



*City of Tualatin*

## **Attachment H1:**

Public Comment Record 2013-2014



GRACE LUCINI  
23677 SW Boones Ferry Road  
Tualatin Oregon, 97062  
503 692-9890

Wednesday, July 17, 2013

Tualatin City Council  
18880 SW Martinazzi Ave  
Tualatin, OR 97062-7092

RE: Letter and Attachments for Public Record  
For City Council Meeting July 22, 2013 Informational Packet  
Agenda Item #D4- Addendum to Basalt Creek Inter-Governmental Agreement

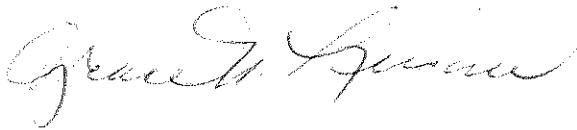
Please include for Public Record the following letter and 9 attachments-- in the informational packet for the Tualatin City Council Meeting scheduled for Monday July 22, 2013.

The attached letter relates to and provides additional information on agenda item #D4- Authorization for the Mayor to Sign an Addendum to the Basalt Creek Inter-Governmental Agreement (IGA).

This letter was written to the Washington County Board of Commissioners in opposition of proposed Washington County Ordinance 767.

A flash drive with digital copies of the letter and attachments is provided as well.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Grace M. Lucini".

Grace Lucini

Hand delivered 7-17-2013

FOR THE RECORD---PUBLIC COMMENT LETTER

**PROPOSED WASHINGTON COUNTY ORDINANCE 767**

**---PORTION RELATING TO - BASALT CREEK TRANSPORTATION REFINEMENT PLAN**

**July 15, 2013**

The proposed Ordinance 767 fails to achieve the goals of the Basalt Creek Transportation Refinement Plan.

The location of the Proposed Arterial Through-Truck Route as identified in proposed Ordinance 767 (Exhibit 1, Pages 1-6) does not provide direct access from, "Tualatin – Sherwood Road to I- 5 in North Wilsonville through the Basalt Creek Planning Area which is currently between the cities of Tualatin to the north, and Wilsonville to the south" Introduction Basalt Creek Transportation Refinement Plan Recommendations- Final Draft (Please See Attachment #7)

Additionally there was not sufficient due diligence in the analysis evaluating the proposed location of the Arterial Through-Truck Route as opposed to other locations with regards to:

1. Environmental Impact to Identified Significant Natural Areas in the proposed location
2. Topographical/Road Grade Limitations in the proposed location
3. Ability to integrate multi-modal forms of transportation in the proposed location
4. Estimated Cost and Integration with other Basalt Creek Projects with the proposed location
5. Actual inclusion of Public Outreach into the decision making process
6. Compatibility and Integration with Clackamas County TSP– Stafford Basin

**BACKGROUND**

The stated goal of the 2035 RTP Project List Basalt Creek Planning Area City-County-Metro IGA (Exhibit 4) Metro Project ID #11342 was to "Improve access to and from the Southern Arterial and I-5".

The selected route alternative (also known as the Basalt Creek East-West Connector; or Grahams Ferry to Boones Ferry Road Connector) is identified in Ordinance 767, and delineated in the Basalt Creek Transportation Refinement Plan. While project staff had the flexibility inherent in designing a new route, while doing so did not address, or provide adequate information for public discussion, regarding significant factors which exist along the proposed Major Arterial 5 Lane Regional Freight Route.

The Grahams Ferry Road to Boones Ferry Road Connector was the only location of the four alternatives proposed to the Policy Advisory Group, which requires a bridge with a 6% grade, and the only alternative of the four which is located in an area with the highest valued environmental habitat.

## **1. NEGATIVE ENVIRONMENTAL IMPACT of Selected Freight Route in proposed Ordinance 767**

Washington County knows or should have known the specific location of the proposed freight route is through several environmentally significant natural resources and disclosed such during public meetings for proper vetting of the alternatives:

- Wetlands identified on the National Wetland Inventory *(Please see Attachment #1)*
- Near or including Potentially Jurisdictional Wetlands of the State or US – Letter to Washington County from Oregon Department of State Lands 6-3-2013, regarding SW Boones Ferry Road Improvement Project *(Please see Attachment #2)*
- Near or including Potentially Jurisdictional Waters of the State or US – Letter to Washington County from Oregon Department of State Lands 6-3-2013, regarding SW Boones Ferry Road Improvement Project *(Please see Attachment #2)*
- Tapman Creek which lies between Grahams Ferry Road and Boones Ferry Road in the location of the proposed freight route, is part of the Willamette Watershed and tributary to the Willamette River. The City of Wilsonville is required to file a TMDL report because of the pollution with the local waters. Tapman Creek is a contributory to that drainage system.
- Metro- Tier II Tonquin Geologic Target Area – Resolution #07-3850 *(Please see Attachment #3)*
- Metro Upland Class A Habitat *(Please see Attachment #4)*
- Metro Riparian Class I *(Please see Attachment #4)*
- Metro Wetland *(Please see Attachment #4)*
- Washington County Goal 5 – Significant Natural Area- Ordinance 671 *(Please see Attachment #5)*
- Washington County Goal 5 – Water Area, Wetlands & Fish and Wildlife Habitat - Ordinance 671 *(Please see Attachment #5)*

Preliminary project design plans *(Please see Attachment # 6 )* show a significantly large cut and fill into the identified wetlands will be necessary to be able to lower the grade of the required bridge through the wetlands to a 6% grade.

However, the project staff/consultants have commented the level of environmental evaluation utilized in the site selection process provided to the Basalt Creek Policy Advisory Group, did not go past the preliminary level of evaluation (i.e. presence of wetlands or not).

Upon being questioned at a Tualatin City Council Work Session, project staff commented the location of the East-West Connector had not undergone a CETAS evaluation; adding, a CETAS evaluation had been done at another location relating to the Highway 99 to I- 5 selection process.

It is not known if this proposed project has been submitted for evaluation under ODOTS Major Transportation Projects Agreement...

“Objectives of the Agreement for Environmental Streamlining of Major Transportation Projects (Agreement)

The signatory agencies to this Agreement wish to ensure full communication, participation, and early involvement in the Oregon Department of Transportation’s (ODOT’s) major transportation projects: those processed with an Environmental Impact Statement (EIS) or Environmental Assessment (EA) that are likely to impact cultural or natural resources. The anticipated benefits are:



- Improved cooperation and efficiency among agencies;
- Greater environmental protections; and
- Projects completed in budget and on time.”

### Potential Conflict of Interest

Local governments are given the authority to implement and oversee Title 13 and Goal 5 measures. Does a conflict of interest regarding Title 13 and Goal 5 measures develop when the local government is also the applicant/developer?

On another Basalt Creek Project, the SW Boones Ferry Road Improvement Project, Oregon DLS confirmed the existence of wetlands within the scope of the project (*Please see Attachment #2*). Washington County was the applicant for the Land Use Category B application.

In the Notice of Decision and Staff Report on the project’s Land Use application it was stated,

“Washington County Department of Land Use and Transportation is the holder of a NPDES 1200CA permit issued by the Oregon Department of Environmental Quality. County staff includes certified erosion control inspectors, and the project must only notify DEQ of the project to perform construction under the issued permit. A separate 12000C permit is not required from any other agency”.

The self-governing relationship Washington County enjoys with itself, causes one to question if environmental concerns are given unbiased oversight evaluation. Has the negative impact upon the various significant natural resources identified at the proposed location of Ordinance 767 in the Basalt Creek Area, be given the appropriate level of evaluation by unbiased agencies?

The location of the proposed route is also outside the boundaries of Clear Water Services, which again limits the oversight of this project with regard to potential negative impact to and protection of natural resources.

Additional factors which should also have been considered and disclosed as part of analysis of the proposed freight arterial is the compounding impact of the 6% grade bridge and resulting:

- Pollution from Road Run-off into wetlands
- De-icing solution run-off into wetlands acerbated due to the steep bridge grade
- Noise pollution- The noise factor from freight truck compression brakes (Jake Brakes) used on the 6% grade bridge will be amplified by the elevation of the bridge, and by the topography of the surrounding ravine.
  - Will remedy be provided for local residences prohibiting the use of Jake Brakes along this section of the arterial as part of the Ordinance?
  - If use of Jake Brakes is prohibited, what effect will this have on freight trucks descending the 6% grade which will be a required feature of this route selection.
  - This this issue should have been discussed as part of the public analysis of the site selection.

## **2. TOPOGRAPHICAL IMPACTS OF SELECTED ROUTE UPON FLOW OF FREIGHT TRAFFIC**

The proposed routing of the Regional Arterial Freight Route includes several design factors known to increase freight congestion and bottlenecks:

- **6% Grade Bridge**-County staff has stated the arterial location identified in Ordinance 767 will require a connector bridge between Grahams Ferry Road and SW Boones Ferry Road. Project staff has said the bridge grade can be reduced to approximately a 6% grade by requiring cut and fill in the Basalt Creek Ravine. *(Please see Attachments #6 and #7)*

**This was the only alternative of the four alternative routes presented by the Washington County staff which requires a 6% grade bridge**

Although Washington County allows construction of roads greater than 6% grade, the Federal Department of Transportation recommends a maximum grade of 6% for Highways.

- Steep Grades negatively impacts flow of freight trucks
  - Steep Grade Bottlenecks for Trucks (for roadway sections with grades greater than 4.5 percent and more than a mile long) increases costs associated with freight shipping... "the total delay associated nationally with this type of bottleneck in 2006 was about 26 million truck hours or 12 percent of the total truck hours of delay. At a delay cost of \$32.15 per hour, the direct user cost of the bottlenecks is about \$836 million per year" Estimated Cost of Freight Involved in Highway Bottlenecks by Cambridge Systematics, Inc. for US Department of Transportation.
  - "As a vehicle's weight increases, its ability to accelerate quickly for merging with freeway traffic and to maintain speed (especially when climbing hills) is degraded, unless larger engines or different gearing arrangements are used. These concerns may also be addressed by screening routes to ensure they are suitable for use by any vehicle at its proposed weight and dimensions...  
As with congestion, the speed (a function of weight, engine power, and roadway grade) and length of a vehicle are the major factors of concern, although vehicle speed is more important than length in assessing congestion effects." US Department of Transportation- Comprehensive Truck Size and Weight Study Volume 3 Chapter 9
- A 6 % grade bridge increases safety concerns...
  - "Speed differential on highways with steep grades can contribute to safety and operational problems. Trucks and other heavy vehicles lose speed on steep, ascending grades and may be unable to reach full highway speed until they have passed the crest of the steep grade. Vehicles behind them are slowed degrading operations at the least, and contributing to rear-end conflicts and in some cases risk passing maneuvers at the worst. Truck drivers may also choose to descend grades at slower speeds to maintain better control of their vehicles. Operations may be degraded for faster-moving vehicles from behind, creating an increased risk of rear-end crashes and risky passing maneuvers". "Mitigation Strategies-Grade" Federal Highway Administration,

- “All of the studies that address vertical grade estimate that increasing steepness is positively associated with crash frequency” Analysis of Design Attributes and Crashes on the Oregon Highway System –Final Report, ODOT 2001
- “Bridges. When the temperature drops, bridges will freeze before the road will.” Oregon Commercial Driver License Manual 2012-2013
- Tire traction on icy roads decreases with increased road grade and cross slopes
- Knowledgeable truck drivers will elect to use and congest other local roads rather than use a steep bridge when ice or frost threatens
- Roads with steep grades reduce drivers’ visual sight distance- decreasing driver reaction time.
- Bridges by their nature- provide limited points of access for emergency vehicles and may increase emergency response time- which would be a safety issue especially in cold weather due to the grade of the bridge
- Sun glare may cause visual impairment on drivers ascending the 6% grade when driving east on the proposed route. This is an issue of which I have personal knowledge due to the location of my driveway which is parallel to the proposed route.
- **Signaled Intersections at top and bottom of a steep grade-increase freight bottle neck congestion**
  - Only this selected alternative route includes this bottleneck design factor- due to the 6% grade bridge intersecting at Grahams Ferry and Boones Ferry Road
  - Freight Truck transit time through intersections at the top and the bottom of 6% will increase- slowing flow of freight traffic
  - Washington County staff acknowledged an additional acceleration lane may be needed to address truck acceleration limits ascending the 6% Grade bridge. This will add to construction costs.
  - Freight trucks require greater time and distance for deceleration when descending steep grades than private vehicles – slowing flow of traffic descending the grade nearing Grahams Ferry Road Intersection
- **“Major arterials connecting at a “T” Intersection increases bottleneck congestion.** To address this bottle neck design, the County staff acknowledged additional design factors would be needed, potentially including additional turn lanes at the top of bridge at the “T” intersection to Boones Ferry Road to accommodate flow and speed of freight traffic. This will require additional costs to remedy.

### **3. MULTI-MODAL USE-- LIMITATIONS OF SELECTED FREIGHT ROUTE**

The East-West Connector was presented by project staff as being able to connect to the Tonquin Ice Age Trail. However, the Federal Government and ADA recommendations for sidewalks and pathways include a maximum grade of 5%, which is exceeded by the stated anticipated grade of the Grahams Ferry to Boones Ferry Road Connection Bridge.

“Public rights-of-way and facilities are required to be accessible to persons with disabilities through the following statutes: Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. §794) and Title II of the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §§ 12131-12164). The laws work together to achieve this goal. (9-12-06)” US Department of Transportation Federal Highway Administration- Civil Rights-Questions and Answers About ADA/Section 504

While design allowances/ mitigation is permitted to allow a sidewalk adjacent to roads to be the same grade as the road-

- This was the only route of the alternatives which exceeded the 5% grade maximum grade.
- Some design mitigators which can address the steep grade for pedestrians, include the addition of horizontal resting platforms at frequent locations along the grade. This may increase the length of the bridge, or increase the grade between the rest areas.
- If resting platforms are included in the pedestrian portion of the bridge design, then it is recommended the width of the pedestrian sidewalk be enlarged to allow free flow of pedestrian traffic unobstructed by other pedestrians who are using the resting areas. This will increase construction costs.
- The 6% grade may cause health and safety issues for
  - Pedestrians of any age with limited mobility
  - Novice bicyclists
  - People in wheelchairs or other mobility devices
  - These factors decrease the effective utilization of this route by multiple means of transportation due to location and design of the proposed route.

#### **4. COST FACTORS**

##### **Construction Costs-Additional Phasing Costs- Integration with other Basalt Creek Projects**

In addition to costs relating to the steep grade of the bridge (i.e. costs for additional acceleration lanes , freight turn lanes, and costs for design mitigators which may be added to reach ADA recommended 5% grade or less), the East-West Connector Route was the only alternative selection which requires the demolition of a part of another Basalt Creek Refinement Project.

- The arterial route identified in Ordinance 767 will intersect SW Boones Ferry Road at a point which requires the demolition of the main access to, and a significant portion of, the frontage road to be created as part of the Basalt Creek SW Boones Ferry Road Improvement Project. The SW Boones Ferry Road Improvement Project is currently under construction and not yet completed.

##### **Costs to Community**

- This Connector Route was the only selection alternative which requires the destruction of a development community of 5 single family homes.

## **5. PUBLIC OUTREACH -EQUITY**

The location of the proposed Freight Arterial is within CPO 5. At this time CPO 5 is not active, which removed an established mechanism for local residents to express their concerns regarding the proposed freight route.

While the residents of the Cities of Wilsonville and Tualatin had local representation in the Policy Advisory Group in addition to the representation by a Washington County Commissioner, the residents directly within the path of the proposed freight arterial did not have local representatives on the PAG committee.

This small portion of incorporated Washington County has been subjected to a disproportionately high number of actions having negative impacts upon the existing local residents -

- Coffee Creek Correctional Center
- SW Boones Ferry Road Improvement Project
- 124<sup>th</sup> To Grahams Ferry Road Connector
- Proposed location of East-West Connector as identified in Washington County Ordinance 767

Local residents have made significant efforts to obtain information on the proposed project over the last few years. Many of their comments were not quantified in the presentations to the various PAG member groups.

While it appeared that while some Public Outreach efforts were made, it is apparent that the information gained was not utilized. An example of this lack of concern for the voice of residents can be found in the MSTIP 3D Public Outreach of which this project was to be evaluated for inclusion for funding. While the long list of projects were posted for public input in March 2012, the short list of projects to be funded was posted the prior day.

## **6. COMPATIBILITY AND INTEGRATION WITH CLACKAMAS COUNTY TSP--and STAFFORD BASIN**

Project staff and consultants stated the advantage of this location over the other alternative locations for the freight arterial would be the ability to extend Greenhill Lane over Interstate 5 to connect to Frobese Road.

- With the proposed Ordinance, the Greenhill Lane extension will be a dead end road without use as a freight route until and if an I-5 overpass is created.
- The west end of Frobese Road is currently outside the UGB
- It was stated the estimated timeframe for the Frobese Road Overpass was 2035, or when and if development occurs in the Stafford Basin.
- The Greenhill Lane road extension, even when the overpass is completed, will not directly connect to Interstate 5

In Public Outreach presentations project staff did not elaborate upon where freight traffic would flow once Interstate 5 was crossed from the Greenhill Lane extension proposed with this Ordinance.

- The Basalt Creek Agreement and this proposed ordinance do not indicate coordination and/or integration with Clackamas County regarding the anticipated flow of freight traffic from Frobese Road into Stafford Basin and Clackamas County to the east or the City of Wilsonville to the south.
- Should the various governments not reach agreement and commitment to integrate their transportation plans regarding the Stafford Basin and the flow of freight traffic through their districts, then the advantage of locating the proposed freight route as presented in Ordinance 767 is lost.

In summary, it is intended public outreach be done, the information obtained, and the information be included as a part the decision making process.

In submitting this comment letter as part of the public record prior to the first reading on the proposed Ordinance 767, I hope the Washington Board of Commissioners will take time to consider the information provided prior to voting upon the Ordinance. The multiple facets of this ordinance seem to necessitate more than a few days being taken to obtain the answers to questions posed – to allow for an informed vote.

**Additional Questions to be Resolved:**

1. Should Ordinance 767 be passed at this time and without further answers regarding the feasibility of the route location?
  - Should the expenditure of monies for Right- of Way acquisitions begin without obtaining additional answers and information regarding Ordinance 767
2. Considering all of the identified significant natural resources through which the proposed route is located, has an environmental impact evaluation been obtained for this specific routing of the proposed freight route through the Basalt Creek Area?
  - Has an application for a CETAS analysis been submitted for this project?
  - Has the Army Corp of Engineers, Oregon Department of Land Services, or DEQ been consulted about the impact of the proposed route on the environment/ significant natural resources?
  - Was an economic, social, environmental and energy (ESEE) analysis obtained? If so, were the results discussed in public meetings as part of the public process?
3. The proposed freight arterial route in the Basalt Creek Area, was the only alternative location which included a bridge close to 6% grade. Considering this route is to be used by local gravel trucks from the local quarries, is a 6% grade reasonable and conducive to free flowing freight traffic?
4. Was the ability of the route to accommodate multi-modal forms of transportation (including pedestrians of all abilities) given a sufficient weight factor in determining the location of the arterial?

As stated by Federal Department of Transportation Office of Operations 21<sup>st</sup> Century Operations Using 21<sup>st</sup> Century Technology- Traffic Bottlenecks, “Engineering judgment may be called into play when certain geometrics (e.g., grades, curves, sun angle, etc.) can't be analyzed by the micro simulation tool(s).”

It is time to take a realistic look at this proposal and evaluate if it is the best solution in meeting the stated goal, and if the most logical placement of a regional freight arterial was found.

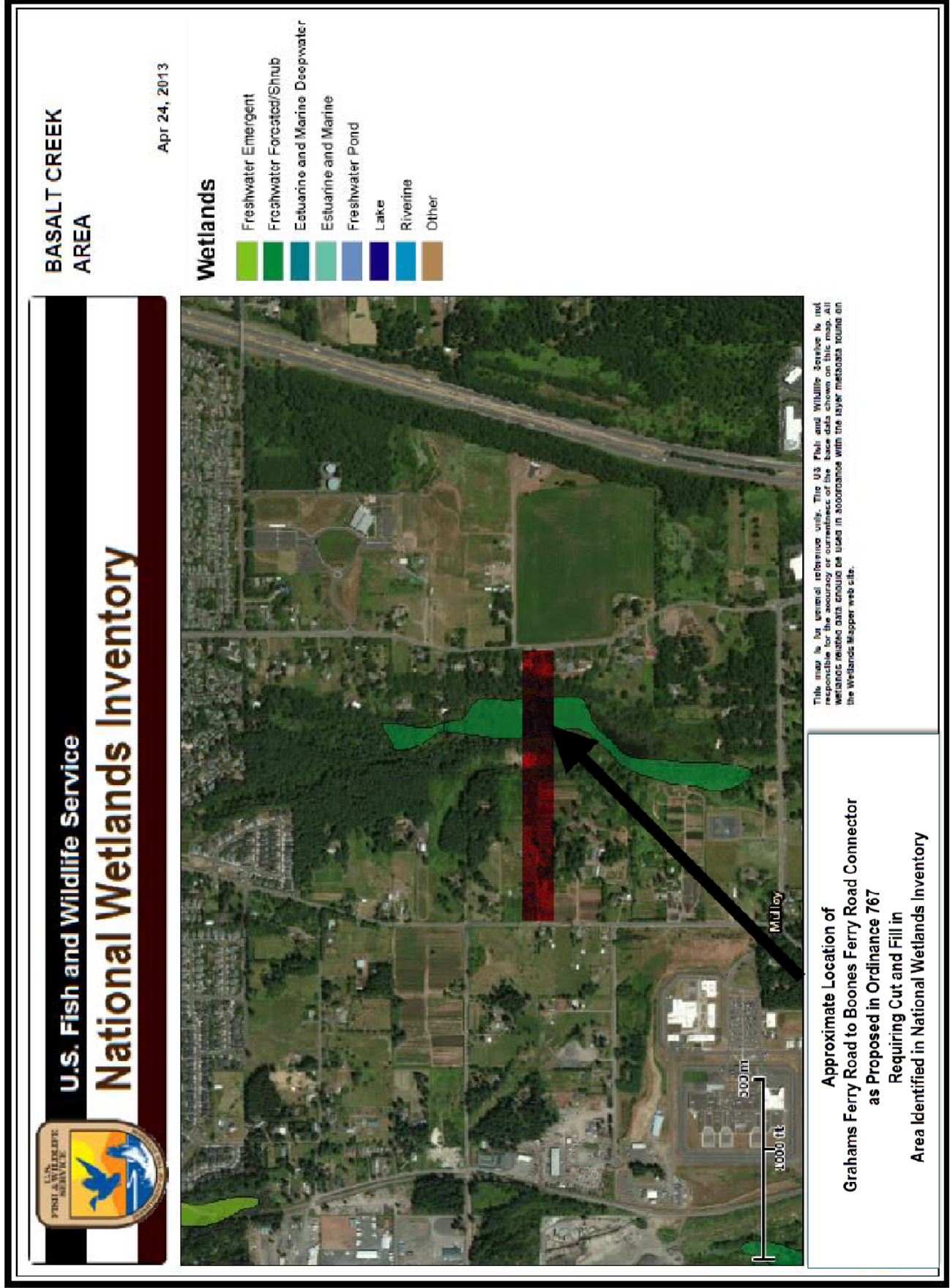
Respectfully submitted,

Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, OR 97062  
503 692 9890



# ATTACHMENT #1

## NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



# ATTACHMENT # 2



# Oregon

John A. Kitzhaber, MD, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregonstatelands.us

June 3, 2013

Washington County  
Attn: Abe Turki  
1400 SW Walnut Street, MS 18  
Hillsboro, OR 97123

State Land Board

John A. Kitzhaber, MD  
Governor

Re: Wetland Delineation Report for the Proposed SW Boones Ferry Road Widening Project – SW Norwood Road to SW Day Road (#15315), Washington County; T 2S R 1W S 35CA, 35CD and 35D portions of multiple tax lots; T 3S R 1W S2A, 2AB and 2B portions of multiple tax lots; WD #2013-0002; APP #53166

Kate Brown  
Secretary of State

Ted Wheeler  
State Treasurer

Dear Mr. Turki:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, a site visit on May 10, 2013, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figures 6, 6A and 6B of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps. Within the study area, five wetlands (totaling approximately 0.34 acres) and three waterways, including an intermittent tributary to Tapman Creek, a roadside ditch identified as Ditch A on Figure 6A, and an ephemeral headwater drainage, were identified. The five wetlands and one of the three waterways are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined). The remaining two waterways, the ephemeral headwater and Ditch A, are exempt per OAR 141-085-0515 (3) and (10); therefore, they are not subject to these state permit requirements.

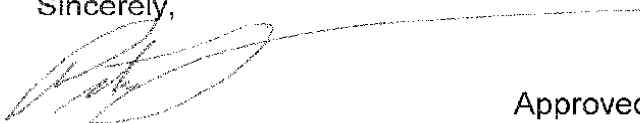
In addition, the Department was informed during the site visit that a small portion of Wetland D was accidentally impacted by a tree removal operation prior to the permit being issued. However, the actual area and volume of the impact was later determined to be nominal (totaling approximately 160 square feet; 1 cubic yard of fill), and therefore, no further action is required.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045

(available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity, or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,



Peter Ryan, PWS  
Wetland Specialist

Approved by

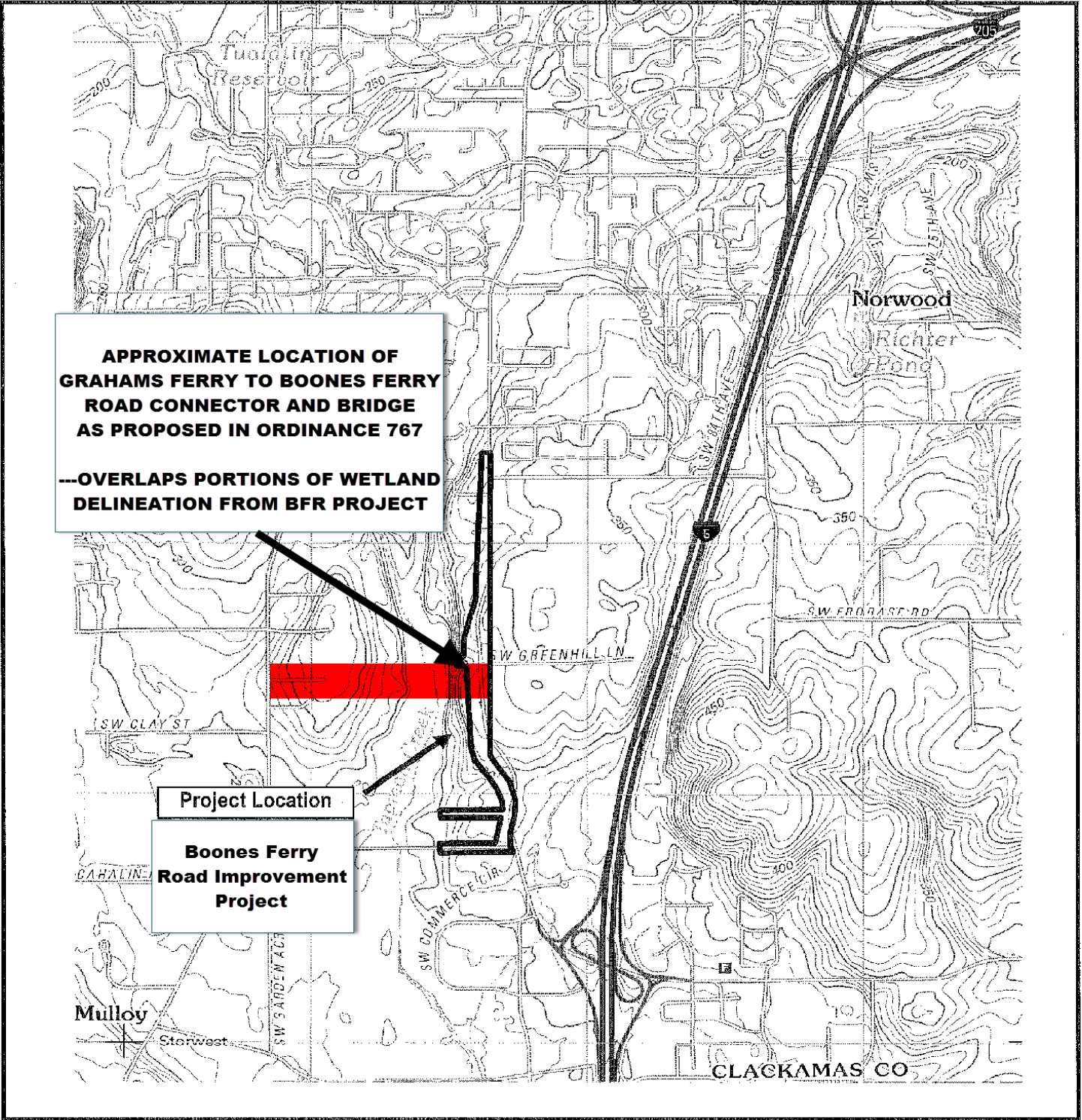


Kathy Verble, CPSS  
Acting Wetlands Program Manager

Enclosures

ec: Amy Hawkins, Pacific Habitat Services  
Washington County Planning Department  
Michael Ladouceur, Corps of Engineers  
Mike McCabe, DSL  
Amber Wierck, Clean Water Services

WD# 13-0002



4788  
11/15/12




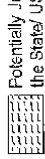
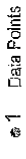
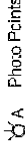
Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

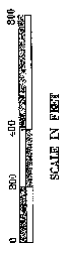
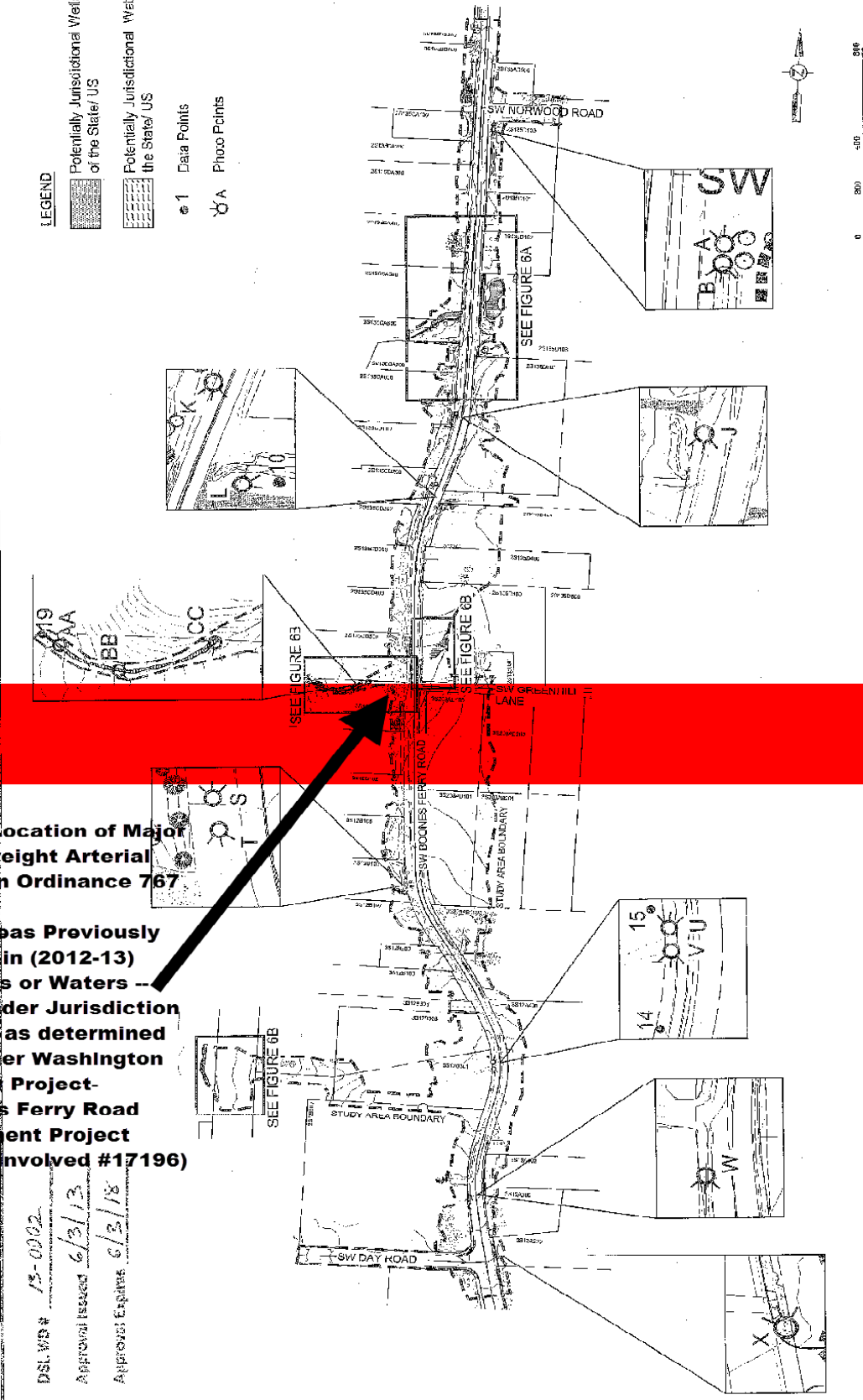
Location and general topography  
SW Boones Ferry Road Widening project in Washington County, Oregon  
(USGS Sherwood, OR quadrangle, 2011).

**FIGURE**  
**1**



**LEGEND**

-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
-  1 Data Points
-  Photo Points



**FIGURE 6**

Wetland Delineation Overall Site Context and Sheet Index Plan  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

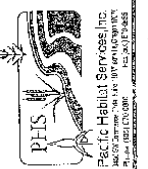
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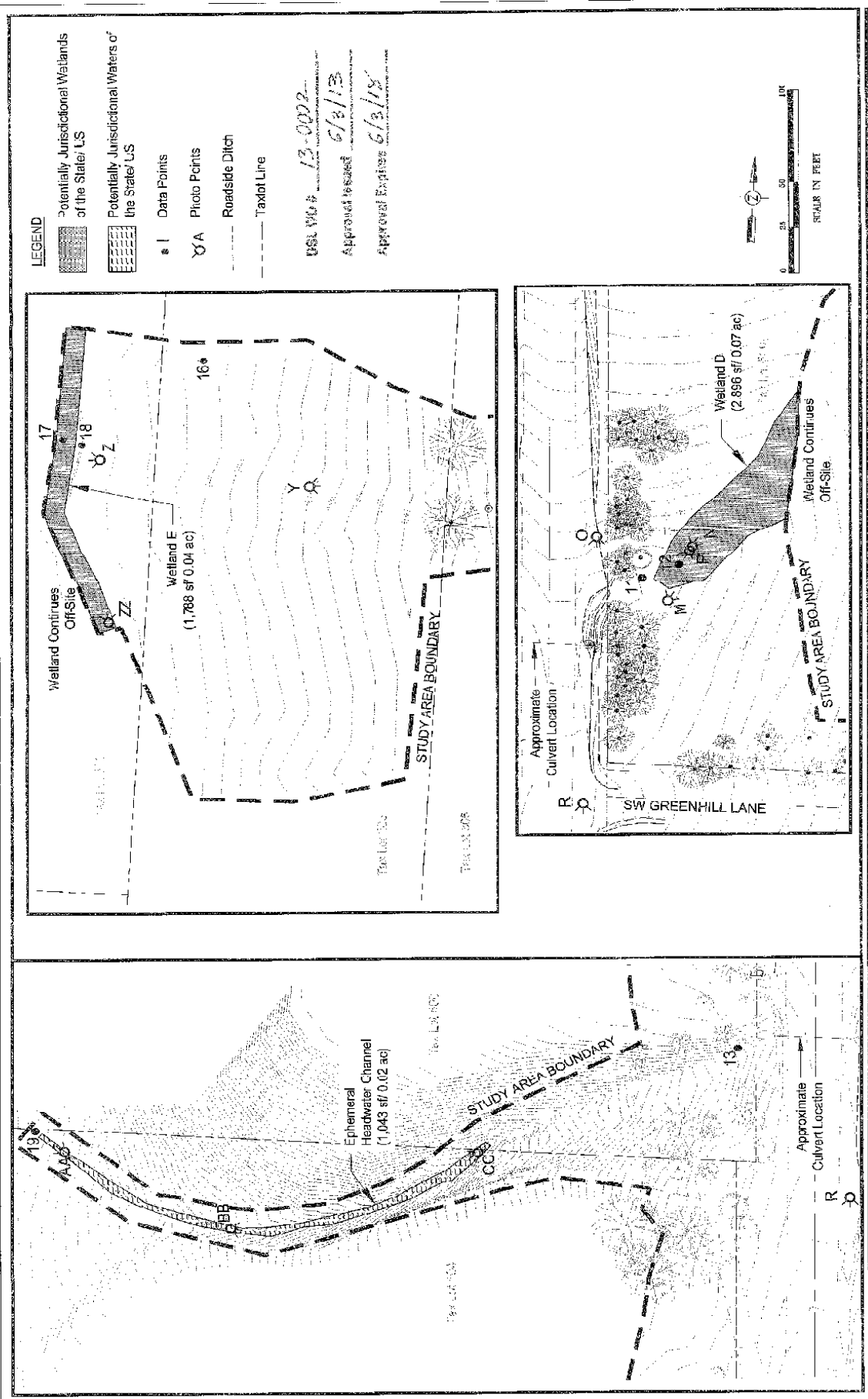
**Approximate Location of Major Regional Freight Arterial as Proposed in Ordinance 767**

**Adjacent Areas Previously Identified in (2012-13) as Wetlands or Waters -- Potentially Under Jurisdiction of State / US as determined during another Washington County Project - SW Boones Ferry Road Improvement Project (STIP Funding involved #17196)**

DSL WD# 15-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

Note:  
 Survey provided by Mackey & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.





Note:  
 Survey provided by Mackay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for case points 4, 13, 14 and 15 is +/- 3 feet.

Welland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6B**

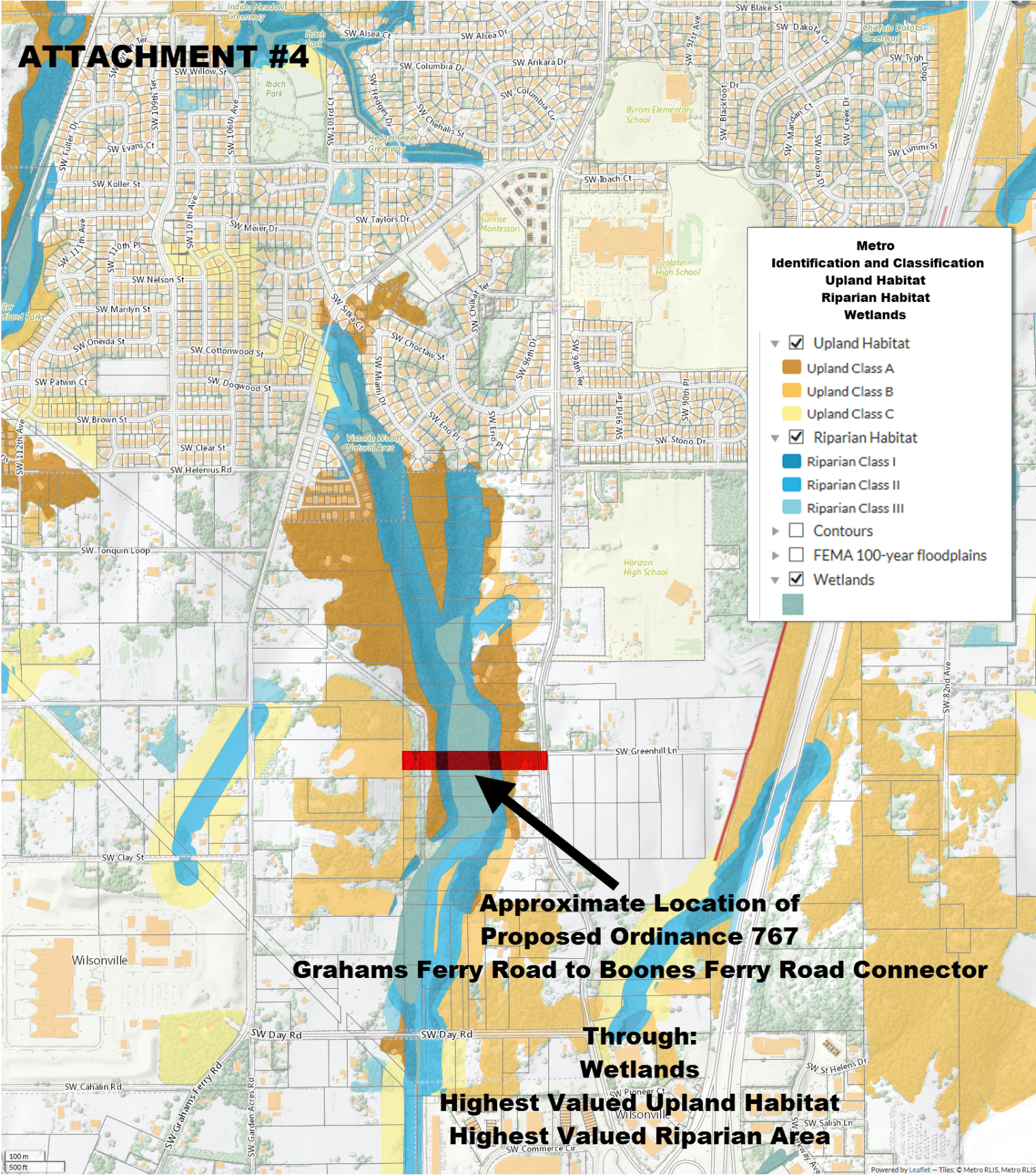
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# ATTACHMENT #4



**Metro Identification and Classification Upland Habitat Riparian Habitat Wetlands**

- Upland Habitat
- Upland Class A
- Upland Class B
- Upland Class C
- Riparian Habitat
- Riparian Class I
- Riparian Class II
- Riparian Class III
- Contours
- FEMA 100-year floodplains
- Wetlands

**Approximate Location of Proposed Ordinance 767**

**Grahams Ferry Road to Boones Ferry Road Connector**

**Through:  
Wetlands**

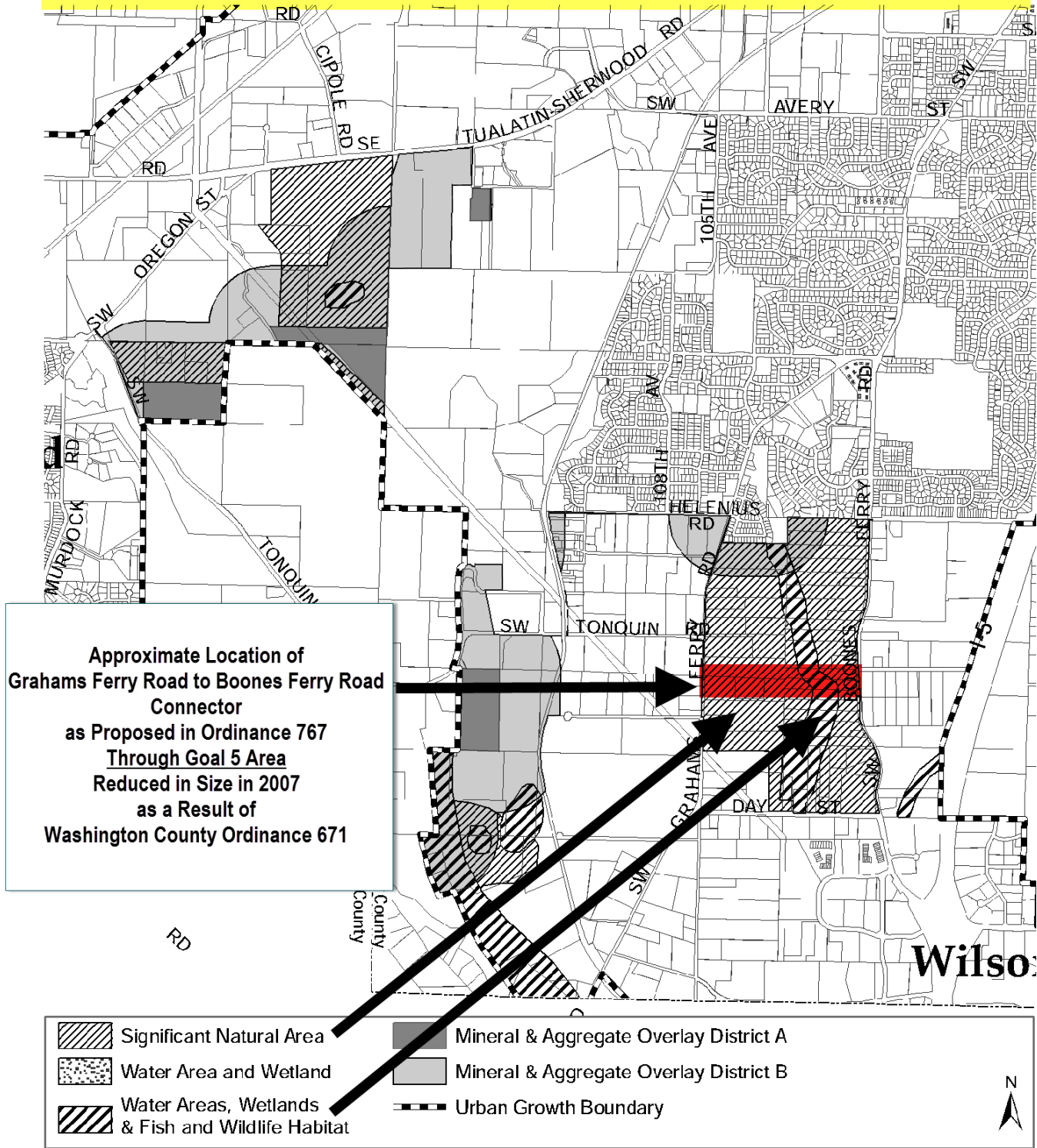
**Highest Valued Upland Habitat  
Highest Valued Riparian Area**



# ATTACHMENT #5

Ordinance 671  
 Exhibit 2  
 Page 3 of 9  
 January 18, 2007

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:

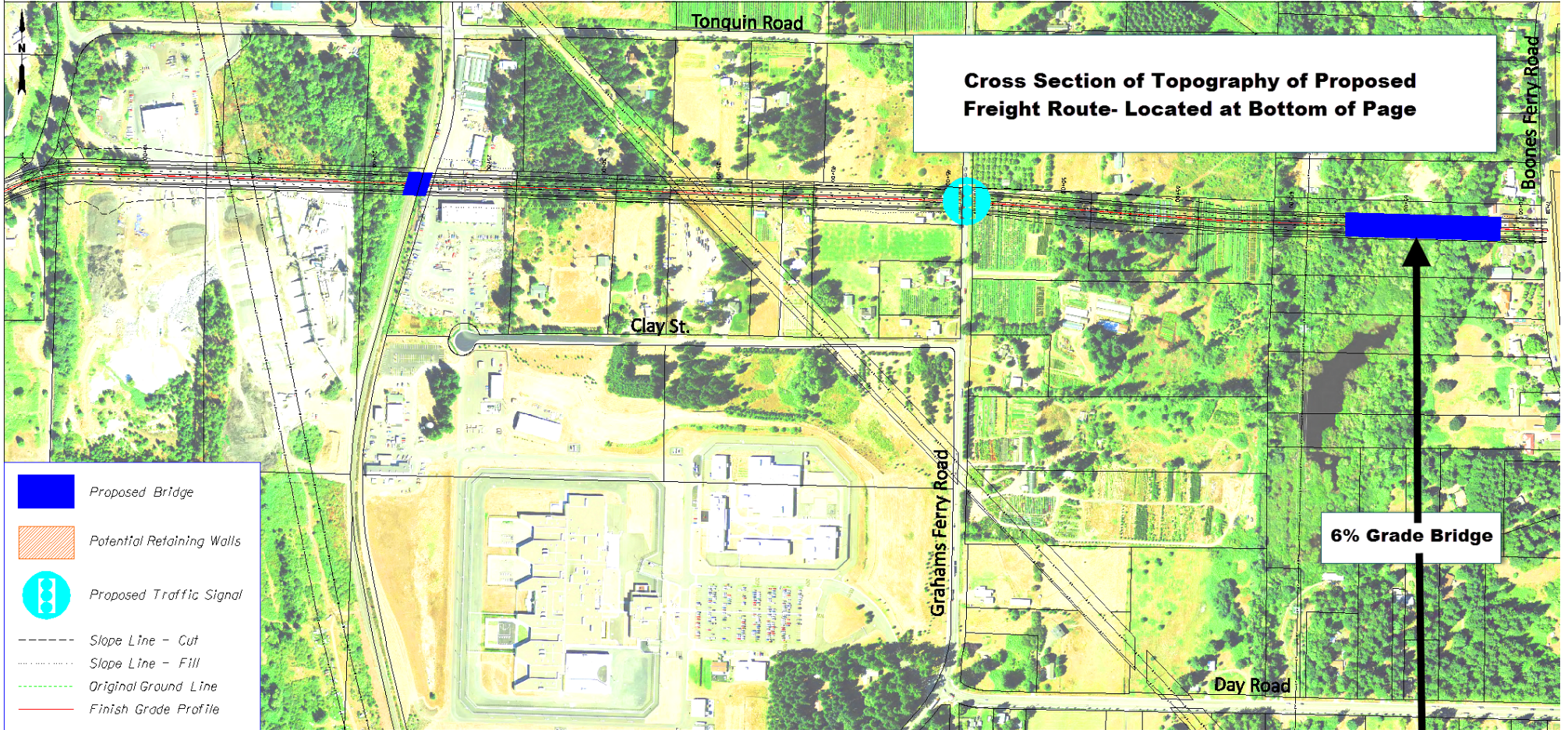
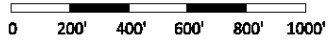




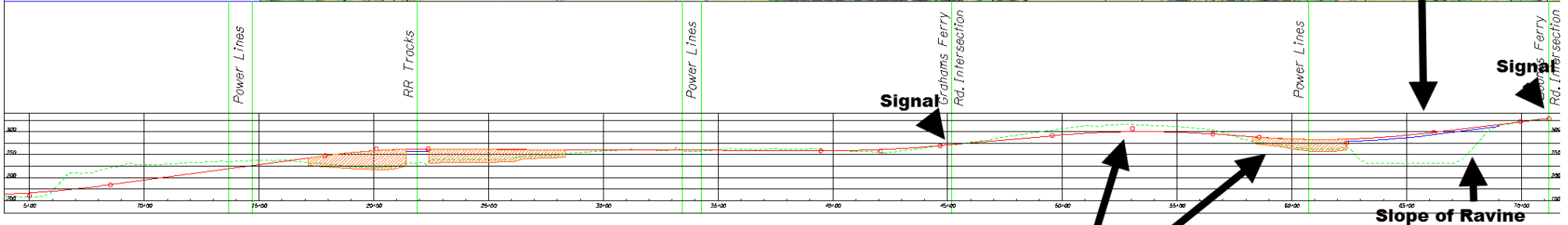
# ATTACHMENT # 6

## Basalt Creek Preliminary Design - East-West Connector

January 2012



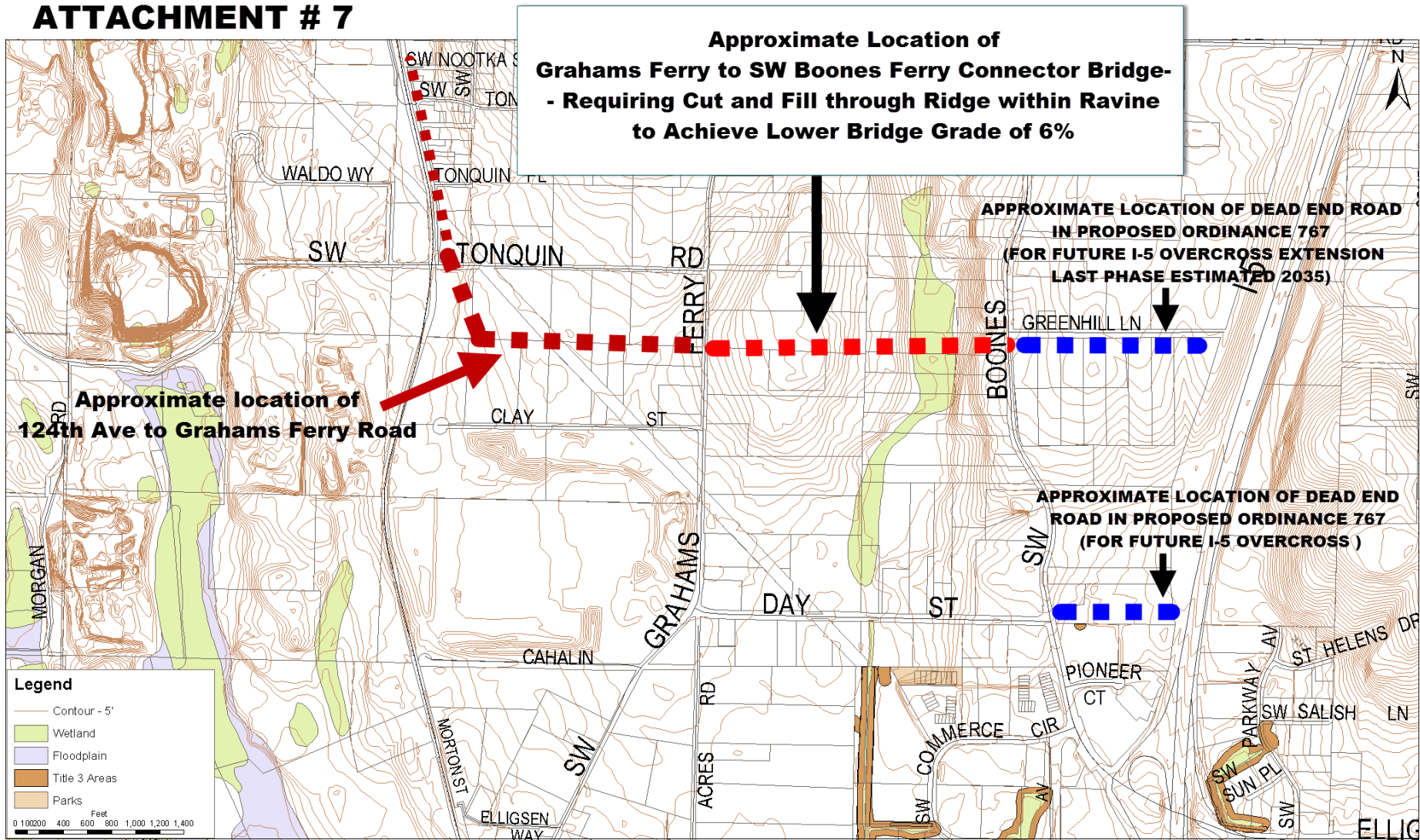
- Proposed Bridge
- Potential Retaining Walls
- Proposed Traffic Signal
- Slope Line - Cut
- Slope Line - Fill
- Original Ground Line
- Finish Grade Profile



**Note- Cross Section of Cut and Fill Needed to Reduce Grade of Bridge**

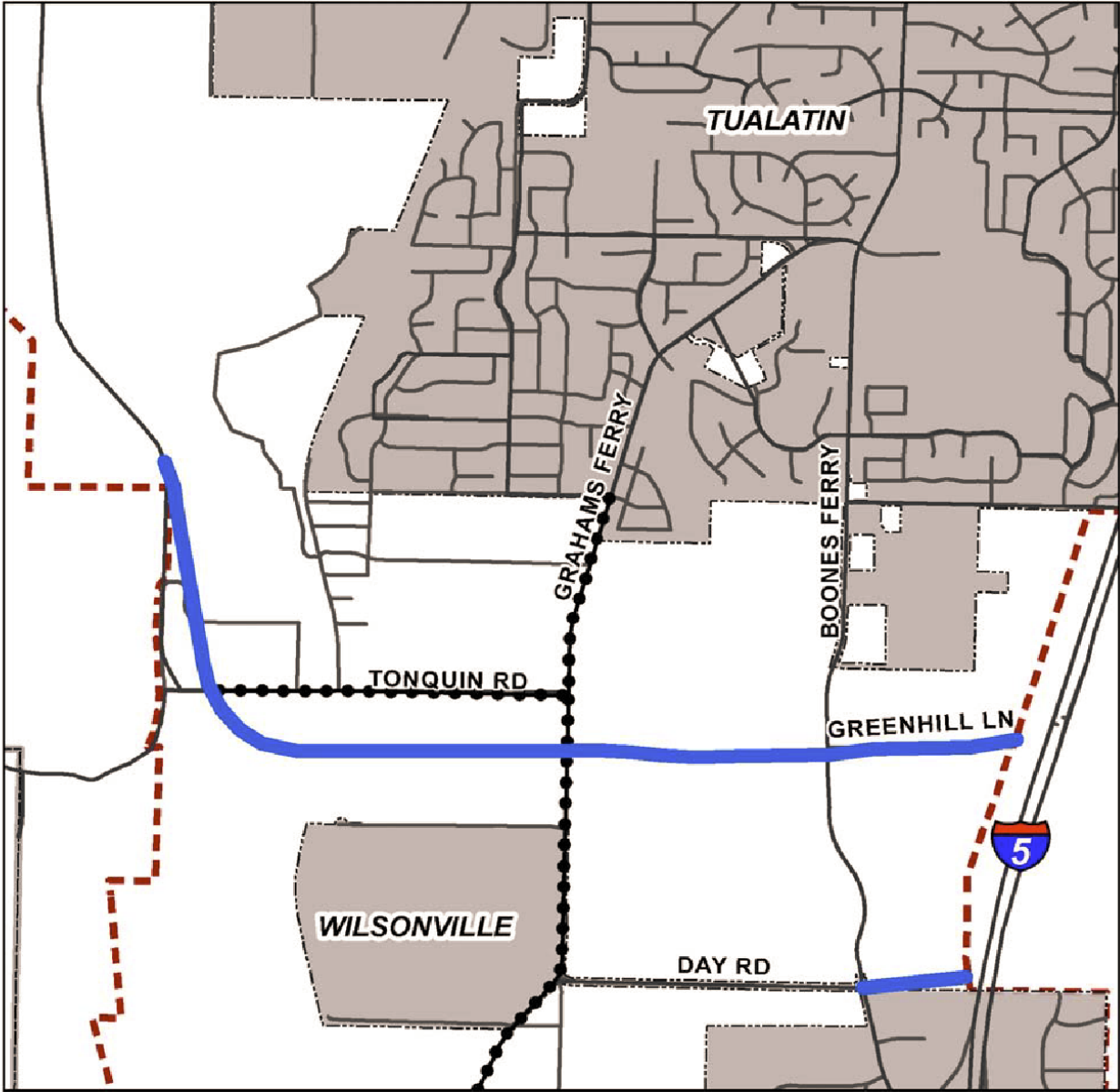


# ATTACHMENT # 7





**NO DIRECT CONNECTION  
TO INTERSTATE 5  
CREATED WITH PROPOSED ORDINANCE 767**

Figure 5 – Washington County Lane Numbers map, is amended as follows:



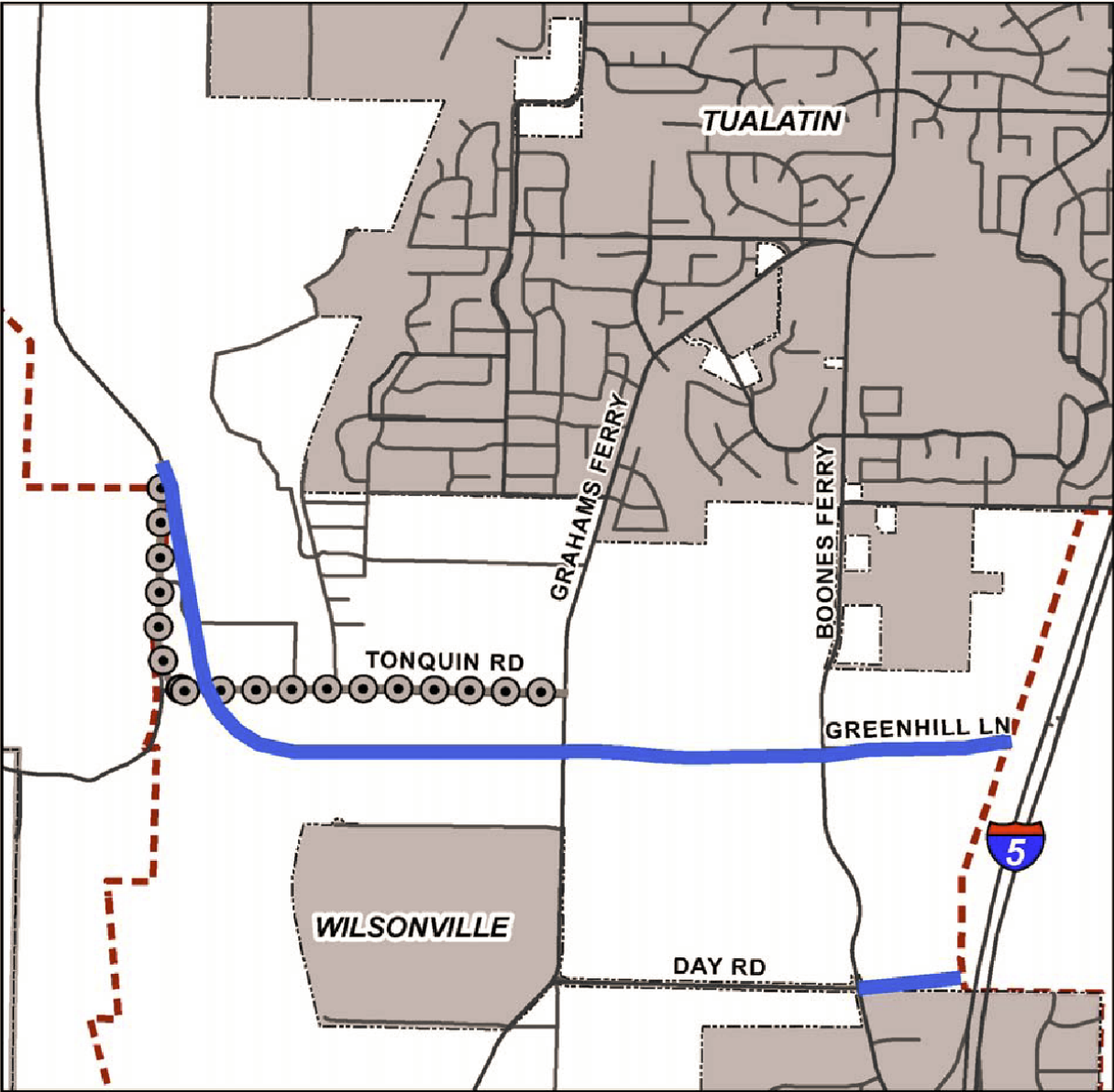
Path: J:\Users\DoriaM\GIS\_maps\_temp\STAFF\SteveL\_trans\2013\Besa\lCreek\LaneNumbers\_2color.mxd 4/30/2013

-  Add as 4-5 Lanes
-  Add as 2-3 Lanes
-  Cities
-  Urban Growth Boundary
-  County Boundary



abcdef Proposed additions  
~~abcdef~~ Proposed deletions

Figure 10 – Washington County Countywide Road System map, is amended as follows:



Path: J:\Users\DoriaM\GIS\_maps\_temp\STAFF\SteveL\_trans\2013\BasaltCreek\Countywide\_2color.mxd 4/30/2013

-  Add as Washington County
-  Remove Segment
-  Cities
-  Urban Growth Boundary
-  County Boundary

abcdef Proposed additions  
~~abcdef~~ Proposed deletions

**From:** [G Lucini](#)  
**To:** [Mangle, Katie](#)  
**Cc:** [Rappold, Kerry](#); [Cosgrove, Bryan](#); [Mayor Tim Knapp](#); [CINDY HAHN](#); [AQUILLA HURD-RAVICH](#); [Neamtzu, Chris](#)  
**Subject:** Re: Follow-up Joint Meeting Basalt Creek Planning - Topography & Natural Resources  
**Date:** Monday, November 04, 2013 6:49:12 PM

---

Katie,

Thank you for your follow up note.

I will look forward to hearing from either Cindy Hahn or yourself, when the consulting team is established within the next few months, as to participating in the planning process for Basalt Creek.

The offer for a first hand viewing experience of the significant natural resources and topography which lies to the west side of SW Boones Ferry Road definitely remains open.

Regards,  
Grace

On Mon, Nov 4, 2013 at 10:54 AM, Mangle, Katie <[mangle@ci.wilsonville.or.us](mailto:mangle@ci.wilsonville.or.us)> wrote:

Greetings Mr. and Mrs. Lucini,

Mayor Knapp shared your email and resource documents with me, and I just wanted to get in touch and thank you for sharing this information.

Also, be assured that you are on our list of people who want to be involved in the project and we will be in touch as opportunities arise to contribute to the project. One Tualatin approves the contract with the consulting team, one of the first tasks will be to outline the plan for involving affected property owners and other interested folks in the project.

Another one of the early tasks will be to ensure that the designers have a solid understanding of the land - reviewing information just like the documents you've shared. Thank you for your generous invitation to visit your property. I would love to take you up on that offer, and suggest that we set up an appointment in a few months, once the consulting team's work is underway. I know they will benefit from seeing and understanding the land first-hand in this way as well. Either Cindy Hahn (with Tualatin) or I will be in touch with you as we move forward.

I look forward to working with you.

Best regards,

Katie

Katie Mangle

*Long Range Planning Manager*

*City of Wilsonville*

*29799 SW Town Center Loop East*

*Wilsonville, OR 97070*

*503-570-1581*

*[mangle@ci.wilsonville.or.us](mailto:mangle@ci.wilsonville.or.us)*

*Visit our website: [City of Wilsonville : Planning](#)*

---

**From:** Mayor Tim Knapp

**Sent:** Wednesday, October 30, 2013 3:25 PM

**To:** Cosgrove, Bryan

**Cc:** Mangle, Katie; Rappold, Kerry; [grluci@gmail.com](mailto:grluci@gmail.com)

**Subject:** Fw: Follow-up Joint Meeting Basalt Creek Planning - Topography & Natural Resources

Hi All- Mr & Mrs Lucini were at the Basalt Creek meeting last night. They feel they have worthwhile input on Natural Resource considerations, which I agree we all will need to understand before we are done. I am not sure how we best fold this in, but invite Staff to take a look into it and make suggestions. The Lucini's indicate they would very much appreciate being included in the discussion, and would welcome a visit on site by Staff. Thx/TK

*Sent from my Verizon Wireless Droid*



-----Original message-----

**From:** G Lucini <[grluci@gmail.com](mailto:grluci@gmail.com)>

**To:** Mayor Tim Knapp <[knapp@ci.wilsonville.or.us](mailto:knapp@ci.wilsonville.or.us)>

**Sent:** Wed, Oct 30, 2013 22:10:16 GMT+00:00

**Subject:** Follow-up Joint Meeting Basalt Creek Planning - Topography & Natural Resources

Thank you for the time you spent talking with my husband and me after the Joint Meeting on the Basalt Creek Area Planning- discussing the need for representation in the planning process for Washington County residents within the affected area.

We also discussed the significant natural resources and topography within the Basalt Creek Area which will cause limitations upon utilization-especially industrial development.

You mentioned the City of Wilsonville has a Natural Resource Program and a staff member who oversees these issues for the city.

I have attached copies of a few documents which validate the existence of significant topography and natural resources within the Basalt Creek Area which should be considered when planning zoning and development:

- Metro maps showing slopes greater than 10% in Basalt Creek Area
- Metro maps showing topography of Basalt Creek Area
- Metro maps showing Highest Valued Habitat in Basalt Creek Area
- Oregon DSL & Army Corps Identification Wetlands from Boones Ferry Rd Project
- Goal 5 Significant Resources west of SW Boones Ferry Rd
- National Wetlands Inventory- Basalt Creek Area
- Tonquin Geologic Area- Tier 2 Designation within Basalt Creek Area
- City of Wilsonville - Willamette River TMDL - Overview of Wilsonville's Watershed- including Seely Ditch Watershed

I cordially extend an invitation to you, the other members of the Wilsonville City Council, and/or your staff, to visit my home which is located within ravine of the Basalt Creek- Seely Ditch.

I think this first hand experience would provide a unique visual perspective to the various natural resources and constraints which need to be understood when planning for zoning and development of this area.



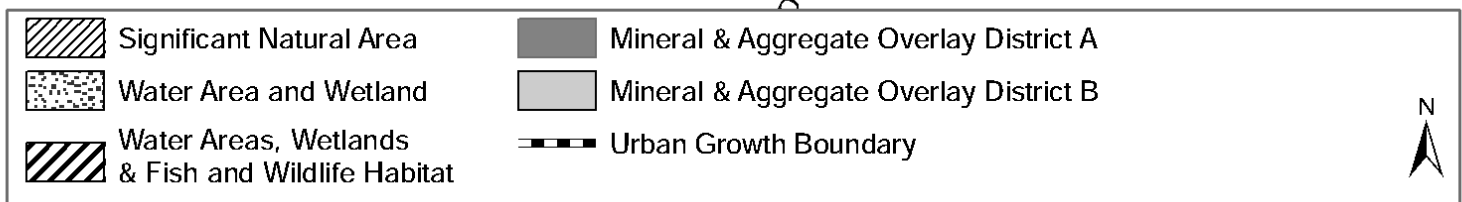
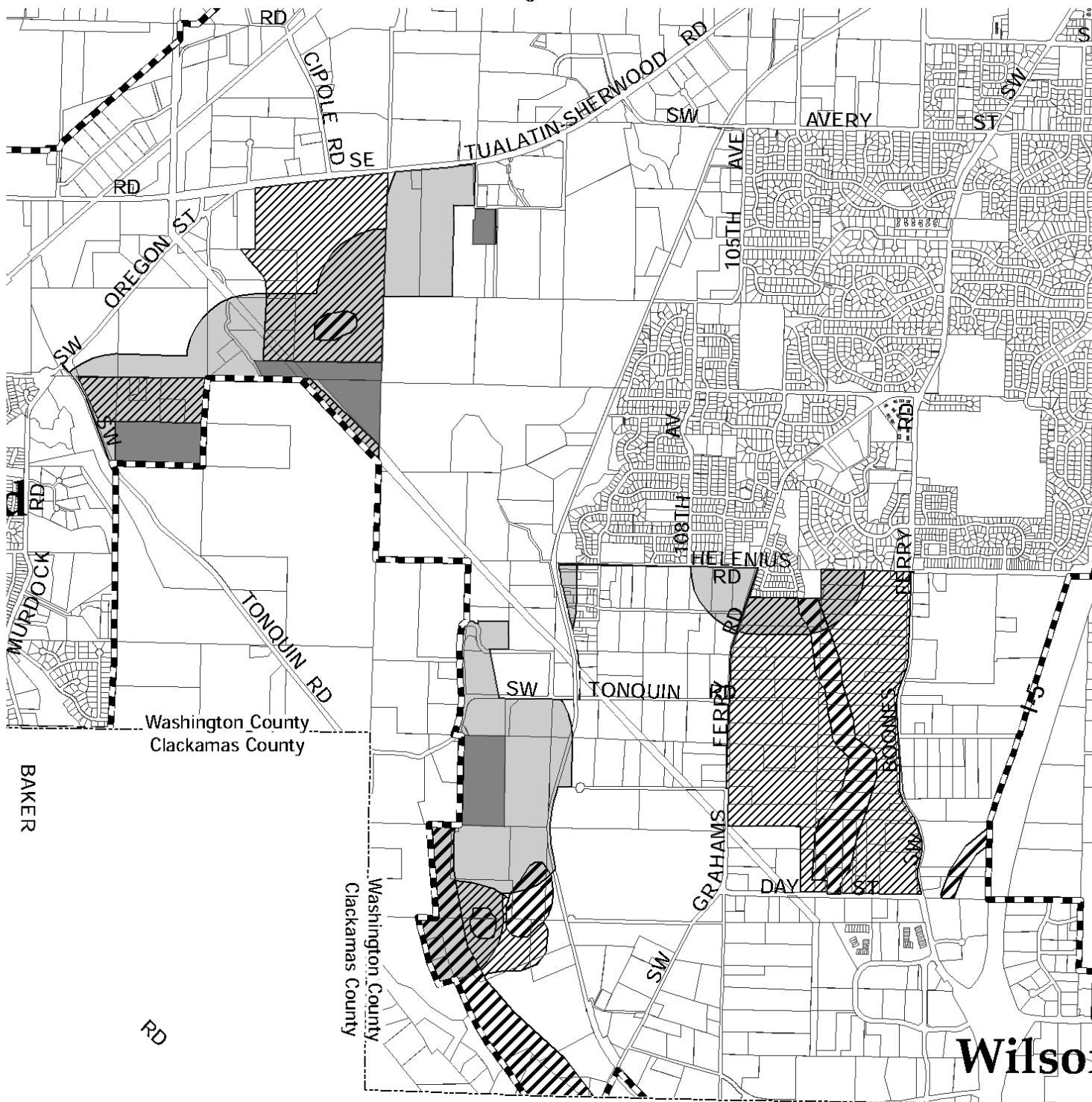
Grace Lucini

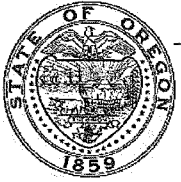
23677 SW Boones Ferry Road

Tualatin Oregon

503 692 9890

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:





# Oregon

John A. Kitzhaber, MD, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregonstatelands.us](http://www.oregonstatelands.us)

June 3, 2013

Washington County  
Attn: Abe Turki  
1400 SW Walnut Street, MS 18  
Hillsboro, OR 97123

State Land Board

John A. Kitzhaber, MD  
Governor

Re: Wetland Delineation Report for the Proposed SW Boones Ferry Road Widening Project – SW Norwood Road to SW Day Road (#15315), Washington County; T 2S R 1W S 35CA, 35CD and 35D portions of multiple tax lots; T 3S R 1W S2A, 2AB and 2B portions of multiple tax lots; WD #2013-0002; APP #53166

Kate Brown  
Secretary of State

Ted Wheeler  
State Treasurer

Dear Mr. Turki:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, a site visit on May 10, 2013, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figures 6, 6A and 6B of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps. Within the study area, five wetlands (totaling approximately 0.34 acres) and three waterways, including an intermittent tributary to Tapman Creek, a roadside ditch identified as Ditch A on Figure 6A, and an ephemeral headwater drainage, were identified. The five wetlands and one of the three waterways are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined). The remaining two waterways, the ephemeral headwater and Ditch A, are exempt per OAR 141-085-0515 (3) and (10); therefore, they are not subject to these state permit requirements.


In addition, the Department was informed during the site visit that a small portion of Wetland D was accidentally impacted by a tree removal operation prior to the permit being issued. However, the actual area and volume of the impact was later determined to be nominal (totaling approximately 160 square feet; 1 cubic yard of fill), and therefore, no further action is required.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045

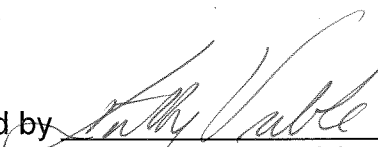
(available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity, or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,

  
Peter Ryan, PWS  
Wetland Specialist

Approved by

  
Kathy Verble, CPSS  
Acting Wetlands Program Manager

Enclosures

ec: Amy Hawkins, Pacific Habitat Services  
Washington County Planning Department  
Michael Ladouceur, Corps of Engineers  
Mike McCabe, DSL  
Amber Wierck, Clean Water Services

V#2695

14741-8475

WP

**WE LAND DELINEATION / DETERMINATION REPORT COVER FORM**

This form must be included with any wetland delineation report submitted to the Department of State Lands for review and approval. A wetland delineation report submittal is not "complete" unless the fully completed and signed report cover form and the required fee are submitted. Attach the form to the front of an unbound report and submit to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279

Mail a copy of the completed form with payment of the required report review fee to: Oregon Department of State Lands, P.O. Box 4395, Unit 18, Portland, OR 97208-4395. For new credit card payment option, see DSL web site.

<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address:		Business phone # 503-846-7800
Washington County		Mobile phone # (optional)
Attn: Abe Turki		FAX #
1400 SW Walnut Street, MS 18		E-mail: abraham_turki@co.washington.or.us
Hillsboro, Oregon 97123		
<input type="checkbox"/> Authorized Legal Agent, Name and Address:		Business phone #
		FAX #
		Mobile phone #
		E-mail:
I either own the property described below or I have legal authority to allow access to the property for the purpose of confirming the information in the report, after prior notification		
Typed/Printed Name: Abe Turki		Signature: _____
Date: _____		Special instructions regarding site access: _____

**Project and Site Information** (for latitude & longitude, use centroid of site or start & end points of linear project)

Project Name: <b>SW Boones Ferry Road widening project</b>	Latitude: <b>45.753668</b>	Longitude: <b>-122.447413</b>
Proposed Use: <b>Widen SW Boones Ferry Road from SW Norwood Road to SW Day Road</b>	Tax Map # <b>45.349223</b>	<b>-122.775066</b>
Project Street Address (or other descriptive location): <b>See Proposed Use</b>	2S 1 35CA; 2S 1 35CD; 2S 1 35D; 3S 1 2A; 3S 1 2AB; 3S 1 2B	
Portions of SW Boones Ferry Rd ROW and portions of the following tax lots:	Township	Range
35CA: 100, 200, 300, 400, 500, 600, 700, 800	2S	1W
35CD: 100, 200, 300, 302, 400, 500	3S	1W
35D: 101, 102, 106, 109, 303, 400, 401, and 500		
2A: 200, 300, 400, and 402		
2AB: 100, 101, 900, 1000		
2B: 100, 102, 103, 104, 105, 106, 107, 200, 300, 301, 303, 306, 307, 308, 309, and 311		
City: <b>Wilsonville</b>	County: <b>Washington</b>	NWI Quad(s): <b>Sherwood</b>
	Township	Range
	2S	1W
	3S	1W
	Section	QQ
	35	CA;CD;D;
	2	A;AB;B
	Tax Lots: See left	
	Waterway:	River Mile: N/A
	Wetland/Tributary to Coffee Lake Creek	

25 1W  
35 1W

**Wetland Delineation Information**

Wetland Consultant Name, Firm and Address:		Phone # 503-570-0800
Pacific Habitat Services		Mobile phone #
Attn: Amy Hawkins		FAX # 503-570-0855
9450 SW Commerce Circle, Suite 160		E-mail: ah@pacifichabitat.com
Wilsonville, OR 97070		
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.		
Cons: _____	Date:	1/31/13
Primary Contact for report review and site access is <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent		
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Study Area size: ~35 Acres	Total Wetland Acreage: 0.38

RECEIVED

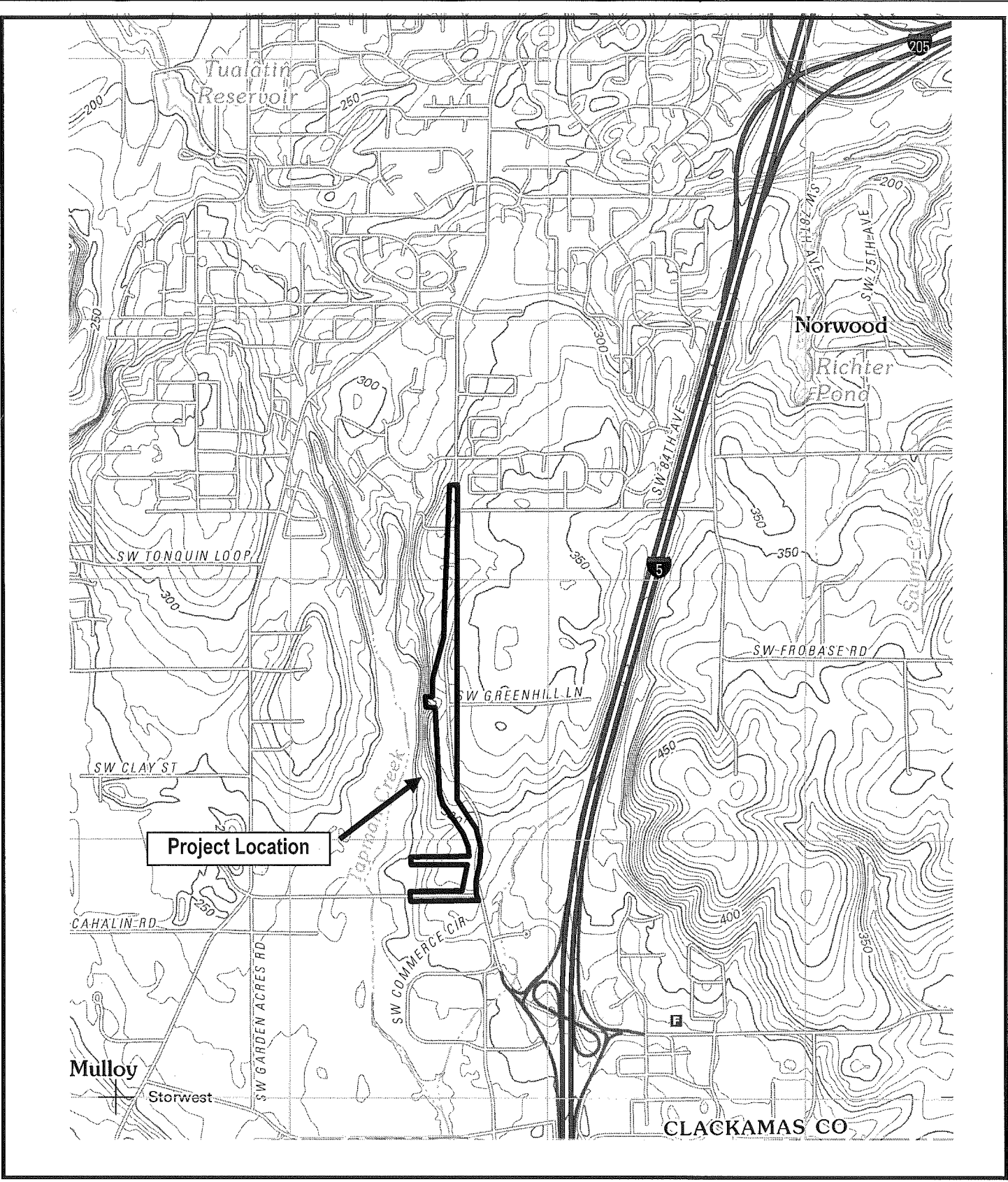
FEB 01 2013

DEPARTMENT OF STATE LANDS  
REMITTANCE 388.00

<b>Check Box Below if Applicable:</b>		<b>Fees:</b>
<input type="checkbox"/> R-F permit application submitted	<input checked="" type="checkbox"/> Fee payment submitted \$ <del>378.00</del> 388	
<input type="checkbox"/> Mitigation bank site	<input type="checkbox"/> Fee (\$100) for resubmittal of rejected report	
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	Name of Payor: <b>Washington County</b>	
<input type="checkbox"/> Industrial Land Certification Program Site	<b>Pacific Habitat Services</b>	
<b>Other Information:</b>		Y N
Has previous delineation/application been made on parcel?	<input type="checkbox"/> <input checked="" type="checkbox"/>	If known, previous DSL #
Does LWI, if any, show wetland or waters on parcel?	<input checked="" type="checkbox"/> <input type="checkbox"/>	

**For Office Use Only**

DSL Reviewer: <u>PR</u>	Fee Paid Date: <u>2/1/13</u>	DSL WD # <u>2013-0002</u>
Date Delineation Received: <u>2/1/13</u>	DSL Project # <u>54037</u>	DSL Site # _____
Scanned: <input checked="" type="checkbox"/> Final Scan: <input type="checkbox"/>	DSL WN # _____	DSL App. # <u>53166</u>



4788  
11/15/12



Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

Location and general topography  
SW Boones Ferry Road Widening project in Washington County, Oregon  
(USGS Sherwood, OR quadrangle, 2011).



FIGURE  
1

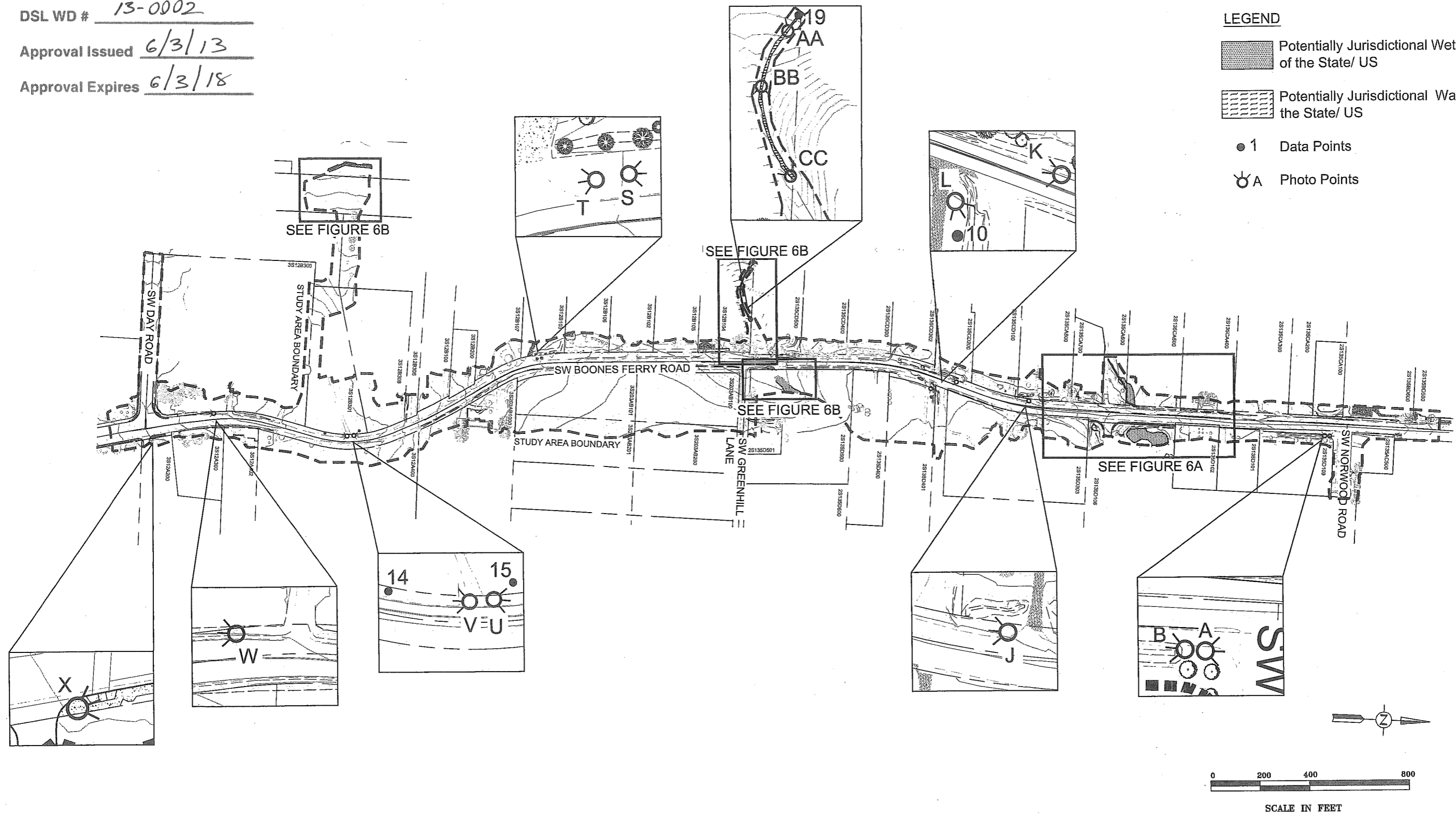
DSL WD # 13-0002

Approval Issued 6/3/13

Approval Expires 6/3/18

LEGEND

-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
- 1 Data Points
- ⊙ A Photo Points



Note:  
Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.








Wetland Delineation Overall Site Context and Sheet Index Plan  
SW Boones Ferry Road Widening Project - Washington County, Oregon

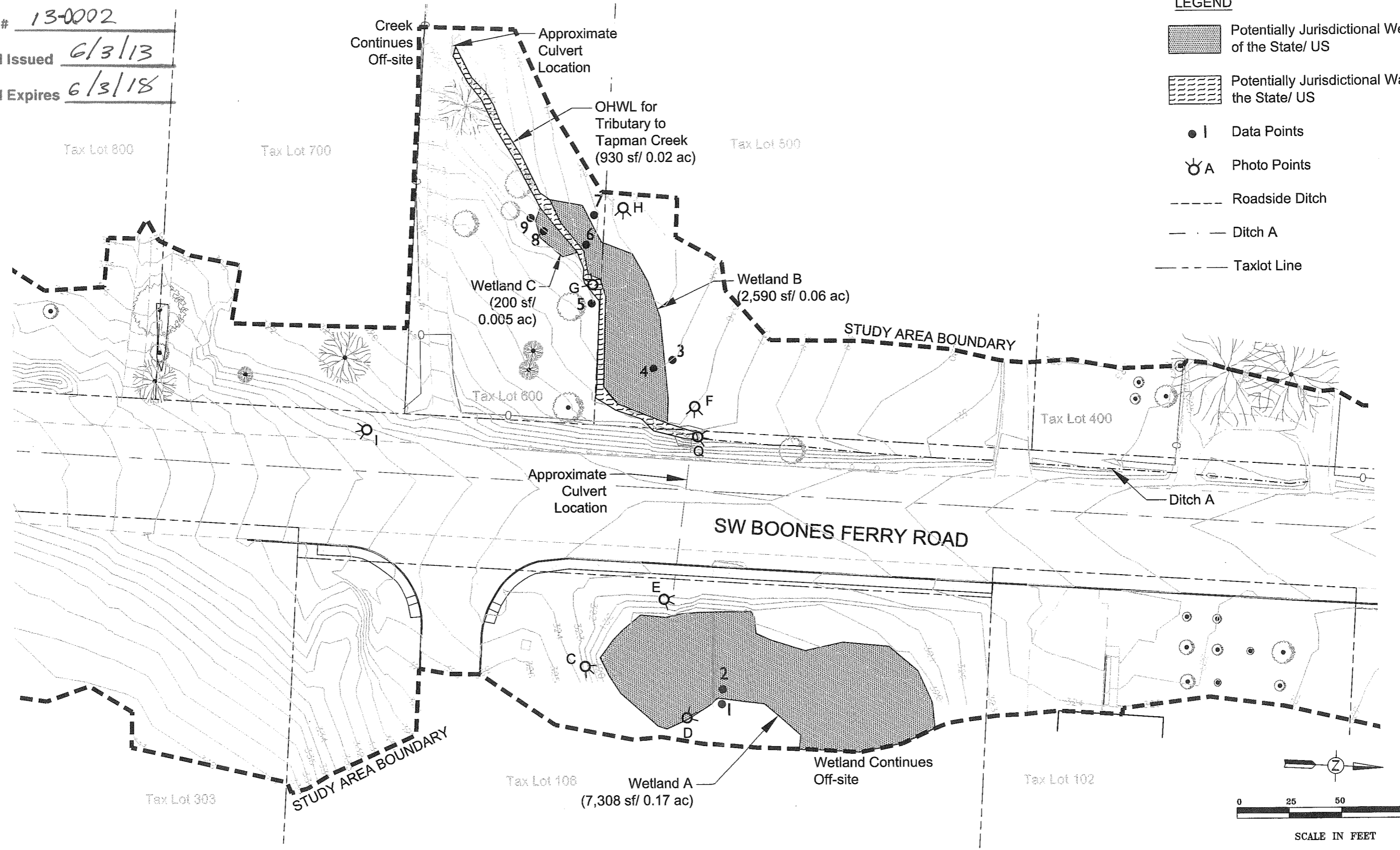
FIGURE  
6

01/15/13

DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

**LEGEND**

-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
-  Data Points
-  Photo Points
-  Roadside Ditch
-  Ditch A
-  Taxlot Line

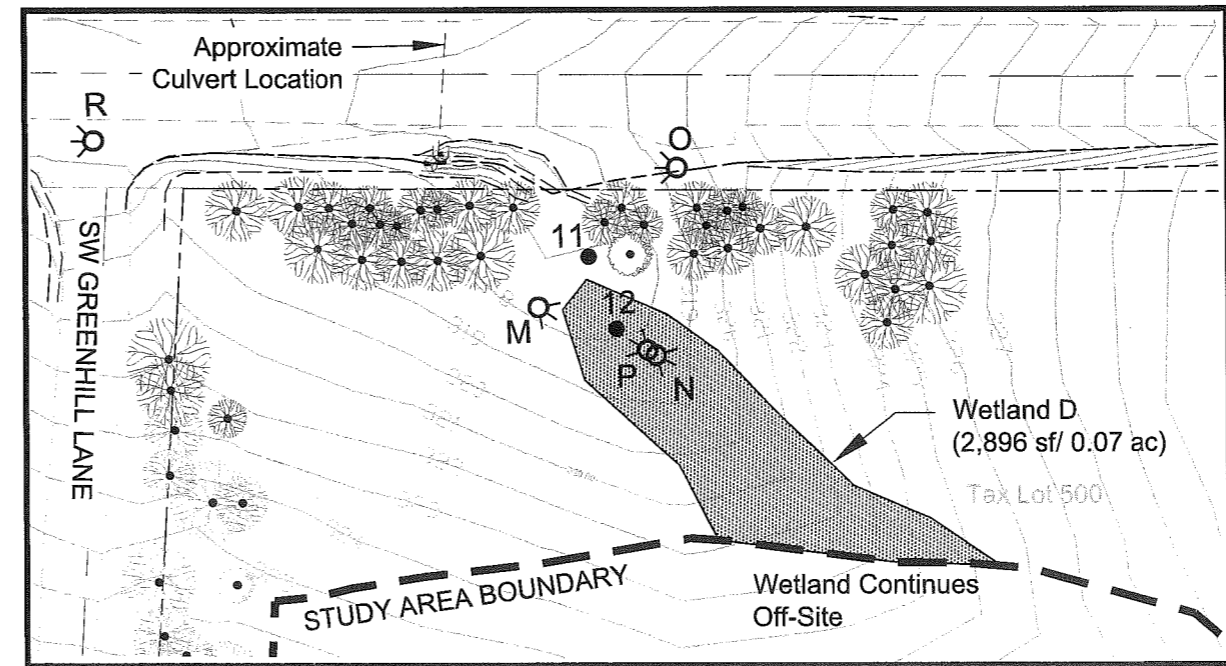
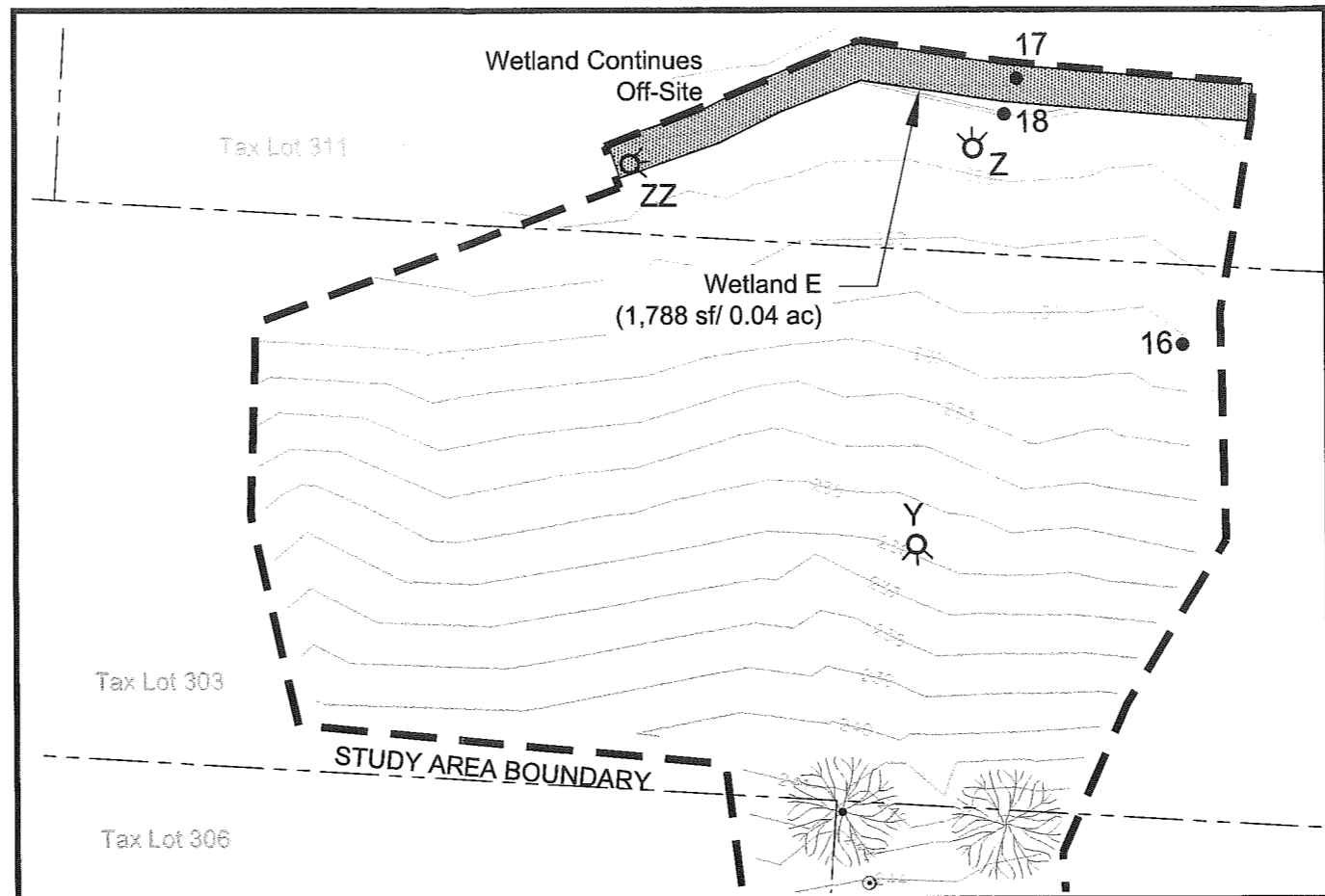
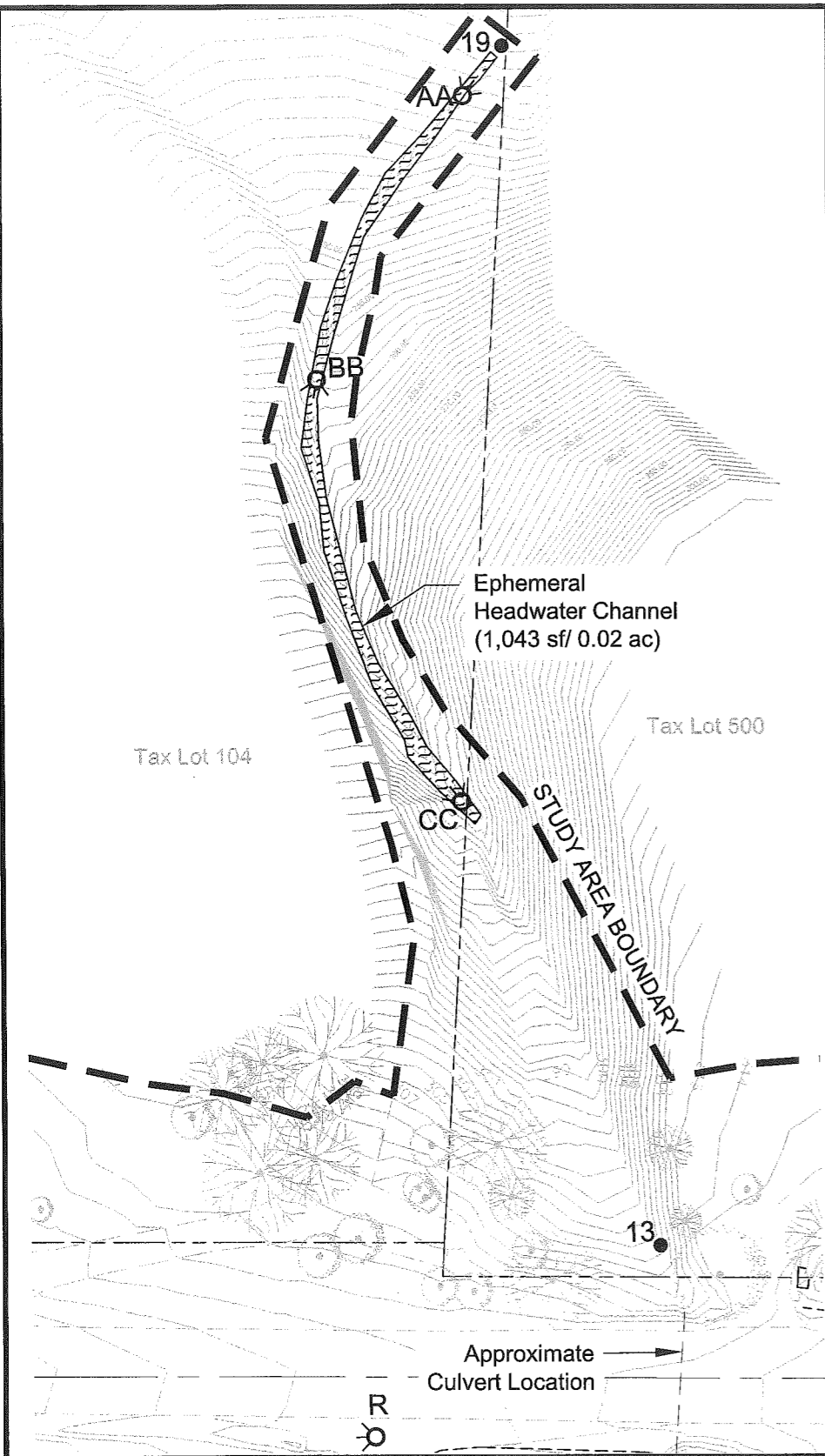


Note:  
 Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

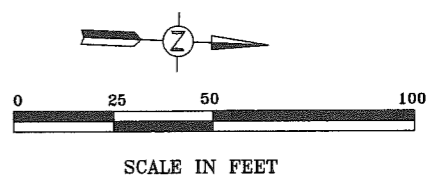
FIGURE  
**6A**





- LEGEND**
- Potentially Jurisdictional Wetlands of the State/ US
  - Potentially Jurisdictional Waters of the State/ US
  - | Data Points
  - ⊙ A Photo Points
  - - - Roadside Ditch
  - - - Taxlot Line

DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18







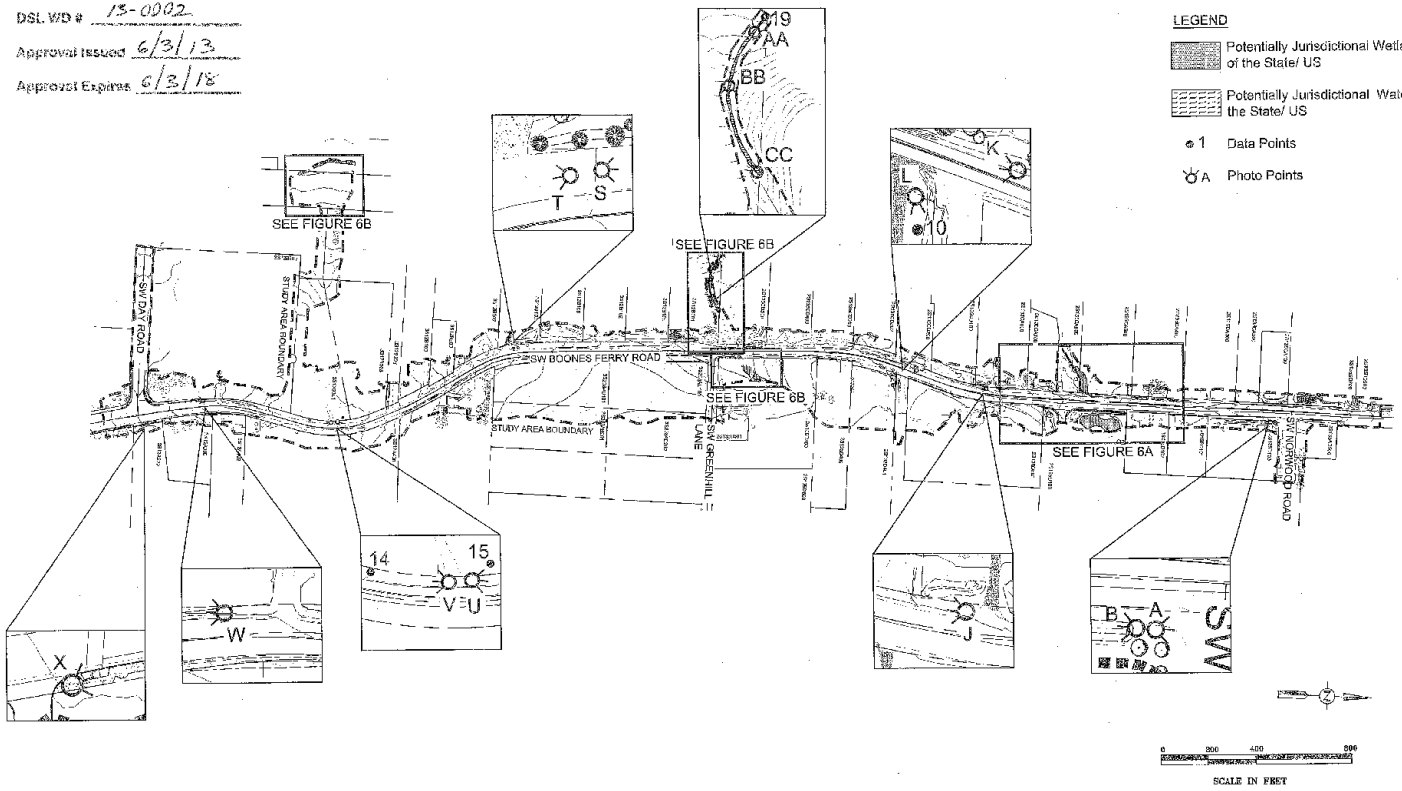
Note:  
 Survey provided by Mackay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6B**

DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

- LEGEND**
-  Potentially Jurisdictional Wetlands of the State/ US
  -  Potentially Jurisdictional Waters of the State/ US
  -  1 Data Points
  -  A Photo Points



Note:  
 Survey provided by Mackey & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.

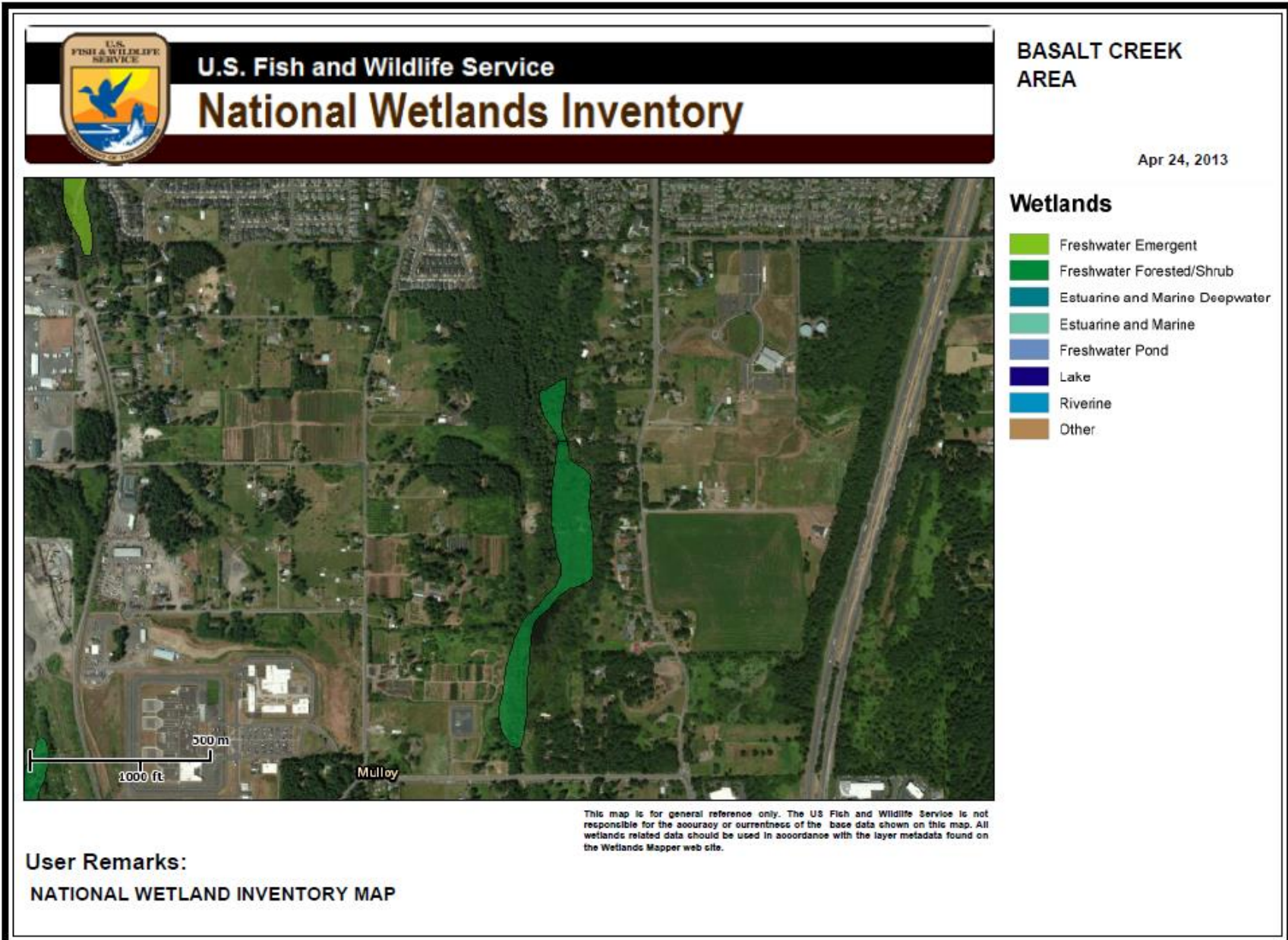
Wetland Delineation Overall Site Context and Sheet Index Plan  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
 6

01/2/13

# NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA

## Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



**From:** [G Lucini](#)  
**To:** [BEN BRYANT](#)  
**Cc:** [Alice Rouyer](#); [AQUILLA HURD-RAVICH](#); [CINDY HAHN](#)  
**Subject:** Re: Basalt Creek Area Planning  
**Date:** Monday, January 06, 2014 7:53:27 PM

---

Hi Ben,

Hope you had a good New Year.

I am following up on the planning of the Basalt Creek area by the Cities of Tualatin and Wilsonville. I see there is an agenda item on Basalt Creek Planning on the Jan. 13, 2014 Tualatin Council Work Session.

Since my neighbors and I do not have any elected representation within the Tualatin-Wilsonville Joint Planning Project, it is extremely important to us that we hear discussion which is held on all phases of the planning for this area.

I attended the Basalt Creek Joint City meeting on October 29, as did my husband and some of my other neighbors who live within the area being discussed.

It appears that there were two subsequent meetings on December 12 and on December 30, 2013 of a Joint Council subcommittee comprised of two elected officials from the City of Tualatin and two elected officials from the City of Wilsonville (as well as staff and consultants) where a decision making framework was discussed, as was community engagement techniques for the Basalt Creek Area.

Although I previously requested to be included in any public notification regarding any planning for the Basalt Creek Area, I did not see any posting of either of these two meetings.

Would you let me know where and how I will be able to find in the future - the posting for any other public meetings relating to the planning of the Basalt Creek area-especially those involving 2 or more elected officials-prior to the date of the meetings.

Since the residents of this area do not have an elected official participating in these meetings, would it be reasonable to at least provide a list serve to the potentially affected residents, to provide us some enlightenment as to what the future may hold.

Looking forward to hearing from you.

Grace Lucini  
503 692 9890

On Thu, Sep 26, 2013 at 8:29 AM, BEN BRYANT <[BBRYANT@ci.tualatin.or.us](mailto:BBRYANT@ci.tualatin.or.us)> wrote:  
Hi Grace,

Thanks as always for your interest. We haven't quite started the outreach meetings yet, but we definitely will make sure you are involved. The next meeting for the Basalt Creek

Concept Planning (land use phase) is October 29 at Wilsonville City Hall. That meeting is scheduled as a joint Council meeting with both City of Tualatin and Wilsonville Councils. It should mark the kick-off of concept planning work. Once we are closer to that date, we will post an announcement on our website.

In the meantime, we are developing our staff team and getting ready for the next phase of this project.

Thanks, Ben

Sent from my iPhone

On Sep 25, 2013, at 3:23 PM, "G Lucini" <[grluci@gmail.com](mailto:grluci@gmail.com)> wrote:

Hi Ben,

I remember the last time we discussed Basalt Creek Planning, it was mentioned formation of public input groups would start around September 2013.

Can you tell me how the process is going?

Let me know if there someone I should contact, or any action I should take, to become involved in any meetings/ groupings / planning--- involving the Basalt Creek area.

I am interested in all aspects of planning for the area-- including (but not limited to) transportation, zoning, environmental impact etc.

Thanks,  
Grace Lucini  
503 692 9890

**From:** [BEN BRYANT](#)  
**To:** [Herb Koss](#)  
**Cc:** [Doug Seely](#); [CINDY HAHN](#); [Mangle, Katie](#); [AQUILLA HURD-RAVICH](#); [Neamtzu, Chris](#)  
**Subject:** RE: Basalt Creek Open House  
**Date:** Thursday, January 16, 2014 11:24:45 AM

---

Hi Herb,

My apologies for not responding sooner. Here is a quick response to your e-mail.

This last October, the City Councils of Wilsonville and Tualatin met to discuss and provide direction to staff regarding the process for moving forward with the planning of Basalt Creek. Based the direction we received from the Council, staff members from Tualatin and Wilsonville met to formalize a public planning process. Last Monday, we presented that information to the Tualatin City Council. On January 23<sup>rd</sup>, the Wilsonville City Council is also planning to receive an update and discuss. The links to both meeting materials are available on the [Basalt Creek website](#).

On January 27<sup>th</sup>, the Tualatin City Council will consider approval of a contract for a firm to assist with the planning process. If approved, this will signify continued progress to begin the much anticipated planning process.

Regarding the work on SW 124<sup>th</sup>, the County is still in the process of finalizing the engineering design and acquiring property. The hope is to begin construction within the next couple of years.

Thanks for your continued involvement. Let us know if you have additional questions.

Regards,

**Ben Bryant**

Management Analyst  
City of Tualatin | Community Development  
503.691.3049 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

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**From:** Herb Koss [mailto:[herb@kossred.com](mailto:herb@kossred.com)]  
**Sent:** Sunday, January 12, 2014 8:19 AM  
**To:** BEN BRYANT  
**Cc:** Doug Seely  
**Subject:** RE: Basalt Creek Open House

Hello Ben

I just checked the Basalt Creek Website. Appears to me nothing much is happening.

I have been contacted by Washington County and I know they are doing some survey work on the future road Right of Ways.



Any update on the zoning of our land that is right the north of the 124<sup>th</sup> extension

I am going to report to our LLC members in Feb and don't want to miss out in sharing any current information.

Any update would be appreciated. I will be in Calif for most of the winter months and sometimes miss updated emails.

Would appreciate any updates.

Sincerely

Herb Koss 503 730 2431

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**From:** BEN BRYANT [<mailto:BBRYANT@ci.tualatin.or.us>]

**Sent:** Monday, December 05, 2011 3:46 PM

**To:** BEN BRYANT

**Subject:** Basalt Creek Open House

Dear Basalt Creek Interested Parties:

Below is an opportunity to learn more about a few transportation projects in and around the Basalt Creek Planning Area between Tualatin and Wilsonville.

### **Open House**

-

*What:* Washing County invites the public to an Open House to learn about, discuss, and provide feedback on the following three projects:

- 124th Avenue Project (Tualatin-Sherwood to Tonquin Road);
- Boones Ferry Road Improvement Project (Norwood to Day Street); and
- Basalt Creek Area Transportation Refinement Planning Efforts.

*When:* Wednesday, December 14, 2011 from 5:30 p.m. to 8:00 p.m. (No formal presentation is planned, but you are invited to drop in any time.)

*Where:* Tualatin Valley Fire & Rescue Training Center at 12400 SW Tonquin Road, Sherwood.

### **More Information**

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As always, for more information, visit [www.basaltcreek.com](http://www.basaltcreek.com).

Thanks!

**Ben Bryant**

Management Analyst | Community Development Department | City of Tualatin





**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR  
JANUARY 13, 2013**

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Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Frank Bubenik;  
Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Wade Brooksby

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Assistant City Manager  
Alice Cannon; Community Services Director Paul Hennon; Finance Director Don  
Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich;  
Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris;  
Program Coordinator Becky Savino; Teen Program Specialist Julie Ludemann; Police  
Captain Mark Gardner; Human Resources Manager Janet Newport; Public Works  
Director Jerry Postema

**A. CALL TO ORDER**

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:05 p.m.

**B. ANNOUNCEMENTS**

**1. Honor Eagle Scout Justin Metschan-Baertlein**

Human Resource Manager Janet Newport introduced Justin Metschan-Baertlein. Justin was awarded the honor of Eagle Scout in November for completing a bench restoration project at Ibach Park. He contributed 163 hours to the bench project and involved 20 volunteers from Troop 846 and the community.

Mayor Ogden congratulated Justin on receiving the honor of Eagle Scout and presented him with a plaque.

**2. Tualatin Youth Advisory Council Update for January 2014**

Member of the Youth Advisory Council (YAC) presented a PowerPoint on their latest activities and upcoming events. YAC held their annual holiday party in December which included a potluck and gingerbread house building competition. They have begun work on the annual Project FRIENDS workshop. The curriculum is currently being revised with plans to hold the workshop in April or May.

**3. Centennial Public Art at Tualatin Public Library**

Councilor Bubenik announced the installation of a new piece of centennial art. A reception was held earlier in the day accepting the art piece into the collection. The piece "Dynamic Continuum" is located in the entry way of the Library.

Tualatin Arts Advisory Committee Chair Buck Braden introduced artist Lynn Adamo who created this piece. Ms. Adamo explained the concept of the piece.

Chair Braden noted the committee has commissioned a 20ft steel sculpture that will be installed at the Tualatin Commons Park in March.

Mayor Ogden and Councilor Bubenik thanked that Centennial Art Committee for their work on selecting these pieces.

### **C. CITIZEN COMMENTS**

*This section of the agenda allows citizens to address the Council regarding any issue not on the agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

Julie Rogers shared her concerns over the change in the speed limit along Martinazzi Avenue. She noted the speed was reduced from 35mph to 25mph. She requested more information on why the speed was reduced.

Grace Lucini requested she be notified directly of meetings and discussions around the Basalt Creek Concept Plan as this directly affects her residence.

Brett Hamilton urged Council to move forward with the construction of the Seneca Street extension. He stated it will improve pedestrian safety, traffic flow, increase commerce, and provide better access to the library.

### **D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will first ask staff, the public and Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, 1) Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

**Vote:** 6 - 0 MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of December 9, 2013.
2. Consideration of the Parks System Development Charge (SDC) Annual Report for Fiscal Year 2012/2013
3. Recommendations from the Council Committee on Advisory Appointments

### **E. SPECIAL REPORTS**

## 1. Vision Action Network Update

City Manager Lombos introduced Vision Action Network Executive Director Karin Kelley-Torregroza. Ms. Kelley-Torregroza recapped the mission of Vision Action Network (VAN) and its work on issues that impact the citizens of Washington County. She noted VAN grew out of the Vision West process. The mission of VAN is to identify critical issues and support the development of collaborative community based solutions. Their role is to act as a neutral convener to bring leaders together to help address challenging issues. Their goals include strengthening economic security, support diversity and inclusion, build sustainability, and promote a compassionate community. Some of their current projects include the Aging Initiative, Washington County Thrives, and a homeless cost study.

Councilor Davis asked to hear more about what VAN is doing in relation to primary care. Ms. Kelley-Torregroza stated that VAN is focusing on capacity and access in primary care for uninsured citizens. VAN is in the early stage of planning on this project.

### F. ITEMS REMOVED FROM CONSENT AGENDA

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

### G. COMMUNICATIONS FROM COUNCILORS

#### BASALT CREEK CONCEPT PLAN UPDATE

Planning Manager Aquilla Hurd-Ravich and Assistant City Manager Alice Cannon gave an update on the Basalt Creek Concept Plan. Manager Hurd-Ravich stated the joint City of Tualatin and City of Wilsonville sub-committee met in December to discuss a decision making structure and the public engagement process for this concept plan.

Council President Beikman discussed the decision making structure. She noted meetings and workshops will be held and information will be reported back to each Council and Planning Commission individually. Joint meetings will be held throughout the process for both Councils to come together and make decisions.

Manager Hurd-Ravich shared the process diagram showing key milestones and deliverables. The first task will include making a detailed schedule and public involvement plan with the consultant team.

Assistant City Manager Cannon noted that the consultant team will be working on updating and making the website more interactive. They will be responsible for keeping the information on the site up to date.

Councilor Davis asked that a email update feature be added to the site.

**COMMUNICATIONS FROM COUNCILORS**

Councilor Davis thanked the Peace County/Washington County Democrats for inviting her and the Mayor to the Public Transit Forum they hosted.


Councilor Bubenik announced Tualatin Tomorrow will be hosting the State of the City Event . Tualatin Tomorrow will present the draft Vision Action Plan followed by the Mayor's State of the City speech. The event will be held on January 29, 5pm, at the Bridgeport Grand Hotel. Mayor Ogden invited all citizens to attend.

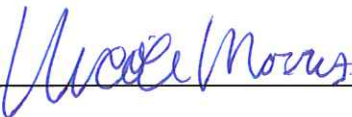
Councilor Bubenik noted Washington County is updating their Cooperative Plan for 2015-2020 and will kick this off by screening the movie American Winter. The screening will take place on February 26, 6pm, at the Venetian Theater and will be followed by a panel discussion on poverty in Oregon.

**H. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 8:02 p.m.

Sherilyn Lombos, City Manager

  
\_\_\_\_\_/ Nicole Morris, Recording Secretary

  
\_\_\_\_\_/ Lou Ogden, Mayor



**From:** G Lucini [<mailto:grluci@gmail.com>]

**Sent:** Monday, January 27, 2014 12:26 AM

**To:** COUNCIL

**Cc:** Lou Ogden; Monique Beikman; Frank Bubenik; Ed Truax; Nancy Grimes; Joelle Davis; Wade Brooksby

**Subject:** PLEASE INCLUDE AS PART OF PUBLIC RECORD-For Tualatin City Council Meeting 1-27-14- Basalt Creek Planning

**FOR INCLUSION AS PART OF PUBLIC RECORDED**

**TUALATIN CITY COUNCIL MEETING 1-27-14 ---**

**CONSENT AGENDA ITEM D-3 ---Resolution No. 5178-14 ----Fregonese Contract Basalt Creek Concept Planning--**

**Basalt Creek Concept Planning- Natural Resources- Water Quality**

**Dated: 1-26-14**

Resolution No. 5178-14 is included on a Tualatin City Council Meeting agenda for the first time---for the 1-27-14 Meeting. This resolution is to authorize a Personal Services Agreement for Concept Planning for the Basalt Creek / West Railroad Areas.

Resolution No. 5178-14 is scheduled as a consent agenda item.

The City staff is requesting acceptance and authorization to execute a Contract with Fregonese Associates during this initial presentation on a Tualatin City Council Meeting Agenda.

The Fregonese Contract is the main framework for the entire decision making process on Basalt Creek Concept planning. The Contract Scope of Work provides specific services will be provided from creation of a Public Involvement Plan; the depth of the initial evaluation of existing conditions; how alternative scenarios will be determined; how the alternatives will be compared; how the Concept Plan will be selected; and recommendations as to how to implement the plan- from changes to jurisdictional boundaries, infrastructure and transportation. This is the governing tool for the entire planning process.

There are two issues I wish to bring to the attention of the Tualatin City Council regarding Resolution No. 5178-14, the Fregonese Contract, and the actions of the Basalt Creek Concept Planning staff.

1. There are already important administrative problems relating to the public notification and governmental transparency of the planning process and compliance with the laws of the State of Oregon
2. A related issue involves content within the Fregonese Contract. The stated scope of services to be provided in the Fregonese Contract does not provide for the appropriate level of due diligence of the Significant Natural Resources which exist



within the Basalt Creek Area- starting from the very initial Existing Conditions Assessment. The Fregonese Contract needs to be modified to provide a higher level of assessment.

### **BASALT CREEK CONCEPT PLANNING PROCESS- ISSUES WITH GOVERNMENTAL TRANSPARENCY AND COMPLIANCE WITH OREGON'S PUBLIC MEETINGS LAW**

The Basalt Creek Concept Planning Project staff has taken several actions which have already clouded the public's perceptions of governmental transparency with the Basalt Creek Concept Planning process. Oregon's Public Meetings Law provides legal requirements which provide for citizens to have access to the exchange of information as part of a decision making within a governmental process.

Oregon Public Meetings Law (ORS 192.610 -192.690) have been interpreted and explained in State of Oregon Department of Justice Attorney Generals Public Records and Meeting Manual January 2011

*"The key requirements of the Public Meetings Law are to hold meetings that are open to the public unless an executive session is authorized, to give notice of meetings and to take minutes or otherwise record the meeting. In addition there are requirements regarding location, voting and accessibility for disabled persons."...*

*"Subject of Meetings and Social Gatherings- Even if a meeting is for the sole purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, the meetings law will apply. This requirement serves the policy expressed at ORS 192.620 that an informed public must be aware not only of the decisions of government but also of "the information upon which such decisions were made"...*

*..."It does not matter that the discussion is "informal" or that no decision is made; it is still a meeting for the purposes of the Public Meetings Law"...*

*"...If two or more members of any public body have "the authority to make decisions for or recommendations to a public body on policy of administration" , they are a "governing body" for the purposes of the meetings law. ORS 192.610(3)"...*

*..."The public notice requirements apply to any "meeting" of a "governing body" subject to the law, including committees, subcommittees and advisory groups"...*

*..."Governing bodies are cautioned not to misuse the committee appointment process or decision making process to subvert the policy of the Public Meetings Law"...*

*...We have acknowledged that strict compliance with the substantive requirements of the Public Meetings Law frequently may "sacrifice speed and spontaneity for more process and formality." Nonetheless, we believe that the law's requirements generally will not interfere with a public body's administration"...*

## THE PUBLIC HAS DEMONSTRATED THEIR DESIRE TO WITNESS THE DECISION MAKING PROCESS

Project staff has knowledge of existing public interest in monitoring the Basalt Planning Process.

- Citizens have previously established their interest in receiving information about the Basalt Creek Concept Planning process.
  - o Local citizens and residents attended the only Joint Cities Basalt Creek Concept Planning meeting held to date -on 10-29-13.
  - o Citizens expressed their desire to project staff to be informed of meetings on the Basalt Creek Planning both verbally and in writing - qualifying as "Interested Persons"*(Please see attached email chain September 2013 to January 2014)*.
- A review of the video tape of the Citizen Comment portion of the Tualatin City Council Meeting of 1-13-14, documents a citizen request for governmental transparency within the Basalt Creek planning -especially due the affect upon the residents of the area who are not residents of either the City of Wilsonville or the City of Tualatin.

## PROBLEMS IN GOVERNMENTAL TRANSPARENCY HAVE ALREADY BEEN DEMONSTRATED, AND CONTINUE TO EXIST

The City of Tualatin previously demonstrated compliance problems with public notification of public meetings as part of the Water Master Plan revision process in January 2013.

During the first and only meeting of the Joint Cities Basalt Creek Concept Planning Project on 10-29-13, the City Councils voted to authorize and direct a subcommittee consisting of two City Council members from each of the two cities and staff to “establishing a decision-making framework and identifying community engagement techniques to be used throughout the project”. The Subcommittee was directed to bring back a “robust” report back to their respective City Councils.

Apparently during the Subcommittee Meetings in December 2013, Council Representatives either generated, discussed, or directives were given to Project staff on to topics be included within the Fregonese Contract. The importance and significance of this document generated/vetted by the Subcommittee and being presented to the Councils for acceptance and execution cannot be understated.

1. There was no Public Notification of the December 2013 Councils' Subcommittee. This lack of public notification prevented public attendance and prevented public access to the discussions on this document which will direct the entire decision process- which prohibited citizen attendance due to lack of notice.
  - The Project staff was contacted 1-6-14 regarding the lack of and Public Notification of the Subcommittee December 2013 meetings. *(Please see attached email chain September 2013 to January 2014)*
  - On 1-7-14 the Project Manager stated the Subcommittee Meetings were "informal working meetings, therefore, no public notification was made". *(Please see attached email chain September 2013 to January 2014)*
  - After discussion, the Project Manager on 1-7-14 agreed to take actions to rectify previous problems with public notification on planning meetings – *(Please see attached email chain September 2013 to January 2014)*
    - including future postings of public meetings regarding Basalt Creek planning on BasaltCreek.com-which is administered by the Project Manager/ City of Tualatin.
    - Public Meetings for the Tualatin City Council and for the Wilsonville City Council -relating to Basalt Creek Planning -would be also be posted to the BasaltCreek.com website
2. The minutes of the Joint Council's December 2013 Subcommittee meetings:
  - Have not been posted to either of the cities' official websites (as are other minutes of Council Subcommittees, Commissions, or Advisory Groups), or
  - Have not been posted to the BasaltCreek.com website. *(Please see 1-21-14 BasaltCreek.com screenshot)*
  - The lack of written documentation of the Subcommittee minutes prevented citizens from access to written information about any discussion which occurred on Basalt Creek planning which occurred during the Subcommittee meetings
3. The "robust" report which the Joint City Councils directed the Subcommittee to provide on their meetings- did not include any documentation of the minutes of the meeting, content on all issues or documents discussed, or actions to be taken.
  - Tualatin Council meeting on 1-13-14- Agenda included the initial presentation of the Basalt Creek Process Diagram and the Partnering Agreement- which were apparently generated or vetted by the Council Subcommittee

- There were no minutes from Joint Councils' Subcommittee attached to the City Council Meeting informational packet providing information on the discussions or deliberations from which these documents apparently generated.
  - During the Wilsonville Council Meeting on 1-23-14 the Partnering Agreement and the Fregonese Contract were presented by the Project staff for endorsement
    - There were no minutes from Joint Councils' Subcommittee attached to the City Council Meeting informational packet providing information on the discussions or deliberations from which these documents apparently generated
  - Tualatin Council meeting for 1-27-14 will be the first presentation of the Fregonese Contract draft to a Tualatin City Council Meeting
    - There were again no minutes from Joint Councils' Subcommittee, or other documents of public meetings attached to this agenda informational packet- providing background on the discussions or the deliberations which generated the Fregonese Contract
4. During the Tualatin City Council Meeting on 1-13-14,
- Project staff presented the Project Process Diagram, and the Partnering Agreement which were apparently part of the results of the deliberations of the Joint Councils' Subcommittee
  - Although there were references made to the Fregonese Contract during the Tualatin Council Meeting on 1-13-14- a copy of the contract draft was not provided as part of the Council Meeting's informational pack, nor was a copy of the Fregonese contract draft available on City of Tualatin Website, or on the BasaltCreek.com website at the time.
  - The Tualatin Joint Council Subcommittee members – reported upon their comments/ recommendations made to the Project staff during the Subcommittee meetings- These comments emphasized their intentions to involve the public in the planning process- especially those residents within the planning area.,
  - At the 1-13-14 meeting Council President Beikman restated the comments she made to the December Subcommittee meetings-- of her intention the public be given notification of meetings on Basalt Creek planning

- Contrary to the comments / directives given by the Council Members Subcommittee members -- there are no statements- or goals- indicating the need or requirement for Public Notification of public meetings within the draft of Partnering Agreement .
- As previously stated, the minutes of the Joint Councils' Subcommittee meetings are not included within the informational pack for the agenda item
  - There is no record of any directives made by the Subcommittee to the Project staff provided –
  - Lack of this information hinders clarification on possible omissions or conflicting information in the resulting documents generated as a result of the Council's Subcommittee Meetings.
- The transparency and integrity of the decision making process was compromised

5. Project staff scheduled Resolution No. 5178-14 Authorizing a Personal Services Agreement for Concept Planning for the Basalt Creek/Wets Railroad Areas on the consent agenda for the City of Tualatin City Council Meeting for -27-14

- This Tualatin City Council Meeting- a public meeting on the Basalt Creek Concept planning was not posted on the BasaltCreek.com website until after 1-21-14 (Please see 1-21-14 BasaltCreek.com screenshot). The BasaltCreek.com was later updated to include a reference to a Tualatin City Council Meeting with a link to the Tualatin City- website for the Council Meeting for 1-27-14.
- Resolution No. 5178-14 and the Fregonese Contract were only posted to the City of Tualatin Website the week of 1-20-14
- This is the first time Resolution No. 5178-14 will be presented to the Council as part of a Tualatin City Council meeting
- This is the first time the Fregonese Contract draft will be presented to the Council as part of a Tualatin City Council Meeting
- The Fregonese Contract is a significant document of large scope and impact- involving multiple agencies and jurisdictions
  - The Fregonese Contract is the governing tool for the entire Basalt Creek Planning process



- The Fregonese Contract will develop a Concept Plan and make recommendation to change the governance , infrastructure and transportation of multiple jurisdictions
- The Fregonese Contract when implemented will affect a large geographic area of hundreds of acres including residential and industrial land
- The Fregonese Contract was posted on the City website the week of 1-20-14 for the first time-

6. Due to lack of compliance to the Oregon Public Meetings Law- citizens have not been given appropriate public notice, or access to the discussions or deliberations during public meetings which generated the Fregonese Contract and placement of Resolution No. 5178-14 on the Consent agenda for the Tualatin City Council Meeting 1-27-14.

- It is unclear when the following discussions were held as part of a Tualatin City Council Work Session or Meeting Agenda Item –listing Basalt Creek Concept Planning as a topic –

- The method of concept planning to be selected for Basalt Creek Concept Planning

- i. The rationale for selecting the proposed method of concept planning utilizing only one consultant who creates the entire framework for decision making, facilitates and then implements the entire plan

- ii. Versus other methods of concept planning which are primarily directed by the Governing body utilizing various consultants

- The goals, scope, requirements or specifications needed as part of the Basalt Creek Concept Planning process

- If the Fregonese Contract actually meets the goals, requirements and/or specifications needed to develop and execute the Concept Planning for the Basalt Creek Area.

- Project staff elected to place of Resolution No. 5178-14 and the Fregonese Contract on the Consent agenda for the Tualatin City Council Meeting on 1-27-14.

- Project staff are aware this is the first time the draft of the Fregonese Contract has been presented at a Tualatin City Council Meeting

- The City of Tualatin, as the fiduciary partner within the Joint Cities Partnering Agreement –Basalt Creek Concept Planning –should require that appropriate public due-diligence of the Fregonese Contract is done.
- Project staff is aware the City of Wilsonville is a partner with the City of Tualatin in the concept planning
  - Project staff is aware the draft of the Fregonese Contract was to be presented for the first time to the Wilsonville City Council Meeting on 1-23-14
  - Project staff’s placement of Resolution No. 5178-14 and the Fregonese Contract on the Consent agenda for the Tualatin City Council meeting on 1-27-14 did not provide for public discussion by the Tualatin Council of any feedback from generated either verbally or in writing from the Wilsonville Council.
    - i. Project staff placement of Resolution No. 5178-14 and the Fregonese Contract on the consent agenda – limits Tualatin Council members from discussion of any issues, concerns or modifications requested by the Wilsonville Council on the Basalt Creek planning process
    - ii. Due to the encompassing scope of the Fregonese Contract, any concerns with the process, services, or implementation relating to Basalt Creek Planning perceived by the City of Wilsonville should be fully explored- as to any potential need for modification of the Fregonese Contract draft.
    - iii. As part of their fiduciary responsibilities, Tualatin Council members should discuss if Wilsonville has any concerns with the any phase of the planning process, or services provided by the Contract, and if any modifications to the contract are necessary or appropriate to make prior to giving authorization to execute the Contract.
    - iv. Citizens should have knowledge of these discussions- even if no action is taken- or if modifications to the contract will be made.

The transparency of the governmental process in the development and implementation of the Basalt Creek Concept Planning process has been greatly damaged. The spirit and the letter of Oregon Public Meetings Law have been compromised.

Based upon numerous examples of actions taken by the Project staff clouding the transparency of the decision making process- from virtually the start of the planning process- I request a critical look be taken at the Project administration.

Even after a citizen approached the Project staff as to concerns about transparency and public notification issues- there are continuing problems with compliance with the requirements of the Public Meetings Law

The explanations provided by the staff as to the reasons for non-compliance with the requirements for Public Notification of Public Meetings, are without legal merit.

The actions, discussions and deliberations of public meetings on Basalt Creek Concept Planning have not been documented to include the minimum information as delineated in State of Oregon Department of Justice Attorney Generals Public Records and Meeting Manual January 2011.

Due to the actions of the Project staff, and the lack of acknowledgement of the requirements of the Public Meetings Law within the drafts of the Projects governing documents, it is also requested the City Council evaluate if the Partnering Agreement and the Fregonese Contract clearly indicate the intentions and services to be provided comply with the Public Meetings Law.

The size and professionalism of the governments of the City of Tualatin and of Wilsonville should not be tainted by the inability to conform and provide the basic service of providing public access to the discussions, and deliberations which will occur as part of this decision making process.

The City Council should provide clear direction to the project staff, resolve previous record keeping omissions, and take corrective actions to avoid future occurrences.

I request the City Council to include in their actions:

1. Review if the staff actions are in accordance with the spirit and/or letter of Oregon's Public Meetings Law.
2. Take actions to gain compliance with Oregon Public Meetings Law – including
  - a rectify existing issues including omissions in documentation of public meeting minutes and record keeping , and
  - b Immediately enforcing public notification (as specified by the law) of future public meetings on the planning process.

3. The Project staff should be provided additional education as to what constitutes a public meeting and the actions which are required by law- and provide support as necessary
4. Prior to acceptance of the governing documents for the Basalt Creek Concept Plan ---evaluate if the Partnering Agreement; and the documents which constitutes Resolution 5178-14 clearly indicate intentions to comply with the Oregon Public Meetings Law during the Basalt Creek Concept planning process.
5. Provide a clear statement within the two governing documents of intent to provide governmental transparency- including specific actions to be taken to comply with Oregon Public Meetings Law.
  - a Identify a person to be accountable for monitoring compliance issues during the planning process.
  - b develop a procedure to assist the public as to whom to contact when compliance concerns arise

These actions may help provide clarification of expectations for staff, the Consultant, and the public regarding governmental transparency and intention to comply with Public Meetings Law.

*Due to the factors identified above, the following comments are provided - that they are given consideration prior to the acceptance and execution of the Fregonese Contract as posted to the Tualatin City website the week of 1-20-14.*

**LACK OF APPROPRIATE LEVEL OF DUE-DILIGENCE IN THE INITIAL ASSESSMENT AND FOLLOWING ANALYSIS OF SIGNIFICANT NATURAL RESOURCES FOR BASALT CREEK AREA PLANNING.**

In the review of Fregonese Contract it is apparent there is a lack in the appropriate level of due-diligence relating to assessment and evaluation of impact to the Significant Natural Resources and/or water quality with the Basalt Creek Area within the planning process.

Additionally, State and Federal agencies involved with the monitoring, protection and/ or enforcement of statues relating to Water Quality and/or Natural Resources are

absent from the "Invited Agencies List" of participating agencies within the Partnering Agreement. These agencies should be included in the same "Invited Agencies List"- as is Clean Water Services.

Based the decision making process utilized with the Grahams Ferry – Boones Ferry Road Connector Location Project- it is apparent there is a need for a change in the method natural resources within the Basalt Creek area are evaluated and information gained used in the analysis process. Appropriate level of assessment of the known Significant Natural Resources, needs to be included in the decision making process.

To have the sole determinant of “environmental impact” based solely upon the square footage of the wetlands impacted – as was previously done- will produce misleading information. This method of natural resource assessment should not be considered the appropriate level of due-diligence in this planning process if a meaningful outcome of the evaluation process is to be expected.

The Fregonese Contract needs to be modified to achieve a reasonable level of due-diligence as to existing Significant Natural Resources and water quality.

Specific data collection, quantification, and qualification of the various known resources- including impact to water quality locally and downstream-is necessary to be able to establish a hierarchy of importance, protection requirements and potential future utilization. The assistance and expertise of State and National agencies need to be included as participants in the Partnering Agreement and added as resources for assessment and analysis in the Fregonese Contract.

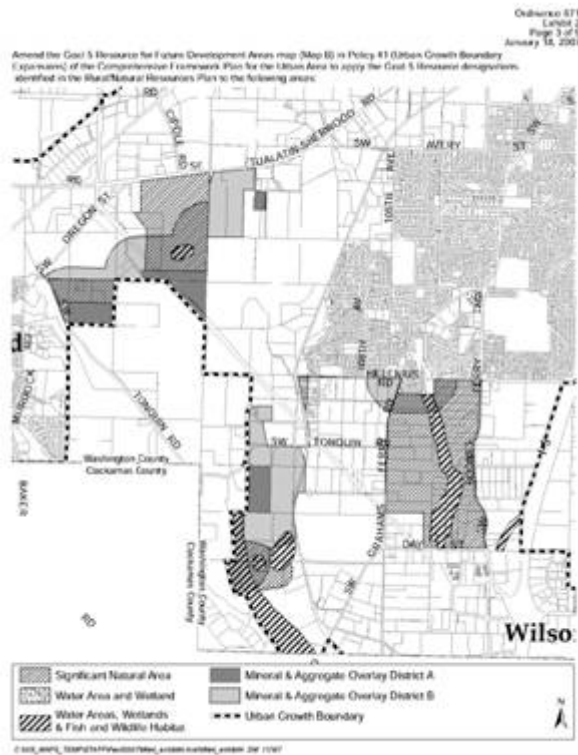
Assessment of the known wetlands which cover a large area of the Basalt Creek Area specifically needs to be completed to be able to provide some qualified estimate of the various levels of wetland mitigation which will become a factor in planning and future development.

All of this type of information needs to be compiled to allow a definable and consistent criterion to be developed as part of the comparative analysis with the alternatives.

It is already known and documented the Basalt Creek area contains large areas of Goal 5 Resources. When the Basalt Creek area was brought into the Urban Growth Boundary, a large portion of the area was identified as containing “Significant Natural Areas”, as well as “Water Areas, Wetland & Fish and Wildlife Habitat”. Please see the attached map:

Washington County, Ordinance 671, Exhibit 2 Page 3 of 9 January 18, 2007





The scope of any development or construction constraints placed upon portions of the area due to the potential impact upon natural resources or water quality should be quantified and included within the decision making matrix. Any of these construction or development limitations should also be quantified and utilized as part of the comparison of proposed alternative scenarios. At any stage along the decision making process, the lack of accurate quantifiable information on the impact on water quality and natural resource, or resulting development limitations and/or the lack of the appropriate level of alternative analysis of this information ---may produce inaccurate results.

The Fregonese Contract identifies a subcontractor who will obtain and review “published or ready to use natural resource inventories and mapping”, and interviews of staff from Wilsonville, Tualatin, and Clean Water Services, and Metro to identify “important areas of special consideration, especially in and near existing receiving waters”. This assessment is very limited as to subject matter, scope of study and quality/source of information to be obtained.

It is important to point out---many of the entities which the Fregonese Contract has identified as the source of information on “natural resources” do not currently have jurisdiction, or provide limited service to the area being evaluated. The Basalt Creek area is outside the city limits of Wilsonville and of Tualatin---and are actually the

entities requesting the information and review. Clean Water Services does not currently provide services to all the Basalt Creek Area.

The Fregonese Contract does not specify State or Federal Agencies who have pertinent information; conducted studies; or who have jurisdictional authority or other monitoring/protection responsibilities over water quality or other natural resources in the Basalt Creek Area ---are to be included as sources of information, or consultation within the decision making process.

The Partnering Agreement lists numerous "Required" and "Invited" agencies to be included in the decision making process. This list also lacks State or Federal agencies that have jurisdiction, authority or responsibility for monitoring or protecting water quality or other natural resources within the Basalt Creek area as participating agencies.

The inclusion of these State or Federal agencies as part of the decision making process, would provide a wealth of information, expertise, and advice directly related to statutory constraints limiting development, and could provide recommendations on actions which may advert negative impact to the existing resources.

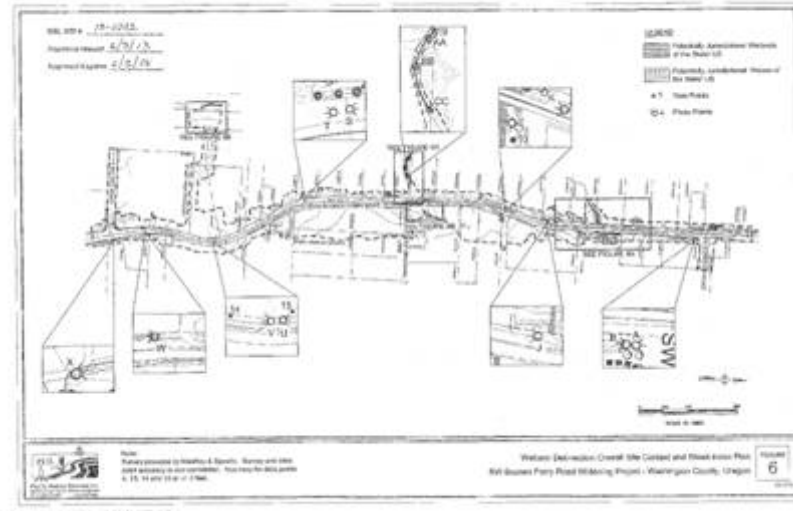
The attached documents provide evidence of portions of the Basalt Creek area have already been identified as having Significant Natural Resources and/or may be under the jurisdiction of State and Federal agencies responsible for protection of natural resources.

- US Department of Fish and Wildlife Service- National Wetlands Inventory- Map of Identified Wetlands

NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA  
 Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



- Oregon Dept. of State Lands/US Army Corp Engineers- Wetland Delineation SW Boones Ferry Road Improvement Project



In addition to Metro, additional agencies should be utilized by the Consultant and Subcontractor to obtain accurate data collection on Significant Natural Resources in the Basalt Creek area as well as during the decision making process:

- US Department of Fish and Wildlife- National Wetland Inventory
- Oregon Department of Fish and Wildlife

- US Army Corp of Engineers-Portland District
- Oregon Department of Land Services
- CETAS (Oregon's Collaborative Environmental and Transportation Agreement for Streamlining)
- DEQ (State of Oregon Department of Environmental Quality)
- Other Agencies as necessary (i.e. United States Environmental Protection Agency)

For consistency, agencies from this list should be included within the list of "Invited" agencies within the Partnering Agreement to provide input and to participate in the planning process

An important aspect of community planning and development is the health of its natural resources. The lack of appropriate evaluation of the potential effects of future development upon the natural resources – and potential constraints upon development - within this planning process may lead to the selection of an alternative which may not be able to meet the needs of the citizens or eventually become detrimental to the community.

It would an unfortunate expenditure of time and taxpayer money if the entire planning process lacked an important determinant in the decision making process which needed to be included from the start.

Respectively Submitted,  
Grace Lucini  
23677 SW Boones Ferry Road  
Tualatin, Oregon 97062



G Lucini &lt;grluci@gmail.com&gt;

---

## Basalt Creek Area Planning

---

G Lucini &lt;grluci@gmail.com&gt;

Wed, Jan 8, 2014 at 1:09 PM

To: Grace Lucini &lt;grluci@gmail.com&gt;

Hi Cindy,

Thank you for your follow-up phone call yesterday --to the email below.

I appreciated the opportunity to discuss the merits of informing citizens of public meetings-- which can be beneficial to the goal of the Basalt Creek -Joint Cities Planning.

Residents of the Basalt Creek area have proven their interest in the planning of the area by attendance at meetings which have been posted publicly, as well as having requested notification either directly or through the BasaltCreek.com website over the past years.

Providing potentially affected citizens an opportunity to hear the discussions and limitations on this project now that the Joint Cities is refining the planning allows a greater understanding of the constraints and limitations within the decision making process.

By encouraging public involvement within the process, providing ample opportunities for public input and most importantly utilizing and incorporating the wealth of information and feedback which the citizens of the area are willing to share into the plans which will ultimately develop from this process---- will most likely promote and encourage community support and buy-in.

And, by providing the notification on meetings where two or more members, with the authority to make decisions for or recommendations to their respective City Councils on policy or administration, will assist in addressing the publics' need for transparency as the Basalt Creek planning progresses.

As I understand from yesterday's conversation, future public meetings on Basalt Creek planning will be posted on the BasaltCreek.com website.

These notifications will include City Council meetings (including work sessions) for both Tualatin and Wilsonville, as well as other public meetings (ORS 192.610 to 192.690) relating to the Basalt Creek- Joint Cities Planning.

As we discussed, I forwarded your email from yesterday to many of my neighbors - to provide them access to the information on the additional public meetings scheduled regarding the Basalt Creek-Joint Cities Planning which had not yet been posted to the BasaltCreek.com website.

A suggestion I poised in my email to Ben Bryant (but we did not discuss in yesterday's call) is the creation of a ListServe

specifically for the Basalt Creek Planning. I bring this suggestion up again, as you mentioned during our conversation--the citizen comment and request for notification from BasaltCreek.com is apparently co-mingled with a much larger generic community transportation database.

Since the scope and impact of the Basalt Creek Planning spans multiple jurisdictions, zoning issues, development codes, and affects property owners outside the city limits of Tualatin and Wilsonville, it may warrant a separate ListServe.

While I do not know the limitations of how the current database is structured and the difficulties involved in creating a separate list for Basalt Creek, I do know the benefits would include improved direct communication to interested citizens- as they will not be bombarded with extraneous notifications on transportation projects relating to other communities.

An additional benefit of a separate ListServe will be the ability to document early stage community outreach specifically for Basalt Creek when necessary for all stages of development and implementation.

I appreciate the time you took to call me and your offer to call you should I have future questions or concerns.

Please let me know if I miss-understood any parts of our conversation.

Thanks again for your phone call.

Grace  
503 692 9890

On Tue, Jan 7, 2014 at 2:22 PM, CINDY HAHN <CHAHN@ci.tualatin.or.us> wrote:

> Hi Grace,

>

>

>

> You are correct that there were two Joint Council Subcommittee meetings, on  
> December 12 and 30, 2013, to discuss a decision making framework and  
> community engagement for the Basalt Creek Concept Planning process. These  
> were informal working meetings, therefore, no public notification was made.

>

>

>

> Tualatin staff and Subcommittee members will be providing an update on the  
> Basalt Creek Concept Plan process to the Tualatin City Council at work  
> session on January 13, 2014. An agenda and packet for this presentation can  
> be found here:

> <http://www.tualatinoregon.gov/citycouncil/city-council-work-session-44>.

> Scroll to page 91 of the packet to read the staff memorandum and  
> attachments. The draft Partnering Agreement and a process diagram are  
> included as attachments and I encourage you to review these at your  
> convenience.

>

>

>

> Tualatin staff will be taking the consultant contract, scope of work, and  
> budget to City Council at the meeting on January 27, 2014. This agenda and  
> packet will be posted on January 17, 2014, at this location:

> <http://www.tualatinoregon.gov/citycouncil/city-council-meeting-140>.

>



>  
>  
> Wilsonville staff will be providing an update to the Wilsonville City  
> Council at work session on January 23, 2014. Please check the Wilsonville  
> website for the staff report and attachments.  
>  
>  
>  
> You are on the contact list to receive email updates on the Basalt Creek  
> Concept Planning project in the future once the process is underway. Updates  
> also will be posted to the Basalt Creek website:  
> <http://www.basaltcreek.com/>.

> Thank you for your interest in this project. Please let me know if you have  
> any other questions.

> Best regards,

> Cindy

> Cindy L. Hahn, AICP

> Associate Planner

> City of Tualatin | Community Development Department, Planning Division

> 18880 SW Martinazzi Avenue, Tualatin, OR 97062

> 503-691-3029 | [chahn@ci.tualatin.or.us](mailto:chahn@ci.tualatin.or.us) | [www.tualatinoregon.gov](http://www.tualatinoregon.gov)

> From: G Lucini [<mailto:grluci@gmail.com>]

> Sent: Monday, January 06, 2014 7:53 PM

> To: BEN BRYANT

> Cc: Alice Cannon; AQUILLA HURD-RAVICH; CINDY HAHN

> Subject: Re: Basalt Creek Area Planning

> Hi Ben,

> Hope you had a good New Year.

> I am following up on the planning of the Basalt Creek area by the Cities of  
> Tualatin and Wilsonville. I see there is an agenda item on Basalt Creek  
> Planning on the Jan. 13, 2014 Tualatin Council Work Session.

> Since my neighbors and I do not have any elected representation within the

> Tualatin-Wilsonville Joint Planning Project, it is extremely important to us  
> that we hear discussion which is held on all phases of the planning for this  
> area.

> I attended the Basalt Creek Joint City meeting on October 29, as did my  
> husband and some of my other neighbors who live within the area being  
> discussed.

> It appears that there were two subsequent meetings on December 12 and on  
> December 30, 2013 of a Joint Council subcommittee comprised of two elected  
> officials from the City of Tualatin and two elected officials from the City  
> of Wilsonville (as well as staff and consultants) where a decision making  
> framework was discussed, as was community engagement techniques for the  
> Basalt Creek Area.

> Although I previously requested to be included in any public notification  
> regarding any planning for the Basalt Creek Area, I did not see any posting  
> of either of these two meetings.

> Would you let me know where and how I will be able to find in the future -  
> the posting for any other public meetings relating to the planning of the  
> Basalt Creek area-especially those involving 2 or more elected  
> officials-prior to the date of the meetings.

> Since the residents of this area do not have an elected official  
> participating in these meetings, would it be reasonable to at least provide  
> a list serve to the potentially affected residents, to provide us some  
> enlightenment as to what the future may hold.

> Looking forward to hearing from you.

> Grace Lucini  
> 503 692 9890

> On Thu, Sep 26, 2013 at 8:29 AM, BEN BRYANT <[BBRYANT@ci.tualatin.or.us](mailto:BBRYANT@ci.tualatin.or.us)>  
> wrote:

> Hi Grace,

> Thanks as always for your interest. We haven't quite started the outreach

> meetings yet, but we definitely will make sure you are involved. The next  
> meeting for the Basalt Creek Concept Planning (land use phase) is October 29  
> at Wilsonville City Hall. That meeting is scheduled as a joint Council  
> meeting with both City of Tualatin and Wilsonville Councils. It should mark  
> the kick-off of concept planning work. Once we are closer to that date, we  
> will post an announcement on our website.

> In the meantime, we are developing our staff team and getting ready for the  
> next phase if this project.

> Thanks, Ben

> Sent from my iPhone

> On Sep 25, 2013, at 3:23 PM, "G Lucini" <[grlucini@gmail.com](mailto:grlucini@gmail.com)> wrote:

> Hi Ben,

> I remember the last time we discussed Basalt Creek Planning, it was  
> mentioned formation of public input groups would start around September  
> 2013.

> Can you tell me how the process is going?

> Let me know if there someone I should contact, or any action I should take,  
> to become involved in any meetings/ groupings / planning--- involving the  
> Basalt Creek area.

> I am interested in all aspects of planning for the area-- including (but not  
> limited to) transportation, zoning, environmental impact etc.

> Thanks,

> Grace Lucini

> 503 692 9890

[Home](#)[Project Description](#)[Transportation Refinement Plan](#)[Citizen Involvement](#)[Highlights & Updates](#)[Documents & Resources](#)[Contact Us](#)

## The Cities of Tualatin & Wilsonville

### Project Highlights/Updates

#### Draft Partnering Agreement

A subcommittee of the Tualatin and Wilsonville City Councils has worked with staff to develop a Basalt Creek Concept Plan Partnering Agreement and Process Diagram. The Agreement outlines how the cities of Tualatin and Wilsonville will generally approach decision-making and public involvement for the project. Each Council will discuss the draft Agreement during worksessions in January 2014:

- City of Tualatin work session: January 13, 2014. Meeting packet is available at:  
\* [Tualatin Jan. 13 Meeting Documents](#).
- City of Wilsonville work session: January 23, 2014. Meeting packet will be available at:  
\* [Wilsonville Jan. 23 Meeting Materials](#).

On October 29, 2013, Wilsonville and Tualatin City Councils held a joint work session to kickoff the Basalt Creek / West Railroad Concept Plan project. The discussion informed the scope of work for the project, and framed the collaboration on the process to come.

- \* [October 29 Meeting Documents](#)
- \* [October 29 Meeting Notes](#)

#### Boones Ferry Road Improvements:

Washington County is improving safety and capacity for all modes of travel along Boones Ferry Road between Norwood Road and Day Street. For more information on this project please visit: [Washington County Boones Ferry Road Project Website](#).

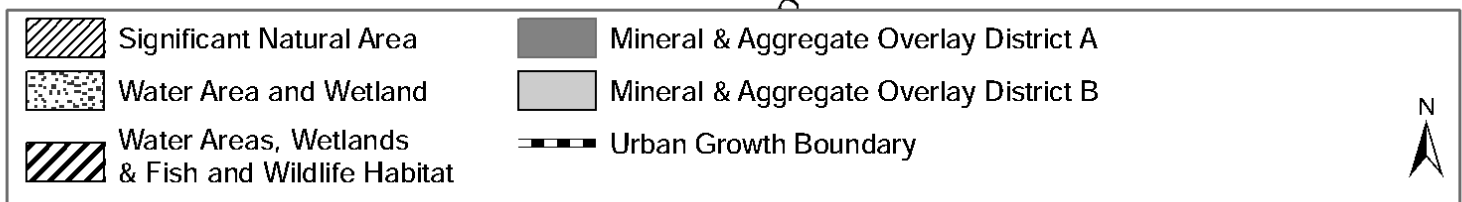
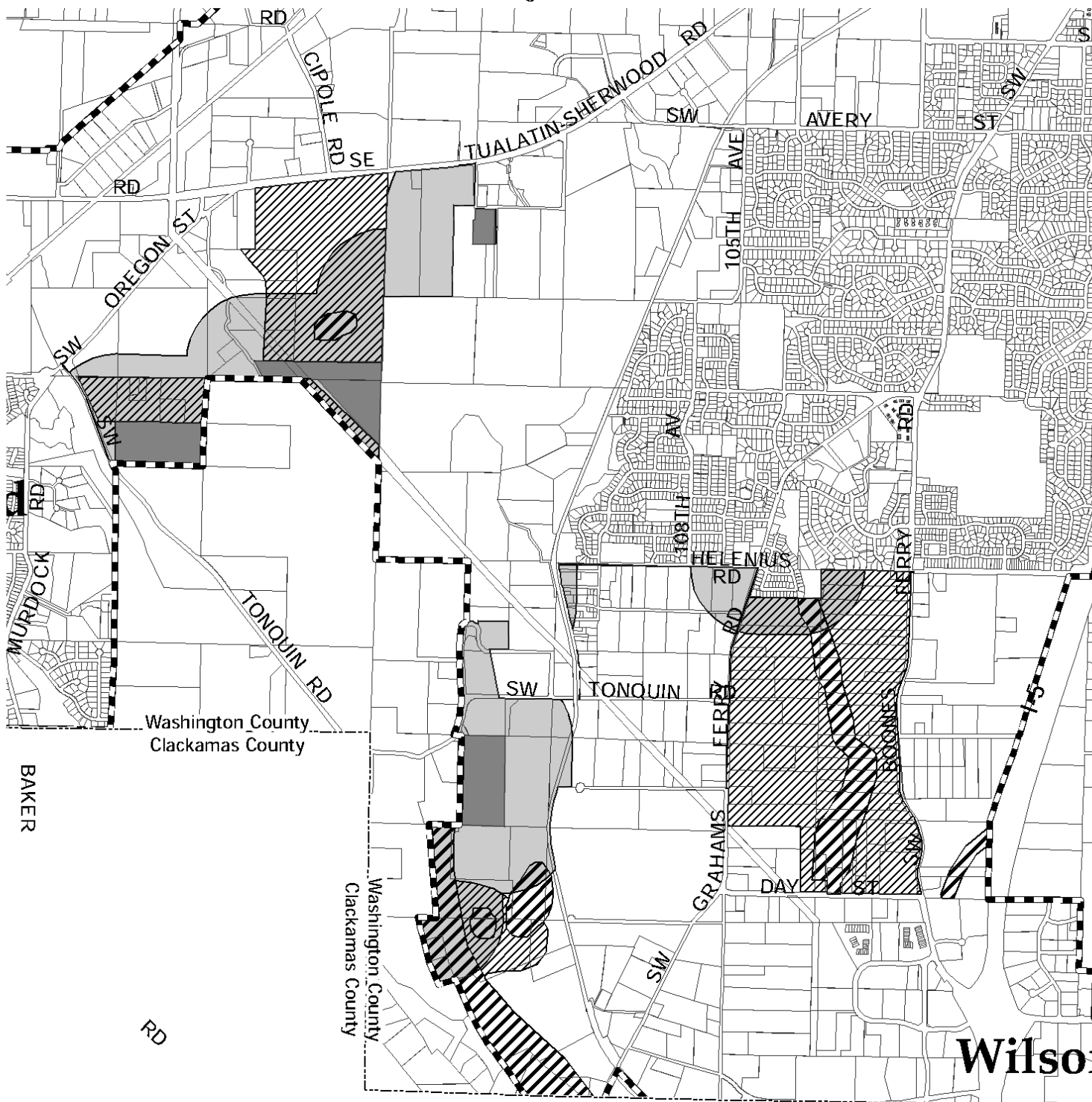
#### SW 124th Avenue Extension:

The 124th Avenue Project will construct an extension of SW 124th Avenue from Tualatin-Sherwood Road to Tonquin Road. Construction is anticipated to begin in 2013 depending on the availability of funding. Design and construction of this project is funded through the county [Major Streets and Transportation Improvement Program\(MSTIP\)](#). For more information, visit <http://124thproject.com>, or send an e-mail to [comment@124thproject.com](mailto:comment@124thproject.com).





#### Future Council Updates

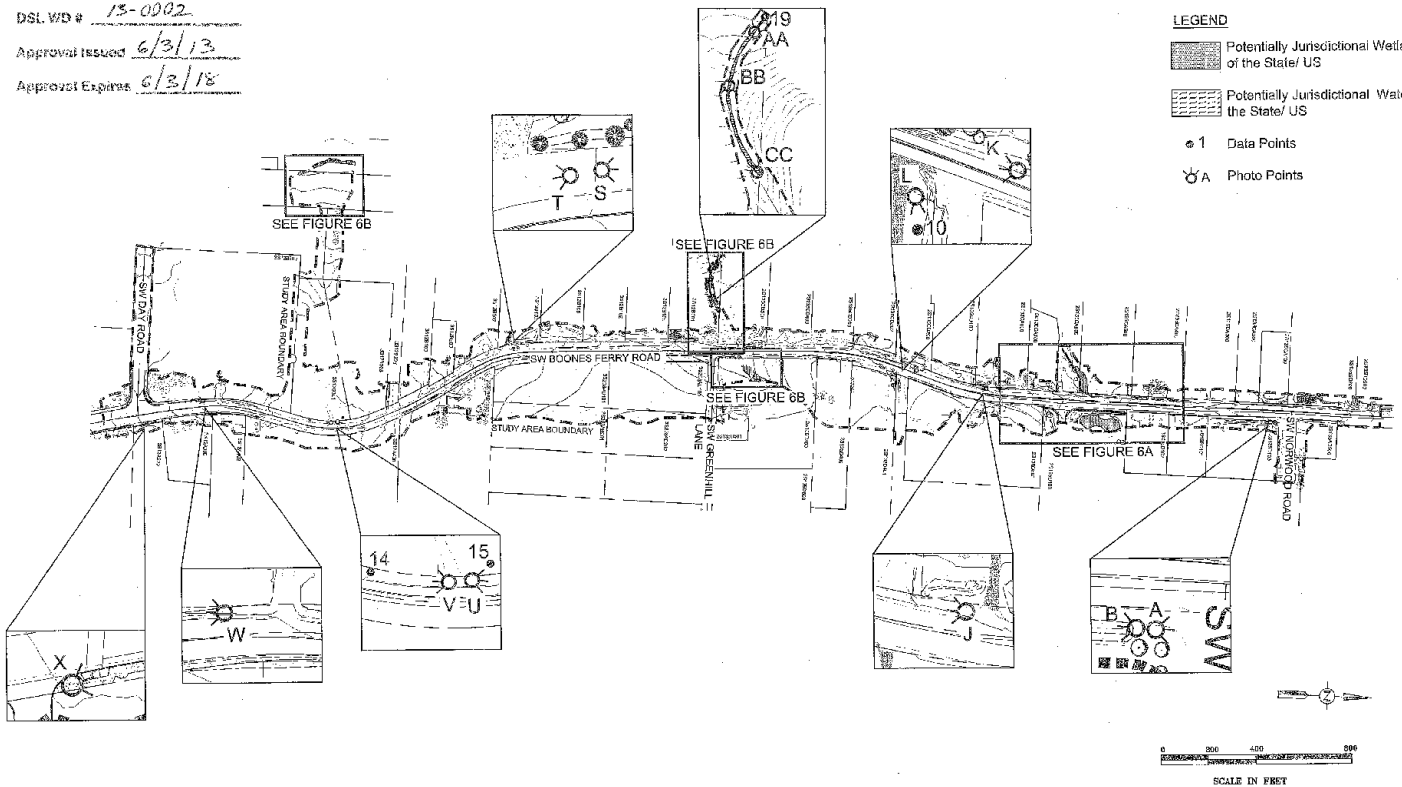
N/A

Amend the Goal 5 Resource for Future Development Areas map (Map B) in Policy 41 (Urban Growth Boundary Expansions) of the Comprehensive Framework Plan for the Urban Area to apply the Goal 5 Resource designations identified in the Rural/Natural Resources Plan to the following areas:



DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

- LEGEND**
-  Potentially Jurisdictional Wetlands of the State/ US
  -  Potentially Jurisdictional Waters of the State/ US
  -  1 Data Points
  -  A Photo Points



Note:  
 Survey provided by Mackey & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.

Wetland Delineation Overall Site Context and Sheet Index Plan  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

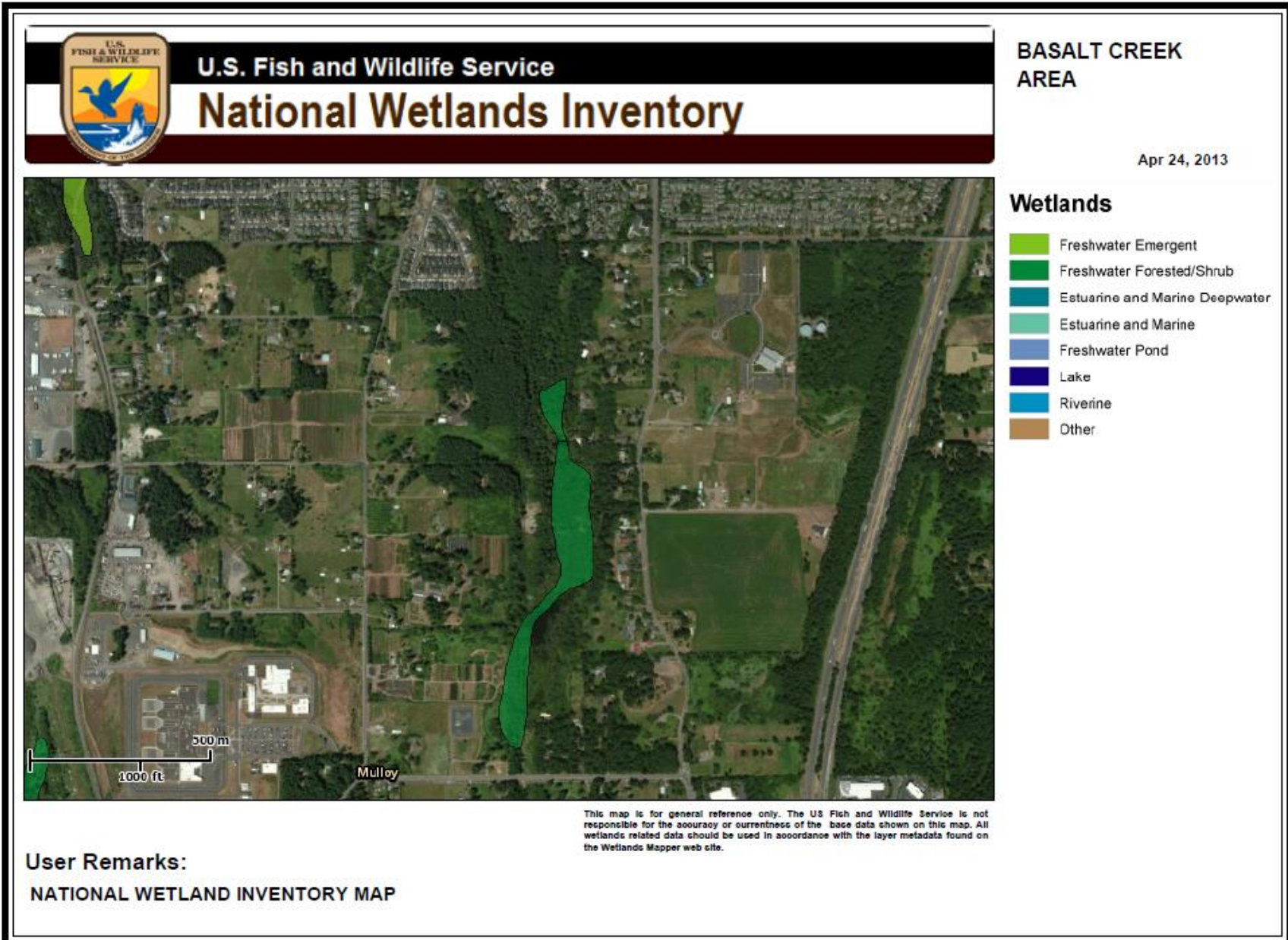
FIGURE  
 6

01/2/13



# NATIONAL WETLANDS INVENTORY- BASALT CREEK AREA

## Global View- Basalt Creek Area-Without Smaller Identified Wetlands Indicated



**From:** [G Lucini](#)  
**To:** [Katie Mangle](#); [Wilsonville Council President Scott Starr](#); [Wilsonville Councilor Susie Stevens](#); [Wilsonville Councilor Richard Goddard](#); [Wilsonville Councilor Julie Fitzgerald](#); [Wilsonville Mayor Tim Knapp](#)  
**Cc:** [AQUILLA HURD-RAVICH](#); [CINDY HAHN](#)  
**Subject:** Council Work Session 4-21-14 - Basalt Creek Concept Plan Update  
**Date:** Monday, April 21, 2014 2:10:45 PM

---

The Council will be reviewing the amended Basalt Creek Concept Planning Partnering Agreement as part of this work session's update on the topic.

I wish to extend my appreciation of the work and effort taken to add within the Partnering Agreement- the confirmation and endorsement of the provisions of the Oregon Public Meetings Law- which is to be implemented as a stated component of the Decision-Making Structure of the Basalt Creek Concept Plan Project.

For the clarification of all interested parties-

1. Will the Project staff provide **Notice -of Public Meetings of Public Bodies** (as defined in ORS 192.610-192.690) containing agenda items on **Basalt Creek Concept Planning** held by:

- Council Meetings &/or Work Sessions ,
- Join Council Meetings
- Council Sub Committees Meetings,
- City Commission Meetings,
- Agency Review Team (ART) Meetings,
- Project Management Team (PMT)Meetings
- And/or meetings involving other various groups when they meet the qualifications under Oregon Public Meetings Law –such as:
  - Project Consultants, Contractors and sub-contractors
  - Cooperating agencies- including Essential Agencies, and Invited Agencies
- Including meetings which
  - are primarily informational, or
  - for which no decision or conclusion is reached, but
  - may later provide advisement or result in recommendation to either City Council in their deliberations on Basalt Creek Concept Planning.

2. Will Notice of these Public Meetings consist of **Actual Notice** (as identified and recommended within the “State Of Oregon Department Of Justice Attorney General’s Public Records And Meetings Manual 2011” to **Interested Parties who have provided prior written request---** in addition to the various methods of **Public Notice** identified within the **Basalt Creek Concept Plan Public Involvement Plan (PIP) of April 2014?**

Respectfully,

Grace Lucini



**From:** [G Lucini](#)  
**To:** [CINDY HAHN](#)  
**Cc:** [AQUILLA HURD-RAVICH](#)  
**Subject:** Basalt Creek- Wetlands Delineation Report from Boones Ferry Rd Improvement Project  
**Date:** Thursday, April 24, 2014 2:01:20 PM  
**Attachments:** [WD2013-0002final.pdf](#)

---

Cindy,

During our meeting on February 21, part of our discussion on Basalt Creek Concept Planning included the discussions about the unique significant natural resources in the area. I mentioned the existing Wetland Delineation Report Created due to the SW Boones Ferry Road Improvement Project -which is within the Basalt Creek Concept Planning Area.

I promised to forward a copy of the delineation report. My computer hard drive problem is resolved, and I have reconnected to my digital copy of the report.

Attached is a copy of the report which provides information as to jurisdictional involvement of the US Army Corps of Engineers (the delineation report was submitted as part of the joint application process to the Corps and DSL).

I've also attached a copy of a letter regarding the Wetland Delineation Report by the Oregon Department of State Lands which also identifies their existing role in monitoring water quality within the Basalt Creek Area and Tapman Creek which runs through the area.

Sorry for the delay in forwarding this information to you. I understand the Project is currently assessing existing conditions within the area and hope this will assist in those efforts.

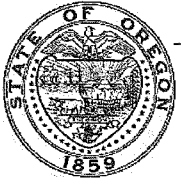
I am assuming Katie has access to the various Willamette River TMDL Implementation Plans submitted by the City of Wilsonville which identifies Tapman Creek (AKA as Seely Ditch), as part of the largest watersheds within the study area.

Regards,

Grace



[APP0053166-New Application-342013.pdf](#)



# Oregon

John A. Kitzhaber, MD, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregonstatelands.us](http://www.oregonstatelands.us)

June 3, 2013

Washington County  
Attn: Abe Turki  
1400 SW Walnut Street, MS 18  
Hillsboro, OR 97123

State Land Board

John A. Kitzhaber, MD  
Governor

Re: Wetland Delineation Report for the Proposed SW Boones Ferry Road Widening Project – SW Norwood Road to SW Day Road (#15315), Washington County; T 2S R 1W S 35CA, 35CD and 35D portions of multiple tax lots; T 3S R 1W S2A, 2AB and 2B portions of multiple tax lots; WD #2013-0002; APP #53166

Kate Brown  
Secretary of State

Ted Wheeler  
State Treasurer

Dear Mr. Turki:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, a site visit on May 10, 2013, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figures 6, 6A and 6B of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps. Within the study area, five wetlands (totaling approximately 0.34 acres) and three waterways, including an intermittent tributary to Tapman Creek, a roadside ditch identified as Ditch A on Figure 6A, and an ephemeral headwater drainage, were identified. The five wetlands and one of the three waterways are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined). The remaining two waterways, the ephemeral headwater and Ditch A, are exempt per OAR 141-085-0515 (3) and (10); therefore, they are not subject to these state permit requirements.


In addition, the Department was informed during the site visit that a small portion of Wetland D was accidentally impacted by a tree removal operation prior to the permit being issued. However, the actual area and volume of the impact was later determined to be nominal (totaling approximately 160 square feet; 1 cubic yard of fill), and therefore, no further action is required.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045

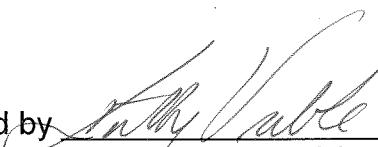
(available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity, or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,

  
Peter Ryan, PWS  
Wetland Specialist

Approved by

  
Kathy Verble, CPSS  
Acting Wetlands Program Manager

Enclosures

ec: Amy Hawkins, Pacific Habitat Services  
Washington County Planning Department  
Michael Ladouceur, Corps of Engineers  
Mike McCabe, DSL  
Amber Wierck, Clean Water Services



V#2695

14741-8475

WP

**WE LAND DELINEATION / DETERMINATION REPORT COVER FORM**

This form must be included with any wetland delineation report submitted to the Department of State Lands for review and approval. A wetland delineation report submittal is not "complete" unless the fully completed and signed report cover form and the required fee are submitted. Attach the form to the front of an unbound report and submit to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279

Mail a copy of the completed form with payment of the required report review fee to: Oregon Department of State Lands, P.O. Box 4395, Unit 18, Portland, OR 97208-4395. For new credit card payment option, see DSL web site.

<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address:		Business phone # 503-846-7800
Washington County		Mobile phone # (optional)
Attn: Abe Turki		FAX #
1400 SW Walnut Street, MS 18		E-mail: abraham_turki@co.washington.or.us
Hillsboro, Oregon 97123		
<input type="checkbox"/> Authorized Legal Agent, Name and Address:		Business phone #
		FAX #
		Mobile phone #
		E-mail:
I either own the property described below or I have legal authority to allow access to the property for the purpose of confirming the information in the report, after prior notification		
Typed/Printed Name: Abe Turki		Signature: [Redacted]
Date:		Special instructions regarding site access:

**Project and Site Information** (for latitude & longitude, use centroid of site or start & end points of linear project)

Project Name: <b>SW Boones Ferry Road widening project</b>	Latitude: <b>45.753668</b>	Longitude: <b>-122.447413</b>
Proposed Use: <b>Widen SW Boones Ferry Road from SW Norwood Road to SW Day Road</b>	Tax Map # <b>45.349223</b>	<b>-122.775066</b>
Project Street Address (or other descriptive location): <b>See Proposed Use</b>	2S 1 35CA; 2S 1 35CD; 2S 1 35D; 3S 1 2A; 3S 1 2AB; 3S 1 2B	
Portions of SW Boones Ferry Rd ROW and portions of the following tax lots:	Township	Range
35CA: 100, 200, 300, 400, 500, 600, 700, 800	2S	1W
35CD: 100, 200, 300, 302, 400, 500	3S	1W
35D: 101, 102, 106, 109, 303, 400, 401, and 500		
2A: 200, 300, 400, and 402		
2AB: 100, 101, 900, 1000		
2B: 100, 102, 103, 104, 105, 106, 107, 200, 300, 301, 303, 306, 307, 308, 309, and 311		
City: <b>Wilsonville</b>	County: <b>Washington</b>	NWI Quad(s): <b>Sherwood</b>
	Township	Range
	2S	1W
	3S	1W
	Section	QQ
	35	CA;CD;D;
	2	A;AB;B
	Tax Lots: See left	
	Waterway: River Mile: N/A	
	Wetland/Tributary to Coffee Lake Creek	

25 1W  
35 1W

**Wetland Delineation Information**

Wetland Consultant Name, Firm and Address:		Phone # 503-570-0800
Pacific Habitat Services		Mobile phone #
Attn: Amy Hawkins		FAX # 503-570-0855
9450 SW Commerce Circle, Suite 160		E-mail: ah@pacifichabitat.com
Wilsonville, OR 97070		
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.		
Cons: [Redacted]	Date: 1/31/13	
Primary Contact for report review and site access is <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent		
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Study Area size: ~35 Acres	Total Wetland Acreage: 0.38

RECEIVED

FEB 01 2013

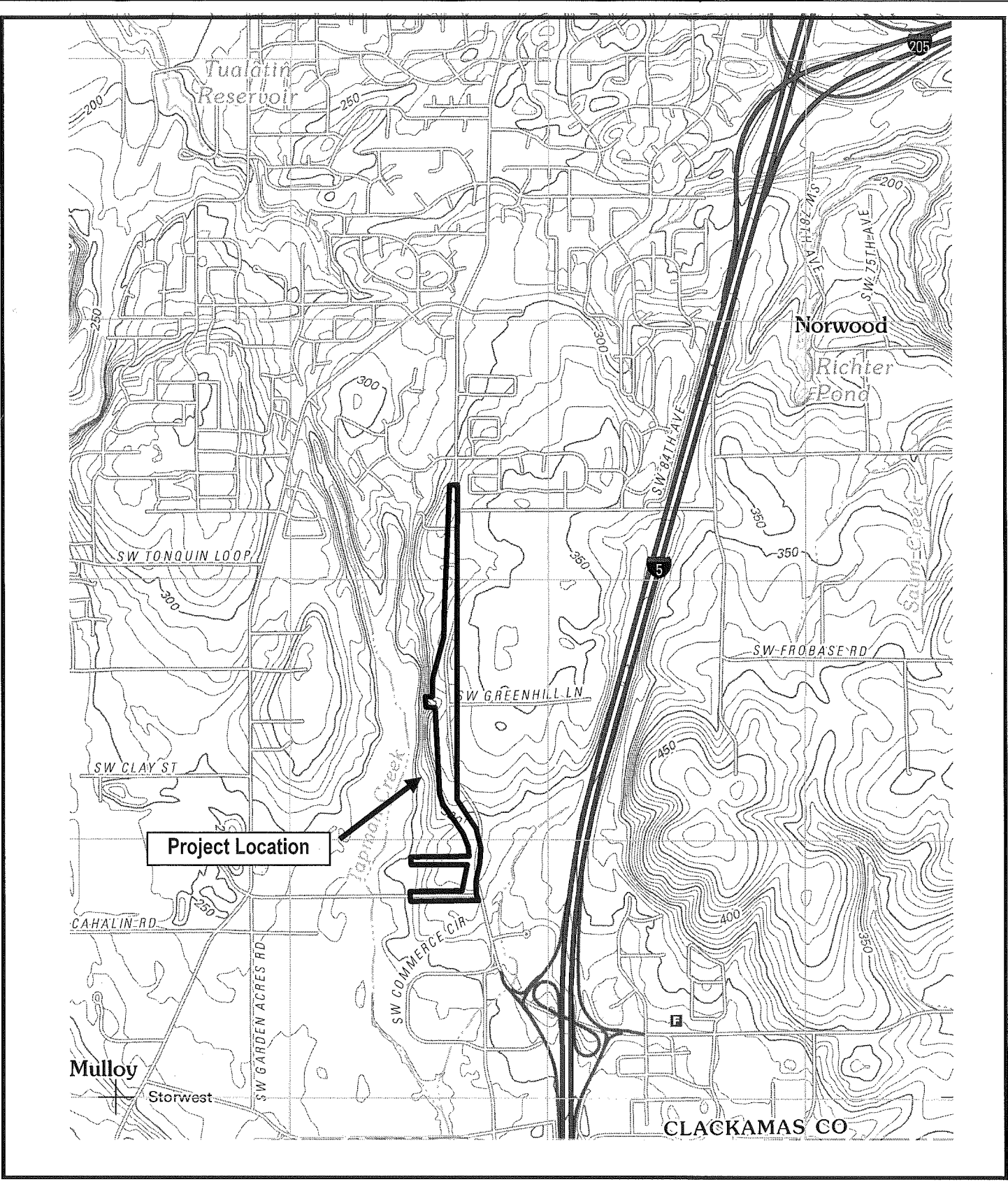
DEPARTMENT OF STATE LANDS  
REMITTANCE 388.00

**Check Box Below if Applicable:**

<input type="checkbox"/> R-F permit application submitted	<input checked="" type="checkbox"/> Fee payment submitted \$ <del>378.00</del> 388
<input type="checkbox"/> Mitigation bank site	<input type="checkbox"/> Fee (\$100) for resubmittal of rejected report
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	Name of Payor: <b>Washington County</b>
<input type="checkbox"/> Industrial Land Certification Program Site	<b>Pacific Habitat Services</b>
<b>Other Information:</b>	
Has previous delineation/application been made on parcel? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	If known, previous DSL #
Does LWI, if any, show wetland or waters on parcel? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	

**For Office Use Only**

DSL Reviewer: <u>PR</u>	Fee Paid Date: <u>2/1/13</u>	DSL WD # <u>2013-0002</u>
Date Delineation Received: <u>2/1/13</u>	DSL Project # <u>54037</u>	DSL Site # _____
Scanned: <input checked="" type="checkbox"/> Final Scan: <input type="checkbox"/>	DSL WN # _____	DSL App. # <u>53166</u>



4788  
11/15/12



Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

Location and general topography  
SW Boones Ferry Road Widening project in Washington County, Oregon  
(USGS Sherwood, OR quadrangle, 2011).



FIGURE  
1

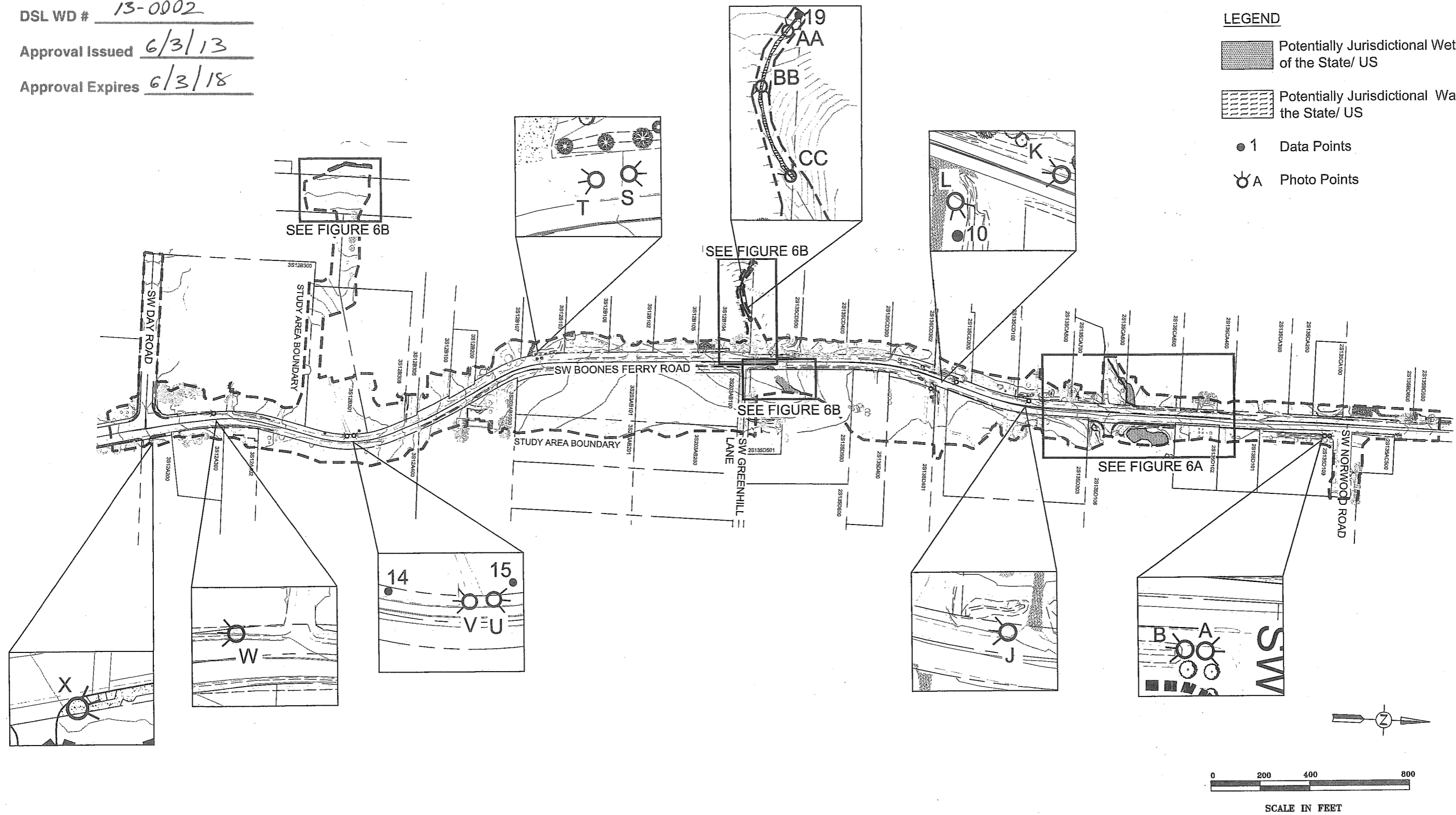
DSL WD # 13-0002

Approval Issued 6/3/13

Approval Expires 6/3/18

LEGEND

-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
- 1 Data Points
- ⊙ A Photo Points



Note:  
Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/- 3 feet.








Wetland Delineation Overall Site Context and Sheet Index Plan  
SW Boones Ferry Road Widening Project - Washington County, Oregon

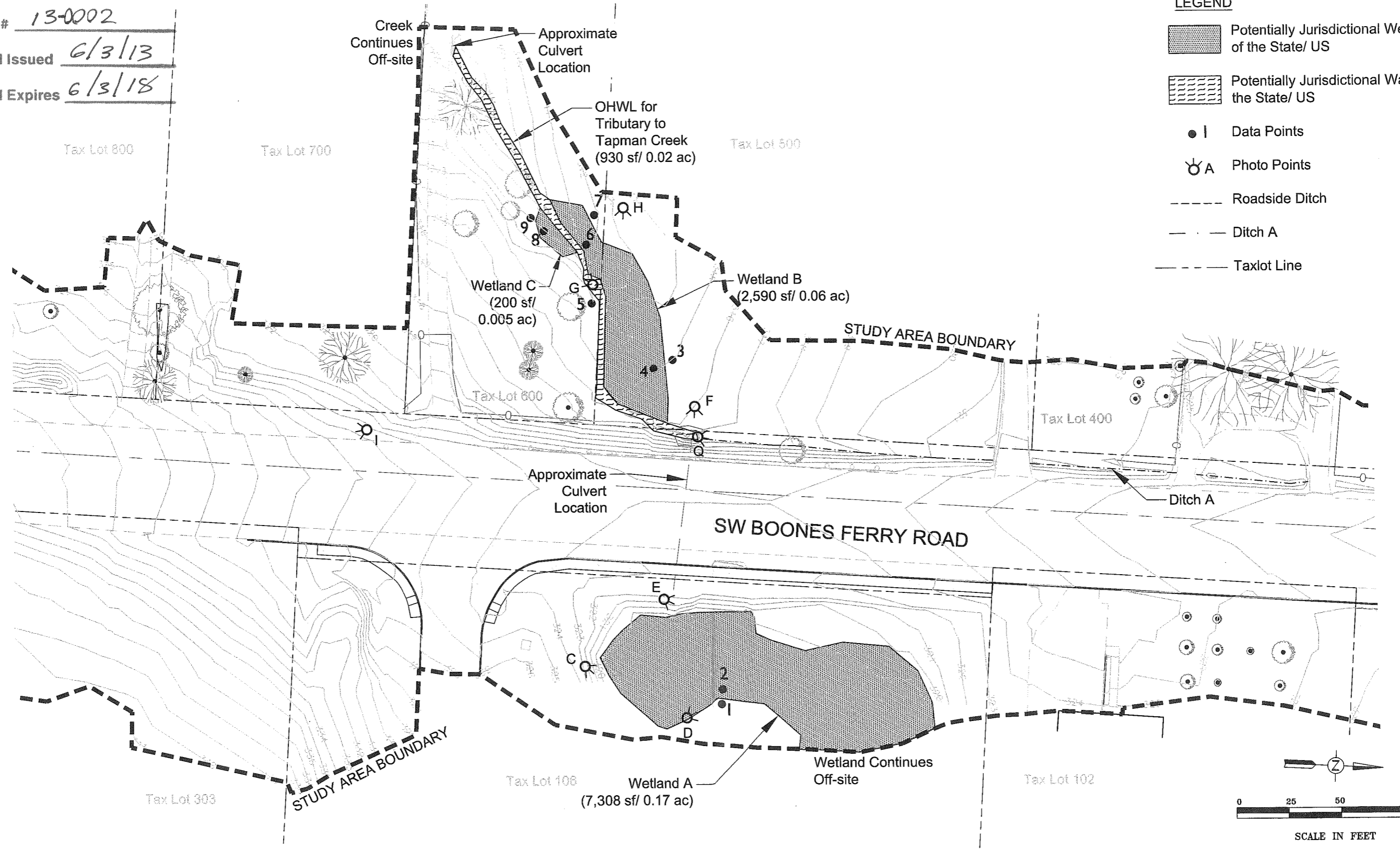
FIGURE  
6

01/15/13

DSL WD # 13-0002  
 Approval Issued 6/3/13  
 Approval Expires 6/3/18

**LEGEND**

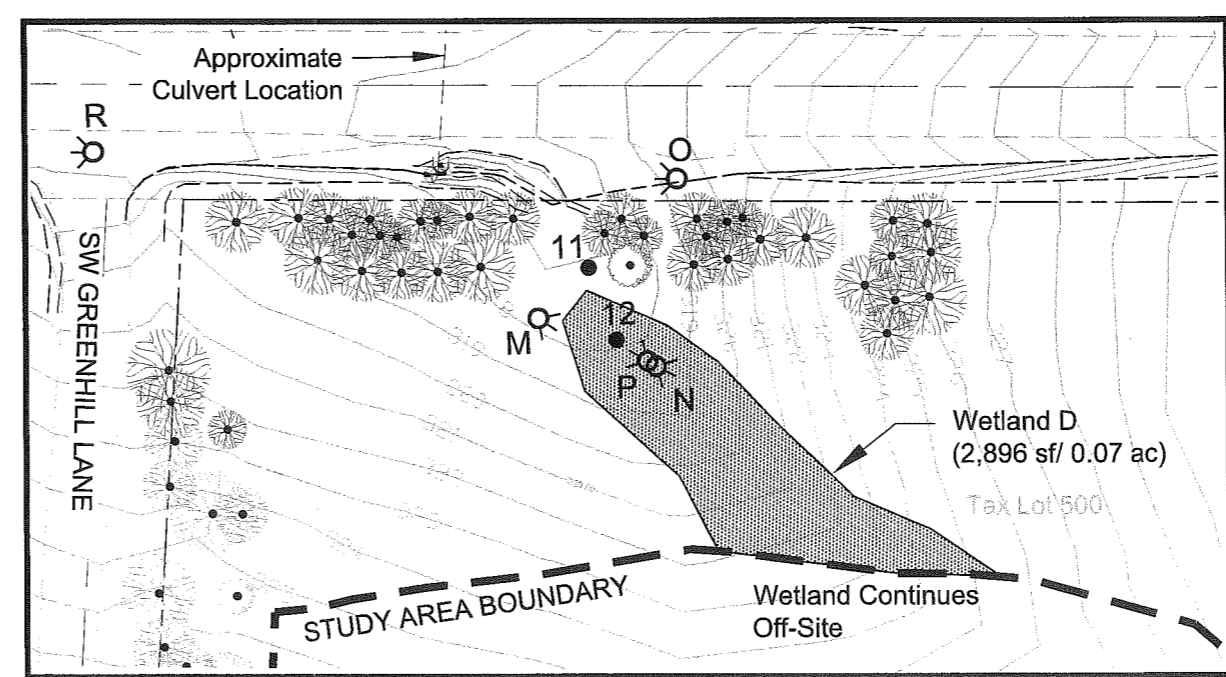
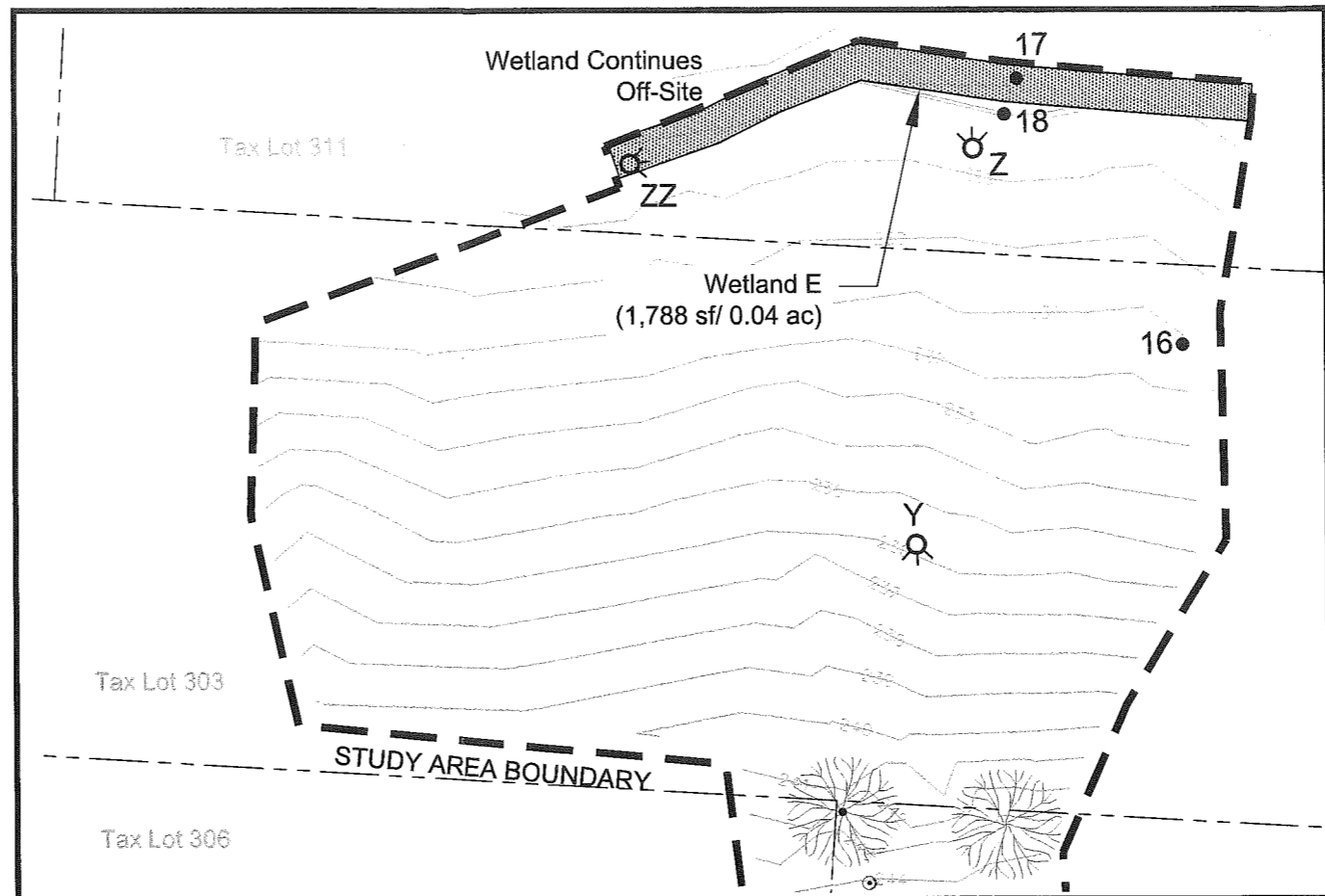
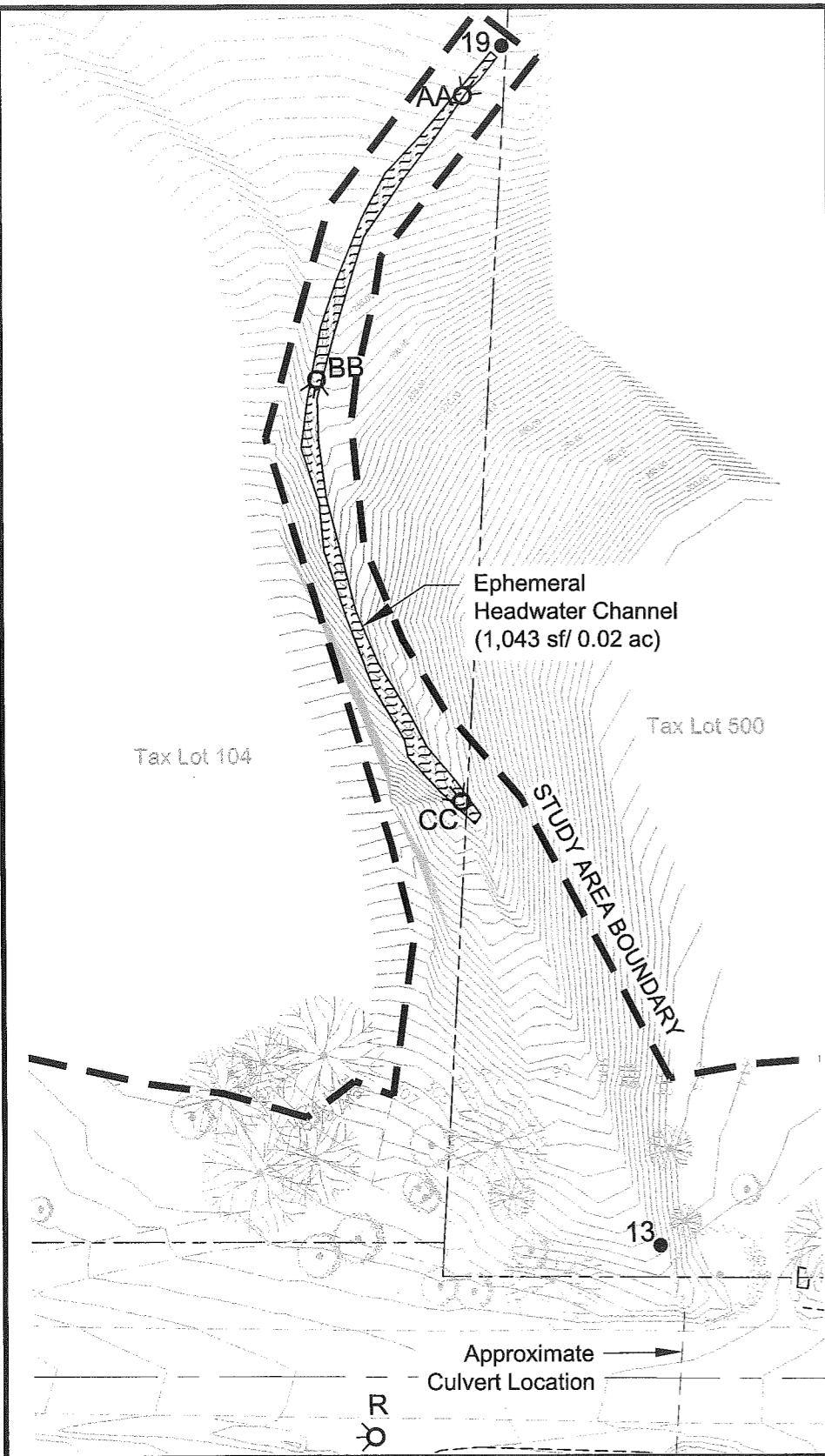
-  Potentially Jurisdictional Wetlands of the State/ US
-  Potentially Jurisdictional Waters of the State/ US
-  Data Points
-  Photo Points
-  Roadside Ditch
-  Ditch A
-  Taxlot Line



Note:  
 Survey provided by MacKay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6A**



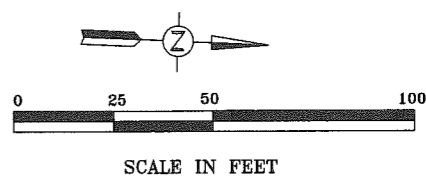
**LEGEND**

- Potentially Jurisdictional Wetlands of the State/ US
- Potentially Jurisdictional Waters of the State/ US
- | Data Points
- ⊙ A Photo Points
- - - Roadside Ditch
- - - Taxlot Line

DSL WD # 13-0002

Approval Issued 6/3/13

Approval Expires 6/3/18



Note:  
 Survey provided by Mackay & Sposito. Survey and data point accuracy is sub-centimeter. Accuracy for data points 4, 13, 14 and 15 is +/-3 feet.

Wetland Delineation  
 SW Boones Ferry Road Widening Project - Washington County, Oregon

FIGURE  
**6B**



# City of Tualatin

www.tualatinoregon.gov

**OFFICIAL**

**TUALATIN PLANNING COMMISSION -**

**MINUTES OF June 19, 2014**

**TPC MEMBERS PRESENT:**

Alan Aplin  
Adam Butts  
Jeff DeHaan  
Bill Beers  
Cameron Grile  
Jan Giunta

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Cindy Hahn  
Ben Bryant  
Lynette Sanford

**TPC MEMBER ABSENT:** Nic Herriges

**GUESTS:** Grace Lucini

**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the May 15, 2014 TPC minutes. Ms. Hurd-Ravich, Planning Manager, stated that there was communication from Grace Lucini to amend the minutes to include additional information regarding notices. After discussion, it was agreed to keep the minutes as written, but add the materials submitted by Ms. Lucini at the May 15, 2014 TPC meeting as an attachment. MOTION by Giunta SECONDED by Butts to approve the minutes with the amendment. MOTION PASSED 6-0.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None

**4. ACTION ITEMS:**

**A. Basalt Creek Concept Plan Project – Update and Review of Draft Guiding Principles and Existing Conditions Information**

Cindy Hahn, Associate Planner, presented an update on the Basalt Creek Concept Plan Project, including draft guiding principles and preliminary information about existing

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.



conditions, which included a PowerPoint presentation.

Ms. Hahn went through the schedule which begins with the public involvement plan and guiding principles and will continue through the end of 2015 with public hearings and adoption. Development and construction could begin in 2017. A Community Workshop was held on June 17 to gather input that will be used to create several alternative concepts for future development in the Basalt Creek area.

The next steps in this process include a joint Council meeting on July 16 at 6:00 pm in the Tualatin Police Training Room. This meeting will focus on guiding principles, evaluation measures, and existing conditions information gathered to date. The next joint meeting is anticipated for December. The next steps in the planning process include creating alternative development concepts, evaluate and test alternative scenarios, and choose a preferred alternative. The Planning Commissions and City Councils of both Tualatin and Wilsonville will receive regular updates throughout the planning process.

Mr. DeHaan asked who was responsible for writing the draft guiding principles. Ms. Hahn responded that the draft came from the consultants and staff members. Mr. DeHaan acknowledged that the changes increased readability. Ms. Giunta asked if Wilsonville is planning additional residential development or if they're solely focusing on commercial and industrial. Ms. Hurd-Ravich responded that the focus is on commercial and industrial. Ms. Giunta asked if there is a way to increase the residential component and to incorporate livability of residential neighborhoods. Ms. Hurd-Ravich answered that she will make note of that. Mr. Aplin mentioned that the word "commercial" has been omitted from the fourth Guiding Principles. Ms. Hahn will make note of that.

Ms. Hahn continued to discuss the demographic and environmental differences between Tualatin and Wilsonville. Ms. Giunta mentioned that there are wonderful wildlife areas in Basalt Creek and she is hoping that corridors are established to facilitate the movement of wildlife and the preservation of our ice age heritage.

Ms. Hahn stated that an instant polling system was conducted at the workshop and the results will be forthcoming. The focus was on the different land uses and whether they're appropriate in this area. The results of this polling and the on-line survey will be incorporated into a report for the development. Mr. DeHaan asked how many people attended the workshop. Ms. Hahn answered there were 40-50, and consisted of mostly land owners. Ms. Hurd-Ravich added that a map exercise was conducted at the meeting and these results will be digitized and put on our website.

*Grace Lucini, 23677 SW Boones Ferry Rd.*

Ms. Lucini stated she is following up on a comment made at our last meeting regarding the compliance with public notification. She stated that her comments are on behalf of herself and the other citizens directly or indirectly affected by the Basalt Creek planning area. She stated the public meetings law 192.610 and 192.690 and the Oregon Department of Justice manual, January 2011, states an important issue regarding

public notice. Ms. Hurd-Ravich acknowledged that we are in agreement that property owners and interested parties will be advised about upcoming meetings by email and a monthly hard copy will be mailed.

### **B. Metro's Climate Smart Communities Project**

Ms. Hurd-Ravich, Planning Manager, presented the Metro's Climate Smart Communities Project, which included a PowerPoint presentation. This project was enacted in 2009 as part of a statewide transportation funding bill to develop an approach for reducing greenhouse gas (GHG) emissions from small trucks and cars. The plan must seek to reduce emissions 20% below 2005 levels by 2035. The plan must be completed by 2014.

Ms. Hurd-Ravich went through the slides which detailed the elements of each scenario. The desired outcomes will include building vibrant communities, equity, economic prosperity, transportation choices, clean air and water, and climate leadership. What Metro has found so far, based on the local and regional plans, is that we can accomplish this 20% reduction except that these plans are not fully funded.

On May 30, the Metro Policy Advisory Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) made a joint recommendation to the Metro Council on a draft approach for testing. There are nine recommendations that are intended to provide Metro staff with sufficient direction to move forward with testing a draft approach that will be subject to further discussion and potential refinement after analysis.

Ms. Giunta asked where in the policy choices does it include fuel efficient vehicles. Ben Bryant, Economic Development Manager, answered that in the previous slide it detailed that in 2010 vehicles averaged 29.2 miles per gallon and in 2035, the goal is 68.5 mpg. Ms. Giunta asked why they didn't include heavy trucks. She stated that in CA and WA they have restrictive emission standards and the greenhouse gas levels are dropping. Ms. Hurd-Ravich responded that she will ask the question and get back to her. Mr. Bryant continued with the presentation that covered the straw poll results and what this means for communities.

Ms. Hurd-Ravich added that the immediate next steps in this process include Metro staff evaluating the draft preferred and develop implementation recommendations. In September, they report back results to the regional advisory committees. From September through November, public and local government reviews results and draft preferred approach and in November and December final refinements and adoption will occur.

Ms. Giunta asked about the implications for Tualatin and why it's important to us. Mr. Bryant stated that Metro recognizes that local cities are already implementing plans to increase vibrancy and town centers, but what's left are the regional issues which include transit and parking management that will influence future regional transportation

plans and urban growth boundaries. Discussion followed regarding different transit options and the limitations.

5. **COMMUNICATION FROM CITY STAFF:**

None

6. **FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated we are lacking agenda items for the July meeting and it may be canceled. In August, there is a full agenda with a Basalt Creek update and an update from Tom Mills at Trimet regarding the SW Enhancement Study. There will also be information regarding the Plan Text Amendment on Mohave Court which is the area behind Applebees. In addition, there may be information regarding the Tigard ballot initiative that was passed in March. Mr. Grile asked about additional sign variances for Nyberg Rivers. Ms. Hurd-Ravich responded that we have not received any recently. Mr. DeHaan asked about the Espedal site. Ms. Hurd-Ravich answered that they recently submitted an architectural review. The project has been scaled back and did not need a variance.

7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

None.

8. **ADJOURNMENT**

MOTION by Beers SECONDED by Aplin to adjourn the meeting at 7:57 pm. MOTION PASSED 6-0.



\_\_\_\_\_  
Lynette Sanford, Office Coordinator

**From:** [G Lucini](#)  
**To:** [AQUILLA HURD-RAVICH](#)  
**Cc:** [Katie Mangle](#); [CINDY HAHN](#)  
**Subject:** Re: Basalt Creek Planning -Follow Up on Phone Call Regarding Notice  
**Date:** Thursday, June 19, 2014 8:18:56 PM

---

Thanks for your reply.

Hopefully when all interested parties have an opportunity to hear what each other have to say, some meaningful outcomes may follow.

Grace

On Thu, Jun 19, 2014 at 3:19 PM, AQUILLA HURD-RAVICH <[AHURD-RAVICH@ci.tualatin.or.us](mailto:AHURD-RAVICH@ci.tualatin.or.us)> wrote:

Hi Grace,

Thank you for following up. My responses are below in the body of your email.

**Aquilla Hurd-Ravich, AICP**

Planning Manager

City of Tualatin | Community Development Department

503.691.3028 | [www.tualatinoregon.gov](http://www.tualatinoregon.gov).

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**From:** G Lucini [mailto:[grluci@gmail.com](mailto:grluci@gmail.com)]  
**Sent:** Thursday, June 19, 2014 2:00 PM  
**To:** AQUILLA HURD-RAVICH

**Subject:** Basalt Creek Planning -Follow Up on Phone Call Regarding Notice

Aquilla,

Thank you for your phone call today and your intent to resolve concerns I presented regarding compliance with appropriate Notice on Basalt Creek Concept Planning.

I would like to summarize my understanding of our discussion. Please correct or clarify any misunderstandings I may have.

The focus of our discussion was the provision of appropriate Notice regarding Basalt Creek Concept Planning.

- To improve General Notice ---More specific information will be added on the BasaltCreek.com website to including
  - date,
  - time,
  - location and
  - agenda topic on Public Meetings-
  - to be done by Consultant in approximately a week.

Yes I agree this is what we spoke about and I will confirm with the Project Management Team (Tualatin Staff and Wilsonville Staff) that this information can be added.

- Actual Notice is being provided by a email list email list includes 100+ contacts and will include:
  - Subject line in email notifications will include specific/identifiable information regarding Basalt Creek Planning Public Meetings
  - date,
  - time,
  - location and
  - agenda topic on Public Meetings
- We discussed traditional mail for Actual Notice as a possible alternative for those who do not use email.

Yes I agree this is what we spoke about and again I will confirm with the rest of the Project Management Team that this is doable.

A couple of questions I did not ask during the phone call, but was included in yesterday's email-

- Will everyone who submitted their contact information to the BasaltCreek.com website be included in the "Actual Notice" emails?
  - If so- does this include website submissions prior to Tualatin assuming administration of the website?

Yes, everyone who submitted their contact information via the Basalt website is included on the

email distribution list for Actual Notice. This list does include submissions prior to Tualatin assuming administration of the email distribution list via the website. Just to clarify the consultant team is now administering the website. Requests from the public to be on an interested parties list prior to the website update and the consultant taking over administration were sent to Tualatin staff.

- Will **both** the City of Wilsonville **and** the City of Tualatin (or other Basalt Creek Consultant/Contractor/Agency) holding a Public Meeting on Basalt Creek Planning-
  - be providing Actual Notice as described above, and/or
  - posting Public Meetings on the BasaltCreek.com website

Yes, I believe what will happen is that Tualatin staff will send a mail (via US Postal Service) notice to all property owners in the Basalt Creek Area listing meetings in the upcoming month. For example next week City of Tualatin will send a notice of public meetings (**not public hearings which is something different and will occur near adoption**) next week informing property owners of public meetings in July. This same content will be sent via email to the email distribution list informing the interested parties of public meetings in the month of July.

The website will change as described above under General Notice and it will list all public meetings for both Wilsonville and Tualatin.

Again, I need to confirm both of my above statements with the Project Management Team this afternoon.

- Are you in agreement with those groups/bodies listed in the email of 4-22-14 from Katie Mangle (Wilsonville Project Manager) for which Notice will be provide- and should the public expect both General and Actual Notice regarding Public Meetings on Basalt Creek planning of these bodies?

Project staff will follow public meeting law by providing Actual Notice to those who have timely requested they be notified and provided correct mail or e-mail addresses for all **City Council meetings, joint Council meetings, Planning Commission meetings, and any sub-committee or other meetings that meet the definition of Public Meetings of Public Bodies.**

The Agency Review Team, which will not have recommending or decision-making authority, and will be comprised of agency technical staff, is not a public body. Though Team meetings may be advertised, no actual notice will be provided. The Project Management Team, which is tasked with running the project, is also not a public body, and meetings of that group are not public.

Yes I am in agreement with the above statements.



Again thanks for taking the effort to contact me.

I think we both agree public interest and involvement in this project will be beneficial in the decision making process and in achieving a viable solution to the concept planning.

Grace

**From:** [G Lucini](#)  
**To:** [Katie Mangle](#); [CINDY HAHN](#)  
**Subject:** Follow Up Focus Group 6-24-14 10AM Property Owner- Basalt Creek Concept Planning  
**Date:** Wednesday, June 25, 2014 1:02:50 PM  
**Attachments:** [Metro Legislation Acquisition Refinement Plan For the Tonquin Geologic Area Resolution 07-3850.pdf](#)

---

Katie, Cindy, and FA Consultant Team,

Thank you for the opportunity for discussion on issues relating to the Basalt Creek Concept Planning.

Resident/ property owners who live in the area have a unique perspective on the area and of the many of the Basalt Creek Projects which have been proposed and are being implemented by the various local governments. Unfortunately in the past many of our comments were not heard, were under documented or were not given credibility or merit.

Your efforts to seek input is appreciated, and will hopefully result in creating reasonable and thoughtful options.

--Due to the varied topography and natural resources within the 800+ acres under concept planning, one resident's perspective maybe different than another's.

It is hoped the input of Local Property Owners in the focus groups will include a proportionally representative number of single family resident property owners from the area--among non-resident property owners and multi-lot property owners (some of whom could also be equally qualified to be included within the Residential or Commercial Developers Focus Groups- and who may have different short or long term goals or perspectives).

--During the focus group meeting on Tuesday 6-24-14 at 10AM, a question was raised about the importance of the Basalt Creek Area with regards to Metro's identification of Natural Geologic Areas for acquisition.

To help shed light on this, I've attached Metro Resolution 07-3850 which identified portions of the Basalt Creek Area (described as Area 1A- Basalt Creek on the original map) as a Tier 1 Objective for the Tonquin Geological Acquisition which were later lowered to be included as Tier 2 Goals.

--I have extended an invitation and look forward to having a site visit during the assessment of existing conditions phase of the concept planning process- to assist in obtaining appropriate level of due diligence.

--I have also extended an invitation for a site visit -to the City Councils of both Tualatin and Wilsonville - that they may also obtain first hand understanding of the area under examination for concept planning- prior to the start of their deliberations.

I look forward to when these visits can be scheduled.

Again, thank you for the opportunity to participate in one of the focus groups.  
Regards,

Grace Lucini

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**From:** Mayor Tim Knapp <[knapp@ci.wilsonville.or.us](mailto:knapp@ci.wilsonville.or.us)>  
**Date:** July 9, 2014 at 3:46:36 PM PDT  
**To:** "Kraushaar, Nancy" <[kraushaar@ci.wilsonville.or.us](mailto:kraushaar@ci.wilsonville.or.us)>, "[Scottstarr97070@gmail.com](mailto:Scottstarr97070@gmail.com)" <[Scottstarr97070@gmail.com](mailto:Scottstarr97070@gmail.com)>  
**Subject:** Fw: Basalt Creek Concept Plan

FYI, citizen input. Thx/TK

*Sent from my Verizon Wireless Droid*

-----Original message-----

**From:** Tim Davis <[pdxfan@gmail.com](mailto:pdxfan@gmail.com)>  
**To:** [logden@ci.tualatin.or.us](mailto:logden@ci.tualatin.or.us), [mayor@ci.wilsonville.or.us](mailto:mayor@ci.wilsonville.or.us), [council@ci.tualatin.or.us](mailto:council@ci.tualatin.or.us)  
**Sent:** Wed, Jul 9, 2014 20:19:53 GMT+00:00  
**Subject:** Basalt Creek Concept Plan

Dear Mayor Lou Ogden, Tualatin City Council, and Mayor Tim Knapp,

This is Tim Davis, and below is a letter that I wrote to Cindy Hahn about the incredibly important and sensitive Basalt Creek area. It's written in a blunt style that's meant to challenge us to do real placemaking in our outer suburban areas. I meant to mention the mistakes made in Damascus and the beautiful counterexample of Villebois as something we should emulate and improve upon to the greatest extent possible.

As you can see, the letter I wrote is quite long, but it could have easily been triple the length. For example, I skipped one of the most important mathematically proven arguments that developing existing shopping areas ALWAYS presents a far, far greater return on investment than developing new areas. Every single elected official in the U.S. should really listen to this amazing "Strong Towns" podcast episode called "Moneyhall" that's based somewhat on the wonderful "Moneyball" movie that showed an entirely new way to get high value for minimum investment on a baseball team. It proves that our current suburban model cannot work in the long run, but our metro area at least has some hope of turning it around. Here's the critically important (and highly entertaining!) podcast episode:

<http://www.strongtowns.org/strong-towns-podcast/2013/8/29/show-149-moneyhall.html>

Anyway, below is my letter to Ms. Hahn; I hope that you enjoy my suggestions and don't mind the occasional bluntness in trying to get some points across!! :)

Thank you so much for everything you do; I know that your jobs are NOT at all easy!! I really can't thank you enough!

Cheers,  
Tim

This is Tim Davis, and I closely follow every single development in the entire Portland area; it's admittedly incredibly time-consuming. :)

My main worry is that Basalt Creek will turn into another unbelievably awful suburban wasteland, to put it perhaps too bluntly. :) There's really no way that this area should have been included by Metro in 2004 into the UGB; we still have an unbelievable amount of undeveloped and very, very low-density housing everywhere you look, including throughout Portland. We have WAY more than enough room to accommodate growth within our existing UGB for at least 50 years.

Plus, Basalt Creek is the very definition of exurban: exceedingly far from both downtown Portland and any kind of decent transit. Plus, probably half of the area is in a floodplain and should be preserved as parks and farmland. It's also just north of an incredibly important wetland (Coffee Lake), the last remaining wetland of any decent size for many miles.

If we really, REALLY need to develop Basalt Creek at all, it has GOT to be with the highest-density, most attractive mixed-use development possible. Bethany did a decent job with the 15325 NW Central Drive area, for example, and Orenco Station is fascinating both to live in and visit.

We simply have way, way, way more than enough hideous big-box, character-less, soul-less development (not to mention countless miles of lookalike oversized homes) in the area. We just cannot afford to keep doing this. It's a Ponzi scheme, and the infrastructure will collapse under the weight of debts due to a failure to plan for maintenance costs 30-40 years out. We're already seeing the suburban model starting to fail miserably in many places.

Basalt Creek could be one of the last chances the metro area gets to preserve the beauty of an exurban-but-still-not-too-far-out area. I LOVE driving and biking down pastoral roads like SW Frobase Road or SW Day Road, and we must not lose the character of places like this, even though (or maybe because) they're super remote from almost any job location.

We have to think holistically. I really like that Tualatin and Wilsonville are approaching this development carefully and very collaboratively, but we need to consider the much bigger picture of the metro area as a whole. Our biggest mistake has been our failure to develop holistically, and now we have countless suburbs that have almost zero character. Fortunately we still have a tiny bit of time before we start looking like almost every other large metro area in the U.S. Portland is truly THE last hope for a semi-decent metro area left in this country; all other cities have completely sold out to giant corporations and Anytown, USA cookie-cutter looks.

This area really needs to be a recreational corridor, with its great proximity to beautiful rivers and vistas in all directions. The Banks-Vernonia corridor has (at last) discovered this, and now eco-minded cycling visitors are greatly improving the economy there--and supporting the LOCAL economy rather than some fat cat's pockets back in New York or Dallas.

We need to always, always be thinking about growing a LOCALLY based economy. The Willamette Valley can grow 32 types of edible greens in January alone! That's more than anywhere else on Earth without irrigation. We need to take advantage of our unparalleled access to food and natural beauty!

We have \*way\* more than enough multi-national big-box chain stores and beige, covenant-controlled huge family homes. We don't need any more. Besides, once the next economic crash occurs, those large homes will be subdivided--and people will be completely screwed because there will be zero sources of food, jobs or outside entertainment to WALK or BIKE to because everything was built around the single-occupancy or family car.

Instead, let's do the only thing that makes sense in the long term: growing companies that are based right in Tualatin and Wilsonville and keeping the money as local as possible. And build an amazing bike trail network through the Basalt Creek area--and include educational signs about wetlands, rivers, animals and other wonderful things people will see while improving both their health and their quality of life!

And if we have to pave over paradise, then make it incredible dense development (preferably with permeable concrete, as well). Rather than yet another Walmart or Supertarget that's surrounded by 20 acres of mostly empty concrete (with no stormwater mitigation at all), encourage local businesses to set up shop in a beautiful, walkable little area with housing above the shops (like they do in all great neighborhoods throughout the world!).

I'll end (for now LOL!) with a question that I always propose to city planners: what is the ONE common trait that every single great neighborhood or public space has in common? It's not great architecture, historical features, high density, low density, parks or anything like that. Rather, the ONE common trait that absolutely all great places have in common throughout the world is: pedestrian-friendliness!! Simply put, if you're approaching an area containing numerous pedestrians, you are \*always\* naturally drawn to that area. If instead (like in nearly every suburb) you just see cars or empty pavement, you're inclined to skip the area and just keep moving along.

So, the real solution for Basalt Creek is to make the area as pedestrian-friendly as possible; really attract people to get OUT of their cars, walk around, support the businesses, smell the air, walk a trail, and enjoy the place!!

Thank you so very much for your consideration, Cindy and everyone involved with the exciting Basalt Creek planning process!! I'll be keeping close track of what happens with this beautiful area, as you can no doubt imagine! :)

Cheers,  
Tim





**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JULY  
14, 2014**

---

Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby;  
Councilor Frank Bubenik; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Councilor Joelle Davis

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker;  
Present: Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy  
City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City  
Recorder Nicole Morris; Teen Program Specialist Julie Ludemann; Maintenance  
Services Division Manager Clayton Reynolds; Economic Development Manager Ben  
Bryant; Assistant City Manager Alice Cannon

**A. CALL TO ORDER**

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:03 p.m.

**B. ANNOUNCEMENTS**

**1. Tualatin Youth Advisory Council Update for July 2014**

Members of the Tualatin Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. The YAC hosted a 5K Kaleidoscope run to kick-off summer for students in grades 6-12. The committee continues to participate in Movies on the Commons every Saturday night by selling concessions for the event. The committee is planning a Youth/Elected Leader Social to be held early next year.

**2. ArtSplash Art Show and Sale 2014**

Recreation Program Specialist Julie Ludemann announced ArtSplash Art Show and Sale to be held July 18-20, 2014.

**3. New Employee Introduction- Kelsey Lewis, Program Coordinator**

Community Services Director Paul Hennon introduced Program Coordinator Kelsey Lewis. The Council welcomed her.

**C. CITIZEN COMMENTS**

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

Grace Lucini presented concerns regarding the guiding principles put in place for the Basalt Creek Planning area.

Margi Peterson spoke in regards to traffic concerns on Boones Ferry Road. She requested to have trees trimmed which are obstructing views of signage in the area and have an additional flashing speed sign installed.

Gunnar Olson asked Council to continue to move forward with the process to have parking permits put into place in the Fox Hills area.

Linda Moholt made comments on TriMet's presentation during the work session. She stated TriMet needs to continue to work on scheduling and service to outside areas.

Loyce Martinazzi and Art Sasaki presented the Council with photo books of Tualatin's history. These books are available for purchase at the Tualatin Historical Society.

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

**Vote: 6 - 0 MOTION CARRIED**

1. Consideration of Approval of the Minutes for the City Council Regular Meeting of June 23, 2014
2. Consideration of an Amendment to the Intergovernmental Agreement with Washington County Consolidated Communications Agency

**E. GENERAL BUSINESS**

*If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

1. Consideration of Acceptance of the Economic Development Strategic Plan

Economic Development Manager Ben Bryant presented the Economic Development Strategic Plan. Manager Bryant shared the updated brochure with the Council. Members of the Economic Development Strategy Committee spoke to the process of developing the plan.

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to accept the Economic Development Strategic Plan.

**Vote:** 6 - 0 MOTION CARRIED

**F. ITEMS REMOVED FROM CONSENT AGENDA**

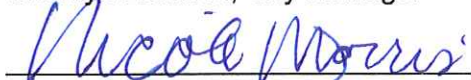
*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

**G. COMMUNICATIONS FROM COUNCILORS**

**H. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 7:48 p.m.

Sherilyn Lombos, City Manager

 / Nicole Morris, Recording Secretary

 / Lou Ogden, Mayor

CITIZEN COMMENTS REGARDING-

GUIDING PRINCIPLES TO DETERMINE THE FUNCTION AND DIRECTION OF BASALT CREEK CONCEPT PLANNING- AN AREA OF OVER 800 ACRES IN UNINCORPORATED WASHINGTON COUNTY

At the Wilsonville Council Work Session on July 7<sup>th</sup> as part of their discussion on the Guiding Principles for Basalt Creek Concept Planning, comments were made regarding their goal to increase the amount of industrial use and questioning residential use for concept planning within the Basalt Creek area.

I am seeking understanding or clarification on the wording on some of the Guiding Principles being presented for evaluation at tonight's work session- which is scheduled for discussion, acceptance and/or negotiation with the City Council of Wilsonville in 2 days- during the Wednesday Joint Cities Meeting on July 16th.

**1. Guiding Principle #6 --Protect *existing city* neighborhoods and employment areas from impacts created by growth.**

I request the Council to realize:

- The existing homes and neighborhoods within the Basalt Creek Area were permitted and built under the State and local laws in existence at the time of their construction.
- Most of these homes were built prior to being brought into the UBG.
- Most of the residences along SW Boones Ferry road between Day Road and the Tualatin City Limits to the north- are located on the west side of the road for a reason:
  - As I presented during discussions on the Tualatin Water Master Plan, and also the planned location of the Grahams Ferry --to Boones Ferry Connector and Bridge- now referred to as the East-West Connector
    - The area includes extreme topography and Significant Natural Resources
    - The ravine on the west side of Boones Ferry Road- also known as Seeley Ditch includes steep slopes and large Basalt Cliffs- which are not conducive to industrial use due to the grade
  - Most of the existing homes along Seeley Ditch are
    - single family
    - owner occupied homes
  - Most of these people have lived in these homes for 5, 10 or 15 years.
  - Their homes -- *and the future use of their home and property* ---are as important to them as your home and neighborhood is to you.
  - Zoning changes will have a significant impact upon their future livability within their home and neighborhood
  - These home and property owners within the Basalt Creek Area do not have an elected representative within this planning process to speak on their behalf.
- I request the Council to examine the wording of Principle #6 with regards to the wording "protection of city neighborhoods"- to be clarified

- I request the wording to provide-
  - The same respect and equal consideration be given to those homeowners and neighborhoods who have long term legally established and existing homes and neighborhoods within the Basalt Creek area--- which are being extended to existing city neighborhoods.

2. I also request additional clarification regarding the **Guiding Principles #7 & 8-** which deal with Natural resources within the Basalt Creek Area:

**Principle # 7** -Ensure natural resource areas are incorporated into the plan as **community amenities and assets.**

**Principle # 8** -**Increase equitable access** to nature and active recreation opportunities”

- While the quality and quantity of the Significant Natural Resources – particularly along the west side of Boones Ferry Road was not quantified as part of the decision making matrix on the location of the East-West Connector; almost all of the maps identifying various Environmental Constraints being presented for the upcoming Joint Cities Meeting, clearly demonstrate the wealth of high quality natural resources within this unique area- including the existence of:
  - highest valued riparian areas;
  - highest valued upland wildlife habitat;
  - And large wetlands.
  - This is the same area which Metro has identified and qualified under Title 3 and Title 13 regulations
  - all of this exists within the deep ravine west of Boones Ferry Road within Seeley Ditch
- There are several individual property lots along Seeley Ditch which are long and narrow – extending from west from Boones Ferry Road and bracketing both the east and west sides of the wetlands – with extremely limited vehicular access to the wetland solely from Boones Ferry Road.
- There are homeowners such as myself, who recognized these unique and beautiful natural resources, and gone to various lengths to be good stewards of the land and its wildlife.
  - Just for an example- On two different occasions within the last year,
    - I have had to remove a large live animal trap from my property placed there by unknown persons, and
    - I also stop a hunter from shooting either a shotgun or rifle while wading through the wetlands approximately 100 feet from the back of my house (he did not have permission)
- I request the Council to be thoughtful of the wording of their stated goals for the areas - especially with regard to the area west of Boones Ferry Road within Seeley Ditch.
  - What does “increase equitable access to nature and active recreation opportunities” mean?
    - Does “equitable access” refer to equal partitioning between the Cities of Wilsonville and Tualatin---- or
    - Does “equitable access” refer to public access to private land?
  - Will “Natural Areas” be preserved and not developed?
  - Are large **un-fragmented** Natural Areas which current wildlife requires for their existence- being included as “community amenities and assets” – as stated in Principle #7?
  - How much loss of local Significant Natural Resources including wetlands and known High Quality Natural Wildlife Habitat will the Council allow to be purchased *in remote counties* to mitigate and offset local land infill and construction resulting from changes in zoning land use in this unique area.

The Council has been given an opportunity to create a plan which can incorporate residential needs along with the need for employment opportunities while still respecting the homes and neighborhoods of existing families.

A distinct part of this planning should also include preservation of areas which are known to be unique Significant Natural Resources – including un-fragmented Natural Areas large enough to maintain and preserve existing wildlife. If this is not done it will be an opportunity forever missed by future generations.

Please be clear in the directions given to project staff as they further develop the Guiding Principles in conjunction with the City of Wilsonville ---as to the implications created by the Guiding Principles and the long term impact upon various parts of the Basalt Creek Area.

Thank you for your time and consideration.

I hope I will hear further discussion and clarification on the points I presented.

Respectfully submitted,

Grace Lucini



**OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING  
FOR AUGUST 25, 2014**

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Present: Mayor Lou Ogden; Council President Monique Beikman; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Community Services Director Paul Hennon; Deputy City Manager Sara Singer; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Police Captain Larry Braaksma; Assistant City Manager Alice Cannon

**A. CALL TO ORDER**

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:02 p.m.

**B. ANNOUNCEMENTS**

**1. New Employee Introduction: Zoe Monahan, Management Analyst**

Assistant City Manager Alice Cannon introduced Management Analyst Zoe Monahan. The Council welcomed her.

**2. New Employee Introduction: Rich Mueller, Park & Recreation Manager**

Community Services Director Paul Hennon introduced Park and Recreation Manager Rich Mueller. The Council welcomed him.

**3. Tualatin Riverpark Greenway Gap Project Update**

Community Services Director Paul Hennon announced the grant award of \$1.585 million from the Connect Oregon V grant for the completion of the Tualatin River Greenway project. More information on the grant acceptance and the project will be presented at a future Council work session.

**C. CITIZEN COMMENTS**

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Tualatin Chamber of Commerce Director Linda Moholt spoke on behalf of C&E Rentals regarding overgrown vegetation at the corner of Tualatin-Sherwood Road and Teton Avenue. She stated the vegetation in the area is unsightly to have located in front of their business. Assistant City Manager Alice Cannon stated staff has been in contact with the company and they are working towards a resolution.

Tualatin Historical Society Member Larry McClure announced the 4th Annual Wine Tasting Auction to be held at the Tualatin Heritage Center on September 12. He invited all citizens to attend.

Gordon Rute presented issues regarding the Basalt Creek area. He spoke to the lack of buildable residential development in Tualatin and concerns with water, sewer and stormwater service to the area.

#### **D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Monique Beikman, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

**Vote: 7 - 0 MOTION CARRIED**

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of July 28, 2014
2. Consideration of an Updated Washington County Master Interagency Teams Intergovernmental Agreement
3. Consideration of Approval of a New Liquor License Application for The Growler Guys
4. Consideration of Approval of a New Liquor License Application for New Seasons Market - Nyberg Rivers

#### **E. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

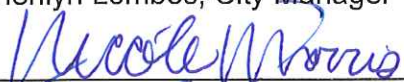
#### **F. COMMUNICATIONS FROM COUNCILORS**

Councilor Bubenik participated in the Tualatin Riverkeepers Paddle Event this past weekend. He encouraged everyone to participate next year.

#### **G. ADJOURNMENT**

Mayor Ogden adjourned the meeting at 7:30 p.m.

Sherilyn Lombos, City Manager

 / Nicole Morris, Recording Secretary

 / Lou Ogden, Mayor

**From:** [G Lucini](#)  
**To:** [COUNCIL](#); [Lou Ogden](#); [Monique Beikman](#); [Wade Brooksby](#); [Frank Bubenik](#); [Ed Truax](#); [Joelle Davis](#); [Nancy Grimes](#)  
**Cc:** [Cindy Hahn](#); [Aquilla Hurd-Ravich](#)  
**Subject:** Letter for Public Record- Basalt Creek Concept Planning Process- Tualatin City Council  
**Date:** Sunday, December 07, 2014 6:52:09 PM  
**Attachments:** [2014 12-7Letter Tualatin Wilsonville -Councils- Planning Com Dec 2014.pdf](#)

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I would appreciate your consideration of the information contained in the attached PDF file.

The comments relate to the Basalt Creek Concept Planning process and the Public Meeting presentations to the Tualatin City Council on November 24 and on December 2, 2014.

I request the contents of the file become part of the Public Record for the Basalt Creek Joint Cities Public Meeting which was held on December 2, 2014.

Regards,

Grace Lucini  
503 692 9890

GRACE LUCINI  
23677 SW Boones Ferry Road  
Tualatin, Oregon 97062  
December 7, 2014

To: All Tualatin City Council Members and Wilsonville City Council Members -Joint Cities Basalt Creek Concept Planning Meeting -**Meeting December 2, 2014**  
All Wilsonville Planning Commission Members -Commission Meeting -**December 10, 2014**  
All Tualatin Planning Commission Members -Commission Meeting - **December 18, 2014**

Re: Basalt Creek Area Concept Planning

Please Include this communication as part of the public record for the Basalt Creek Area Concept Planning-- to be associated with the Public Meetings listed above.

I have been observing the Basalt Creek Concept Planning process. Several unaddressed issues become apparent as the Basalt Creek Area Base Case Scenario is presented. These issues are created when the comments and presentations on the concept planning process are compared to the stated intent of Metro Ordinance 04-1040B----which is the basis for the entire concept planning process.

Unaddressed issues are:

1. The entire Basalt Creek Concept Planning process is based upon the current designated location of the East West Connector
2. The utility, safety, feasibility, and cost of the East-West Connector has not been established due to the lack of the appropriate level of due diligence
3. Due to lack of appropriate level of due diligence, if the location or design of the East-West Connector needs to be revised-planning based upon the current location will be of questionable use---- at the expense of the taxpayers.
4. Current presentations on conceptual planning for the Basalt Creek Area do not appear to conform to statements which are specific to the future development of the Tualatin Study Area within Metro Ordinance 04-1040B, which is the basis and authorizing tool for the Basalt Creek planning process.
5. The Base Case presentation – the first of three alternative scenarios to be presented for consideration-includes road and infrastructure detail which will need to accommodate the stated primary purpose of the 124<sup>th</sup>-East West Connector – which is to have limited local access /cross traffic to increase the volume and flow of regional freight traffic from Highway 99 to Interstate 5 unless overpasses are constructed for local roads across the 5-6 lane 6% grade East-West Connector –adding significant design and construction costs.
6. The Base Case Scenario presentation provides an extremely high level magnitude discrepancy factor for anticipated cost factors on construction through known masses of large basalt rock formations and mountain

ridges and steep grades. Topographical maps and onsite inspection of the location of the proposed concept plan (as presented) - easily suggests cost factors will weigh significantly towards the upper end of construction costs.

An update on the Basalt Creek Concept Planning Project is being presented on the progress on the staff and consultants' findings and to present their Base Case primary Base Case scenario for Concept Planning. Two additional scenarios are to be developed within the next month based upon the feedback provided by the City Councils, and their respective Planning Commissions.

When Metro authorized the process of the concept planning for the Basalt Creek Area in 2004, Metro Ordinance 04-1040B included remarks specific to the Basalt Creek Concept Planning process including:

- Establishment of a Highway 99-I-5 Regional Freight Transportation Connection
- Utilizing the Connection as a basis for jurisdictional boundaries
- Zoning on the north side of the Connector to be "Outside Residential Neighborhoods"
- Zoning on the south side of the Connector to be "Industrial"
- Acknowledged and Identified over ½ of the acreage within the Tualatin Study area and the Coffee Creek Study area was not conducive for Industrial Development
- And provided for the Evaluation and Protection of the Natural Resources within the Basalt Creek Area as part of the process

## **METRO ORDINANCE 04-1040B**

### **II. Specific Findings for Particular Areas Added To UGB in Task 2 Remand Decision - Metro Ordinance 04-1040B**

#### **E. Tualatin**

*"The City of Tualatin and many residents of the area expressed concern about compatibility between industrial use and residential neighborhoods at the south end of the city. They have also worried about preserving an opportunity to choose an alignment between Tualatin and Wilsonville for the I-5/99W Connector; the south alignment for this facility passes through the northern portion of the Tualatin Study Area."*

*"In response to these concerns, the Council placed several conditions upon addition of this area to the UGB. First, the Council extended the normal time for Title 11 planning for the area: two years following the identification of a final alignment for the Connector, or seven years after the effective date of Ordinance No. 04-1040B, whichever comes sooner. This allows Title 11 planning by Washington County, the cities of Tualatin and Wilsonville and Metro to accommodate planning for the Connector alignment. "*

**"Second, the Council states that, so long as the alignment for the Connector falls close to the South Alignment shown on the 2040 Growth Concept Map, it will serve as the buffer between residential development to the north (the portion least suitable for industrial uses) and industrial development to the south (the portion of the area most suitable for industrial use)"**

### **II. SPECIFIC CONDITIONS FOR PARTICULAR AREAS - Metro Ordinance 04-1040B**

#### **C. Tualatin Area**

*"Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within two years following the selection of the right-of-way alignment for*

the I-5/99W Connector, or within seven years of the effective date of Ordinance No. 04-1040, whichever occurs earlier.

Title 11 planning shall incorporate the general location of the projected right of way alignment for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan. If the selected right-of-way for the connector follows the approximate course of the "South Alignment," as shown on the Region 2040 Growth Concept Map, as amended by Ordinance No. 03-1014, October 15, 2003, **the portion of the Tualatin Area that lies north of the right-of-way shall be designated "Outer Neighborhood" on the Growth Concept Map; the portion that lies south shall be designated "Industrial."**

**The governments responsible for Title 11 planning shall consider using the I-5/99W connector as a boundary between the city limits of the City of Tualatin and the City of Wilsonville in this area."**

**Staff Report Suitability for Industrial Development- Metro Ordinance 04-1040B**

**Table 2. Chief Operating Officer's Recommendation**

EXPANSION AREAS	Total Acres	Net Acres	Dominant Earthquake Zone <sup>4</sup>	SUITABILITY FACTORS		
				Access	Proximity	Slope less 10%
<i>Damascus West</i>	102	69	D	✓	✓	✓
<i>Tualatin (MPAC-partial)</i>	646	339	D	✓	✓	✓
<i>Quarry (partial)</i>	354	236	D	✓	✓	✓
<i>Borland Rd N. (partial)</i>	575	164	A	✓	✓	✓
<i>Beavercreek (partial)</i>	63	30	D	--	✓	✓
<i>Coffee Creek (partial)</i>	264	97	D	✓	✓	✓

(Indicates approximately ½ of the Tualatin Study Area and less than ½ of the Coffee Creek Study Area was appropriate and/or anticipated to be Industrial Development)

**Condition IG of Exhibit F - Metro Ordinance 04-1040B**

*"Requires the county or city to consider Metro's inventory of Goal 5 resources in their application of Goal 5 to the Tualatin Study Area. Title 3 (Water Quality, Flood Management and Fish and Wildlife Conservation) of the UGMFP requires the county or city to protect water quality and floodplains in the area. Title 11 of the UGMFP, section 3.07.1120G, requires the county or city to protect fish and wildlife habitat and water quality."*

**Entire Concept Planning process based upon location on East West Connector**

It has been stated the location of the East West Connector as adopted by the Basalt Creek Concept Planning PAG Group in December 2012, and then adopted by Washington County Ordinance 767 in 2013, is to be incorporated and included as an existing factor within the Basalt Creek Concept Plan.

This is an important factor, as the East-West Connector is geographically located in the middle of the Basalt Creek Area, and includes a bridge which will tower approximately 100 feet into the air at the eastern end where it is anticipated the width of the bridge will be 5-6 lanes wide (to make accommodations for slow acceleration of freight trucks due to the steep grade).

**(Please see attached Preliminary Design for East West Connector including topographical cross-section)**

- A. It should be noted, the 124<sup>th</sup> East West connector does not in fact terminate at Interstate 5, nor do plans include any direct connection onto Interstate 5. All of the Interstate 5 regional freight traffic will be directed onto surface arterials and collectors which will then feed into an already compromised Elligsen/ Interstate-5 Interchange, competing with other local commercial and residential traffic.
- B. Preliminary design of the East West Connector indicates cut and fill of large amounts of land in order to achieve a minimum 6% road grade for regional freight traffic (which is within Washington County standards, but exceeds Federal Highway recommendations for design of highways for freight traffic).
- C. Preliminary design of the East West Connector indicates the East West Connector requires traffic stop lights at the top and bottom of a 6% grade bridge --- a known significant factor which will decrease speed and flow of freight traffic through the intersections and surrounding area.
- D. The steep expressway grade of the East West Connector will significantly and negatively impact local traffic when the 6% grade bridge over the wetlands becomes icy and the East-West Connector becomes slick and unsafe. Due to the above and below ground-level design of the East-West Connector (road cut and lengthy 100 foot bridge elevation); timely emergency vehicle access to attend accidents will be reduced due to limited access roads or off road access.
- E. The 6% grade of the Connector exceeds Federal ADA Recommendations may limit multimodality use of the East West Connector which is contrary to the current emphasis of State, Regional and local transportation goals. Design changes to accommodate ADA recommendations may increase design and construction costs which were not included during East-West Connector location discussions.
- F. Due to the need to cut and fill large amounts of land to construct the East-West Connector (which may also include an additional cross traffic proposed local road) in this area of known and identified - wetlands, high value riparian, and high value uplands habitat---- Have the appropriate State and Federal agencies been consulted and these projects properly vetted as to impact on known wetlands and Significant Natural Resources identified within Goal 5, 3 and 13 standards?
- G. Was the specific location and design of the East-West Connector as identified in Washington County Ordinance 767 reviewed or vetted by those agencies responsible for protection of local, state and federal natural resources- as addressed in Metro 04- 1040B.

If the appropriate reviews by the appropriate State and Federal agencies was not done during and as part of the Tualatin –Wilsonville IGA and/or PAG evaluation process (as to the specific location and design of the East West Connector within the Basalt Creek Area) and its impact upon identified Significant Natural Resources has not been determined-- it is not known if the present location of the Connector will require changes in location or design to comply with water quality standards or other environmental constraints.

If there are additional design features which are needed to reduce the 6% grade of the East-West Connector, or significant bridge design accommodations needed to increase multi-modal use- the ability and cost to achieve these changes---this information needs to be identified and included in the Concept Planning process for purpose of funding and to ensure compatibility with future planning.



Has the integrity and stability of the one basalt rock formation within the known wetlands upon which Washington County plans to use as the center footing for large 5-6 lane regional freight bridge ---has the appropriate level of due diligence been done to determine its feasibility for its intended use?

It seems appropriate these basic feasibility issues should be addressed and resolved immediately if the entire concept design process for the Basalt Creek Area revolves upon the viability of the specific location of this 5-6 lane connector and bridge before any concept scenario is presented for evaluation to the Cities or public.

Based upon the above, the design and location of the East-West Connector seems extremely counter intuitive for an expressway whose main purpose is to increase the flow of regional freight through this area- especially when other alternative scenarios did not pose such problems.

Spending time, effort and costs in concept planning based upon the location of the East-West Connector when appropriate feasibility studies specific to the connector's planned location may not have been obtained ---may be a significant oversight in the planning process. This may eventually cause a significant and unnecessary expense to taxpayers and may cause an unnecessary delay in resolution and implementation of the plan--- should the present location of the East West Connector be deemed inappropriate for construction.

### **Boundary and Zoning Issues**

1. Comments continue to be raised regarding the utilization of the East-West Connector as a basis for jurisdictional boundaries (as suggested in Metro Ordinance 04-1040B)--due to concerns about different types of zoning on the north and south sides of the Connector.

If the current location of the East-West Connector remains as indicated- a significant portion bisects land with known wetlands, and Significant Natural Resources which pose constraints upon development limiting development on approximately ½ of either side of the East-West Connector. And, due to the topography of the area, the eastern bridge portion of the East West Connector is anticipated to rise 100 feet above the ground. Consequently there will not be development at face to face street level on a large portion of the East-West Connector. Both of these issues should ease some concerns expressed about driving along the East West Connector and seeing different types of development abutting the expressway at street level and should be able to remove this concern as a limiting factor in the decision making process.

2. Those preparing concept zoning plans within the Basalt Creek Area should be cognizant and respectful of the numerous existing homes and neighborhoods which were built under the zoning, the laws and the regulations in place at time. It is these people and families who will bear significant impact by changes in governance or zoning implemented by this process. It is again important to recognize the residents and property owners within the Basalt Creek Area have no elected representation within the Basalt Creek Concept Planning process.

### **Issues which should be addressed regarding the proposed Basalt Creek Base Case Scenario:**

If the entire basis of the 124<sup>th</sup> East-West Connector is predicated on increasing the flow of Regional Freight Traffic from Highway 99 to Interstate 5 –in part by limiting the number of local access points interrupting the speed and flow of truck

traffic—then questions should be asked regarding the Base Case Scenario proposing a local road which intersect the East-West Connector and not included within the preliminary design plan for the East West Connector

- What type of traffic control is intended at the intersection of the 5 lane East-West Connector and the Base Case proposed local road which runs north and south parallel and between SW Boones Ferry Road and SW Grahams Ferry Road (as identified in the December 2014 Basalt Creek Concept Plan Base Case Scenario)?
- is a less expensive traffic light sufficient to meet the local traffic needs without significantly interrupting truck east-west truck traffic (which is estimated by Washington County Staff will be twice the volume of current Tualatin Sherwood Highway traffic)?
- will an overpass/s be required for proposed local north south roads, and
- who will pay for significant design and construction upgrade improvements to the East-West Connector plans, as well as the additional design & construction costs for the local road for any overpass across the 6% grade 5-6 lane Expressway through undulating topography?

**Please see the attached topographical map –Indicating the approximate locations of the East-West Connector and the proposed Base Case north-south local road which intersects the Connector in the middle of a steep ridge.**

**A Recommendation for future Basalt Creek Concept Planning discussions and presentations:**

As the topography of this area presents important constraints to the entire concept planning due to an extremely wide range of topographical features including steep grades and natural wetlands, it seems reasonable future concept plans should be presented with topographical overlays when making presentations to city officials and to the public-- to provide greater understanding and visual conceptualization of this complex project.

I appreciate your consideration of these issues when you forward your comments, recommendations or suggestions to the Basalt Creek Concept Planning staff and consultants as they make their revisions and create the next- and last- two alternative scenarios to be presented in February 2015.

Respectfully submitted,

Grace Lucini

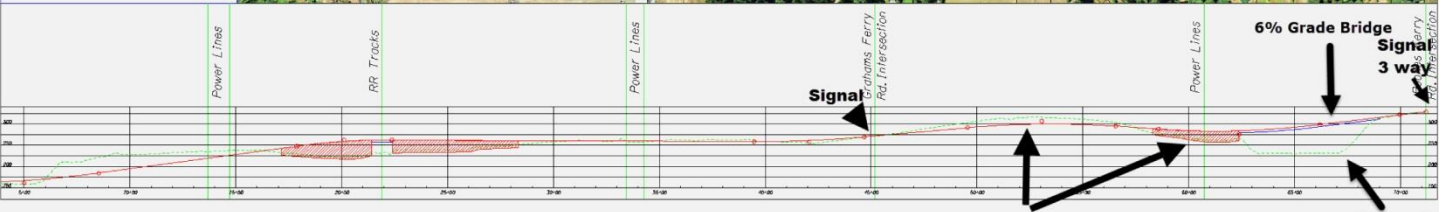
Attachments:

- Preliminary Design for East West Connector-Washington County
- Topographical Map East West Connector with Base Case Local Road Overlay

CC: Cindy Hahn, City of Tualatin  
Aquilla Hurd-Ravich, City of Tualatin  
Chris Neamtzu, City of Wilsonville

# Basalt Creek Preliminary Design - East-West Connector

January 2012



Note- Cross Section of Cut and Fill Needed to Reduce Grade of Bridge



