Exhibit A

Standards and Conditions for a Flood Hazard Variance
Code Section 24.50.070B and C

Code Factor	Consideration
24.50.070.B If variances from requirements of this Chapter are requested, all relevant factors and standards specified in other sections of this Chapter shall be considered, as well as the following:	
1. The danger that materials may be swept into other lands to the injury of others	Any danger is *de minimis.* A hydraulic analysis commissioned by TriMet indicates that the proposed Floodway encroachment would cause a minor rise in base flood elevations of approximately 0.06 feet (about 3/4ths inch) maximum at the proposed bridge, which diminishes as it continues upstream to the Willamette Falls at which point the increased rise reaches 0.00 ft. This minor rise in base flood elevations is not expected to: change the Flood Insurance Rate Maps or the cost of insurance; change the occurrence, intensity or pattern of flooding in the area; or change the extent or boundary of the Flood Hazard Area.
2. The danger to life and property due to flooding or erosion damage	Any danger is *de minimis*. See #1 above.
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner	*De minimis*; see #1 above.
4. The importance of the services provided by the proposed facility to the community	The Portland-Milwaukie Light Rail Transit Project is of vital importance to the region, and will provide a new Willamette River bridge crossing between the Marquam and Ross Island bridges, to be used by light rail transit, buses, pedestrians and bicyclists.
5. The necessity to the facility of a waterfront location, where applicable	A waterfront location is necessary because the new bridge must cross the Willamette River.
6. The availability of alternative locations, not subject to flooding or erosion damage	Given the necessity of a waterfront location, there are no alternative locations that would not be subject to flooding or erosion damage.

7. The compatibility of the proposed use with existing anticipated development	The proposed bridge will facilitate future development providing access points.
8. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area	The Comprehensive Plan and Floodplain Management Plan for the area will be amended consistent with the proposed use.
9. The safety of access to the property in times of flood for ordinary and emergency vehicles	The rail will be at least 2' above the 100 year floodplain to ensure that safe access can be provided.
10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site	A hydraulic analysis commissioned by TriMet indicates that the proposed Floodway encroachment would cause a minor rise in base flood elevations of approximately 0.06 feet (about 3/4ths inch) maximum at the proposed bridge, which diminishes as it continues upstream to the Willamette Falls at which point the increased rise reaches 0.00 ft.
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges	No change expected.
24.50.070.C Conditions for Variances	
1. Generally the only condition under which variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (1-11) have been fully considered. As the lot size increases, the technical justification required for issuing the variance increases	n/a
2. Variances shall not be issued within designated floodway if any increase in flood levels during the base flood discharge would result	City Council action required.
3. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this Section	n/a
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.	There is no alternative location and the flood hazard is *de minimis*; as a result, the variance is needed to afford relief.
5. Variances shall only be issued upon:	

a. A showing of good and sufficient cause, b. A determination that failure to grant the variance would result in exceptional hardship to the applicant, and c. A determination that the granting of a variance would not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances	TriMet has made a showing of good and sufficient cause. In the absence of a variance, the Project cannot go forward. This criterion is satisfied - see #1 above.