (9) consider a community benefits agreements to spell out actions committed to by ODOT and Project partners to advance restorative justice; and

WHEREAS, the current Project design, currently at 20% of complete design, would result in the existing I-5 northbound pavement moving approximately 26 feet closer to Harriet Tubman Middle School (HTMS); and

WHEREAS, ODOT is proposing to install a 22-foot high, approximately 1,011-foot-long noise wall between the school and I-5 that would reduce traffic-related noise levels below current levels. Peer review noise experts suggest the proposed sound wall could be even more effective if it were located closer to the school on the slope.

IT IS HEREBY RESOLVED AND ORDERED BY THIS COMMISSION:

Section 1. Given the importance of community interest in, and concern about, air quality proximate to Harriet Tubman Middle School (HTMS), the OTC directs ODOT to identify and assess the feasibility of one or more design options that minimizes impacts to HTMS and Portland Public School (PPS) property proximate to HTMS. ODOT will bring forward to the ESC in the summer of 2021 at least one viable design option that minimizes impact to HTMS and PPS property proximate to HTMS to the extent practicable and ESC will formulate a recommendation to the OTC consistent with this direction.

Section 2. The OTC directs ODOT to evaluate and incorporate as many construction-related air quality and noise mitigation measures suggested by the independent peer review panel as is feasible.

Section 3. The OTC directs ODOT, utilizing the ESC and other partner engagement tools, to explore and define partner investments and other commitments to the Project and Project area that contribute to restorative justice in the Albina Community.

Section 4. The OTC directs ODOT to continue Project design work and, once final design and mitigation measures are approved, construct this federally-approved project which, as currently planned, would include the addition of one new 12-foot-wide auxiliary lane in each direction and new directional 12-foot-wide inside and outside safety shoulders on I-5 in the Project area as evaluated in the EA and contained in the FONSI. At no point will the cumulative width specific to the I-5 travel lanes and shoulders which, as currently planned, would include the two existing northbound through lanes, the two existing southbound through lanes, the two existing auxiliary lanes (one northbound and one southbound), the new auxiliary lanes (one northbound and one southbound), and 12-foot inside and outside safety shoulders in each direction in the Project area, be in excess of 146 feet in total combined width.

Section 5. The OTC directs ODOT to apply best efforts to avoid or minimize schedule delay in an on-going effort to generate community benefit sooner, maximize the value of available funding for the Project, and focus maximum available investment into the Albina Community.