

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS
Staff Presentation Worksheet

Presentation Date: 1/05/10 Time: 9:45 am Length: 15 minutes

Presentation Title: Portland to Milwaukie Light Rail Project - Trolley Trail Section 4(f)
Determination Letter

Department: North Clackamas Parks and Recreation District (NCPRD)

Presenters: Dan Zinzer and Michelle Healy, NCPRD

POLICY QUESTION

Should the Board approve the Trolley Trail Section 4(f) "de-minimus" use determination prepared by Metro for the Portland to Milwaukie Light Rail project (LRT)?

ISSUE & BACKGROUND

NCPRD has been working with TriMet, Metro, the City of Milwaukie and other partners to coordinate the Trolley Trail multi-use path project with the Portland to Milwaukie light rail extension. The LRT and Trolley Trail projects are co-located for approximately 0.6 mile between the railroad trestle at 22nd Avenue in the City of Milwaukie and Park Avenue in Clackamas County (see attached map). This is the second study session about the coordination of the two projects. NCPRD provided information about the overall project coordination at a prior study session on November 11, 2009.

Metro is currently completing the Final Environmental Impact Statement (FEIS) for the LRT project. One of the important elements of the FEIS is the analysis of the LRT's impacts on park resources (Section 4(f) of the United States Department of Transportation (USDOT) Act of 1966 (49 USC 303)). The Trolley Trail has been identified as a 4(f) resource.

Metro has completed the 4(f) analysis and characterized the impacts to the Trolley Trail as a "de-minimus" use (see attached letter for more detail). Metro is requesting concurrence from NCPRD that the analysis is acceptable and the proposed mitigations to the Trolley Trail project are sufficient.

Staff met with Metro and TriMet to review the determination and suggested some changes to the analysis. Metro and TriMet are revising the analysis to better reflect the LRT project's impacts to the Trolley Trail. Specifically, the 4(f) analysis will include the following:

- TriMet will purchase either property or a property easement from NCPRD and this will be based on an appraisal to be conducted after the record of decision.
- TriMet would construct the trail section between the park-and-ride at SE Park Avenue to SE River Road, as part of the light rail project.

- TriMet will be responsible for relocating the PGE utility at SE Park Avenue.
- TriMet has worked extensively with NCPRD to minimize the impacts on the trail by defining the following features as part of the project:
 - A design that maximizes the amount of space for the trail. At a minimum, a six foot planted buffer zone will be located between light rail and trail. Where possible the trail will be designed to utilize adjacent right-of-way to create additional buffer zone.
 - The light rail project is designing the retaining walls required for the light rail project and trolley trail to include terracing and/or planted slopes to provide a natural setting adjacent to the trail.
 - By designing the trail elevation relative to light rail elevation to maximize visibility to and from the trail to maintain safety and security "Crime Prevention Through Environmental Design" (CPTED) principles.
 - For the trail section between SE Park Avenue and SE River Road, providing pedestrian-scale lighting under the light rail structure and adjacent to light rail. The design of the lighting may be incorporated into the light rail system or be within the trail section; details of this design will continue to be developed in partnership with the County and other partners.
 - The light rail project is designing fencing and other light-rail related utilities and features to be aesthetically compatible with the adjacent trail.
- Recognizing the importance of delivering the new regional trail connection envisioned for the Trolley Trail, project partners have developed an approach for completing the link from SE Park Avenue to Kellogg Creek prior to construction of the light rail in this area. Trail users for this section of trail would be directed to a sidewalk and bike lanes on SE McLoughlin Boulevard and/or to River Road until the light rail and trail construction are completed in this section.
- All parties recognize the desire to open the trail in its permanent location as soon as possible.
- Public access to the trail would be increased by providing a light rail station at SE Park Avenue. Further, access to the trail would be improved by allowing trail users to park in the Park Avenue park-and-ride structure during non-peak times.
- NCPRD and TriMet are jointly drafting an Intergovernmental Agreement (IGA) further defining the shared understanding of the approach to developing the two projects in collaboration.

Based on the information above and ongoing coordination with TriMet and Metro, staff believes the 4(f) "de-minimus" use determination is acceptable. Staff further believes that preparation of an IGA with TriMet to formalize the relationship of the two projects is necessary and should begin as soon as possible. The IGA will further describe the relationship between LRT and the Trolley Trail including, but not limited to, right of way

requirements and ownership, liability, long term maintenance, and shared use agreements.

QUESTION(S) PRESENTED FOR CONSIDERATION

Does the Board concur with the Trolley Trail 4(f) "de-minimus" use determination prepared by Metro for the LRT project?

OPTIONS AVAILABLE

1. Approve 4(f) analysis of Trolley Trail project.
2. Approve 4(f) analysis with changes.
3. Reject 4(f) analysis and request Metro complete additional analysis of the LRT project impacts to the Trolley Trail. The LRT project would incur additional consulting costs to complete this work.

RECOMMENDATIONS:

Staff respectfully recommends the Board approve the Trolley Trail 4(f) determination prepared for the LRT project and direct staff to begin drafting an IGA with TriMet.

SCHEDULE FOR STUDY SESSION

Division Director/Head Approval _____
Department Director/Head Approval Jan Zujewski _____
County Administrator Approval _____

For information on this issue or attachments please contact Michelle Healy at 503-742-4356 or email michellehealy@co.clackamas.or.us