

# LAKE OSWEGO TO PORTLAND TRANSIT PROJECT

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

| NAME (print)                           | ADDRESS AND ZIP CODE                              | Email                       |
|--|---|-----------------------------|
| ✓ Judie Hammerstad                     | ?   |                             |
| ✓ Chris Smith                          | ?   |                             |
| ✓ Howard Shapiro                       | ?   |                             |
| ✓ Peter Sweet                          | 796 First St. Lake Oswego 97034                   | fallsweet@gmail.com         |
| ✓ Vern Rifer                           |   |                             |
| ✓ Bully Bookin                         | 5736 SW Riverpoint Lane 97239                     | bookin@bookinggroup.com     |
| ✓ Richard Ross<br><del>Tam Mosen</del> |   |                             |
| ✓ Jeff Gudman<br>Fontes                | 4088 SW Orchard Way, LO 97035                     | J. Gudman 7150@gmail.com    |
| ✓ R A Fontes                           | 310 2 <sup>nd</sup> , LAKE OSWEGO, 97034          | rfontes@Q.C.O.B.            |
| ✓ Keith Benjamin                       | 1211 SW 5 <sup>th</sup> Ave. #1900 Portland 97204 | kbenjamin@Schwabe.com       |
| ✓ JERRY PARKER                         | P.O. Box 13503 97213                              | customerservice@hotmail.com |

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|                            |   |                              |
|----------------------------|---|------------------------------|
| ✓ Owen Ronchelli           | 700 NE Multnomah, Ste 340                   | owen@lloyd-tua.org           |
| ✓ Teri Cummings            | 2190 Valley Ct. West Linn OR 97268          | tcummings@westlinnoregon.org |
| ✓ DAVID BARTZ              | 1211 SW Fifth, P410 (biz) Lake Oswego (res) | dbartz@schwabe.com           |
| ✓ ELLIE McPEAK             | 123 FURNACE LD 97034                        | _____                        |
| ✓ RYAN GREEN               | _____                                       | _____                        |
| TONY MARX                  | _____                                       | _____                        |
| BRYAN DORNON               | _____                                       | _____                        |
| TARA KRUGEL                | _____                                       | _____                        |
| ✓ Charles B. Crmsby (Skip) | 1746 SW Birdhill Rd HONTAMUD OR 97219-8502  | sentinelskip@gmail.com       |
| ✓ RICHARD ROSS             | 2041 SE Elbert 97214                        | richardross@carrollint.net   |
| Jacob Thompson             | 5313 SE 77th Ave.                           | Jacobthompson16@hotmail.com  |



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|                            |  |                           |
|----------------------------|--|---------------------------|
| Jay Starke                 | 923 NE 76 <sup>th</sup> Ave                |                           |
| ✓ Crystal Wabnum<br>(OPAL) | <del>2407</del> 4616 NE Broadway St. 97213 | Crystal @<br>opalpolk.org |
| Ryan Green                 | 3700 Silverton Rd, Salem                   | ryan@vme.yahoo.com        |
| ✓ O'Callaghan              |  |                           |
| ✓ BRIAN MONBERG            | METRO 600 NE GRAND                         | brian.monberg@oregonmetro |
| ✓ Jim Bolland              | 804 5th LO 97034                           | jbolland@truckpro.org     |
| ✓ Mary Olson               | 18453 Tamaway Dr, LO 97034                 | maryolson@northwest.com   |
| ✓ Lauren Hughes            | 18711 Westview LO 97034                    |                           |
| ✓ MARK WITTE               | 12215 SE Raymond                           | MARK PD@SPIRITONE.COM     |
| ✓ PETE COIT                | 221 NW 18 <sup>th</sup> Ave Portland       | ON FILE                   |
|                            |  |                           |

TERRY PARKER  
P.O. BOX 13503  
PORTLAND, OREGON 97213-0503

36856

**Subject: Testimony to the Portland City Council on the Lake Oswego Streetcar  
April 20, 2011**

The proposed Lake Oswego Streetcar is shaping up to be another example of the frenzy of unsustainable spending by local governments for the primary purpose of leveraging a socially engineered agenda. The boondoggle project is akin to the Westside Express where the cost per passenger is nearly eight times that of the fares collected.

This type of project is exactly one of the reasons this country is in a recession. The project simply doesn't pencil out economically, it is NOT cost effective, travel times are too slow, and it has lacked any honest objectivity by those charged with doing so.

The project is being ego driven by a reckless, obsessive conspiracy of streetcar fanatics.

The advisory groups were likely hand picked, given a litmus test of sorts and vetted so they would say yes to the prerequisite of a streetcar recommendation in any consulting work commissioned by the City of Portland.

The whole process has been a manipulated stacked deck from the start – a charade devised to dictate to, and implement more authoritarian control over the people.

Even with the unbridled extravagance of spending nearly half a billion dollars for such a lavish project, the streetcar will only serve a trivial amount of the populous with little to no congestion relief on Highway 43. Moreover, if the proposed streetcar route takes the absurd long way around and is diverted off the private right-of-way and placed on Macadam Avenue near John's Landing; the streetcar will actually make things worse having a negative impact by creating additional and artificial congestion on Highway 43.

If the private sector took on a project like this using taxpayer dollars, it would be called a racketeering money laundering scheme. For the bureaucrats that support the streetcar, it's an ego trip calculated to keep Portland on the map of so-called progressive cities.

Progressive however in this case has gone full tilt coming across more like a socialistic welfare program for potential streetcar passengers and bookend developers that must be subsidized with blood money from local taxpayers. Please answer: where do the local money trees grow that can be picked and plucked?

The streetcar is the wrong way to go. It costs too much, the up front costs are too high and the daily operation requires ongoing taxpayer funded subsidies making the entire concept unsustainable. This biased railroad job needs to be stopped right here and now! The streetcar should NOT be built.

Respectfully,

Terry Parker



4/20/11

**TESTIMONY OF BEVERLY BOOKIN  
BEFORE THE PORTLAND CITY COUNCIL  
RELATED TO THE LAKE OSWEGO TRANSIT PROJECT (4/21/11)**

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Good morning. I am Beverly Bookin, a resident of Johns Landing and member of the LOTP Citizens' Advisory Committee (CAC) serving on behalf of the Johns Landing Owners Association, which represents the four condominium projects on the east side of SW Macadam Avenue at SW Pendleton Street.

As a member of the CAC, I started out as proponent of enhanced bus but over time became convinced that the streetcar is the more beneficial option. Although more expensive, the benefits of the proposed one-mile diversion of the streetcar from the Willamette Shores Line onto Macadam Avenue through the heart of Johns Landing are significant, in my opinion as a professional land use planner. With three proposed stations, including one at SW Pendleton Street, fixed transit will:

- Offer the stimulus needed to jump-start mixed-use redevelopment along the corridor that long has been lagging.
- Improve the pedestrian environment and create increased opportunities for intra-district walk and bike trips.
- Will result in 450,000 – 550,000 more riders a year than enhanced bus, including commuters from Lake Oswego and West Linn, reducing through auto traffic that degrades the quality of life in our neighborhood. In addition, because of its greater vehicle capacity, annual operating costs for the streetcar are estimated to be about \$1.5 million less than enhanced bus.

Both the neighborhood and business associations in the district are in support of the streetcar option in the preferred alignment along SW Macadam and are willing to lobby our neighbors for the establishment of a Local Improvement District to help fund the local share of the project's cost. Moreover, there is growing support to convert the unused portion of WSL for bike/pedestrian improvements to augment the Greenway that no longer has sufficient capacity, although approval and funding of such a "rail-to-trail" conversion would have to be considered separately.

For these reasons, I urge the Portland City Council to approve moving the locally-preferred option into the next phase of study, the Final Environmental Impact Statement. Thank you.

Beverly Bookin  
5736 SW Riverpoint Lane  
Portland, OR 97239  
503.245.2621

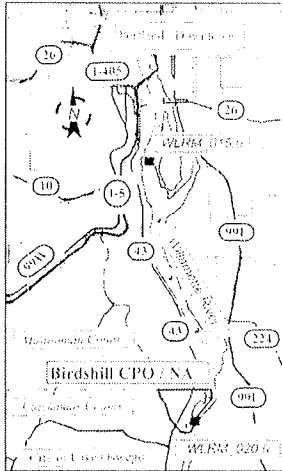
# Testimony upon Portland Oregon LOPT LPA by Charles Ormsby (Skip)

2011 April 19 Tuesday 17:00 U [5:00 PM PT]



**Prepared By:**  
Charles B. Ormsby  
(Skip)  
Sentinel

Birdshill area  
of Clackamas County and  
City of Lake Oswego  
Oregon



## Location:

The Birdshill CPO / NA (area) is a joint county and city community located on the west bank of the Willamette River between river miles 019.4 south to 020.2. This is about seven miles south of central Portland Oregon and immediately north of the City of Lake Oswego Oregon in Clackamas County.

Google Earth Coordinates  
Intersect: Midvale / Underhill Rds  
045° 25' 46.65" N, 122° 39' 39.90" W

## Contact Information Birdshill CPO/NA Vice Chair:

Phone: 503.636.4483 Residence  
Mail: Clackamas County – Birdshill Area  
170 SW Birdshill Road  
Portland OR 97219-8052

## Internet Presence – Birdshill CPO / NA

Email: [birdshillcpona@gmail.com](mailto:birdshillcpona@gmail.com)  
Website: <http://sites.google.com/site/birdshillcpona>  
Group: <http://group.google.com/group/birdshillcpona>  
YouTube: <http://www.youtube.com/birdshillcpona>

*sentinelsskip@gmail.com*

## Attached Files / Cross Referenced Files:

Page <Error! Bookmark not defined.>.

Detail levels, pages, document files and disk space:

| Detail Level        | No Pages | No Files | Cum Disk Spc [kb-kilobytes] |
|---------------------|----------|----------|-----------------------------|
| L1 – Abstract:      | 0        | 0        | 0 kb                        |
| L2– Summary:        | 0        | 0        | 0 kb                        |
| L3 – Key Docs:      | 0        | 0        | 0 kb                        |
| L4 – Total Outline: | 0        | 0        | 0 kb                        |
| L6 – World of Docs: | 0        | 0        | 0 kb                        |

Notes on referenced documents:

1. Files referenced have been posted to above website for download.
2. Downloaded files require name change to enable hyperlinks.
3. Files available for at least 30 days from date at top of column.
4. Files also available upon request by email to above address(es).

GLOSSARY & Terms – See spreadsheet: Edition Access

Edition: L1 – Abstract

Edition Access: L1 – Abstract

36856

## Entities:

2011 – 2012 Portland City Council

## 01 – Abstract of Testimony

In about four weeks I will complete a survey of Birdshill CPO / NA (Dunthorpe/ Clackamas County households & release findings for questions including:

1. Which of the following alternative methods should be implemented for public transit between Lake Oswego and Portland?
2. Which of the following courses of action should be followed with respect to planning for the Foothills District of Lake Oswego?
3. Which of the following alternative methods should be followed to provide zoning for urban renewal area and finance means for transit modes?

My Personal recommendations for LPA and succeeding phases of study based upon outcome of vote by City of Lake Oswego City Council on 2011 April 19 Tuesday 10:00 PM PT (22:00 U) include the following:

1. **Provide transit riders of TriMet Line 35 Macadam / Greeley** the opportunity to experience emulated streetcar service from Portland at Rose Quarter TC through downtown on 10/11 Avs to Lake Oswego by rerouting Line 35 like the streetcar and introducing two required transfers from the target destination of Pioneer Courthouse – PSU and Lake Oswego to Oregon City TC. Note transfers take a minimum of seven minutes. Rescheduling to be complete by Labor Day – TriMet Fall Schedule change through 2012 June.
2. **Answer safety issues of running gasoline tankers** underneath overhead cantenary lines for streetcar along with stopping distances on imbedded rails in the pavement of OR 43 aka Macadam Ave in direction of travel in outrigger lanes from SW Boundary (St John's Landing Water Tower) to SW Carolina Street (Entry to Willamette Park).
3. **Explore economic benefits to City of Portland** by routing streetcar from John's Landing at SW Macadam / SW Boundary on SW Hood and SW Virginia and up to Lewis and Clark College through unused portion of Riverview Cemetery. Potential developable land may be 75 to 100 acres and resurrect the Cemetery's declining financial condition. Burial plot supply of 300 to 500 years if the institution can stay solvent. Plus enable direct connection between L&C College / NW Law School to Pioneer Courthouse. A trip in 2011 requires one transfer from Pioneer Courthouse or PSU and two from Lake Oswego. Safer potential for bike connection (No 1,440 ft tunnel) Contrast with hill climb of about 300ft WSL/SW Radcliff to L&C College.
4. **Divulge the operating parameters** for the Tryon Creek Wastewater Treatment Plant (WTP). Answer the question how many equivalent dwelling units can infuse effluent into the Willamette River at a given level of treatment (2<sub>nd</sub>, 3<sub>rd</sub>, 4<sub>th</sub>, and 4<sub>th</sub>+ levels) and discharge water temperature at Willamette River Mile 20.2 (Tryon Creek WTP infusion point in Willamette River).

## Bottom Line

1. Vote NO to advance the LOPT project beyond the current state of the DEIS today and (de)selection of Locally Preferred Alternative.
2. Vote as an amendment to LPA resolution to inform City of LO, Portland rate payers and taxbase will not contribute to beautification of Tryon Creek WTP
3. Vote as an amendment to LPA resolution to determine risk exposure to WSL consortium due to potential sub-duction earthquake collapse of WSL ROW due failures at Carey Lane and Elk Rock Tunnel.

Concept of Concentrated Benefits with Distributed Costs over time and a population of people (US/OR/Local) has ceased to be viable unstated public policy as of 2011 Apr 18 Monday. Three Reasons:

1. Standard and Poor's rating the US debt as risky. Due to politicians at all government levels refusing to deal with the debt load issue in any way shape or form by any matter, means or method.
2. Risk of ownership of Willamette Shore Line (WSL) and liability for potential collapse of OR 43 due to anticipated subduction earthquake rupture of Cascadia Fault has been ignored.
3. Oregonian Editorial: "Get off the LO Streetcar, Portland and Lake Oswego City Councils should acknowledge what's increasingly obvious: This is the wrong way to go"



R A Fontes, 310 2nd, Lake Oswego.

Never before have we had an LPA which degrades service in terms of time, convenience, access, and cost. Between the hearts of our two cities, TriMet schedules bus at 18 to 33 minutes. Servicing neither, the same trip by streetcar will take 45 minutes. Median bus trip time 27 minutes --- 45 streetcar. So some bus trips my wife and I now take will be impossible by streetcar. We probably won't take streetcar for some other current bus trips, especially at night or in weather because of longer walking distances or forced transfers at both ends. It's too easy to go directly from garage to destination in our own car. We're not alone. Others facing streetcar realities will find themselves using cars in Portland more and transit less.

Many within Portland's Urban Services Boundary south of the Sellwood Bridge lack a safe reasonable route to the one streetcar stop in the entire area and will lose transit access.

TriMet can't pay for project operations costs until at least FY 2019, and then only by raising fares or not funding needed services.

This project is so unnecessary. The resolution's first two declaratory paragraphs are false. Official data from all levels of government, as in your email supplement, show slow growth with flat to declining transportation demand. The last page, the traffic shed map, is an internal Metro document developed years ago, and is prima facie evidence of fraudulent analysis.

Streetcar's one operational advantage is its partially exclusive alignment. TriMet buses have about 80% reliability and MAX, like streetcar with both exclusive and shared right-of-way, about 85. The difference is real, but marginal, and doesn't make up for streetcar's liabilities.

Metro's RTP allocates 3.6 million 2007 dollars to line 35 for Frequent Service, which will add 605 service hours weekly, more than doubling capacity. Frequent Service means signal prioritization, stop amenities, surgical stop consolidation, faster trips---all included in no-build.

The proposal for enhanced bus is a disgrace -- an opportunity squandered.

Only one alternative is the cheapest to build and operate, requiring no City funding.

Only one minimizes congestion.

Only one provides the fastest trips for the majority of riders.

Only one is the most convenient.

Only one provides the most mobility and access to transit.

Only one will improve service for each and every rider without exception.

It didn't have to be this way, but the only alternative which does all this is no-build.

4/20/11

36856

TESTIMONY: PORTLAND CITY COUNCIL

By Alice Schlenker—Mayor, Lake Oswego 1988-1996

President, Oregon League of Cities 1995

Honorable Mayor Sam Adams, and Honorable City Councilors.

I appreciate the opportunity to submit to you testimony regarding your decision on the proposed Portland Lake Oswego Transit Project.

There has long been cooperation and a partnership between Lake Oswego and Portland regarding Land Use and Transportation issues, and most particularly the consortium established in 1989 regarding the Willamette Shore Line, and Willamette Shore Trolley. I could not have envisioned a worse scenario, when we purchased this line for \$1.2 M, than the one poised before our joint communities now.

It's extremely unfortunate, that the streetcar alternative before you does not, in my view, share either my city's vision, or produce the alternative transportation product, that would best serve our community of 36,000 today.

I believe this for two reasons:

1. Based on the Purpose and Objectives of the Lake Oswego to Portland Transit Project as stated in the Draft Environmental Impact Statement, December 2010, the streetcar alternative should "garner broad public support".



However, based on recent testimony in Lake Oswego at the City Council Hearing last week and “on line”...the support in Lake Oswego for the Streetcar is just not there. And as more and more people are becoming aware of the cost, and the “Foothills” details for the streetcar, it is losing even more support.

I would suggest we could generate the “BROADEST public support” with the original proposal, “Rails to Trails”.

This alternative of opening a safe biking segment between Lake Oswego, and Portland, while not in the DEIS, has long been part of the thinking for the Willamette Shore Line. This concept is outlined in Lake Oswego’s existing Comprehensive Plan. On page 3-19, DEIS...”maintain opportunities for future mass transit, BIKE and PEDESTRIAN PATHS by working to preserve existing railroad rights-of-ways”.

.....

2. A pertinent statement in the DEIS states on Pg. 1-2.....

”Downtown Lake Oswego is one of the region’s most fully developed Town Centers.”

This is a significant, regional planning acknowledgement within Metro’s 2040 Plan.

Yet, some of our leaders are pushing for yet another “Foothills” Urban Renewal Plan. One can only conclude, an even higher density in Lake Oswego will sell the streetcar option at this time. Even though no plan currently exists. And little public awareness of this planned element is known .

To achieve the “Town Center” built designation, the Lake Oswego Redevelopment Agency (LORA), when I was Mayor, redeveloped (pg. 3-7), “Oswego Point comprising 522 multifamily housing

units...20,000 sq. ft of office space .....Willamette waterfront pathway, a water sports center, a Willamette river amphitheatre, and a boat dock. This is in the "Foothills" area, and part of our downtown core.

On State Street and A avenue we assembled property for retail and office space.... culminating more recently in a 84,000 sq ft retail office space and 366 spaces parking structure, Throughout this lengthy urban renewal process, three different mayors, over a 25 year timeline were working with you, Portland, to keep the Willamette Shore line open.

But, the future is now, and THIS STREETCAR project needs to be "DERAILED". It's a grandiose scheme that cannot succeed due to unrealistic costs, and yet to be determined land use planning. I would, at this time, suggest you initiate the responsible decision and vote NO.

I believe it would be the LEGITIMATE, and CREDIBLE action to take at this time, as economic and fiscal tensions are gripping our communities, our state and nation.

Thank you for your partnership and your leadership.

Respectfully,

Alice Schlenker

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36856

**Moore-Love, Karla**

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**From:** Jim McLaughlin [jjim.mclaughlin@gmail.com]

**Sent:** Wednesday, April 20, 2011 8:17 AM

**To:** Adams, Sam; Commissioner Fish; Leonard, Randy; Moore-Love, Karla; Commissioner Saltzman

**Subject:** Lake Oswego Street Car Extension

I urge you to vote against the Streetcar expansion to Lke Oswego at council today.

This is a system with far too high a price tag, far too low a ridership base, and far too inflexible.

Enhanced bus service in the corridor is a better solution, and a cheaper solution over the next 40 years.

This Council needs to stop spending money the City - and the taxpayers - do not have, especially when that money is spent to line the pockets of developers engaged in projects in other cities.

Thank you.

Jim McLaughlin

President

West Portland Park Neighborhood Association

4/20/2011

**Moore-Love, Karla**

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**From:** Stephen Cutrera [stevecutrera@comcast.net]  
**Sent:** Tuesday, April 19, 2011 10:38 PM  
**To:** Moore-Love, Karla  
**Subject:** streetcar

Dear City council members:

Don't add to our budget woes by supporting this streetcar .

At a time when funds are needed for so many other projects, do we need a Rolls Royce when we can get by with a Caddy? DO we need a half billion dollar streetcar when we have perfectly good and functional trimet services?

We have a bridge called the Sellwood which needs replacing. Isn't the money better spent there?

I don't care if some of the money to pay for this project is coming from Washington. It is still coming from the taxpayers (like me).

This line will affect our environment.

The environmental impact will be huge. One small example: Many waterfowl nest along this corridor, Those nesting areas will be lost forever.

Many of my friends and associates are against this project; they just dont think they can do anything about it. But they, and I , will remember the fact that you committed so much of the taxpayers hard earned money to this unnecessary project on election day.

sincerely

Stephen Cutrera



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**Moore-Love, Karla**

**From:** Uwagbae, Grace  
**Sent:** Tuesday, April 19, 2011 3:51 PM  
**To:** Moore-Love, Karla  
**Subject:** FW: Citizen Comment to Portland City Council Opposing the Streetcar Alternative  
 For public record.

Thanks Ms. K!

.....  
**Grace Uwagbae**  
 Public Advocate  
 Office of Mayor Sam Adams  
 City of Portland  
 1221 SW Fourth Avenue, Suite 340  
 Portland, OR 97204  
 P: 503-823-4740  
 T: @GracieO says  
 E: [grace.uwagbae@portlandoregon.gov](mailto:grace.uwagbae@portlandoregon.gov)  
 W: [mayorsamadams.com](http://mayorsamadams.com)

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**From:** Carolyn Jones <[jonescarolyn@hotmai.com](mailto:jonescarolyn@hotmai.com)>  
**Date:** April 19, 2011 1:41:16 PM PDT  
**To:** "Adams, Sam" <[Sam.Adams@portlandoregon.gov](mailto:Sam.Adams@portlandoregon.gov)>, Commissioner Fritz  
 <[amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)>, Commissioner Fish  
 <[Commissioner.Fish@portlandoregon.gov](mailto:Commissioner.Fish@portlandoregon.gov)>, "Leonard, Randy"  
 <[Randy@portlandoregon.gov](mailto:Randy@portlandoregon.gov)>, Commissioner Saltzman  
 <[dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)>  
**Subject:** Citizen Comment to Portland City Council Opposing the Streetcar  
 Alternative

Please include the following in the public record:

The DEIS addresses indirect and cumulative effects on the Highway 43  
 corridor on Page 3-153. It states that: "If the project enables future

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development or redevelopment to occur, water quality mitigation would likely be required in addition to the proposed water quality mitigation for this project.” This statement is deceptive, because if the Streetcar Alternative is realized, Metro mandates that high-density development must occur along the Hwy 43 corridor as an element of economic feasibility.

The paragraph continues: “Past and future development within the watershed cumulatively affects the health of the watershed by removing natural cover, creating impervious surfaces, channelizing streams, altering flow regimes and discharging contaminants into water bodies.” Continuing on Page 3-154 and in reference to development the concession is offered: “Much of this development would occur in previously disturbed, existing impervious areas. Additionally, by focusing development in underutilized urban areas, development pressure in outlying rural areas could be lessened, which could potentially limit sprawl and help to protect forests and farmland in headwater reaches.”

These last two appeals were recently put before the Lake Oswego City Council by owners of private property affected by Lake Oswego’s Sensitive Lands Regulations without significant relief. Those current, onerous Sensitive Lands Regulations primarily were placed on properties with previously disturbed, existing impervious surfaces. Cities must be held accountable to the laws that they pass for everyone else to abide by. Demanding that others live up to standards created by those who have no intentions of living up to them themselves is hypocrisy.

The Hwy 43 corridor from the Sellwood Bridge to the Foothills District is an extremely significant environmental area, especially for fish, and it should be preserved, rather than targeted for high-density development.

Please vote "no" on the Streetcar Alternative to avoid destructive impacts on the natural environment.

Carolyn R. Jones

2818 Poplar Way

Lake Oswego, 97034

36856

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**Moore-Love, Karla**

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**From:** Winterbottom, Doreen [DWinterbottom@SCHWABE.com]  
**Sent:** Tuesday, April 19, 2011 3:39 PM  
**To:** Moore-Love, Karla  
**Cc:** Bartz, David  
**Subject:** Lake Oswego to Portland Transit Project  
**Attachments:** CANON4F5259\_LDAPMAIL\_04192011-152811.pdf

Dear Council Clerk:

Attached is a letter that I am forwarding on behalf of Dave Bartz for the council meeting to be held tomorrow.

If you have any questions, please do not hesitate to give me a call.

Thanks, Doreen Winterbottom

**DOREEN WINTERBOTTOM | Secretary to David F. Bartz, Jr. and Laura Maffei**  
**SCHWABE, WILLIAMSON & WYATT**  
1211 SW 5th Ave., Ste. 1900 Portland, OR 97204  
Direct: 503-796-2850 | Fax: 503-796-2900 | Email: [dwinterbottom@schwabe.com](mailto:dwinterbottom@schwabe.com)  
*Legal advisors for the future of your business®*  
[www.schwabe.com](http://www.schwabe.com)

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4/19/2011

**David F. Bartz, Jr.**

3242 S. Glenmorrie Drive | Lake Oswego, OR 97034 | [dbartz@schwabe.com](mailto:dbartz@schwabe.com)

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April 19, 2011

**VIA E-MAIL [KARLA.MOORE-LOVE@PORTLANDOREGON.GOV](mailto:KARLA.MOORE-LOVE@PORTLANDOREGON.GOV)**

Karla Moore-Love  
Council Clerk  
Portland City Council

Re: Lake Oswego to Portland Transit Project

Dear City Council:

I am an owner of a business headquartered in Portland, Oregon, and a Lake Oswego resident. I am an active and proud participant in our communities and have been since 1982. I am writing to ask you to stop further spending on the "Lake Oswego to Portland Transit Project." Your time and talent and our tax dollars are better spent on something other than this alternate transportation project that is financially risky, not needed and likely to irreparably damage the livability of the communities upon which it is being imposed.

As an owner of a business founded in Portland, we focus on strengthening our communities through personal effort and financial support while building the economy and improving the environment by minimizing our impacts on the environment. One of the first lessons of sustainability is to build on existing strong foundations. The alternate bus system, which could be the beneficiary of positive action in rejecting the streetcar, is such an example. We do not need a new alternate transportation system. As recounted in the attached letter, the expense is significant. The sources of the funding would further cripple our region struggling to find its way forward. \$144,000,000 in local match is not going to come from our State government that is billions of dollars in the hole; it is not going to come from taxes on local businesses and individuals in an economy already restructuring to face a new normal; and it won't come without already impacting other programs that have grown expensive (such as water bills) or existing and worthy programs that need additional investment, not reduced investment (such as freight, bike, urban renewal and local improvement district improvements). The debt demanded for the project is ill-advised and poorly timed.


Leadership means making hard choices. Our best leaders have said "no" to "shiny, new baubles" or "nifty" ideas. I recognize all of the momentum the formal planning community has invested in getting the project this far. That momentum does not equal the "broad public



Karla Moore-Love  
April 19, 2011  
Page 2

support" required to advance the project. We need you to say "no" to the illusory benefits of this alternate transportation system and instead, embrace what we know and what we need.

Very truly yours,



David F. Bartz, Jr.

DFB:dl  
Enclosure

David F. Bartz, Jr.

3242 S. Glenmorrie Drive | Lake Oswego, OR 97034 | dbartz@schwabe.com

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April 19, 2011

VIA E-MAIL RCHRISTIE@CLOSWEGO.OR.US

Robyn Christie  
City Recorder  
Lake Oswego City Council

Re: Lake Oswego to Portland Transit Project

Dear City Council:

I am a Lake Oswego resident and have been active in our community for 29 years. I have worked on neighborhood projects and invested significant time in the multi-year process with the City and our neighbors to develop what is now known as the River Road Pathway. I have given of my time and my talent to improve our community. I write you today regarding the "Portland to Lake Oswego Transit Project." Please vote, "No".

The project is not needed; it is expensive and the added costs will divert money from current systems that work well. I am a 29 year commuter to Portland. The project will cause dramatic physical destruction of our beautiful Lake Oswego and will devastate the surrounding environment.

The planning documents establish 3 key criteria for the project to meet before it should be advanced in the process. The project must: (a) be fiscally responsive, (b) maximize required recourses and (c) "garner board public support". The project does not meet those standards.

A. A Streetcar Named ~~DESIRE~~ DENIAL

Who "desires" the streetcar? The people pushing the streetcar are planners and career politicians; "visionaries", perhaps, but they are not the people that will pay the bills. Upwards of \$460,000,000 to build the project? Really?

In this economy and with the foreseeable economic future facing us, should we spend \$460,000,000 on an alternate transportation system for which there is no proven need? That really is not a good idea. The proponents gloss over a critical missing element: financing.

Oregon faces a multibillion dollar shortfall in the next two-year state budget. No one predicts a dramatically improved economic future beyond those two years. State and local funding for existing worthy projects is tight or faltering. We should not add this new project.

We currently have a multi-trillion dollar deficit in federal spending in the United States. And yet, this project relies on 60% funding from the federal government. Just last week, President Obama and leaders of the minority party put forward competing proposals to reduce

Robyn Christie  
 April 19, 2011  
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the deficit. Each proposal relies on radical and deep cuts in current spending and dramatic changes to our taxes.

Local publicity in favor of the streetcar suggests seniors need the streetcar. That's hogwash. Seniors need Medicare more than they need a trolley and yet Medicare is on the chopping block. Medicare cuts may be only one part, albeit an important part of the deficit reduction, but that fact it's being seriously considered underlines the tight financial spot we are in. Having our local community become one of the millions of voices screaming for more federal dollars when our country's finances are so far sideways is an embarrassment to our community. We would not tolerate our children spending money this way; we shouldn't either.

B. "Where Art Thou, Oh Romeo?"<sup>1</sup>

It's certainly a romantic line, but "where" is not a question the streetcar pushers want to answer.

1. WHERE is the need for the streetcar to Portland?
2. WHERE do we get the money to pay for the project?
3. WHERE does this project take us?
1. *WHERE is the need for the streetcar to Portland?*

The planning documents do not set forth facts or a reasoned evaluation that provides a need for the streetcar. The current bus system is not broken. The enhanced bus system builds on an existing and functioning system. The streetcar does not offer a meaningful improvement in the number of people transported nor does it improve transportation efficiency to justify the expense and risk. Approximately 400 rush-hour riders would get the benefit of the streetcar and, on the best day, they would save 7 minutes. An improved bus system can move more people and move there more quickly than current conditions. Furthermore, the proposal leaves our neighboring communities to the south, stranded. The streetcar is a solution looking for a need. It is not needed.

2. *WHERE do we get the money to pay for the project?*

I have already discussed the substantial financial problems. More critically, the money will come from local projects or from unfinished projects which should be completed. The rushed nature of this project, pushing forward development by 2017, will rob money from projects we have already recognized have value. What sense is there in starting something new until we have finished what we have already begun? That is the epitome of waste.

And now let's talk about the important question of where the local match would come from. \$144,000,000! The State of Oregon cannot help us out; they need \$3 Billion to keep

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<sup>1</sup> Apologies to William Shakespeare.

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our schools open, social services limping along police functioning and prisons operating. There will not be much State support for an illusory alternate transportation system. In just the last election, lottery dollars were permanently committed to parks. Parks are important but that commitment means there is less money going forward for the multiple good purposes for which lottery dollars are used, now. This streetcar -- an unneeded alternate transportation system -- doesn't rise to the level of need that would capture any of those already well-used lottery and other limited public dollars.

3. *WHERE does this project take us?*

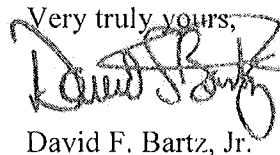
The descriptions of the future of Lake Oswego with the streetcar are fundamentally wrong for our community; the vision being sold us is a vision built on a presumption of consumption. It is not about sustainability. Throwing out a working system for a "shiny, new" alternate is not a sustainable approach. A future built on the new and experimental should not replace tried-and-true, unless tried-and-true is broken, or failing. We are not in a situation where we need an alternate transportation system. Finally, this project takes us to a future that is a multi-story dream built on shaky foundations (geological and financial). Fewer jobs and fewer student-age children in Lake Oswego cannot be replaced by high-rise development in our downtown. Partially filled glass towers become empty memorials to wishful thinking.

Destroying working systems and our valued natural environment is not transformative, it is simply destructive. The formal planning documents show the thousands of vehicles needed to haul away nearly 100,000 cubic yards of our land. Construction alone consumes 10 times more gasoline than the enhanced bus alternative to this unneeded alternate transportation system. The enhanced bus system—an improvement to the current working system—does not put more weight on shaky geologic foundations; it doesn't scar the earth and natural areas we have come to love and protect.

As City leaders, you have required me to protect the natural environment in my back yard with more thoughtfulness than you are now using regarding the natural environment of our community and the natural environment of our neighbors. It simply doesn't make sense.

We care about our community. We invest our time, talent and money to improve it. The streetcar is an alternate transportation project we do not need and it is a project that will hurt our community.

Please vote No.

Very truly yours,  
  
David F. Bartz, Jr.

DFB:dl

36856

**Moore-Love, Karla**

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**From:** Bill Hurst [hurstw46@gmail.com]

**Sent:** Tuesday, April 19, 2011 1:52 PM

**To:** Moore-Love, Karla

**Subject:** LO Streetcar

VOTE NO. The Oregonian editorial this week got it exactly right. This is a project that is deeply flawed.

It will not solve the region's transportation needs, is widely expensive, and clearly should be a very low priority item among many more pressing needs.

VOTE NO.

Bill Hurst

4/19/2011



36856

**Moore-Love, Karla**

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**From:** Janine Dunphy [janine\_dunphy@comcast.net]**Sent:** Tuesday, April 19, 2011 12:54 PM**To:** Moore-Love, Karla**Subject:** FW: Lake Oswego Streetcar Testimony

Hi, Karla-

Here is my testimony for tomorrow – Wednesday, April 20<sup>th</sup>. I am unable to attend your meeting.

Thank you-

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**From:** Janine Dunphy [mailto:janine\_dunphy@comcast.net]**Sent:** Tuesday, April 19, 2011 12:23 PM**To:** 'Samadams@portlandoregon.gov'**Subject:** Lake Oswego Streetcar

Dear Mayor Adams and City Councilors:

Please vote NO on the streetcar as the locally preferred transportation option. I am a 40 year resident of Lake Oswego – as was evident at the Lake Oswego Public Hearing last week – the overwhelming people in Lake Oswego are in opposition to this street car.

Regardless of how our Council votes tonight – the majority of citizens do not want it. And, lest you think it is about the money – it is about the streetcar forever changing the charming character of our city, and, yes – it is also about the money. LO citizens do not want to spend \$2.5 million to study this further, and it is inconceivable that the entire region would be required to spend a total of 25 million for further study. No municipality has the money to do this, and the federal government is trillions of dollars in debt.

It is a dereliction of duty for any elected official to vote for any expense of this magnitude during a recession. Citizens should not be responsible to pay for anything that is purely part of any elected official's personal ideological agenda.

If Portland wants the streetcar – take it as far as the Sellwood Bridge, and please leave us out of this. After all, and I cannot resist this, we have our Bentleys to get us around. And even those in Lake Oswego without Bentleys are not going to ride this on any regular basis, if at all.

Thank you-

Janine Dunphy  
15450 SW Boones Ferry Road  
Lake Oswego, OR 97035

4/19/2011

36856

**Moore-Love, Karla**

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**From:** Phil and Rosie Hamilton [rosiephilh@msn.com]

**Sent:** Monday, April 18, 2011 9:04 PM

**To:** Moore-Love, Karla

**Subject:** LO streetcar

The Oregonian has it right. It would be a nice addition to my neighborhood but it's ridiculously expensive and not even an environmental plus. Reject it.

Phil Hamilton  
7215 SW LaView Dr.  
Portland 97219

4/19/2011

36856

**Parsons, Susan**

**From:** swtrail@googlegroups.com on behalf of Don Baack [baack@q.com]  
**Sent:** Monday, April 18, 2011 3:07 PM  
**To:** Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman; Baack Don  
**Subject:** [Approved Sender] Portland to Lake Oswego Streetcar

***Dear Mayor Adams and Commissioners***

I am writing to urge you to vote to oppose the Portland to Lake Oswego Streetcar for a number of reasons:

1. It is too expensive and not where we should be spending our money.
2. The projections of development appear to be extrapolated from a unique base in the Pearl where hundreds of millions of additional infrastructure was invested in addition to the Portland Streetcar investment and it was in the Central City. .
3. There is some question if the existing trolley right of way is in fact usable for a down payment on the streetcar. If federal dollars were used in acquiring the trolley, FHWA rules will not permit that asset to be used as a down payment for a subsequent project.
4. A well built bicycle and pedestrian trail would carry 8,000 riders per day in 2030.
5. A creative bus route that would have some of the buses serving Lewis and Clark College via Terwilliger will increase ridership according to Metro Planers and serve a commuter market largely ignored by Tri-Met. A more thorough analysis of the Terwilliger/Boones Ferry/Taylors Ferry Road route could result in faster bus commute routes that the congested highway 43. This was not investigated by the Metro staff.
7. As I see bus routes being eliminated in my neighborhood, bus headways being increased, and service curtailed for all but commuter hours, I question spending huge dollars on a questionable investment.
8. Were this investment being examined by a private industry firm, a detailed net present value analysis would be done to show just how much more the streetcar would cost in todays dollars over the life of the streetcar investment. That has not been done.
9. This appears to provide a gravy train for a few developers.

Time to stop wasting money on this idea. We need to move on to more promising endeavors.

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To my friends on the trails list. The Portland City Council needs to hear from you on this important investment. See todays Oregonian opinion piece as well at:

[http://www.oregonlive.com/opinion/index.ssf/2011/04/get\\_off\\_the\\_lo\\_streetcar.html](http://www.oregonlive.com/opinion/index.ssf/2011/04/get_off_the_lo_streetcar.html)

Use the addresses of the Portland City Council above to send your own note telling them what you think of the huge investment and how it stacks up with your priorities.

They will be voting this week.

Thanks

4/19/2011

36856

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Don Baack  
6495 SW Burlingame Place  
Portland OR 97239

503 246 2088

[baack@q.com](mailto:baack@q.com)

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You received this message because you are subscribed to the Google Groups "SWTrail" group.  
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For more options, visit this group at <http://groups.google.com/group/swtrail?hl=en>.

**Moore-Love, Karla**

36856

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**From:** Fontes [rfontes@q.com]  
**Sent:** Monday, April 18, 2011 2:01 PM  
**To:** Moore-Love, Karla  
**Subject:** Supplementary material for streetcar testimony 4/20  
**Attachments:** 11.pdf

Ms. Moore-Love,

Thank you for your help. Please let me know if there's any problem with the PDF. I will bring seven hard copies of the oral testimony (three-minute version) Wednesday morning.

Thanks again,

R A Fontes

4/19/2011

## Lake Oswego to Portland Transit - April 20, 2011

Testimony Supplemental Information - R A Fontes PO Box 144, Lake Oswego 97034 [rfontes@q.com](mailto:rfontes@q.com)

**Compared to current bus, streetcar will be more expensive to operate, less convenient, and cost the average rider about 30 minutes every round trip.**

Project estimates claim that growing congestion will bring much slower bus trip times than those for streetcar and that extraordinary corridor ridership growth will make streetcar cost-effective. Are these claims realistic?

Note: The word "**Section**" is used to describe the area that would be served by the Streetcar Extension from downtown Lake Oswego to the end of the current alignment at SW Lowell Street.

**Underlying trends and demographics call for transportation stability in the corridor, not rapid growth.**

**Table 1: Employment by County**

Jobs are migrating from Multnomah to suburban counties.

|            | Jan 2001 | Sep 2010 (Preliminary) |
|------------|----------|------------------------|
| Clackamas  | 132,277  | 137,440                |
| Multnomah  | 444,684  | 421,967                |
| Washington | 228,610  | 237,358                |

Data from Bureau of Labor Statistics, Quarterly Census of Employment and Wages Database with data from 1/01 through 9/10.

**Table 2: Percentage of workers who work at home**

Since 1980, a growing percentage of Americans work at home, reflecting part of the internet revolution.

| Year    | 1960 | 1970 | 1980 | 1990 | 2000 |
|---------|------|------|------|------|------|
| Percent | 7.2  | 3.5  | 2.3  | 3.0  | 3.3  |

Data from US Census Bureau, "All workers, and workers who worked at home for the United States: 1960 to 2000."

**Table 3: Lake Oswego & West Linn statistics**

Lake Oswego and West Linn demographics suggest stability, not rapid growth. From US Census and US Census Bureau American Community Survey 2005-2009 5-year estimates:

| County/City | Median Age | Per capita Income | Median Home Value | 2000 Census | 2010 Census | Census % Change |
|-------------|------------|-------------------|-------------------|-------------|-------------|-----------------|
| Clackamas   | 39.4       | \$31,753          | \$323,600         | 338,391     | 375,992     | 11.1            |
| Multnomah   | 35.4       | \$28,496          | \$269,900         | 660,486     | 735,334     | 11.3            |
| Washington  | 34.5       | \$30,020          | \$296,500         | 445,342     | 529,710     | 18.9            |
| Lake Oswego | 42.3       | \$47,589          | \$525,700         | 35,278      | 36,619      | 3.8             |
| West Linn   | 42.0       | \$43,745          | \$421,700         | 22,261      | 25,109      | 12.8            |

Lake Oswego and West Linn rank 1st and 2nd respectively among all cities in the TriMet district over 20,000 population (ACS 3-year threshold) in the three attributes shown. The areas near Hwy 43 are developed and subject only to redevelopment and in-fill.

Since LO and WL residents are the oldest, they're least likely to need to travel to Portland on a daily basis. Since their income is the highest, they are most able to afford private vehicles. And since their homes are the most expensive, only those who are well established in their careers (i.e. older) can most afford to move there. Given that the oldest "baby boomer" just turned 65 on New Years Day and that the youngest won't turn 70 (and thereby qualify for maximum deferred Social Security) until the end of 2034, we should expect stable demographic and transportation demand patterns in Lake Oswego and West Linn for several decades at least.



**Table 4:** Corridor Growth Projections from DEIS Table 3.2-1:

|               | 2005         |              | 2035          |               |
|---------------|--------------|--------------|---------------|---------------|
|               | Households   | Employment   | Households    | Employment    |
| Johns Landing | 1,145        | 8,083        | 3,688         | 12,937        |
| Dunthorpe     | 1,136        | 1,564        | 1,518         | 2,377         |
| Lake Oswego   | <u>7,578</u> | <u>5,415</u> | <u>11,477</u> | <u>10,235</u> |
| Total         | 9,859        | 15,062       | 16,683        | 25,549        |
|               |              |              | Growth        | Growth        |
|               |              |              | 222%          | 60%           |
|               |              |              | 34%           | 52%           |
|               |              |              | 51%           | 89%           |
|               |              |              | 69%           | 70%           |

The DEIS is projecting approximately 70% growth in households and employment in the three corridor districts which include the Section, but almost 470% growth in Section no-build transit ridership [Table 4.2-6]. This is in spite of long-term flat to declining Section Highway 43 traffic, bus ridership, and bus trip times.

Available transportation data show flat to declining demand in the corridor.

**Table 5:**

**OREGON DEPARTMENT OF TRANSPORTATION  
TRAFFIC COUNTING PROGRAM  
TRAFFIC VOLUME TABLES  
HIGHWAY 43**

| <u>Milepost/Year of change</u> | <u>Location</u>           | <u>1993</u> | <u>1994</u> | <u>1995</u> | <u>1996</u> | <u>1997</u> | <u>1998</u> | <u>1999</u> | <u>2000</u> | <u>2001</u> | <u>2002</u> |
|--------------------------------|---------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 1.01 1.03/05<br>1.00/06        | N of Julia                | 28,000      | 36,200      | 37,300      | 38,400      | 29,000      | 29,000      | 29,800      | 29,000      | 29,400      | 29,800      |
| 2.19 2.15/08                   | N of Taylors Ferry        | 26,000      | 38,700      | 39,900      | 41,100      | 28,700      | 28,700      | 29,000      | 30,500      | 30,900      | 31,300      |
| 2.58 2.54/08                   | N of Sellwood Ferry       | 38,000      | 37,100      | 38,200      | 39,300      | 36,600      | 36,600      | 37,300      | 37,700      | 38,100      | 38,600      |
| 3.64                           | S City Limits Portland    | 20,000      | 21,100      | 21,700      | 22,400      | 24,300      | 24,300      | 24,600      | 20,900      | 21,300      | 21,700      |
| 4.03 4.02/08                   | N of Riverwood            | 20,000      | 21,100      | 21,700      | 22,400      | 27,800      | 27,800      | 28,100      | 24,400      | 24,800      | 25,300      |
| 5.73 5.72/06<br>5.69/08        | N of Terwilliger          | 24,000      | 21,200      | 21,800      | 22,500      | 20,700      | 20,700      | 21,200      | 19,100      | 19,400      | 19,700      |
| 5.79                           | N City Limits Lake Oswego | 28,000      | 26,100      | 26,900      | 27,700      | 24,900      | 24,900      | 25,400      | 23,500      | 23,900      | 24,300      |
| 6.12 6.11/08                   | N of A                    | 26,000      | 24,600      | 25,300      | 26,100      | 25,100      | 25,100      | 25,400      | 22,500      | 23,200      | 23,500      |
| 6.14                           | S of A                    | 41,000      | 33,600      | 34,600      | 35,600      | 35,300      | 35,300      | 36,300      | 34,300      | 35,400      | 35,700      |

| <u>Milepost/Year of change</u> | <u>Location</u>           | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> | <u>2008</u> | <u>2009</u> |
|--------------------------------|---------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 1.01 1.03/05<br>1.00/06        | N of Julia                | 30,200      | 30,000      | 30,600      | 24,900      | 24,700      | 23,600      | 24,800      |
| 2.19 2.15/08                   | N of Taylors Ferry        | 31,700      | 31,500      | 32,100      | 20,900      | 20,700      | 19,800      | 35,500      |
| 2.58 2.54/08                   | N of Sellwood Ferry       | 39,100      | 38,900      | 39,700      | 32,900      | 32,600      | 31,200      | 30,800      |
| 3.64                           | S City Limits Portland    | 22,100      | 22,000      | 22,400      | 21,300      | 21,200      | 20,200      | 20,100      |
| 4.03 4.02/08                   | N of Riverwood            | 25,700      | 25,500      | 26,000      | 19,900      | 19,800      | 18,900      | 20,100      |
| 5.73 5.72/06<br>5.69/08        | N of Terwilliger          | 20,000      | 19,900      | 20,300      | 21,700      | 21,600      | 20,600      | 19,700      |
| 5.79                           | N City Limits Lake Oswego | 24,700      | 24,500      | 25,000      | 26,400      | 26,200      | 25,100      | 24,400      |
| 6.12 6.11/08                   | N of A                    | 24,300      | 24,100      | 24,600      | 25,300      | 25,200      | 24,100      | 22,400      |
| 6.14                           | S of A                    | 36,900      | 36,700      | 37,400      | 33,500      | 33,300      | 31,800      | 29,300      |

Peak Year

2nd Highest

3rd Highest

## Table 5 notes:

Two counting stations at Palatine Hill Road were discontinued early in the covered period and are not shown.

Traffic volume counts are subject to error. We can expect outliers in ODOT's data. For example, the count for MP 6.14 in 1993 is extraordinarily high and almost certainly an outlier. 1993 could have been a record year and 41,000 just a little high. It's also possible, and probably more likely, that 1993 was much closer to nearby years. This table highlights the top three years to minimize false impressions from any outliers.

The table consistently shows that counting stations recorded the highest traffic volumes in the 1990's with the exception of two stations: MP 2.58/2.54 and MP 6.14. These two are exceptional in that they record significant volumes of what is essentially cross-traffic not traveling the entire distance between Lake Oswego and Johns Landing. The MP 2.58/2.54 station includes traffic which flows between the Sellwood Bridge and Taylors Ferry while the MP 6.14 station includes traffic flowing between McVey/Highway 43 south of Lake Oswego and A Avenue. The Lake Oswego/Johns Landing component is declining over the long term as would be expected given the demographic and development realities of Lake Oswego and West Linn.

One significant surprise shown in the table involves traffic volumes after the Sellwood Bridge weight limitations were imposed in 2004. Since Sellwood Bridge traffic makes up about 70% of all Highway 43 traffic between Lake Oswego and Johns Landing, we should have expected the dramatic volume drops after the limits were imposed. The surprise is that Highway 43 volumes did not pick up in the years afterwards. DEIS projections assume that traffic would migrate from other roads to 43 once traffic volumes dropped after streetcar enticed current drivers from their cars. This didn't happen. While it could be argued that streetcar would make a serious dent in Highway 43 congestion, the more salient conclusion is that there is no reservoir of pent-up demand and that it will be extremely unlikely that DEIS ridership and bus trip time projections will be realized.

**CHART 1: % Growth 1993 to 2009 {1993 = 0}**

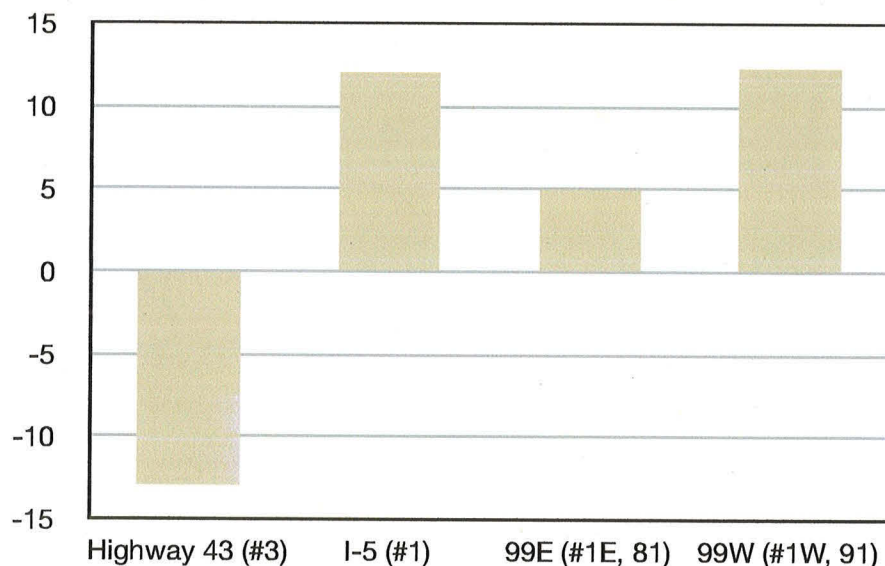
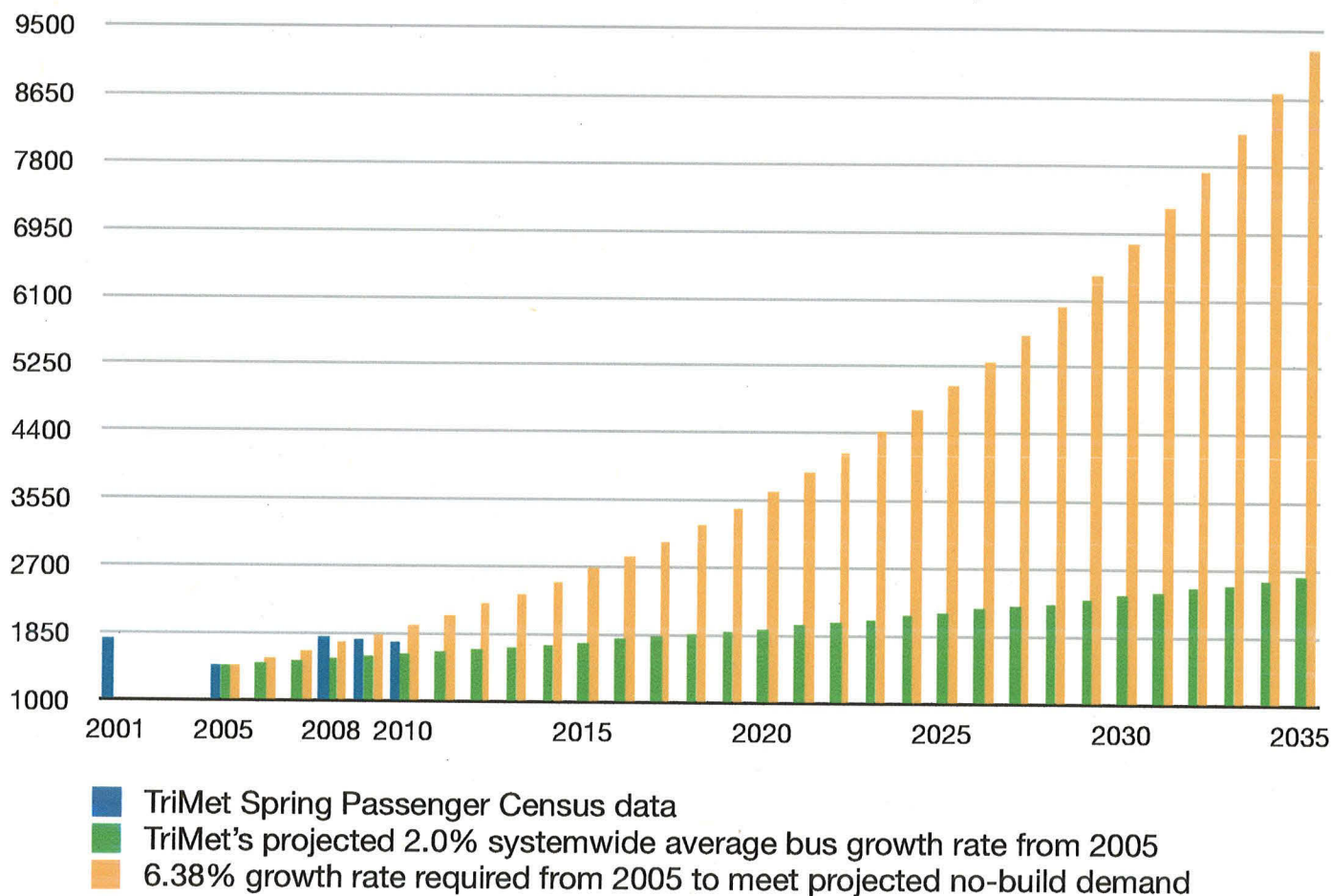


Chart 1 compares Highway 43 with the three nearest parallel state highways and shows the median growth of all counting stations for approximately 6 miles south from each highway's junction with US Highway 26. The numbers in parentheses refer to ODOT highway numbers used in traffic volume reports. Highway 43's linear regression analysis slope for 1993 through 2005 (not shown) is approximately 0.26%, which suggests hypothetical 2009 volume at around 4.36% higher than 1993 without the weight limit restrictions or recession. This is still less than the 5% plus growth shown for 99E and much less than the 12% plus growth for I-5 and 99W, all of which include real world recessionary effects.



Similarly, Section bus ridership is flat to declining.

**CHART 2: Section Combined Route 35 & 36 Ridership and Projected No-Build Demand**



Current and historic Section ridership is from TriMet Spring Passenger Census data. Only spring reports are shown for clarity, but ridership peaked in the summer/fall of 2008 at 2002.5 with \$4.00 plus gasoline. Section ridership has dropped steadily since and, as of the Spring 2010 census is now below levels seen 10 years ago.

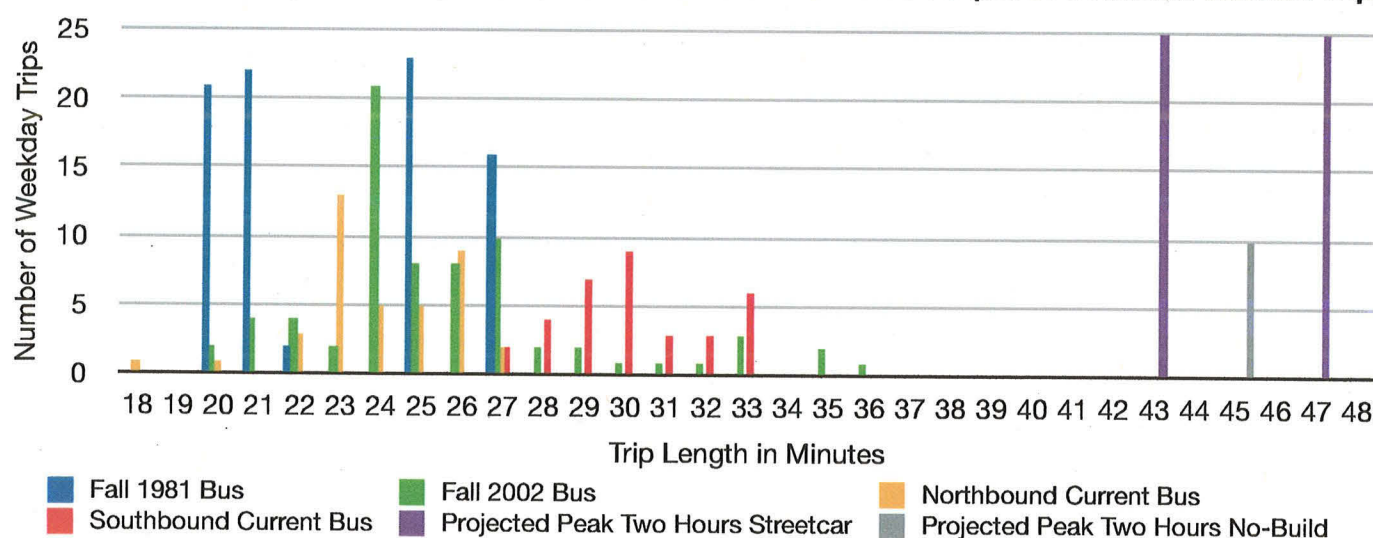
DEIS paragraph 4.1.2 shows "approximately 2,100" transit trips in the Lake Oswego-Portland corridor in 2005 while this chart shows 1,455. This is because TriMet uses a much more expansive definition of corridor trips than Metro's projections. 1,455 includes all those trips traveling at least part of the way between the Lake Oswego Transit Center (LOTC) and SW Lowell Street. This represents the closest match possible to the streetcar extension since a significant number of current riders north of Albertsons complete their journeys or transfer at the Transit Center.

There was also an anomaly during the Spring 2005 Passenger Census. TriMet temporarily detoured the line 40 bus to Lake Oswego after Sellwood Bridge weight limitations were imposed. The 40 provided about 600 rides in the Section which were not included in TriMet's numbers for the DEIS and therefore not in the chart above. If they were counted then 2005 could have been a record year.

Like Highway 43 traffic volumes, long-term Section bus ridership is effectively flat to declining and DEIS projections are totally out of line with historic and current patterns.

The same situation applies to bus trip times.

**CHART 3: Trip Times Between Pioneer Courthouse & LOTC (Most Common Section Trip)**



**Notes:**

- The chart shows currently scheduled times between the LOTC and SW Washington northbound/SW Alder southbound. Older schedules and streetcar use other stops. To allow more accurate comparisons, trip times for those services were adjusted as follows:  
 1981 - Northbound - 1st & A instead of LOTC - add 1 minute; SW Salmon instead of SW Washington - add 1 minute  
 Southbound - SW Oak instead of SW Alder - minus 1 minute; 1st & A instead of LOTC - add 1 minute  
 2002 - Northbound - SW Main instead of SW Washington - add 2 minutes. Southbound - SW Oak instead of SW Alder - minus 1 minute.  
 Streetcar - Foothills at foot of B Avenue instead of LOTC - add 6 minutes walking - minus 2 minutes in-vehicle
- "Enhanced Bus" at 49 minutes is not shown.

Since streetcar would use mostly exclusive ROW, its times should be consistent throughout the day as is the current schedule between OHSU and PSU. Streetcar bars are at the 25 trip chart limit, but represent all streetcar runs for each alignment. The bars represent the WSL ROW alignment at 43 minutes and Macadam at 47 minutes. The projected times are based on Tony Mendoza's LOCC presentation September 28, 2010 with four minutes added to reflect six minutes walking time between the LOTC and the streetcar stop at the foot of B Avenue, minus two minutes for the shortened in-vehicle time compared with the terminus.

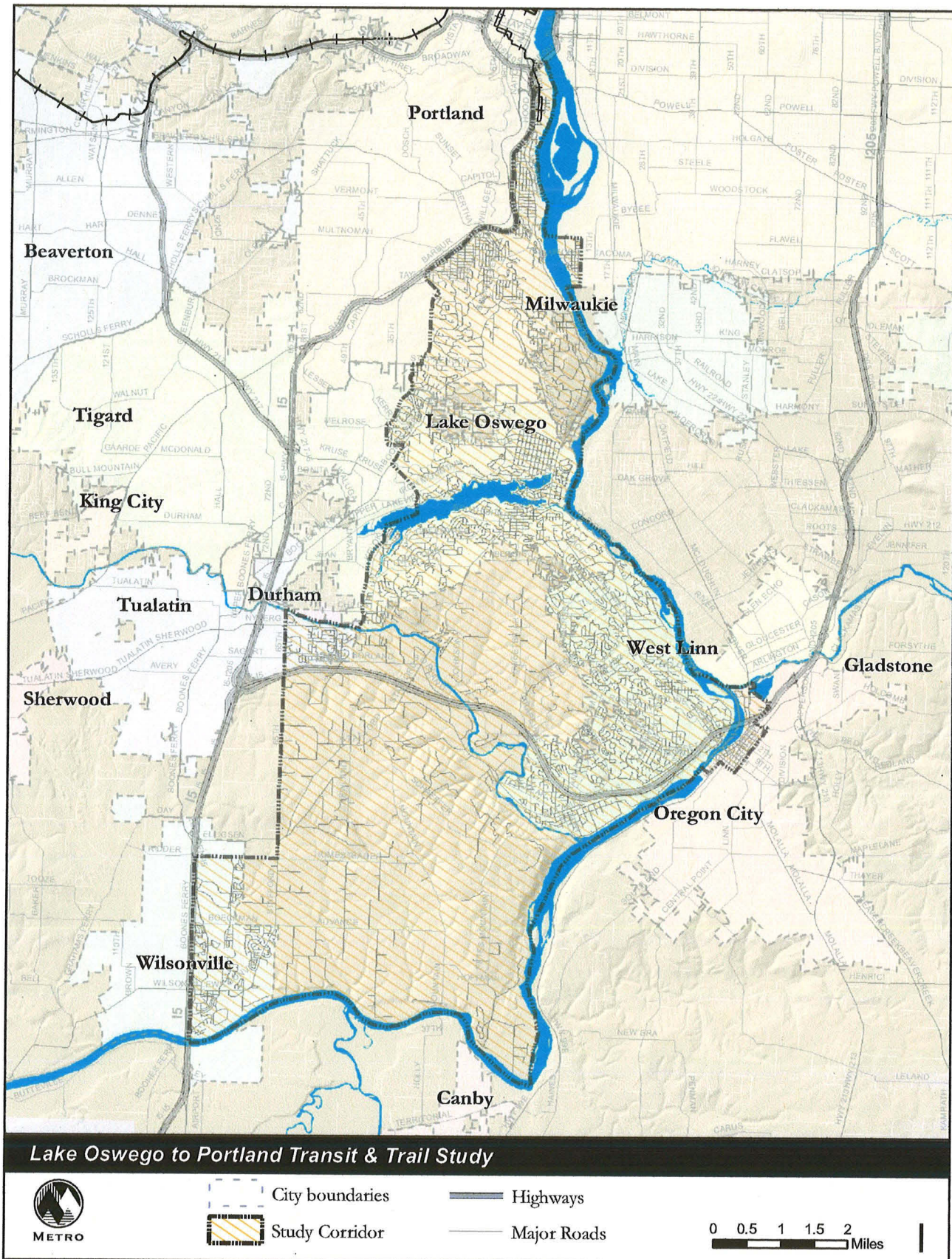
Projected no-build time is three minutes shorter than in Mr. Mendoza's presentation as it doesn't include travel time between the LOTC and the terminus. Bus trips outside those two hours would be significantly shorter. In fact, the historical pattern has most trips not varying nearly as much as the longest ones.

The questionability of these critical projections is not limited to their divergence from current and historical data; they fly in the face of underlying societal, demographic, and economic trends.

**Study area map**

This traffic shed map on the next page is evidence of fraudulent analysis. It all but ignores the area east of the Sellwood Bridge which accounts for about 70% of all corridor traffic. The area south of the Tualatin River, with about half of the study corridor, has very little relevance. Since the latter is much faster growing than the former, the result is an artificial boosting of projections for traffic congestion, bus trip times, and transit ridership. Streetcar trip times were calculated differently and are not affected. The map is false & deceptive and has no legitimate use.





36856

**Moore-Love, Karla**

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**From:** Annie Cedarleaf [cedarlea@ohsu.edu]  
**Sent:** Monday, April 18, 2011 1:49 PM  
**To:** Moore-Love, Karla  
**Cc:** Mark Williams  
**Subject:** [User Approved] 4/20/11 - Agenda Item: Lake Oswego to Portland Transit

I write to express Oregon Health & Science University's (OHSU) support for an extension of the streetcar from the South Waterfront district to downtown Lake Oswego. The Portland to Lake Oswego Streetcar Project will provide increased access to the Southwest Macadam business corridor, adjacent neighborhoods, and OHSU's south waterfront clinics and campus. With nearly ten stops along the way, this extension will open up an entirely new transit link to Portland's South Waterfront District for thousands of OHSU's faculty, staff, and patients.

OHSU is a top ranked academic medical research institution and health center. As the fourth largest employer in the state and the largest employer in Portland, OHSU has played a major role in the development of the South Waterfront District. To date, OHSU has constructed the Center for Health and Healing, a 400,000-square-foot building that is connected to Marquam Hill via the Portland Aerial Tram. The Portland streetcar also conveniently stops in front of the Center for Health & Healing, accommodating pedestrians, bikes, and wheelchairs. Expanding streetcar service to Lake Oswego would ensure more patients, faculty and staff can access the vital services provided by OHSU.

The Portland to Lake Oswego Street Car Project also dovetails well with current plans to improve multi-modal access to the South Waterfront district of Portland. This district is the last major underdeveloped area of our city and plays an integral role in the newly-created Portland Innovation Quadrant – which includes OHSU's Marquam Hill and South Waterfront campuses, Portland State University (PSU), the Oregon Museum of Science and Industry (OMSI), Portland Opera, and Portland Community College (PCC). Extending the current street car line from South Portland to Lake Oswego will offer reliable and timely access to institutions of higher education, community centers, and private sector partners while enhancing the connections and collaboration between these entities.

The Portland to Lake Oswego Street Car Project will help spur inner city redevelopment by accommodating planned densities for residents and employment within the Portland Innovation Quadrant. OHSU fully supports the Portland to Lake Oswego Streetcar Project and looks forward to next phase of this important project.

Mark B. Williams  
Associate Vice President for Campus Development & Administration  
Oregon Health & Science University

4/18/2011



**Moore-Love, Karla**

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**From:** Sweeney, Patrick  
**Sent:** Friday, April 15, 2011 4:00 PM  
**To:** Finn, Brendan; Schmanski, Sonia; Kovatch, Ty; Bizeau, Tom; Petrocine, Sara  
**Cc:** Moore-Love, Karla  
**Subject:** Ltr from Planning and Sustainability Commission about LOPT

**Attachments:** 4-15-11\_psc-City Council-LOPT.pdf



4-15-11\_psc-Cit  
/ Council-LOPT...

Brendan, Sonia, Ty, Tom, Sara:

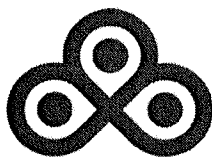
Attached is a letter from the Planning and Sustainability Commission regarding the Lake Oswego to Portland Transit project.

Please share with your Commissioners.

Thank you

*Patrick*

Patrick Sweeney, AICP, LEED A.P.  
Senior Transit Planner  
**City of Portland Bureau of Transportation**  
503-823-5611  
NEW E-MAIL: [patrick.sweeney@portlandoregon.gov](mailto:patrick.sweeney@portlandoregon.gov)



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## Portland Planning and Sustainability Commission

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April 15, 2011

Mayor Adams  
Commissioner Fish  
Commissioner Fritz  
Commissioner Leonard  
Commissioner Saltzman

Dear Mayor and Commissioners:

The purpose of this letter is to recommend City Council adopt the Lake Oswego to Portland Transit Project (LOPT) Locally Preferred Alternative (LPA) at the April 20<sup>th</sup>, 2011 City Council meeting. Planning and Sustainability Commission (PSC) members unanimously support:

- Streetcar as the preferred mode; and
- The Macadam-in-street as the preferred alignment in John's Landing.

The PSC has been actively engaged with the LOPT project since October 2010 through the public comment period, and has recently been integral to the development of recommendations included in the LOPT LPA City Council resolution.

On March 8, 2011, the PSC conducted a work session with project staff to develop the recommendations that are incorporated in the LPA resolution. PSC members would like to highlight the following recommendations:

- a). The South Portland Riverbanks area, which includes Willamette Park, Stephens Creek, Butterfly Park, Willamette Moorage Park, and Powers Marine Park on the west bank of the Willamette River, and the Tryon Creek confluence, which extends from Hwy 43 to the Willamette River, are areas of critical natural resources, floodplain, and habitat. PSC advises Council to direct the Bureau of Transportation (PBOT) to work with Portland Parks and Recreation (PP&R), the Bureau of Environmental Services (BES) and the Bureau of Development Services (BDS) to collaborate with LOPT project staff to ensure that the cumulative and direct impacts to both recreation and natural resources from the LOPT, Sellwood Bridge and Willamette Greenway Trail projects are avoided, and where unavoidable, are fully addressed and mitigated, including:
  - i) Prior to preliminary engineering, develop a strategy to coordinate all three projects to ensure the best outcome for natural resource functions, urban canopy and recreation access on PP&R and BES properties. The strategy will address the following issues:
    - a. Context sensitive design concepts for fish and wildlife, riparian corridor enhancements, and access to the parks for people arriving by car, boat, bike and foot.
    - b. Coordination with PP&R, BES, the Sellwood Bridge project, and the Willamette Greenway trail project to design, construct, and operate streetcar consistent with the goals of the South Portland Riverbanks Project.



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- c. Work with the SW Riverfront Parks Habitat Management and Trail Plan to help coordinate the transit project, the Sellwood Bridge, and Willamette Greenway trail project with park and natural resource goals
  - d. Address the direct, indirect and cumulative impacts to vegetation, habitat, floodplain, and wildlife in this area.
  - e. Where unavoidable, determine the best mitigation for the direct and indirect impacts to PP&R and BES public investments that have already been made in these areas.
  - f. Clarify the definition of Peter Kerr Park in the FEIS.
- b). PSC advises that the Council direct PBOT staff to coordinate with LOPT project staff so that streetcar project can achieve a significantly higher degree of bicycle compatibility than prior streetcar projects, with the goal of creating an environment that will attract "interested but concerned" potential cyclists, including:
- i) Safe and comfortable crossing designs where bike facilities cross the alignment
  - ii) Safe and comfortable treatments where bike facilities run parallel and adjacent to the alignment
  - iii) Convenient access (including bike parking) to platforms, particularly those outside the Portland Central City
  - iv) Good connectivity for the bicycle network adjacent to the transit corridor
  - v) Safe and comfortable bicycle access should be maintained without interruption during construction
  - vi) Sufficient contingencies to mitigate unintended impacts to bicycle facilities during or after construction.
- c). PSC advises City Council to direct BPS to coordinate and work with PBOT, PHB, the South Portland Neighborhood Association, and other stakeholders to explore how land use policies, regulations and other tools can optimize public and private reinvestment in order to leverage the LOPT transit project investment along this corridor
- d). PSC advises City Council to direct PBOT to collaborate with LOPT project staff to work through the following technical issues in an effort to streamline Preliminary Engineering phase of the project, including:
- i) Ensure transit alignment does not preclude the future development of a pedestrian and bicycle multi-use path from South Waterfront to Lake Oswego
  - ii) Ensure that the project is coordinated with the South Portal street and urban design improvements and Willamette Greenway multi-use path improvements for pedestrians and bicyclists
  - iii) Evaluate streetcar station locations at SW Pendleton Street and SW Radcliffe Street in coordination with other potential stations on Macadam and the WSL ROW
  - iv) Evaluate alternatives to Boundary Street as the northern entry/exit point for the Macadam streetcar alignment
  - v) Evaluate sidewalk widths on Macadam with special focus on the east side of Macadam between SW Carolina and the northern entry/exit of the streetcar on Macadam
  - vi) Evaluate pedestrian circulation and safety improvements along Macadam from SW Carolina to SW Nevada that would include:
    - a. Slower traffic speeds; and
    - b. Improved and more frequent pedestrian crossings
    - c. Pedestrian accessibility improvements from Macadam to the potential station locations at SW Nebraska and SW Nevada streets
    - d. Improvements to sidewalks, street lighting and other pedestrian amenities
  - vii) Evaluate alternatives that would keep SW Landing Drive narrow through a more flexible application of City of Portland design standards




- viii) Evaluate alternatives for vibration and noise and visual screening mitigation for affected properties with special attention to the Oregon Public Broadcasting (OPB) facility to ensure compatible operations of streetcar and OPB recording studios adjacent to the WSL ROW
- ix) Evaluate bicycle circulation and access to and across Macadam and the WSL ROW

Council members should note that PSC sent an advisory letter to Mayor Adams on February 14, 2011, ahead of his February 28, 2011 vote on the Steering Committee recommendation for the LOPT LPA. That letter is included in Exhibit B of the LOPT LPA resolution and provides additional discussion of why the PSC supports this project.

Thank you for your consideration.

Sincerely,



Howard Shapiro  
on behalf of the Portland Planning and Sustainability Commission



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April 11, 2011

Dear Mayor Adams and Portland City Council Members,

We are writing on behalf of the Audubon Society of Portland and our 12,000 members in the Portland Metropolitan Region regarding the Lake Oswego to Portland Transit Project. We have significant concerns with this project as currently proposed in the Locally Preferred Alternative (LPA). We believe that the LPA and DEIS do an inadequate job of assessing and addressing natural resource impacts. In order for this project to be considered truly sustainable it is critical that Portland work with Lake Oswego, Metro as well as state and federal natural resource agencies to ensure that natural resource impacts are avoided and minimized to the degree feasible and fully mitigated when impacts cannot be avoided.

The Willamette River drains 11,500 square miles and provides a critical migratory corridor for federally listed salmonid species<sup>1</sup> as well as nearly 200 species of migratory birds, a quarter of which are experiencing significant long term declines. Over the course of the past 150 years, the Lower Willamette has become tremendously degraded. The river has been deepened, narrowed and simplified. The banks of the Lower Willamette have been hardened, steepened and lined. Floodplain and off-channel habitats have been filled and destroyed. The Lower Willamette is extensively contaminated with portions of the North Reach designated as a Superfund site under CERCLA. The combination of habitat loss and contamination in the Lower Willamette has contributed to declines of salmon and steelhead populations in the Pacific Northwest.

In recent years tremendous resources have been invested in restoring the Lower Willamette River including the stretch between Lake Oswego and Portland. The west bank of the Willamette between Lake Oswego and Portland includes Willamette Park, Butterfly Park, Stephens Creek, Powers Marine Park, Willamette Moorage Park, Peter Kerr Park, and the Tryon Creek Confluence and represents some of the last relatively healthy, intact riparian habitat along the Willamette before the river reaches its most degraded stretch in the central city and North Reaches of Portland. As currently written the LPA represents a significant setback for protection and restoration efforts on the Lower Willamette. It would perpetuate and exacerbate a situation in which the Lower Willamette continues to undermine restoration work that is being done throughout the Willamette River System.<sup>2</sup>

<sup>1</sup> The Lower Willamette plays an important role in the life histories of five salmonid species listed as threatened under the Endangered Species Act: Upper Willamette River Chinook (*Oncorhynchus tshawytscha*), Upper Willamette River steelhead (*O. mykiss*), Lower Columbia River Chinook (*O. tshawytscha*), Lower Columbia River steelhead (*O. mykiss*) and Coho (*O. kisutch*).

<sup>2</sup> Urban and Rural -residential Land Uses: Their Roll in Watershed Health and the Rehabilitation of Oregon's Wild Salmonids, IMST Technical Report 2010-1, December 31, 2010 at 36: "Even though urban areas occupy a relatively

Audubon Society of Portland  
5151 NW Cornell Road  
Portland, OR 97210

(503) 292-6855

We would respectfully request that you focus on the following specific areas for improvement:

1. **Avoid, minimize and fully mitigate Natural Resource Impacts:** All direct, indirect and cumulative impacts to natural resources including habitat, vegetation, floodplain and wildlife populations should be fully assessed and mitigated.
2. **Tryon Creek Confluence Area:** The LPA calls for a new bridge over Tryon Creek to accommodate the LO-Portland Streetcar. This would seriously undermine extensive restoration work that has been accomplished on Tryon Creek. We recommend that an alternative be developed that allows Tryon Creek crossings including Highway 43, pedestrian and streetcar crossings to be unified at a single location. Streetcar impacts should be mitigated in such a manner that fish passage on Tryon Creek is improved rather than reduced.
3. **Riparian Area Impacts:** We are particularly concerned about potential impacts of this project from SW Carolina Street and extending through Powers Marine Park. The stretch south of the Sellwood Bridge represents one of the longest and widest intact riparian corridors left on the lower Willamette. North of the Sellwood Bridge we would urge project designers to consider the potential for redevelopment of this area to allow the tracks to be moved westward onto the already developed landscape. The majority of this area is likely to redevelop over time creating opportunities to locate the tracks further back from the riparian corridor. South of the Sellwood Bridge the tracks should be located as close to Highway 43 as possible. The incursion currently proposed into Powers Marine Park would severely compromise the ecological integrity of one of the highest value wildlife corridors on the Lower Willamette
4. **Hydrological impacts should be assessed at the local scale as opposed to the at the Lower Willamette Watershed scale<sup>3</sup>:** All stormwater impacts should be mitigated on site using LID approaches. New impervious surface areas should be kept to a minimum.
5. **The status of Peter Kerr Park should be resolved in the FEIS.** We support treating Peter Kerr Park in the same manner as other public parks impacted by this process and should be subject to a complete (4)(f) analysis.
6. **Construction impacts to sensitive wildlife populations,** including bald eagles and peregrines falcons, from construction activities should be fully assessed and mitigated
7. **Culverts:** Any changes to culverts should accommodate improvements to terrestrial and aquatic wildlife passage to mitigate for overall negative impacts of the development expansion.
8. **Noise, Light and Vibration Impacts on Wildlife:** Where the streetcar crosses parks and natural areas, consideration should be given to potential noise, light and vibration impacts on local wildlife populations. A growing body of literature demonstrates that increased, noise; lighting and vibration can have both lethal and sub-lethal impacts on a

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small area of the landscape, their position can lead to disproportionately larger effects on salmonids or fish assemblages. Compared to other land uses urban areas often occupy critical locations in Oregon's watersheds...Migration barriers, alteration of physical habitat and degradation of water quality at critical points along river networks have the potential to limit the abundance and distribution of salmonids throughout the entire watershed."

<sup>3</sup> Urban and Rural -residential Land Uses: Their Role in Watershed Health and the Rehabilitation of Oregon's Wild Salmonids, IMST Technical Report 2010-1, December 31, 2010 concludes "When the scale of management is not aligned with the scale (spatial and/ or temporal) at which ecological processes or disturbance regimes operate, actions intended to protect natural resources may be ineffective." (Page 37).

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variety of wildlife populations including increased risk of predation and lower nesting success.

9. **Wildlife crossings** should be provided for populations that may be impacted by barriers created by the streetcar design including fencing and retaining walls. Highway 43 already presents a significant barrier to wildlife passage from Willamette riparian areas to upland areas. Streetcar impacts should be mitigated such that overall landscape permeability for wildlife is increased rather than decreased.
10. **Impacts on the public's ability to see and enjoy nature at parks and natural areas along the LPA route should be given further consideration:** The parks and natural areas that will be impacted by this project provide some of the best opportunities to see and enjoy wildlife and nature along the west bank of the Lower Willamette. Quiet interactions with nature are increasingly recognized for the important role that they play in promoting human mental and physical health. Further consideration should be given to how increased activity caused by the streetcar may impact rapidly disappearing urban opportunities for quiet contemplation of nature.
11. **Cumulative impacts of the streetcar and the greenway trail need to be further evaluated from an aesthetic, recreational and natural resource impact perspective;** The combination of streetcar and multi-modal paved trail has the potential to fundamentally change the character of the river riparian landscape for both humans and wildlife. The west bank of the Willamette River between Portland and Lake Oswego represents a little known jewel---one of the last places on the Lower Willamette that still retains both relatively high ecological function and high potential for restoration.

Thank you for your consideration of these concerns.

Bob Sallinger  
Conservation Director

Lynn Herring  
Audubon Conservation Committee Chair

Audubon Society of Portland  
5151 NW Cornell Road  
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JILL S. GELINEAU

Admitted in Oregon and Washington

Direct Line: 503-796-2887

E-Mail: jgelineau@schwabe.com

April 11, 2011

VIA FIRST CLASS MAIL

AUDITOR 04/12/11 PM 12:06

Portland City Council  
c/o Karla Moore-Love  
Council Clerk  
City of Portland - Office of the City Auditor  
1221 SW 4th Avenue, Room 140  
Portland, OR 97204-1900

Re: Lake Oswego to Portland Transit Project  
Opposition to Selection of the Streetcar as the LPA

Dear Commissioners:

I represent Public Storage and its interests in the Lake Oswego to Portland Transit Project ("the Project"). Public Storage owns the facility at 801 N. State Street in Lake Oswego. Public Storage will be displaced completely if the Foothills Option of the Streetcar is selected as the Locally Preferred Alternative ("LPA"). Selection of the UPRR Right-of-Way option of the Streetcar will also adversely impact Public Storage's operations. For your consideration I am also enclosing the letter of January 27, 2011 previously submitted to the Project Steering Committee in response to the Draft Environmental Impact Statement ("DEIS") and in opposition to the selection of either Streetcar Alternative.

This Public Storage location has served its neighborhood as a self storage facility for over 30 years. It presently generates more revenue than all but one of Public Storage's locations in the Greater Portland Metro region. We have also spoken directly with some of the members of the Council regarding our facility, and hopefully these conversations have shown that Public Storage is more than a storage space for residents; it is also widely used as an incubator for small growing businesses.

Public Storage is generally supportive of improving the region's transportation systems, as these improvements make businesses, including Public Storage, more viable while increasing the livability of the area. Public Storage does not believe, however, that extending the Streetcar into Lake Oswego is the best method for doing so. As described in our previous letter submitted



to the Steering Committee, the cost of the Streetcar to local governments will be extremely substantial, and the cost will only increase depending on decisions made at the federal level regarding the value of the Willamette Shore Line right-of-way and the overall contribution by the federal government. The DEIS itself shows that notwithstanding the high cost of the Streetcar, it will do almost nothing to improve transportation in the Highway 43 corridor in the short or long term.

Public Storage respects that the City of Portland has made a serious commitment to the Streetcar within certain neighborhoods. Public Storage also recognizes that the Johns Landing area of Portland may be an appropriate place to extend the reach of the Streetcar network. However, the land use and topography in the Highway 43 corridor dramatically changes south of the Sellwood Bridge so that a Streetcar will have no impact on Highway 43 traffic south of the bridge, while significant adverse impacts will be incurred by many businesses and residents all at a very high cost to taxpayers. Furthermore, the natural environment will forever be damaged by the Project's construction and operation. Public Storage believes there are better ways to address the Project's goals.

When making a decision on proceeding with an LPA, Public Storage requests that the City of Portland either oppose the Streetcar or limit the Project to a terminus at the Sellwood Bridge. Public Storage believes these solutions will better serve its needs and those of the community.

Sincerely,

SCHWABE, WILLIAMSON & WYATT, P.C.



Jill S. Gelineau

JG:ard

Enclosure

cc: Christopher Tucker  
Keith Benjamin





**SCHWABE, WILLIAMSON & WYATT**  
ATTORNEYS AT LAW

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January 27, 2011

Lake Oswego to Portland Transit Project  
600 NE Grand Ave.  
Portland, OR 97232

Re: Portland to Lake Oswego Transit Project

To Whom it May Concern:

This office represents Public Storage, owner of the property at 801 N. State Street in Lake Oswego, regarding the Lake Oswego to Portland Transit Project ("the Project").

Public Storage operates a self-storage facility in the northern portion of the Foothills Neighborhood between Highway 43 and the City of Lake Oswego's water treatment facility. The property consists of 3.35 acres. With over 600 units of varying size, the facility has been used for self-storage for over 20 years. Public Storage provides a useful and necessary storage service to Lake Oswego residents and businesses.

We are submitting the following comments for consideration during the Project's public comment period and selection of the Locally Preferred Alternative.

Public Storage opposes the selection of the Streetcar Alternative and intends to vigorously participate in this process in opposition.

#### **Private Property Acquisition**

The Project's alternatives will have varying impacts to private property and existing uses. For instance, the Enhanced Bus Alternative will require only eight takings with no displacements, while the Streetcar Alternative will result in between 28 and 60 acquisitions with up to seven displacements. Public Storage is one of the properties that will be taken if the Foothills Option of the Streetcar Alternative is selected: Its business in its entirety will be eliminated. While Lake Oswego is an excellent market for Public Storage, much of the immediate area is already developed to its fullest extent, and relocation within Lake Oswego is not feasible because of a lack of available land, and because Oregon's land use system makes development prohibitively expensive and complex.

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Seattle, WA 206.622.1711 | Vancouver, WA 360.694.7551 | Washington, DC 202.488.4302

Public Storage objects to the possible taking of its property and elimination of its business.

In addition, the selection of the Streetcar is not in the best interests of Public Storage and of many other stakeholders, for the reasons described below.

### **Challenges with Financing**

The Draft Environmental Impact Statement ("DEIS") (p. 5-3) estimates that the Streetcar Alternative will cost up to \$458 million, while the Enhanced Bus Alternative is estimated to cost only \$51 million. Yet the Streetcar option will have very limited benefits in terms of improvement of transportation (as discussed more below). During these difficult economic times which have adversely impacted businesses and governments alike, the region should be focused on issues other than a very expensive transportation luxury in the form of the Streetcar. Nor does the current or projected future condition of Hwy. 43 justify such an elaborate and expensive project.

Even if such a project made sense from an economic standpoint, the economic and funding assumptions in the DEIS are suspect.

First, the project overestimates the value of the previously acquired Willamette Shore Line Right-of-Way that is to be dedicated to the Project as a credit towards the required local funding match. (DEIS p. 5-5). Property values have declined over the last three years. Regardless of the specific devaluation of the right-of-way scheduled to be dedicated - which is impossible to determine at this point because of a lack of current and reliable appraisal information - it is unlikely that the value is anywhere near the assumed \$97 million. If the value of the right-of-way is determined to be substantially less - which is likely - this will lead to a significant reduction in federal funding, making financing of the streetcar option impossible.

The DEIS also suggests local funding will partially come from a source known as the Metropolitan Transportation Improvement Program ("MTIP") which generates funding for all types of transportation projects in the region including bikes, pedestrian and freight. (DEIS p. 5-12). The MTIP is an effort by Metro to use federal funds in a flexible manner on any number of transportation projects meeting certain criteria. The DEIS states the Project will be utilizing these flexible funds for the Streetcar alternative despite the fact that the Streetcar alternative does not meet all of the policy objectives for receiving money from the MTIP. Specifically, objectives for utilizing these funds include "completing missing links, and developing a balanced system that provides transportation choices for people and businesses in the region." (Metro, 2008). As one of the Project alternatives, the Streetcar is not a missing link to any existing transit line, and only helps develop a balanced transportation system in so far as it seeks to modify an already existing transportation choice. The intended use of this particular funding source is beyond the scope and stated intent of the MTIP, and will drain the region of flexible funds intended to meet those criteria.

In addition, proponents of the Streetcar selection assume that 60% of the Project's cost will be paid by the Federal Transit Administration ("FTA"). (DEIS p. 5-11). Project staff

members have minimized the possibility that only 50% will be made available despite the recent decision by the FTA to provide the nearby Milwaukie Light Rail Project with only 50% of the funding necessary after a similar request for 60%. A real possibility is that a significant portion of a known funding source will not be available, putting additional stress on the local and regional governments to find new ways of filling the funding gap. This is not a desired scenario for businesses which desire to continue operating in the region, or local government agencies who must fund basic municipal operations.

### **Concerns for Safety**

During our attendance at various meetings held to discuss the Project, we have learned of safety concerns associated with the geology of the area. The Highway 43 corridor lies between two known earthquake zones: the Oatfield Fault and Portland Hills Fault. The corridor's topography is unstable as evidenced by the rock slide on Highway 43 near the Sellwood Bridge on December 23, 2010. It is likely that a Streetcar project will be unable to withstand a major natural event. The flexibility of the current transportation and transit system in the corridor, or the implementation of the Enhanced Bus alternative, is far more likely to successfully cope with such an event than the fixed transit infrastructure of the Streetcar. At the end of the day, Public Storage's goal is to continue its operation as effectively and efficiently as possible, even in a worst-case-scenario event.

### **Concerns with Growth Projections**

The DEIS assumes that by 2035 the number of Lake Oswego households will have grown by 51% and jobs will have grown by 89% from 2005. (DEIS p. 3-26). These estimates are too high for two reasons. First, growth in Lake Oswego is limited by a lack of readily developable land as a result of the City already being built-out and the difficulty in redeveloping more intensely due to challenging topography. Second, recent growth in Lake Oswego, and Oregon in general, is lower than expected. According to Portland State University's Population Research Center, Lake Oswego has grown by about 4% in the last 10 years, which hardly supports the assumption in the DEIS that Lake Oswego will grow by 51% in the next 30 years. Furthermore, data released by the Census Bureau states that Oregon grew by 12% over the last decade, which was the slowest rate in 20 years, and that most of that growth occurred between 2000 and 2005. This information suggests the Project's growth assumptions are faulty, and there is not a need to spend such extensive resources on transportation infrastructure.

Beyond Public Storage's concerns regarding the Project's growth assumptions, the DEIS shows (but fails to discuss) that the reduction in P.M. peak automobile volumes experienced by selecting the Streetcar alternative will occur almost entirely in the section of Highway 43 north of Lake Oswego. (DEIS p. 4-22). In other words, traffic in and out of Lake Oswego itself will not improve at all with the introduction of the Streetcar.

In conclusion, Public Storage objects to selection of the Streetcar alternative for the Lake Oswego to Portland Transit Project. It will continue to participate in this process to oppose it, and oppose it strenuously. Public Storage requests that either the no-build or Enhanced Bus

Lake Oswego to Portland Transit Project  
January 27, 2011  
Page 4

alternative be selected as the Locally Preferred Alternative for additional study and eventual implementation.

Very truly yours,

SCHWABE, WILLIAMSON & WYATT, P.C.

  
Jill S. Gelineau

JG:lrh

cc: Christopher Tucker (via e-mail)