

## CHAPTER 5. COMMENTS AND RESPONSES

This chapter includes a summary of responses to comments received during the SDEIS public comment period. Appendix A includes exact duplicates of comments submitted, as well as responses specific for each comment.

As noted in Chapter 1, the project solicited comments from federal, state, and local agencies, and from the public. The SDEIS was distributed to public agencies, tribes, other interested parties, and the public on October 3, 2008. The public comment period for the proposed Sunrise Project, I-205 to Rock Creek Junction SDEIS, started on October 13 and continued for 45 days, ending on November 28, 2008. Comments were shared with the consensus committees for this project and decision-makers and are part of the public record. Written comments were submitted online at the website or sent to the ODOT Environmental Project Manager or FHWA.

Oral comments were accepted and recorded at two public hearings held on November 12 and 13, 2008. Responses to each of the comments received from the public and federal, state, and local agencies can be found in Appendix A, Agency and Public Comments. This chapter presents an index of comments and an overview of the response to comments received by the public, by theme.

Other means of public and agency coordination and involvement include the Project Advisory Committee (PAC), Policy Review Committee (PRC), and the Collaborative Environmental and Transportation Agreement for Streamlining (CETAS), as described in Chapter 1 of this FEIS.

Commenters can find specific responses to their individual comments, organized by commenter number, in Appendix A.

### How Chapter 5 Is Organized

This chapter is organized by comments received from public agencies, followed by comments received from businesses, organizations, and the public at large. Each section is organized to include an index of commenters and comment “codes.” Commenters are numbered by type and in the order the comment was received; agency comments are labeled in a series beginning with A-1 and ending with comment number A-11, business and organizational comments are numbered in a series with “B” preceding the comment number, and individual comments are numbered with “I” preceding the comment number. The coding used by type of commenter is as follows:

- Agency — ‘A’
- Business or Organization — ‘B’
- Individual — ‘I’

Each comment was then assigned a comment code. Comment codes direct the reader to the comment and responses in each section, where themed comments are responded to in groups. Commenters expressing a preference for one alternative or design option over another are organized into separate tables in the business and organization or individual comments sections.

Table 35 shows the comment codes used to organize the comments submitted within each letter or oral statement. Tables 36, 37, and 40 each contain an index to the comments received on the project by agencies, businesses or organizations, and individuals. The remainder of this chapter provides responses based on theme. Simple statements of preferences for or against different alternatives and design options as stated by businesses and organizations or individuals are presented in Tables 38, 39, 41, and 42.

**Table 35. Comment Code Definitions**

<b>Comment Code</b>	<b>Definition</b>	<b>Comment Code</b>	<b>Definition</b>
<b>B/C</b>	<b>Businesses and Communities</b>	<b>Overall Process and Project Issues</b>	
B/C1	Business-specific impacts	Pref	Preference
B/C2	Community-specific impacts	GC	General Comment
B/C3	Wenzel Park	\$	Cost / Funding
B/C4	Goosehollow	PH	Phasing
B/C5	Damascus	PS	Project Schedule
<b>E</b>	<b>Environmental</b>	S	Safety
E1	Biology	PR	Process
E2	Geology/Soils	PR1	Lack of Information
E3	Hazardous Materials	PR2	Improve information pieces
E4	Wetlands	PR3	NEPA
E5	Air Quality	PN	Purpose and Need
EJ	Environmental Justice	<b>T</b>	<b>Transportation</b>
EN	Energy	T1	Business access
N	Noise - general	T2	Alignment
NI	Noise - Bluff neighborhood	T3	Transit
4(f)	Section 4(f)	T4	Residential access
U	Utilities	T5	Design recommendations
V	Visual	T6	Circulation
<b>LU</b>	<b>Land Use</b>	T7	Freight
LU1	Residential specific impacts	BP	Bicycle/Pedestrian Improvements
LU2	Property Acquisition	<b>ER</b>	<b>SDEIS Doc. Errors</b>
LU3	right-of-way		
LU4	Property Value		

## Comments from Public Agencies

Ten federal, state, and local agencies submitted formal comments on the SDEIS during the public comment period. In addition to the submittal of formal comments, public agencies have participated in the Sunrise Project in a variety of ways, including participation on the Project Management Team, membership on the Policy Review Committee (PRC), and participation in Oregon’s Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) process. These mechanisms for participation are described in Chapter 1. CETAS members have had periodic opportunities to view the project via tours and

to hear updates on project development, and have offered their concurrence on project decisions throughout project development. The following section highlights the issues and comments raised by federal, state, and local agencies during the formal public comment period. A full listing of the letters received by these agencies, and responses to each comment raised in the letters, can be found in Appendix A. Of the ten agencies submitting comments to the SDEIS, four of them – EPA, DSL, ODFW, and NMFS – are also representatives on CETAS, and have provided project input through the CETAS process. The CETAS members are listed in Appendix F, Public Involvement Materials. Table 36 presents an index of agency comments. This section is ordered by federal, state, and local comments.

**Table 36. Index of Agency Comments**

Name	Affiliation	Comment Number(s)*
Reichgott, Christine	U.S. Environmental Protection Agency	A-6
Taylor, Willie	U.S. Department of Interior	A-8
Simmons, Devin	National Marine Fisheries Service	A-7
Navas, Nicole	Oregon Department of State Lands	A-3
Brick, Jim	Oregon Department of Fish and Wildlife	A-4
Cassin, Mary Anne	Metro Regional Parks Planning and Development	A-2
Mattson, Annette	Clackamas County Economic Development Commission	A-1
Horn, Kenneth	Clackamas County Fire District # 1	A-11
Hess, Mark	City of Damascus	A-5
Flisakowski, Reah	(DKS on behalf of) City of Happy Valley	A-9, A-10

\* Comment numbers can be used to find an exact copy of the submitted comments and the detailed responses in the appendix.

## Federal Agencies

### U.S. Environmental Protection Agency (EPA)

The EPA wrote a letter with comments on several environmental issues. The EPA encouraged the project to adopt an alternative that minimizes environmental impacts and suggested that **Design Options A-2** and **C-2** specifically serve to avoid impacts to natural and cultural resources. The EPA’s letter highlighted the following issues:

The EPA had concerns about high wetland impacts associated with any of the build alternatives and concerns about other environmental impacts ranging from changes to wildlife passage to impacts to environmental justice communities. The EPA raised particular concerns about the Lawnfield alignment. In response to these concerns, the project team made adjustments to the Lawnfield alignment to minimize wetland impacts to the extent practicable. FHWA and ODOT continue to work with regulating agencies to find avoidance, minimization, and mitigation measures for the project.

The EPA expressed concerns about the conversion of natural features to elements of the built environment and encouraged using context-sensitive solutions and strategies for wildlife corridor habitat enhancement as

potential mitigation measures. EPA also recommended development of a comprehensive mitigation strategy through the CETAS process.

Other concerns included:

- Increases in impervious surface.
- Insufficient detail on potential impacts to proposed or threatened fish species.
- Impacts on human communities and individuals.
- Preservation of existing wildlife corridors.
- Increased clarity on potential impacts to groundwater resources.
- Greenhouse gas emission analysis, including analysis of impacts of climate change.
- Environmental justice concerns, including extent of outreach efforts and range of impacts analyzed in the SDEIS.
- Consideration of mitigation for residents and businesses with partial right-of-way acquisitions.
- Safety and mobility issues for disabled and elderly during construction.
- Potential effects on growth and induced demand, growth pressures, and associated environmental effects.

ODOT, FHWA and EPA discussed the EPA comments in more detail in April 2010. Early drafts of the responses to EPA’s letter were shared at that time. Through the CETAS process, ODOT developed a comprehensive wildlife

mitigation strategy including identification of specific wildlife corridors impacted by this project. ODOT worked to modify the design to minimize impacts wherever possible. This resulted in reduced wetland acreage impacted (reduction of 3 to 11 acres, depending on the Alternative), inclusion of wildlife benches in new culverts, and incorporation of facilities for treatment of runoff from new impervious surfaces. Outreach efforts to environmental justice communities continued through the FEIS process and have been documented in Chapter 1, Purpose and Need. In response to EPA's concerns about the amount of detail presented in the SDEIS, more detail has been added to the body of the FEIS to address potential impacts to fish and wildlife, groundwater resources, EJ communities, and construction impacts. A range of mitigation measures listed in Table 3 has been incorporated into the project for impacts, including relocation to residents or businesses, per the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Responses to each of the EPA comments are contained in Appendix A.

## U.S. Department of the Interior (DOI)

The DOI raised questions about the Section 4(f) analysis presented in the SDEIS. Of specific concern to DOI was the statement in the SDEIS that planned park and recreational trail resources are not protected by Section 4(f). The DOI disagreed with this statement. In response to the concerns raised by the DOI, additional coordination with local agencies with jurisdiction over trail and park planning was conducted. The Section 4(f) analysis and documentation was improved by adding a new Parks and Recreation section to Chapter 3 in the FEIS, describing how planned parks and recreational resources were provided Section 4(f) consideration. Additionally, as a result of input obtained through public and agency involvement, the **Preferred Alternative** was designed to include a multi-use path from the midpoint area to the Rock Creek Junction (see Figure PA-16). This multi-use path was designed

with input from North Clackamas Parks and Recreation and Metro.

## National Marine and Fisheries Service (NMFS)

The NMFS comment letter stated that NMFS is not supporting one alternative over another, because the design and scale of the project do not enable them to delineate significant differences between the alternatives. Additionally, NMFS requested that the project analyze hydroacoustic impacts if pile driving is a part of the project design, and that, although proposed culverts will be designed to comply with state laws, the FEIS should expand this statement to include that all new and reconfigured permanent water crossings will meet state and federal guidelines. This statement has been added to the FEIS. The Biological Assessment prepared for the project and the analysis and conclusions forwarded to the FEIS were developed in response to these comments. In-water pile driving is not likely to be used because of the narrow width of streams within the project area, and significant additional detail was provided on potential impacts to fish in the Biological Assessment. [The Biological Opinion for the Sunrise Project is in Appendix D.](#)

## State Agencies

### Oregon Department of State Lands (DSL)

The DSL submitted a letter listing requested edits to the EIS text on permitting requirements and mitigation efforts. These edits were made in the FEIS.

### Oregon Department of Fish and Wildlife (ODFW)

The ODFW wrote a letter asking for more detail on impacts to fish and wildlife, and for more information on Oregon Conservation Strategy (OCS) and State Sensitive species and other fish and wildlife that may be present in the project area. ODFW requested additional analysis

regarding invasive species and wildlife resources, including impacts related to construction. In response to this letter, the FEIS now includes disclosure regarding Oregon State Sensitive species, OCS species, and results from an updated search of the Oregon Natural Heritage Information Center (ORNHIC) database. The FEIS includes a detailed discussion of the current status of wildlife and their habitats in the project area and road-related impacts to wildlife. Additional coordination with ODFW has occurred, including a tour of the project area. The tour included site investigation of existing wildlife passage areas and suggestions from ODFW staff on how to minimize impacts to these resources. Input from ODFW was shared with the design team. Per ODFW's suggestion, the design for culverts (where used) includes benches for wildlife passage, though sized at Sieben and Graham Creeks to discourage large mammals access to OR 212/224. These impacts and the efforts made to avoid and minimize them are described more fully in Chapter 3, in the Biology Section.

## Local Agencies

### Metro, Department of Parks Planning and Development

Metro's Department of Parks Planning and Development submitted a letter to request additional information and support of multi-use transportation facilities as part of the project. Specifically, they requested more information on the types of ramps, bridges and crossings as they relate to planned bicycle and pedestrian trails, and commented on a gap between SE 122<sup>nd</sup> Avenue and the eastern end of the project area. In response to these comments, additional coordination with Metro has occurred, including discussions about planned Metro and North Clackamas Park and Recreation District (NCPRD) trails and opportunities for connection between those future trails and the Sunrise Corridor multi-use path. Based on comments from Metro as well as from other public agencies and other groups, the **Preferred Alternative** includes a multi-use

path for pedestrians and bicyclists from the midpoint interchange to the Rock Creek Junction. The proposed trails and the Sunrise Project are shown together in Figure PA-16.

### Clackamas County Economic Development Commission

The Clackamas County Economic Development Commission wrote a letter to encourage development of a phasing strategy for the proposed project, and to encourage the selection of a cost-effective design with maximum access and provision for freight movement, while reducing business relocations and impacts to developable lands. These factors are considered as part of the project's goals and objectives, and were considered in the selection of the **Preferred Alternative**. Additionally, Clackamas County and ODOT are working together to develop a phasing strategy.

### Clackamas County Fire District

The Clackamas County Fire District submitted a letter in support of **Alternative 2** because the midpoint interchange will accommodate rapid response time for emergencies. The **Preferred Alternative** includes the midpoint interchange.

### City of Damascus

The City of Damascus submitted a letter to request that the SE Goosehollow Drive/Orchard Lake subdivision access not be changed as was proposed under all of the build alternatives and design options in the SDEIS. In the SDEIS, the existing full intersection at SE Goosehollow was shown to be closed. Sight distance would be a primary safety concern if a four-leg intersection at SE Goosehollow Drive were to be allowed. If the eastern leg of the intersection were to remain open, the intersection would have to be significantly modified to meet ODOT standards and would result in additional right-of-way acquisitions.

In the **Preferred Alternative**, the access into the neighborhood to the east of OR 224 (SE Goosehollow Drive) via the OR 224 intersection would be closed, but traffic would

be served by a new right-out access at the northern end of SE Orchard View Lane and from a new SE 162<sup>nd</sup> Avenue undercrossing of the Sunrise Project, with connection between OR 212 and the northeastern-most terminus of SE Goosehollow Drive. Additional coordination and communication was conducted with the residents of this area about the proposed improvements. Some of this coordination was conducted within the process to develop the Rock Creek Junction IAMP.

## City of Happy Valley

The City of Happy Valley submitted two letters during the public comment period (a consultant submitted them on the city's behalf). The letters focused on the transportation analysis for the project, and asked multiple questions about the data presented in the SDEIS, as well as through the parallel IAMP process. Questions included consistency with draft Happy Valley Comprehensive Plan maps, the basis of the transportation modeling, and intersection planning on the east end of the project (Rock Creek Junction). In response to the questions raised by the City of Happy Valley, the project team revised several graphics for presentation in the FEIS. Regarding the roadway model used for the project, the team used the 2030 assumptions from the Portland Metro Regional Transportation Plan, which is consistent with that used in the IAMP process. The Transportation Technical Report documents the analysis completed for the **Preferred Alternative**. Considerable coordination with Happy Valley also occurred during the IAMP process developed for all three interchanges associated with the project (I-205, Midpoint, and Rock Creek).

## Comments from Businesses and Organizations

Thirty-three businesses and organizations provided 39 oral and written comments on the SDEIS. See Table 37 for an index of business and

organizational comments. Some commenters submitted more than one letter or oral statement. Comments from businesses often focused on localized impacts to access and traffic circulation; organizational comments tended to focus on broader issues of interest to the organization's constituency (e.g., business concerns, bicycle and pedestrian facilities, etc.). The comment code column in Table 36 directs the reader to a summary of responses located in this section. If a comment was a statement of preference for or against a specific alternative or design option, these are marked with a "Pref" comment code and are summarized in Tables 38 and 39. The text following Tables 38 and 39 presents a summary of comments by comment code along with responses to those comments. Appendix A contains the complete set of comments and responses.

## Preferences of Businesses and Organizations

Preferences and supporting reasoning for specific alternatives and design options are summarized in Table 38 below. The majority of business and organizational commenters expressed a preference for **Alternative 2**. Several comments from businesses and organizations weighed in regarding the Lawnfield and Tolbert design options, making arguments around the issue of business access to support their opinions.

Preferences and supporting reasoning against specific alternatives and design options are summarized in Table 39.

**Table 37. Index of Business and Organizational Comments**

<b>Name</b>	<b>Affiliation</b>	<b>Comment Number(s)<sup>1</sup></b>	<b>Comment Code(s)<sup>2</sup></b>
Aarnio, Terrance	Oregon Iron Works	B-11	Pref, B/C1, T1, T7
Ahrend, Brent	Group Mackenzie for Fred Meyer Stores	B-25, B-37	Pref, B/C1, T, T5, T6, T7
Arnold, Lewis	Real Estate Broker	B-36	Pref, T1
Bishop, Brian	PAC representative, Lawnfield Business Group	B-29, B-31	Pref, 4(f), B/C-1, LU
Bresko, Donovan	Estacada Oil	B-5	Pref
Bricker, Scott	Bicycle Transportation Alliance	B-38	BP
Coombes, James	Fred Meyer Stores	B-4	Pref
Dennison, Milt	Clackamas Education Service District	B-10	Pref, B/C1, PR2
Doane, Mick	RS Davis Recycling	B-7, B-33	LU2, PR, T7
Grillo, Phillip	Miller Nash for Clear Channel	B-1	Pref, \$, 4(f), B/C1
Hagen, Terry	International Wood Products	B-23	Pref
Hager, Wayde	Precision Cast Parts Corp	B-17	B/C1, ER, LU2, PH, PR2, T5, T6, T7
Hegar, Terry	Business owner (unspecified)	B-24	Pref, B/C1, T1
Kim, Jin	Property owner	B-27	B/C1
Kopca, Christopher	Gremar Properties for PCC Structural	B-18, B-19	Pref, B/C1, ER, LU2, PH, S, T, T1, T5, T6, U
Kraus, Edward	Kraus Music Products	B-20	Pref, A-2, PR2, T5
La Noue, Mark	Clackamas Commerce Center	B-3, B-32	Pref, T1
Mayer, Mindy and Jared Ray	McDonald's Restaurants	B-34	Pref, LU2, LU4, PR, T5
Parks, Wilda	North Clackamas Chamber of Commerce	B-12	Pref, LU3, PH
Porter, Cliff	Cascade Phillips	B-35	Pref, \$, Alt 2, E1, LU3, T5, B/C1, N
Ray, Jared	McDonald's Restaurants	B-28	Pref, B/C1
Russell, Pat	PAC Representative, North Clackamas Citizens Association	B-39, B-40	E1, E2, E4, LU1, N, PH, PN, PR, T, T1, T5, T6, T7, B/C2
Satterlee, Ron	Milwaukie Tire and Automotive	B-26	B/C1
Sauer, Brandon	Stonecreek Development	B-16	Pref, \$, C3, E1, V
Schoppert, Fred	Alice's Country Market	B-9	B/C1, PR, T1
Smith, John	Owner (unspecified business)	B-13	B/C1, T1
Spitznagel, Carl	Spitznagel Family LLC	B-8	T1, T5
Stearns, Nick	Business (unspecified)	B-14	ER, T4, T5
Walter, Michael	PAC Representative, Hubbard Terrace Homeowners Association	B-21	Pref, V, B/C2, N, LU1, LU4, N, S, T4, T5,
Warman, Jim	Can-Am Chains	B-6	Pref, T5
Warren, Cameron	Clackamas Business Center	B-15	T1
White, Dana	Providence Health & Services	B-2	Pref, B/C1
Wilson, Ronnie	RK Wilson Corp	B-22	EM

<sup>1</sup> Comment numbers can be used to find an exact copy of the submitted comments and the detailed responses in Appendix A.

<sup>2</sup> Comment codes reference topics raised in the comment letter or oral statement; comment codes are described in Table 35.

**Table 38. Expression of Preferences for Project Elements**

<b>Alternative or Design Option</b>	<b>Preference Stated (#)</b>	<b>Reasons Given (as appropriate)</b>	<b>Comment Number(s)</b>
Alternative 1 (No build)	2	Impacts to business operations	B-1, B-18
Alternative 2	13*	<i>No reasons expressly provided for Alternative 2.</i>	B-2, B-3, B-4, B-5, B-6, B-11, B-12, B-20, B-24, B-28, B-29, B-34, B-37
Alternative 3	4*	Would have less visual impact than Alternative 2 which includes a midpoint interchange. There would be less paved surface, a narrower roadway, a slightly lower elevation, less vegetation removal and terrain modification, fewer street lights and signs, fewer brake lights, signals and ramps associated with an interchange.	B-2, B-6, B-16, B-21
Design Option A-1	5	Access to highway for businesses.	B-3, B-23, B-31, B-32, B-36
Design Option A-2	5	Provides local access to/from the Lawnfield industrial area and to I-205.	B-1, B-3, B-5, B-10, B-11
Design Option B-1	0	<i>No statements expressly provided for B-1, the “base” option.</i>	
Design Option B-2	0	<i>No statements expressly provided for B-2.</i>	
Design Option C-1	0	<i>No statements expressly provided for C-1, the “base” option.</i>	
Design Option C-2	1	Lower noise levels.	B-21
Design Option C-3	0	N/A	N/A
Design Option D-1	0	<i>No statements expressly provided for D-1, the “base” option.</i>	
Design Option D-2	0	N/A	N/A
Design Option D-3	2	Reduced land need - Maintains more buildable/developable land. Reduced impervious surface	B-2, B-12

\* Two individuals expressed preferences for either Alternative 2 or 3.

**Table 39. Statements Against Project Elements**

Alternative or Design Option	Statement Against	Reasons Given (as appropriate)	Comment Number(s)
Alternative 1 (No build)	0	N/A	N/A
Alternative 2	1	Unsure of benefits of interchange.	B-35
Alternative 3	0	N/A	N/A
Design Option A-1	1	Direct and severe impact on operations and facilities.	B-1
Design Option A-2	6	Does not provide immediate, high capacity or even direct access to the highway system which was the foundation for the establishment of the businesses in the Lawnfield Industrial Area.	B-3, B-21, B-24, B-29
Design Option B-1	0	<i>No statements expressly against B-1, the “base” option.</i>	
Design Option B-2	2	Too expensive and won’t see benefits.	B-28, B-35
Design Option C-1	0	<i>No statements expressly against C-1, the “base” option.</i>	
Design Option C-2	0	N/A	N/A
Design Option C-3	1	Would increase the fuel usage during construction as well as future highway use, which creates an ongoing expense.	B-16
Design Option D-1	0	<i>No statements expressly against D-1, the “base” option.</i>	
Design Option D-2	0	N/A	N/A
Design Option D-3	0	N/A	N/A

## Business and Organizational Individualized Responses

This section addresses individual comments received from business and organizational groups. The list is not comprehensive, and it reflects themes heard from the businesses and organizations during the public comment period. For a comprehensive list of comments and responses, organized by commenter, refer to Appendix A.

### Pref: Alternative/Design Option Pref

See Tables 38 and 39 above for a summary of preferences for and against specific alternatives and design options.

## Transportation

### T: General

Four commenters had general questions about transportation access and circulation, and comments about signage and project design. These comments were considered in the development of the **Preferred Alternative** and adjustments were made where appropriate.

### T1: Business Access

Eleven individuals asked questions or made comments about specific business access issues. In several cases (access along SE 82<sup>nd</sup> Drive, SE Deer Creek Lane), the project team was able to adjust the design to improve provision of access.

#### T4: Residential Access

Two commenters, representatives on the PAC from neighborhood groups, wrote about residential access, at SE Johnson Road and at Hubbard Terrace. For the SE Johnson Road comment, the commenter was concerned about the plans to include a median along SE Johnson Road. This median is not part of the **Preferred Alternative**. Regarding SE Hubbard Terrace, the commenter was concerned about access during construction, and that the road might get too congested. In response, the analysis for the project has shown that the Sunrise Project would draw vehicles that today are using SE Hubbard Road, SE 142<sup>nd</sup> Avenue, and SE 152<sup>nd</sup> Avenue to move between OR 212/224 and SE Sunnyside Road/SE Sunnybrook Avenue. The volumes on these roadways are expected to decrease when the Sunrise Project is constructed. Impacts during the construction of this corridor would not resemble those felt when SE Sunnyside Road was under construction. When an existing roadway, such as SE Sunnyside Road, is under construction, the drivers that typically use that route have to find alternative routes. When the Sunrise Project is being constructed, existing routes would be minimally impacted, because the Sunrise Project is a new transportation facility and therefore adverse effects along SE Hubbard Terrace should be minimal, if they occur at all.

#### T5: Design Recommendations

Ten commenters provided specific comments and suggestions for project design, from recommendations for the Lawnfield alignment, to widening OR 212, moving the midpoint interchange to SE 135<sup>th</sup> Avenue, and having alternative crossings across the railroad tracks (instead of Tolbert overcrossing). The responses, included in Appendix A, provide information about the reasoning for the design choices, including constructability and the need to adhere to ODOT design standards. In most cases, the ideas suggested by the commenters are not allowed under ODOT or County design standards and would have a very slim chance of receiving a design exception due to the

disparity between the suggestions and the standards.

#### T6: Circulation

Business commenters named several roads raising concerns about circulation: SE Deer Creek Lane, SE 82<sup>nd</sup> Drive, and SE Johnson Road. All three of these areas were modified to improve circulation between the SDEIS and the selection of the **Preferred Alternative** based on input from the public and through refinements in design.

#### T7: Freight

Four commenters made comments on the proposed designs in relation to freight concerns, including questioning the way trucks might move through the area. These comments raised questions if the designs would accommodate large trucks and trailers, and how freight vehicles accessing the industrial area might use the facility. All grades and horizontal curves and intersections are designed for interstate-sized trucks (WD-67), but not specifically for over-dimensional vehicles. However, the proposed roadways would have flatter curves, and wider pavement, that would accommodate such vehicles better than existing roadways. The project is being designed for enhanced freight travel; one of the objectives of the Sunrise Project is to get the regional trips off of the local network.

#### BP: Bike/Ped Improvements

The Bicycle Transportation Alliance provided a letter regarding bicycle and pedestrian facilities in the proposed project. They made two recommendations: (1) to close gaps in the I-205 path through the project area (e.g., crossings at OR 212, McKinley Avenue and SE Roots Road), and (2) to continue the multi-use path from SE 122<sup>nd</sup> Avenue to Rock Creek and Damascus. Regarding recommendation 1, there are no gaps within the project area of the I-205 multi-use path in the **Preferred Alternative**. The only crossing at a signalized intersection occurs at the crossing of OR 212 and is due to the lack of right-of-way to provide a grade-separated crossing for the path. Regarding the

continuation of the multi-use path east of SE 122<sup>nd</sup> Avenue, this change to extend the path from the midpoint area to Rock Creek Junction was made as part of the **Preferred Alternative** (see also comment A-2 from Metro and Figure PA-14).

## Land Use

### LU: General

One business representative wrote that “Metro’s goal to preserve, maintain and if possible enhance current industrial lands within the present Urban Growth Boundary” has not yet been given sufficient consideration. The commenter further stated: “Removing the highway access that was the foundation for the establishment of the Lawnfield Industrial Area will naturally create demand for additional industrial land outside of the current Urban Growth Boundary that provides the access that could be provided instead with the North Lawnfield Extension or something very similar as a mandatory piece of the Sunrise Project.” In response, the Sunrise Project’s purpose is consistent with Metro’s overall goal to “preserve, maintain and if possible enhance current industrial” land by solving a variety of transportation problems in one of the region’s largest employment areas and by facilitating freight movement from one of the region’s largest freight distribution centers. Two access points are provided in the **Preferred Alternative** to the Lawnfield Industrial area in an effort to make sure this area remains viable and has adequate access. Impacts to existing businesses have been kept to a minimum. It is anticipated that the Sunrise Project would displace a small number of industrial businesses and would cause about 156 acres of commercial and industrial land to be converted to highway right-of-way.

### LU1: Residential Specific Impacts

Two commenters, the representatives on the Project Advisory Committee (PAC) of neighborhood associations, made comments about residential impacts. (Also see description of comments on noise, visual, etc. in the

environmental section below). The first asked that owners along Hubbard Road be allowed to build fences higher than six feet. In response to the commenter, the allowed height of fences on private property is regulated by local government (in this case, Clackamas County) and is not an issue over which this project has jurisdiction. The second comment raised concerns about traffic being diverted to residential streets in the I-205 area as a result of the proposed improvements. The project is designed to help alleviate traffic and pull traffic to the Sunrise Project. Additionally, the specific purpose of the Sunrise Project is to effectively address the existing congestion and safety problems in the OR 212/224 corridor between its interchange with I-205 and Rock Creek Junction, and to serve the growing demand for regional travel and access to the state highway system. Finally, many people in and around the project area raised transportation issues relating to their neighborhoods, issues beyond the scope and/or jurisdiction of the Sunrise Project. The local city and county jurisdictions have opportunities to address local transportation issues directly through their transportation system planning processes.

### LU2: Property Acquisition / LU3: Right-of-way / LU4: Property Value

Nine commenters wrote letters addressing concerns about right-of-way, property acquisition, and property values. These ranged from specific concerns about property acquisitions, to questions about timing and compensation from the project. The purchase of right-of-way is a priority for the project. However, final decision on the timing of such purchase would be made by the appropriate jurisdictions after considering the availability of financial resources. All property acquisition will follow the requirements of the federal The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC Chapter 61) and Oregon Revised Statutes. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, requires fair and equitable treatment of all property owners

as well as businesses or residents displaced as a direct result of programs or projects. A summary is provided in the ODOT brochure titled, “Moving Because of the Highway or Public Project” provided in Appendix A of the Right-of-Way Technical Report. Benefits can include search expenses, moving expenses and some reestablishment expenses. A Relocation Agent works with the business to help with the relocation benefits. The laws do not cover the loss of business value.

## Businesses and Communities

Twenty commenters made comments regarding business and community impacts.

### B/C 1: Business-specific Impacts

Eighteen commenters wrote comments regarding business impacts. Generally, concerns were focused on individual businesses that would experience temporary impacts during construction or permanent impacts related to relocation or changes in access. To the extent possible, these potential impacts were minimized during development and through design of the **Preferred Alternative**. ODOT and Clackamas County will work with individual businesses during final design and the construction process.

### B/C 2: Community-specific Impacts

Two commenters wrote regarding community-specific impacts. A person from the Hubbard Terrace Housing Association wrote about the nineteen homes on the bluff above the intersection of SE 135th/SE Hubbard Road and Highway 212/224, expressing concern about the impact the changes proposed in this area would have on noise, views, and light levels at night. These concerns have been addressed to the extent possible by the project. These community impacts are primarily a function of the location of the overall alignment of the corridor. Predicted noise impacts to the Hubbard Road area were similar between **Alternative 2** and **3** and no sound walls for that area would meet the feasibility or reasonableness criteria.

The PAC representative from the neighborhoods west of I-205 expressed general frustration about impacts that he identifies as resulting from “poor north-south ‘connectivity planning’ east of I-205 on the part of cities, the county, region and ODOT.” The Sunrise Project is intended to “address the existing congestion and safety problems in the OR 212/224 corridor between its interchange with I-205 and Rock Creek Junction, and to serve the growing demand for regional travel and access to the state highway system.” North-south connectivity is not an issue the Sunrise Project is intended to address.

## Environmental

### E1: Biology

Three commenters raised questions about biological issues, primarily wildlife passage, forest canopy, and potential effects on fish. In response to these comments, the project team worked to select an alternative that minimized impacts to biological resources, and then sought ways to further minimize impacts by adjusting designs and setting guidelines (e.g., for wildlife passage) to be used during preliminary engineering and final design. Mitigation for remaining biological impacts has been incorporated into the project.

### E2: Geology/Soils

One commenter stated that ODOT will need to place fill on hydric soils. Potential impacts resulting from fill placement would be avoided, minimized, and mitigated within the constraints of engineering standards and applicable regulations.

### E4: Wetlands

The comments addressing wetland concerns were generally limited to the statement of preference between one design option and another. However, a few issues were raised by one commenter: (1) the ability of water to continue to infiltrate and recharge groundwater systems and (2) concerns about filling wetlands. To these comments, the project geotechnical staff responded that water courses should

continue to receive groundwater recharge, via surface infiltration and recharge from flowing streams, beyond the limits of the proposed corridor. Most recharge to these streams in the primary groundwater recharge areas is anticipated to be unaffected by construction of the project. Additionally, with the exception of localized dewatering during construction of corridor segments where shallow groundwater could be encountered, groundwater extraction is not planned. Finally, project designers have and will continue to seek to minimize wetland impacts within the constraints of engineering standards and regulations. The **Preferred Alternative** will result in less impact to wetlands than any of the build alternatives evaluated in the SDEIS (the **Preferred Alternative** will affect approximately 23 acres of wetlands, while the Build Alternatives analyzed in the SDEIS would have resulted in 26 to 34 acres of wetland impacts). State and federal regulations limit the placement of water treatment and detention facilities within the wetlands, so these facilities will be located outside existing wetlands. Some water detention facilities will be located within interchange areas and under structures.

#### **N: Noise - general**

Three commenters, the representatives on the PAC of neighborhood associations and one business owner, made comments about noise impacts related to the project, specifically to SE Hubbard Road and the housing on the south side of OR 212/224 on the west side of I-205. A thorough noise analysis was conducted for the **Preferred Alternative** and several different types of noise mitigation measures were explored. Noise walls are proposed in the neighborhood south of OR 212/224, but not in the SE Hubbard Road area. In order for noise mitigation to be recommended for a project, mitigation measures must meet specific ODOT criteria for feasibility and reasonableness. For more information, see the ODOT Noise Manual, 2009. Because of the topography in the Hubbard Terrace area, no reasonable or feasible noise mitigation was identified or recommended for the noise impacts. There were also questions about truck (jake) brakes,

which are regulated by the EPA and over which the Sunrise Project has no jurisdiction.

#### **N1: Bluff Neighborhood**

Noise impacts to the neighborhood on the bluff are a subset of all comments on noise. One commenter stated: “The noise study reviewed all of the normally available options for mitigation, such as truck restrictions, speed restrictions, building noise barrier walls on the bluff or the north side of the highway, covering the highway, quiet pavements, and realignment of the highway. [The Hubbard Terrace Housing Association] HTHA would recommend all of these solutions.” This commenter also suggested cash compensation to affected residents. There are restrictions under federal and state guidance regarding what kinds of mitigation and compensation are available. Cash compensation is not allowed for noise impacts under FHWA noise regulations. See CFR 772.13(a), which stipulates “Federal-aid highway funds may not be used as payment or compensation for a traffic noise impact through the purchase of a noise easement from a property owner.” The FHWA noise regulations clearly indicate that Federal funds may only be used to reduce traffic noise impacts and provide noise abatement benefits. Monetary compensation accomplishes neither of these requirements. Federal-aid funds may be used in compensation paid during right-of-way negotiations for a partial taking of property. For example, noise, access, visual quality, etc. can be considered in determining this compensation, which is regarded as part of right-of-way acquisition, not environmental mitigation. However, resulting changes in real estate prices must be able to be demonstrate in order for the homeowner to receive an adjusted price for the partial acquisition of property.

Considerable effort was made to explore possible mitigation options for the residents on the bluff. However, though noise impacts will occur to these residences, noise mitigation is not reasonable or feasible on the bluff and is not included in the **Preferred Alternative**. A number of special meetings were held with

these residents during the project process to discuss the issues surrounding noise impacts from the project and the difficulty of mitigation.

## U: Utilities

One commenter provided information about nearby utility lines at a specific property. This information was provided to project designers. Chapter 3, Utilities provides an overview of anticipated impacts to utilities. Further analysis will occur as the project proceeds to final design.

## V: Visual

One commenter made suggestions regarding visual mitigation, specifically near the midpoint interchange. Many of these suggestions have been incorporated into the **Preferred Alternative** (e.g., retaining trees when possible and planting of conifers for screening).

### 4(f): Section 4(f)

Comments from two business representatives related to Section 4(f) requirements focused on the KEX facility. The SDEIS showed that the Lawnfield extension would have a small impact to the copper ground mat at the KEX facility, which has been determined to be part of the historic features of the property. The **Preferred Alternative** has been designed to completely avoid this Section 4(f) resource.

## Overall Process and Project Issues

### PR: Process - General

Three commenters wrote generally about the process for project development, questioning how the designs were developed, and expressing frustration with business displacement decisions, and the desire for more public involvement at the neighborhood level. The local community has been engaged consistently regarding the project, and attempts to minimize impacts, while developing a project that meets the purpose and need, have been made where appropriate. One of the purposes of the public hearing process is to obtain input from affected citizens and agencies to assist in appropriate refinements to the **Preferred**

**Alternative**. As a part of the refinement process, focused contacts with directly affected communities have occurred. Chapter 1 contains more information on the public involvement process.

### PR1: Lack of Information / PR2: Improve Information Pieces

Two commenters asked for more information about access and circulation plans (specifically, near Lowes and along SE Lake Road). The plans for these areas have been modified in response to public input, and the detailed map is part of the FEIS (see Figure PA-6 for the map of the I-205 area).

One business owner expressed frustration that he had purchased property without knowing about the proposed project. Property owners who sell property and the realtors representing property owners have an obligation to disclose any conditions that exist or other pertinent information concerning the property for sale. Buyers of property are responsible for their own due diligence. The Supplemental DEIS for the Sunrise Project has been actively underway since 2004, with aggressive public notification, meetings, and media attention. The project has been in some phase of planning since the late 1980s. See Chapter 1 for a description of the public involvement process for the project.

### PN: Purpose and Need

One organizational commenter raised questions about the purpose and need for the project, specifically with respect to what is contained in the Clackamas County Comprehensive Plan regarding transportation. The commenter suggested that the intercity McLoughlin Corridor and Milwaukie Expressway Corridors need more attention right now than a new freeway corridor and that Damascus also needs funding to complete their community. As with all comprehensive planning efforts, there are differences of opinion as to which policy direction should be taken to realize the goals of the region and local community. The following facts are noted concerning the local comprehensive plans:

- The Clackamas County Comprehensive Plan has been acknowledged as being in compliance with the Statewide Planning Goals and is consistent with the Metro Functional Plan and the Regional Transportation Plan.
- The City of Damascus is in the process of creating a new Comprehensive Plan and Transportation System Plan, which will be evaluated under the same standards.
- The Sunrise Project, from I-205 to Rock Creek Junction, a limited-access expressway, has been identified in the regional transportation plan (RTP) since 2000 as a regional transportation facility need.

### PH: Phasing / Funding

Four commenters raised questions about phasing and funding, asking questions about how the project will be constructed, and on what schedule. One of the challenges on the project has been finding sufficient funds to build the project. Strategies for phasing as a way to build the project in affordable stages are being considered. FHWA has guidance for major projects that imposes requirements on recipients of federal financial assistance for projects with an estimated cost of \$500 million or more. The Sunrise Project will need to comply with those requirements by developing a Project Management Plan and Financial Plan, mechanisms for managing such large projects. ODOT is currently preparing those plans.

### §: Cost

Three business commenters wrote comments regarding project cost estimates. One comment simply stated that the project should be cost-effective, and the other two raised questions about the cost estimates for relocation and acquisitions in the SDEIS. The selection of the **Preferred Alternative** is based on meeting the project's Purpose and Need and providing the best balance of operational effectiveness, protection of environmental and community resources, and cost. Relocation costs were estimated using current best practices and input from ODOT and county staff. One of the

comments regarding relocation costs was specific to the KEX facility. This facility will not need to be relocated, because the **Preferred Alternative** has been designed to avoid KEX. In response to a comment about the relocation costs associated with a wastewater discharge permit, received from Clackamas County Water Environment Services, it was indicated that as long as there is a sewer connection where the business moves, the same system could be set up. During the property acquisition process, business owners will work with ODOT and Clackamas County on a specific relocation plan.

### S: Safety

Two comments were received on safety.

Concern was expressed about the high volumes of truck traffic in this area, and the lack of a signal at the SE Johnson Road and SE Deer Creek Lane intersection. Having no signal at this intersection would make it very difficult for trucks to turn east onto SE Deer Creek Lane. Concern was also expressed about an incline at the intersection that would make truck maneuvering very difficult. In response to this concern, the **Preferred Alternative** includes a traffic signal at SE Deer Creek Lane and SE Johnson Road at the current location (near the Lowes store). The improvement will include upgrading the signal and adding appropriate additional turn lanes to make this intersection function to accepted standards.

The second comment related to the Hubbard Terrace area: "The increased traffic, and the lack of a marked turn lane at the entrance to the HTHA neighborhood, is a safety concern." This area is outside of the study area for the Sunrise Project, and the commenter is encouraged to speak directly with Clackamas County's transportation department for safety concerns about this existing infrastructure.

### ER: SDEIS Document Errors (Errata)

Several business commenters noted that the aerial photos used to determine right-of-way and access impacts were out of date. These commenters noted different developments or

expansions on their properties that were not reflected in the SDEIS. The SDEIS used aerial photos from 2006 and the FEIS uses updated aerial photos from 2008. The 2008 aerial photos and additional field reconnaissance were used to confirm impacts related to the **Preferred Alternative** and disclosed in the FEIS. Chapter 6 includes a summary of updates made in this FEIS.

## Comments from Individuals

One hundred and twenty-three individuals provided 127 oral and written comments on the SDEIS. See Table 40 for an index of individual commenters. Some commenters submitted more than one letter or oral statement. Comments from individuals often focused on preferences for one alternative or design option over another, localized impacts to homes and businesses, questions about impacts to specific areas, and general questions or concerns about the project. Table 40 presents an index of individual comments. The comment code column directs the reader to a summary of responses located in this section. If a comment was a statement of preference for or against a specific alternative or design option, these are marked with a “Pref” comment code and are summarized in Tables 41 and 42. The text following Tables 41 and 42 presents a summary of comments by comment code along with the response to those comments. Appendix A contains the complete set of comments and responses.

**Table 40. Index of Individual Public Comments**

<b>Name</b>	<b>Comment Number(s)<sup>1</sup></b>	<b>Comment Code(s)<sup>2</sup></b>
Adams, Terri	I-109	Pref
Alerdoff, Dirk	I-82	Pref, LU3
Allen, Tarah	I-15	T4
Andrews, Rick	I-129	B/C 2, PS
Ankrom, Tina	I-34	Pref
Blue, Trisha	I-112	Pref
Bollam, Douglas	I-3	B/C 5, E, E1
Bostwick, James	I-97	B/C 4, PR, S
Bostwick, Teri	I-98	B/C 4, PR, S, T5
Boyd, Renee	I-24	Pref, LU3
Boyd, Kayla	I-84	Pref
Bradley, Margie	I-134	4(f), PS
Braunstein, Amber	I-147	Pref, NI
Briggs, Jeffrey	I-113	Pref
Chaney, Antonio	I-88	Pref
Chaney, Brandi	I-118	Pref, PS
Clayton, Ashley	I-20	Pref, D-2
Clayton, Jerry	I-22	Pref
Codleti, Francise	I-79	Pref, LU3
Comfort, Eugene	I-19	Pref, PR1, PR2, B/C 4
Davis, George	I-47	Pref
Decker, Teri	I-105	Pref
Diephaose, Tim	I-85	Pref
Doak, Mike	I-16	T4
Doberenz, Mark	I-71	LU3
Dougherty, Shawn	I-30	Pref, LU3, C-3, D-4
Dulcich, Jeff	I-139	Pref, B/C
Eggers, Tom	I-75	Pref, LU3
Emmert, Terry	I-138	Pref, B/C1
Fitzgerald, Marilyn	I-78	Pref, LU3
Frith, Amanda	I-57	Pref, LU3
Fromwhiller, Patrice	I-122	BP, T5
Ghores, Edwar	I-119	LU1
Gilb, Merele	I-6	Pref, EN
Gillespie, John	I-141	T, T4
Glantz, Don	I-104	Pref, PS
Gonzales, Jim	I-131	Pref
Gorr, Raymond	I-5	PR1, S, T4
Gorr, Kathleen	I-12	B/C 4, S
Graham, Billy	I-68	Pref, LU3
Graham, Sara Lee	I-81	Pref, LU3
Greges, Sherine	I-110	Pref
Gusey, Daryl and Marla	I-140, I-145	A, E1, E2, E4, ER, LU4, PN, LU1, NI, T, PR, PR3, PR1, PR2, T5, LU4, T3

**Table 40. Index of Individual Public Comments**

<b>Name</b>	<b>Comment Number(s)<sup>1</sup></b>	<b>Comment Code(s)<sup>2</sup></b>
Gutierrez, Juan Antonio Amado	I-86	Pref
Hall, Debra and Richard	I-133	LU1, LU4, NI
Halloway, Danielle	I-31	Pref, LU3
Hebrard, Kim	I-121	T5, EI, E2, E5, NI, \$, T7
Henderson, Sandra	I-132	Pref
Hester, Thomas	I-61	Pref, LU3
Hickman, Kasandra	I-77	Pref, LU3
Hieb, Daniel	I-72	Pref, LU3
Hoffman, David	I-100	Pref
Holloway, Ariane	I-106	Pref
Holloway, Danielle	I-31	Pref, LU3
Hoyle, Nancy	I-67	Pref, LU3
Jacobsen, Curtis	I-102	Pref, PN, 4(f), B/C 5, PH, T5
Larsen, Kevin and Heather	I-94	Pref, EI
Lesh, Karen	I-25, I-26	Pref
Lipscombe, Barg	I-76	Pref, LU3
Lubake, Larry	I-144	E5, LU1, LU4
Marcerfish, Joseph	I-59	Pref, LU3
Mather, Linda	I-66	Pref, LU3
Matsouka, Ian	I-73	Pref, LU3
McClain, Richard	I-128	T5
McElroy, Russell	I-142, I-146	E2, LU1, LU4, T, T5
McLane, Mike	I-143	NI, PN, PR, T3, T5
McNamara, Mark	I-63	Pref, LU3
McNeil, Mike	I-64	Pref, LU3
Measelle, Michelle	I-103	Pref, D-3
Medwid, Dave	I-62	Pref, LU3
Miller, Tammy	I-35	Pref
Murk, Lucas	I-70	Pref, LU3
Murphy, Maureen	I-55	Pref, Alt 2
Nelson, Sterling	I-91	Pref
Obrisi, Dave	I-52	Pref, T5
Obrist, Linda	I-101	Pref, T5
Olson, Tammy Jo	I-32	Pref
Ovalle, Lorena	I-114	Pref
Owen, Bob	I-126	LU2, LU4
Parkin, Gary	I-136	PN
Paulken, John	I-7	T3
Peterson, Ken	I-65	Pref, LU3
Phillips, Sheryl	I-14	E2, LU2, NI, PR, T, V
Pridmore, Carissa	I-23	Pref
Ray, Jared	I-111	Pref
Robinowitz, Mark	I-4	\$, 4(f), E, E2, EN, LU, PN, PR3, T3, V

**Table 40. Index of Individual Public Comments**

<b>Name</b>	<b>Comment Number(s)<sup>1</sup></b>	<b>Comment Code(s)<sup>2</sup></b>
Rosin, Erika	I-111	Pref
Russell, Pat	I-2, I-125	Pref, B/C, T, T1, T5, T6, T7, LU, LU1, LU3, LU4, E, E5, NI, PN, PR
Russell, Joanna	I-17	Pref, LU4, NI
Sauer, Rod	I-95	Pref
Segrin, Joan	I-83	Pref, LU3
Shannon, Randy	I-13	B/C 5
Shook, Dick	I-99	NI, E, E1, E4, T4
Shufelt, Joe	I-29	Pref
Silae, Leah	I-9	LU2, PR1, T6
Sinnott, Martin	I-87	Pref
Smith, CM	I-96	Pref, PR
Smith, Pat and Jeff	I-120	PN, PR
Sparkman, Donna	I-60	Pref
Stanfill, Robert	I-8	Pref, PR
Stark, Chase	I-108	Pref, LU3
Steigledger, Tom	I-130	Pref
Stephnes, Racaela	I-115	Pref
Stravens, Mike	I-93	Pref
Swanson, Andrew	I-10	BP, E1, E4, \$
Tate, Sue	I-54	NI
Tidwell, Catrice	I-49	Pref
Tidwell, Andriar	I-50	Pref
Tribe, Pam	I-74	Pref, LU3
Trimm, Debi	I-27	Pref
Troup, Bobby	I-53	Pref
Varga, Stefan	I-69	Pref, LU3
Varga, Daniel	I-80	Pref, LU3
Voss, Mark	I-92	Pref
Waldemar, Martha	I-137	Pref, T, T5
Weaver, Andrew	I-117	Pref, PS
Weber, Dick	I-18	BP
Wilson, Eric and Wendy	I-56	Pref, E1, EN, LU, PN, V
Yoder, Robert	I-127	Pref, NI
Zanotti, Nikki	I-116	Pref
Zapata, Jenn	I-48	Pref
Zuckerman, Debbie	I-11	Pref

<sup>1</sup> Comment numbers can be used to find an exact copy of the submitted comments and the detailed responses in the appendix.

<sup>2</sup> Comment codes reference topics raised in the comment letter or oral statement; comment codes are described in Table 35.

**Table 41. Expression of Preferences for Project Elements**

<b>Alternative or Design Option</b>	<b>Preference Stated (#)</b>	<b>Reasons Given (as appropriate)</b>	<b>Individual Comment Number(s)</b>
Alternative 1– No Build	8	No road improvements are necessary. Project would be waste of money. Country is in tough economic times; should work to maintain existing roads instead.	I-6, I-17, I-52, I-100, I-101, I-127, I-131, I-147
Alternative 2	93*	Project needed as development has exceeded transportation system capacity. Single I22 <sup>nd</sup> Interchange would allow more options and better access to surrounding businesses. Would help alleviate traffic jams. Safer for drivers, bikes and pedestrians. Quicker and better route.	I-19, I-20, I-21, I-22, I-23, I-24, I-25, I-26, I-27, I-28, I-29, I-30, I-31, I-32, I-33, I-34, I-35, I-36, I-37, I-38, I-39, I-40, I-41, I-42, I-43, I-44, I-45, I-46, I-47, I-48, I-49, I-50, I-51, I-52, I-53, I-57, I-58, I-59, I-60, I-61, I-62, I-63, I-64, I-65, I-66, I-67, I-68, I-69, I-70, I-71, I-72, I-73, I-74, I-75, I-76, I-77, I-78, I-79, I-80, I-81, I-82, I-83, I-84, I-85, I-86, I-87, I-88, I-89, I-90, I-91, I-92, I-93, I-96, I-102, I-103, I-104, I-105, I-106, I-107, I-108, I-109, I-110, I-111, I-112, I-113, I-114, I-115, I-116, I-118, I-130, I-137, I-138, I-139
Alternative 3	8*	Project needed as development has exceeded transportation system capacity.	I-19, I-53, I-95, I-96, I-102, I-104, I-127, I-130
Design Option A-1	49	This option would give direct access to Lawnfield. Would lower traffic volumes on other roads. Would improve traffic controls and could possibly cut down on speeders for the road will be more regulated. Would help to free up traffic flows during rush hour. Would help businesses create better access to their locations and more easily access I-205 without having to cross railroad tracks.	I-25, I-26, I-27, I-57, I-59, I-60, I-61, I-62, I-63, I-64, I-65, I-66, I-67, I-68, I-69, I-70, I-71, I-72, I-73, I-74, I-75, I-76, I-77, I-78, I-79, I-80, I-81, I-82, I-83, I-84, I-85, I-86, I-87, I-88, I-89, I-90, I-91, I-92, I-93, I-107, I-108, I-109, I-111, I-112, I-113, I-114, I-116, I-118, I-137, I-138
Design Option A-2	33	Happy the way it is.	I-20, I-21, I-22, I-23, I-28, I-29, I-30, I-31, I-32, I-33, I-34, I-35, I-36, I-37, I-38, I-39, I-40, I-41, I-42, I-43, I-44, I-45, I-46, I-47, I-48, I-49, I-50, I-51, I-103, I-105, I-106, I-110, I-138
Design Option B-1	0	<i>No statements expressly for B-1, the “base” option. Preference for B-1 assumed to be reflected in preference for Alternative 2.</i>	
Design Option B-2	1	No Reason Given	I-71
Design Option C-1	0	<i>No statements expressly for C-1, the “base” option. Preference for C-1 assumed to be reflected in preference for Alternative 2 or 3.</i>	
Design Option C-2	4	Would reduce the impact on properties to the north, including problems with sound. More practical than cutting into the hill.	I-55, I-71, I-132, I-137
Design Option C-3	84	Less destructive to the businesses along OR 212.	I-20, I-21, I-22, I-23, I-24, I-25, I-26, I-27, I-28, I-29, I-31, I-32, I-33, I-34, I-35,

**Table 41. Expression of Preferences for Project Elements**

<b>Alternative or Design Option</b>	<b>Preference Stated (#)</b>	<b>Reasons Given (as appropriate)</b>	<b>Individual Comment Number(s)</b>
		Parcels of vacant property better configured for the project to maximize use of the land. More opportunity for industrial or commercial development.	I-36, I-37, I-38, I-39, I-40, I-41, I-42, I-43, I-44, I-45, I-46, I-47, I-48, I-49, I-50, I-51, I-57, I-58, I-59, I-60, I-61, I-62, I-63, I-64, I-65, I-66, I-67, I-68, I-69, I-70, I-71, I-72, I-73, I-74, I-75, I-76, I-77, I-78, I-79, I-80, I-81, I-82, I-83, I-84, I-85, I-86, I-87, I-88, I-89, I-90, I-91, I-92, I-93, I-103, I-105, I-106, I-107, I-108, I-109, I-110, I-111, I-112, I-113, I-114, I-115, I-116, I-117, I-118, I-138
Design Option D-1	7	No Reasons Given	I-20, I-22, I-26, I-90, I-107, I-108, I-116, I-138
Design Option D-2	37	No Reasons Given	I-21, I-22, I-23, I-25, I-28, I-29, I-31, I-32, I-33, I-34, I-35, I-36, I-37, I-38, I-39, I-40, I-41, I-42, I-43, I-44, I-45, I-46, I-47, I-51, I-87, I-88, I-89, I-91, I-92, I-93, I-109, I-110, I-112, I-113, I-114, I-115, I-118
Design Option D-3	42	Provides more land for private businesses. Would be less destructive - a major point for Providence's property development site. Reduces interchange footprint.	I-24, I-27, I-48, I-49, I-50, I-55, I-57, I-58, I-59, I-60, I-61, I-62, I-63, I-64, I-65, I-66, I-67, I-68, I-69, I-70, I-71, I-72, I-73, I-74, I-75, I-76, I-77, I-78, I-79, I-80, I-81, I-82, I-83, I-84, I-85, I-86, I-105, I-106, I-111, I-117, I-137, I-138

\* Five of these commenters expressed preferences for both Alternatives 2 and 3. One expressed a preference for Alternative 1 or Alternative 3.

**Table 42. Statements Against Project Elements**

Alternative or Design Option	Statement Against	Reasons Given (as appropriate)	Individual Comment Number(s)
Alternative 1– No Build	3	Critical need for project now. Please get this project done.	I-8, I-104, I-130
Alternative 2	2	Negative impacts to critical wildlife corridor at the base of the bluff. The midpoint interchange will cause too much congestion on 212.	I-99, I-127
Alternative 3	0	N/A	N/A
Design Option A-1	0	<i>No statements expressly against A-1, the “base” option.</i>	
Design Option A-2	1	No Reason Given	I-70
Design Option B-1	0	<i>No statements expressly against B-1, the “base” option.</i>	
Design Option B-2	2	No Reason Given	I-137, I-138
Design Option C-1	0	<i>No statements expressly against C-1, the “base” option.</i>	
Design Option C-2	1	No Reason Given	I-139
Design Option C-3	3	Would have negative impacts on the area including during construction. Worst option when the goals are to be cost effective and to preserve natural resources. Most costly option and converts most land to highway use. Running the highway towards the hillside would also require deeper cuts during construction. That earth movement will be a tremendous burden on costs.	I-56, I-94, I-95
Design Option D-1	0	<i>No statements expressly against D-1, the “base” option.</i>	
Design Option D-2	2	Takes up valuable land needed for potential major projects that will bring much-needed family-wage jobs to the area.	I-137, I-139
Design Option D-3	1	No Reason Given	I-139

## Individualized Responses (Individuals)

This section addresses comments received from individuals. The list is not comprehensive, and it reflects themes heard from the public during the public comment period. For a comprehensive list of comments and responses, organized by commenter, refer to Appendix A.

### Pref: Alternative/Design Option Preference

See Tables 41 and 42 above for a summary of preferences for and against specific alternatives and design options.

### Transportation

#### T: General

The project received general comments about transportation from six individuals. These comments questioned the design, the traffic modeling, and the ability of the project to relieve congestion and improve traffic control. For example, one person wrote that the project would cut off business access on SE 82<sup>nd</sup> Drive between Clackamas Highway and Clackamas Road. However, as part of the project, alternative access will be provided for anyone losing their current access. The existing access points along SE 82<sup>nd</sup> Drive between OR 212/224 and Clackamas Road would result in severe safety concerns if left open in their current configuration. Another commenter said that there will be over 10,000 more vehicle trips in the corridor compared to today's trip counts, which in the commenter's analysis means failing intersections at both SE 82<sup>nd</sup> Drive and Sunnybrook Boulevard and SE 82<sup>nd</sup> Drive and Sunnyside Road. In response to this comment and based on project estimates, there are roughly 5,000 vehicles per day that would have to find alternative travel routes due to the braiding of ramps along I-205 with this project, primarily between the SE Sunnyside/ SE Sunnybrook Interchange and the OR 212/224 Interchange. That is the reason that the project introduces a new direct connection (5-lane

cross section) between SE 82<sup>nd</sup> Avenue and SE 82<sup>nd</sup> Drive.

#### T3: Transit

Four individuals commented on transit and how it fits in with project planning. All transit projects that are part of current regional transportation plans were included in the traffic modeling for the project. To test if transit and a broader range of alternatives could meet the purpose and need, a range of options was considered, including: transportation system and transportation demand management (TSM/TDM) techniques only, arterial networks, high capacity transit, and other corridor alignments. These options were not carried forward in the SDEIS because they did not effectively address the project purpose and need, were not consistent with local and regional planning, or would have substantially greater adverse impacts than other reasonable alternatives. The **Preferred Alternative** assumes improved local transit service buses along OR 212/224, SE Sunnyside Road, and SE 82<sup>nd</sup> Avenue/SE 82<sup>nd</sup> Drive, consistent with Metro's RTP.

#### T4: Residential Access

Six people made comments about residential access. Of these, four addressed the SE Goosehollow closure as proposed in the SDEIS. Based on public input and further analysis, the **Preferred Alternative** was developed to include right-in/right-out access at SE Goosehollow Drive. Thus, the potential closure has been avoided. Additionally, the **Preferred Alternative** includes the extension of SE 162<sup>nd</sup> Avenue south of OR 212 to connect to the northeast terminus of SE Goosehollow Drive. The other two comments related to SE Anderegg Parkway and SE Deer Creek Lane. SE Anderegg Parkway is outside of the project area and outside the scope of the Sunrise Project, but is currently under consideration by the City of Damascus in its Transportation System Plan. The extension of SE Deer Creek Lane across SE 82<sup>nd</sup> Drive was analyzed but not found to be possible while still maintaining

intersection performance and meeting design standards.

### T5: Design Recommendations

Eleven individuals asked questions or made recommendations regarding project design, ranging from suggestions for new signalized intersections, to ideas about expanding OR 212 instead of constructing the Sunrise Project. Many of the suggestions were considered but rejected based on ODOT or Clackamas County design standards (e.g., adding an interchange to I-205 at SE Jennifer Street is not allowed based on interchange spacing standards for Interstates). A couple of individuals suggested widening the existing roadway east of Rock Creek Junction instead of focusing on the area between I-205 and Rock Creek Junction. This work, east of the Rock Creek Junction, is part of future planning efforts, and will follow further planning by the Cities of Happy Valley and Damascus.

### T6: Circulation

Two individuals commented on traffic circulation related to the mixing of local and through traffic, truck movement through the area, and access to and from the Lawnfield area. The project has been designed to improve travel for all modes of traffic. The **Preferred Alternative** will also help shift commuters onto the regional Sunrise Project facility while maintaining OR 212 as the local/neighborhood route. Clackamas County has plans to improve traffic circulation in the I-205 area, with the earliest projects under construction in 2010. Finally, in response to concerns about driver confusion and signage, with improvements to I-205 within the project study area, the signage will be revised and improved to minimize driver confusion. Signage will be compliant with the Manual on Uniform Traffic Control Devices (MUTCD).

### T7: Freight

Three comments addressed issues related to freight traffic. One suggested that the project be built to connect the Fred Meyer distribution center to I-205; however, doing so would not

meet the project's purpose and need. Another comment suggested focusing more attention on drawing traffic to the Gladstone interchange, which is currently underutilized. ODOT has studied options to make the Gladstone interchange easier to use for trucks, but no plans for improvements are in place. The third comment suggested improved signage for the existing and planned interchanges. With improvements to I-205 within the project study area, the signage will be revised and improved to minimize driver confusion.

### BP: Bike/Ped Improvements

Three individuals wrote comments regarding bike paths and plans related to the Sunrise Project. Two of these suggested extension of the multi-use path from the midpoint interchange to the east. This suggestion has been incorporated into the **Preferred Alternative**. The third comment suggested placing bicycle lanes on the north and south sides of the Sunrise Project, which is not allowed by ODOT because it is against ODOT design standards to include a bike lane on a limited access expressway with a 55 mph posted speed limit. Bicycle traffic will be accommodated by the separated, parallel multi-use path.

### Land Use

#### LU: General

Two comments were received on general land use themes of cumulative impacts and induced growth, stating that this project is growth-inducing and that the cumulative effects were not sufficiently discussed. The EPA made similar comments.

Construction of the project will result in increased capacity in the corridor and approximately a 22 percent increase in VMT in comparison to the **No Build Alternative**, as the increased benefits from shorter travel times, reduced congestion, and enhanced accessibility encourage longer trips in the region. However, this increase in VMT will not represent new trips in the region, as much as a redistribution of existing trips in the region. Any new

infrastructure project in a region would be expected to have similar effects on length of trips and VMT, in response to improved accessibility.

The project is being proposed in response to planned growth forecast by Metro and in the comprehensive plans of communities within the Sunrise Project corridor (urban Clackamas County, City of Happy Valley, City of Damascus). The Sunrise Project has been identified in the comprehensive plans of these communities, as well as in the Metro Regional Transportation Plan (RTP), as needed to implement community comprehensive plans. The timing of the planned growth is uncertain. The enhanced accessibility and mobility provided by the Sunrise Project will likely encourage accelerated development in the corridor; however, water and sewer service would likely facilitate development even more. The Sunrise Project is estimated to be a \$1.5 billion undertaking that is likely to be constructed in multiple phases over the 20-year planning horizon, thus providing some constraint on development throughout the corridor.

### **LU1: Residential-specific Impacts**

Six individuals commented specifically about impacts to residences, and the effects that they would experience living close to the project. Several of these comments were from residents of the bluff area and expressed frustration that the project would be constructed in an area that is currently not developed. There will be noise impacts to the residences that would not be mitigated. A thorough analysis of the noise impacts and possible mitigation measures was conducted for the **Preferred Alternative**.

Other residents commented about other issues including concerns about damages that could occur during construction. When a project is under construction the contractor is required to carry liability insurance to cover potential damages that may occur as a result of construction activities.

Other commenters wanted to know whether they would be compensated if property values

decline as a result of the project. Properties not directly impacted by the project right-of-way acquisitions are not eligible for compensation. Compensation for property acquisition is based on fair market value, as stipulated in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

### **LU2: Property Acquisition / LU3: Right-of-Way / LU4: Property Value**

Several individuals expressed concerns about acquisitions and displacements, specifically the valuation for properties and the ability to find replacement properties for those who would be displaced by the project. Specific concerns related to the recent poor performance of the local real estate market, and the idea that the prices that might be negotiated for properties might be lower than if those properties had been purchased a few years ago. Several of the comments specifically referred to the noise impacts projected for residents of the bluff. Other concerns related to finding comparable properties for those who may have modified their buildings (e.g., for use by disabled adults), or the difficulty one might have in reselling a property after the project is constructed.

The property acquisition process for purchasing right-of-way is governed by Uniform Act and Oregon Revised Statutes. Just compensation is based on valuation of the needed property by an experienced and qualified right-of-way agent or by an independent fee appraiser. That valuation must be determined by fair market value. The laws that govern the process would not allow the compensation to be based on a historic value of the property or a future projection of the value. All property acquisition will follow the requirements of the federal Uniform Act and Oregon Revised Statutes. The Uniform Act requires fair and equitable treatment of all property owners as well as businesses or residents displaced as a direct result of programs or projects. Its primary purpose is to ensure that people will not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public as a whole and to minimize the hardship for directly displaced people.

Twenty-six individuals made the suggestion to “purchase right-of-way now to save money.” This comment was made in conjunction with a statement of preference for **Alternative 2** with the Lawnfield alignment combined with **Design Options C-3** and **D-3**. One of the key outcomes of the Sunrise Project EIS process is to select a **Preferred Alternative** so that the project's right-of-way can be acquired. Purchase of right-of-way following the FHWA Record of Decision will help to preserve the project's affordability in the future.

## Businesses and Communities

The following section summarizes the comments received from individuals on issues related to businesses and communities. Some of the topics overlap with transportation comments discussed above. For a full record of the comments and responses for the project, refer to Appendix A.

### B/C: Businesses and Communities – General

One individual stated that “creating a 5 lane corridor and doubling the traffic loads with outside traffic severely impacts the local business trade and commerce and services for both travelers and residents on a 3-lane street that presently handles traffic fairly well.” The project analysis has shown that even today this area fails to meet jurisdictional standards—Clackamas County intersection standards as well as ODOT intersection standards to the north (at the I-205 Interchange) and to the south (at OR 212/224). By 2030, this area is expected to suffer extremely long delays and failing operations. Another commenter expressed frustration at the potential of displacing existing businesses along OR 212 while providing more space for the proposed development of land by Providence Hospital north of Rock Creek. Multiple factors, including area planning objectives, protection of natural and community resources, and project design objectives, were considered in selecting the **Preferred Alternative**.

### B/C 2: Community-specific Impacts

An individual asked what would happen to the Clackamas Community Center as a result of the project. The Clackamas Community Club parcel, located at 15711 SE 90<sup>th</sup> Avenue will be acquired for right-of-way for the **Preferred Alternative**. If the building is displaced as anticipated, relocation assistance will be provided to the Clackamas Community Club.

### B/C 4: Goosehollow

A number of individuals commented about the plans to close the connection between SE Goosehollow Drive and OR 224. As a result of public input and further analysis, the **Preferred Alternative** was developed to include neighborhood access at alternative locations to provide an alternative to the closed access at SE Goosehollow Drive. The intersection of SE Goosehollow Drive at OR 224 will be a three-way intersection with no access to/from the neighborhood to the east. As a result of public comment, the **Preferred Alternative** will include an additional right-out only access point at the northwestern terminus of SE Orchard View Lane for residents to gain access onto northbound OR 224. Another addition in the **Preferred Alternative** is the extension of SE 162<sup>nd</sup> Avenue south of OR 212 to connect to the northeast terminus of SE Goosehollow Drive.

### B/C 5: Damascus

Three individuals made comments relating to the City of Damascus and its future growth. The commenters expressed desire to complete the project so that the planned growth in Damascus can be accommodated by the transportation system. The sequence and timing for the construction of the Sunrise Project will likely be guided by the availability of project funding and the rate of travel demand growth in the project area.

## Environmental

The following section outlines the main comments received regarding environmental resources, and provides a summary of how the project addressed those comments. Many of

these comments were echoed in the reasoning people gave for stating a preference for one alternative or design option over another. Those preferences are reflected above in Tables 37 and 38. For a full record of the comments and responses, see Appendix A.

## E: Environmental

Several people raised general environmental concerns, either as a stand-alone comment or in conjunction with an expression of preference for one alternative or design option over another (e.g., as reasoning for supporting the **No Build Alternative**). Other concerns raised include the air quality effects of removing trees from the project area, the need for bridges to support wildlife passage, and the increase in impervious surface. These comments were considered in the selection of the **Preferred Alternative**, and many impacts were minimized and avoided. Staff will continue to seek ways to avoid and minimize environmental impacts associated with the project in final design and construction.

### E1: Biology

Six individuals made specific comments or asked questions about biological resources in relation to the project. Questions about the analysis regarding groundwater were raised by several people. Project construction is likely to affect groundwater, particularly where dewatering of shallow groundwater would be necessary. Bioengineered controls to maintain groundwater recharge and storage will be implemented to maintain local hydrologic conditions and protect the ecosystem. Such artificial controls often enhance local conditions and improve the ecosystem, thereby protecting the groundwater and surface water regime. Dewatering of slopes during construction and the installation of long-term drainage may be necessary where the westbound lane of the proposed project alignment parallels steep slopes and/or mapped landslides. Dewatering of slopes can improve stability and would not be completed without first being evaluated with respect to project requirements. Water removed during construction can be used to

recharge the local groundwater table by constructing infiltration basins (or similar structures) that allow the water to be re-introduced into the subsurface. The majority of recharge to the Clackamas River is east of the project site, including flows from Rock Creek and other streams draining the large watershed east of the project. Construction of the project will fall under the jurisdiction of numerous regulatory agencies and laws, including the Clean Water Act. The project design team includes biologists and resource protection specialists who provide technical input and review of proposed project improvements and structures. Construction plans will be developed prior to commencement of construction activities to develop stringent erosion control measures for the control of sediment runoff associated with earthwork construction.

Other biological concerns raised by the public relate to existing wildlife habitat and corridors which would be affected by the project. As noted in the response to the ODFW (Agency) comment above, the project designers, environmental staff, and ODFW met to strategize ways to minimize impacts to wildlife passage in the project area. Impacts have been minimized, and the mitigation for impacts to biological resources is outlined in Chapter 3, Biology Section.

### E2: Geology/Soils

Several individuals raised questions about slope stability, landslides, and groundwater resources in context of the project. Analysis has been provided to address these issues and additional review will occur in final design and construction. Specifically:

- Two mapped landslides have been identified along the slopes adjacent to the preferred alignment (see Figure PA-47). Adequate alignment width has been provided to allow for the incorporation of engineering design of mitigation measures to address the potential slope stability issues associated with the landslide areas. Mitigation measures may include adjusting the elevation of the roadway, minimizing

grading/cutting of the slope, adding buttress fills, and use of retaining structures such as soldier pile and secant pile retaining walls.

- Outside of the landslide areas, slope cuts could also present a risk to slope stability. Potential mitigation measures could include adjusting the elevation of the roadway to minimize cutting the slope and use of retaining structures such as soldier pile and tieback and secant pile retaining walls. The impact of site grading on the stability of existing slopes has been identified and appropriate mitigation measures will be further addressed in final design and construction.
- New structures proposed as part of the Sunrise Project, including ramps, bridges, and other infrastructure would be designed to meet the seismic requirement in the governing building and bridge codes. Additionally, site grading and construction for the Sunrise Project will be evaluated with respect to their potential impacts on existing structures and facilities.

#### E4: Wetlands

Comments about wetland impacts ranged from expressions regarding the amount of wetlands that could be affected by the project, to questions about mitigation type and location. Wetland acreage affected by the **Preferred Alternative** is less than that of the build alternatives evaluated in the SDEIS (between 3 and 11 fewer acres affected). Recent direction from the US Army Corps of Engineers and the Department of State Lands encourages the use of wetland mitigation banks as the first preference in compensatory wetland mitigation. The project is within the service area of the Foster Creek Wetland Mitigation Bank. The wetland mitigation bank currently has sufficient credits to cover the needs of the Sunrise Project. Therefore, to the extent that credits are available for purchase project impacts, they will be the mitigation. *If available credits from the Foster Creek wetland mitigation bank are insufficient to mitigate all impacts when the project goes to construction,*

*ODOT will identify a site where an ODOT-developed wetland mitigation site will be provided to accommodate mitigation for the Sunrise Project.*

Opportunities to incorporate some of the project's wetland mitigation needs within the project right-of-way will also be evaluated in final design.

See Chapter 3, Wetlands Section for more information regarding wetlands and proposed mitigation.

#### E5: Air Quality

Three individuals made specific comments regarding air quality, mentioning dust, general air quality impacts related to highways, and the possibility that there will be improvements as fuels transition to non-petroleum sources. The impacts on air quality are addressed in Chapter 3, Air Quality Section. The evaluation of impacts includes air pollutants in vehicle emissions regulated by the EPA. Additional discussion of mobile source air toxics and dust is also provided in the FEIS. At this time, the Portland area has air quality that meets the NAAQS. In the future, regulation of fuels and vehicle technologies will help to decrease emissions of fine particulates (PM<sub>2.5</sub>), VOCs, and nitrogen oxides compared to current conditions, even with increases in VMT. However, area-wide emissions of very fine particulates (PM<sub>10</sub>) and carbon monoxide are expected to increase.

#### EN: Energy

One commenter provided comments regarding peak oil, climate change, and the relationship between the cost of fuel and the demand for driving. The FHWA has been actively engaged in preparing for transportation changes that may result from larger-scale issues such as peak oil, climate change, and other externally caused actions. Although formal policies are still emerging for many of these issues, planning for such changes is occurring. This planning takes many forms including alternative fuels, new modes of travel (mass transit, bicycle/pedestrian), sustainable design, and

other measures. Many new infrastructure projects are allowing for increased use of transit (buses, light rail, trains) and bicycle/pedestrian travel to reduce oil and gas consumption while maintaining the public's mobility. Peak oil is not identified as an issue in which analysis can provide meaningful information to the public or decision makers regarding which alternative to select for the Sunrise Project. Government agencies are considering future conditions in planning for public infrastructure projects. It is also important to note that, while fuel types and supplies may change, transportation agencies are still planning to provide needed infrastructure and improvements to ensure continued movement of goods and people in the future. The Sunrise Project contributes to these efforts.

#### **N: Noise – General / N1: Bluff Neighborhood**

The noise impacts projected for the project have caused community concern. About a dozen people formally submitted comments on this topic during the public comment period and others have been vocal about the noise issues throughout project development. The noise study report for the Sunrise Project analyzed both existing sound levels and predicted future sound levels for the proposed project alternatives. In general, the existing sound levels on the bluff north of the proposed project alignment would be considered moderate and typical of suburban neighborhoods. Many areas along the bluff are predicted to experience substantial increases in noise levels as a result of the project.

Although potential noise increases are a concern for residents on the bluff, under federal and state rules, mitigation was not found to be cost-effective or feasible. Different wall locations were explored, but offered only minimal potential noise reductions. No mitigation measures were identified that would provide adequate noise reductions, or that could be constructed at a reasonable cost. Therefore, no federal or state funds are available to mitigate identified noise impacts along the bluff. Clackamas County also lacks

resources to mitigate noise impacts to these properties. At this point, no other source of mitigation funds has been identified.

#### **V: Visual**

Two individuals commented on the visual analysis conducted for the project, raising issues about the loss of trees throughout the project area, the removal of a knoll in the Rock Creek Junction area, and generally the addition of more roadways to the I-205 area, an area that is already dominated by roadway uses.

The visual technical report explains the FHWA methodology used to assess view quality and impacts. Four categories of visual resources are identified, one consisting of human-made features and the others consisting of different types of natural landscape features. Ratings are based on a variety of factors. Human-made features that are not balanced by or integrated into natural features are considered of lower quality than those that are. Another factor is the degree to which a project would change existing views. In the area of I-205, the addition of more pavement and concrete structures to an area already consisting largely of such features would result in less change for the average viewer. The SDEIS section does not make a value judgment regarding the change, but does note that there would be less difference between existing and proposed conditions in this area compared to areas further east that are currently less developed.

Mitigation for visual impacts (e.g., retaining vegetation, planting coniferous trees for screening) has been incorporated into the **Preferred Alternative** and is outlined in the Visual Character and Resources Section of Chapter 3. To the extent possible, earth activities associated with the project will be utilized to blend proposed roadway slopes with the existing landscape.

#### **4(f): Section 4(f)**

The project received three comments from individuals on Section 4(f). The first said that the impacts are minimal and shouldn't slow the

project. The second echoed that statement, adding that we should protect historic places. A third comment said that the Section 4(f) analysis for Camp Withycombe is invalid because it does not consider peak oil.

As described in Chapter 3, under the **Preferred Alternative**, the KEX facility and the two historic buildings that would have been impacted under proposed alternatives and design options in the SDEIS, will not be affected.

The firing ranges at Camp Withycombe that were evaluated for the SDEIS and determined to be contributing factors to the site's eligibility as a Historic District were removed (month/year or years) as part of an environmental remediation project. After the firing ranges were removed, Camp Withycombe was re-evaluated for NRHP eligibility in 2010 as a historic district. ODOT and FHWA, in concurrence with the SHPO, determined that the camp was no longer eligible for listing in the National Register of Historic Places (NRHP). Individually eligible buildings still remain on the camp property, but those buildings are located outside the APE for the **Preferred Alternative** and will not be impacted directly or indirectly by the Sunrise Project. The affected portions of Camp Withycombe as outlined in the **Preferred Alternative** do not require further Section 4(f) consideration.

Issues regarding peak oil are addressed in the section discussing energy comments above.

Through project design, minimization, and avoidance measures implemented during the development of the **Preferred Alternative**, resources protected by Section 4(f) have been avoided. Thus, an individual Section 4(f) analysis for the Sunrise Project is no longer required. These issues are also addressed in Chapter 3, Cultural Resources Section, Parks and Recreation Section, and the supporting Section 4(f) and Section 106 materials provided in Appendix C.

## Overall Project Issues

This section summarizes comments from individuals received on overarching project issues, ranging from the process, to information presented (or not presented), to questions about phasing, funding, and implementation.

### PR: Process - General and PR1: Lack of Information

Several individual commenters expressed frustration that they did not know about this project when they moved into the area. Many stated that they are not feeling heard when they voice concerns or issues regarding the project. The public involvement process for the Sunrise Project has been going on since the late 1980s. Public involvement was re-initiated in 2004 to support the SDEIS. The public has been provided multiple opportunities and avenues to express their wants and needs for the area. The **Preferred Alternative** was developed in consideration of public and agency comments; changes such as extending the multi-use path eastward to Rock Creek Junction, the access at SE Goosehollow Drive or revisions to intersections at SE Deer Creek Lane were direct results of public input. Ultimately, the selection of a **Preferred Alternative** was made by balancing transportation performance and environmental outcomes, as guided by the project's Goals and Objectives.

Other individuals commented that the SDEIS document was not clear or well organized. The SDEIS was organized to highlight pertinent issues; however, it is a challenge to organize and write a document about a project of this complexity that all readers will find well organized and easy to read. Differences between alternatives and design options were presented as clearly as possible. To attempt to help the reader, the SDEIS included an executive summary to highlight important points within the document. Additionally, the public hearings and open houses for the project were staffed by public involvement staff, agency staff, and technical specialists to respond to the questions and concerns raised by the public.

## PR2: Improve Information Pieces

There were three requests for improvements to the information presented: (1) improvements to maps of the project and widening of OR 224; (2) more information on the actual impacts of construction (e.g., travel times, length of construction activities, and safety); and (3) more analysis of cumulative effects.

Maps throughout the document have been updated and improved to reflect the **Preferred Alternative**. The maps in the SDEIS were based on aerial photos from 2006. The maps in the FEIS use updated aerial photos from 2008.

New construction impacts are identified for the **Preferred Alternative**. In the short term, there will be construction impacts at points where the proposed highway will intersect with existing roads. However, most construction will be for a new facility and will occur largely off of existing roadways. Travel times during construction are typically not modeled but are handled through ODOT policies and standards for contractors regarding construction impacts. For example, detour development and signage, implementation of mitigation for temporarily-affected businesses, etc. will be developed in consultation with residents and business owners prior to construction.

The interaction between the Sunrise Project area and the rest of the region is discussed in the Transportation, Socioeconomic, and Land Use technical reports. The discussion on cumulative impacts has been updated in the FEIS (see Chapter 4).

## PR3: NEPA

Two commenters questioned the validity of the NEPA process, making several points: saying that the authors of the technical reports did not appear to be an interdisciplinary team, questioning the “reasonable range of alternatives” studied for the project, and stating that there was not sufficient reasoning given for truncating the length of the project to Rock Creek.

The list of preparers presented in the SDEIS is a well-qualified, multi-disciplinary team that was assembled to work on the project. Among those listed are preparers of technical reports representing a range of disciplines, from transportation planners and transportation engineers to social and biological scientists. Included on the list of preparers are the role, educational background, and years of experience of the members of the project team. The team worked together with design engineers to develop the alternatives and later evaluate impacts.

The SDEIS presented two build alternatives, one no build alternative, and multiple design options showing variations on the build alternatives that could be constructed at different points along the project corridor. Public comments received on the SDEIS have been read, analyzed, and presented to help in the selection of the **Preferred Alternative**. The Record of Decision (ROD) will be the decision document for the project. A broader range of alternatives was considered, including: TSM/TDM techniques only, arterial networks, high capacity transit and bus services, and other corridor alignments. These alternatives were not carried forward in the SDEIS because they did not effectively address the project purpose and need, were not consistent with local and regional planning, or would have substantially greater adverse impacts than other reasonable alternatives.

In the 1993 Draft EIS for the Sunrise Corridor, the project extended from I-205 to US 26. At that time, planning for then-rural lands east of Rock Creek was uncertain, making it difficult to determine the appropriate design and location for a major transportation facility. Through agreement between ODOT and Metro, the rural portion of the project was deferred until eventual completion of a master plan for the now-urban lands around Damascus. The planning for the City of Damascus is underway, with development of a Transportation System Plan and Comprehensive Plan, including plans for transportation facilities between US 26 and the Sunrise Project anticipated within the

coming year. FHWA determined that a Sunrise Project between Rock Creek and I-205 has independent utility and does not preclude future transportation alternatives for connecting to US 26 or serving the Damascus area. FHWA issued a Notice of Intent to prepare a Supplemental DEIS to address the more immediate transportation needs west of Rock Creek.

One of the primary reasons for modifying the east end of the Sunrise Project to the logical terminus of the Rock Creek Junction was to allow time for these new urban lands around Damascus to undergo master planning. The Sunrise Project is fully coordinated with this effort and has been designed to not preclude future transportation alternatives east of Rock Creek. A discussion of the UGB expansion in the Damascus area occurs in the Cumulative Impacts section of the FEIS (Chapter 4).

#### **PN: Purpose and Need**

Comments received addressing purpose and need generally questioned the need for the project, the project goals, and the ability of the project to solve local and regional transportation problems. The project is intended to serve planned patterns and densities of future growth and development. Changes in the economy may affect the rate of growth but the planned patterns and densities have not changed—it just may take longer for the assumed 2030 levels of development to occur. It is likely that the Sunrise Project will be built in phases in a manner that is appropriate to the rate of development and the availability of funding.

Another commenter asked about the role of transit in the project. TriMet was consulted in the early stages of this project and maintains that SE Sunnyside Road will be the main transit route for busses after the Sunrise Project is constructed. There are a few express bus service routes from the Damascus area that would potentially use the Sunrise Project, but final details will be determined by the City of Damascus, TriMet, and Metro.

#### **PH: Phasing/Funding and \$: Cost**

Three comments were received regarding phasing and funding; one against tolls, another asking where the money will come from to build the project, and the third saying the project should be continued farther east, beyond Damascus. Tolls were studied but determined not to be practical for the project; it is likely the Sunrise Project will be built in phases over time as increments of funding become available; and ODOT, Clackamas County, and the City of Damascus are currently studying the OR 212 corridor from Rock Creek to US 26 as a separate, independent project.

A related comment about cost questioned the affordability of the project. The project is likely to be constructed in strategic phases to match funding availability and travel demand growth.

#### **S: Safety**

Four individuals noted safety concerns as they pertain to changes in roadway access. The concerns focused on the SE Goosehollow area, which has been modified in the **Preferred Alternative** to allow right-in/right-out access.

#### **PS: Project Schedule**

Seven individuals commented directly on the project schedule. Four of these made statements to say that the project should be built as soon as possible. Of the remainder, one wanted to make sure that other infrastructure projects will be coordinated with the construction of the Sunrise Project, one remarked that planning ahead before development occurs is a good strategy, and the third inquired when the project will begin. The FEIS includes an anticipated schedule in the Executive Summary. The schedule shows construction beginning in 2013 at the earliest, pending approval and funding. Right-of-way acquisition, final design, and permitting can begin after the ROD is issued, and would take approximately two years.

Coordination with other projects will be handled during final design of the **Preferred Alternative**. Clackamas County and the cities of

Happy Valley and Damascus are involved in the project's management team and will coordinate construction projects as much as possible to minimize disruption to the communities.

### **ER: SDEIS Document Errors (Errata)**

One commenter noted that several of the technical reports published with the SDEIS were not signed and dated. All of these reports have been updated for the FEIS and have been appropriately signed. Refer to Chapter 6 for a summary of updates made in this FEIS.

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