Newberg Dundee Bypass

ODOT Recommendation Document with

Supporting Findings of Consistency with OAR 731-015-0075 for

Phase 1 of the Preferred Alternative

Hwy OR 99W
Yamhill County
Key No. 09320
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PURPOSE OF THIS REPORT

This report documents the ODOT recommendation for Tier 2 Phase 1 of the Preferred Alternative (Phase 1) for the Newberg Dundee Bypass project. It begins with a brief project overview and history, and continues with a discussion about Phase 1, including why the project will be phased, a description of Phase 1 and a description of options considered for the Phase 1 area south of Dundee and the rationales for the selected option. The report also includes a summary of the public and agency involvement activities for Phase 1 and a brief discussion of current Phase 1 issues and findings of consistency with OAR 734-015-0075 of the State Agency Coordination Agreement. For information on ODOT’s recommendation for the overall Preferred Alternative, see the Newberg Dundee Bypass, Tier 2 DEIS, ODOT Recommendation Document for the Preferred Alternative, ODOT, June 2011.

PROJECT OVERVIEW AND HISTORY

The Oregon Department of Transportation (ODOT) and the Federal Highway Administration (FHWA) are proposing to build the Bypass, an 11-mile, four-lane, access-controlled expressway around the cities of Newberg and Dundee, in Yamhill County, Oregon. The proposed project will reduce congestion on Oregon 99W through Newberg and Dundee by redirecting traffic to the Bypass and improving the overall flow of traffic through this area. The Bypass will also make the downtown areas of Newberg and Dundee safer and a more enjoyable place for pedestrians.

The proposed project will be located along the south sides of Newberg and Dundee, extending from the Oregon 99W/Oregon 18 junction near Dayton (Oregon 18 approximately milepoint 51.6) to just past the top of Rex Hill, east of Newberg (Oregon 99W approximately milepoint 19.6). Most of the proposed project will be located in Yamhill County, but about 1,000 feet will extend east of Newberg along Oregon 99W into Washington County (see Figure 1).

The proposed project will include the alignment (the specific location) of the Bypass, four interchanges, and required local circulation changes needed to accommodate the Bypass. The four interchanges will provide access to and from the Bypass, and are located at each end of the Bypass and at two intermediate locations in Newberg and Dundee.

ODOT is conducting the proposed project under a tiered National Environmental Policy Act (NEPA) process. ODOT is carrying out the project’s NEPA process in two stages or tiers. The project’s Tier 1 process addressed “big picture issues” associated with the proposed project and evaluated impacts based on general project information. ODOT completed the Tier 1 process in 2005, which included the preparation of a Tier 1 DEIS, selection of the Tier 1 Preferred Alternative (which specifies the project’s preferred corridor), publication of the Tier 1 FEIS and issuance of a Record of Decision (ROD) by FHWA. ODOT and FHWA reaffirmed the Tier 1 process in May 2010 through the preparation and approval (by FHWA) of the Tier 1 Re-Evaluation.

The Tier 2 process focuses on the specific alignment of the proposed project, with a detailed investigation of project impacts and ways to avoid, minimize, or provide proposed mitigation for adverse impacts. In the Tier 2 DEIS (June 2010), ODOT evaluated a No Build Alternative and a Build Alternative with design and local circulation options. The DEIS Build Alternative included the Bypass alignment, the four interchanges described above, and required local circulation changes. The Tier 2 DEIS included ODOT’s Recommended Alternative and ODOT’s rationales for that recommendation. Tier 2 will conclude with the publication of the Tier 2 FEIS and issuance of a ROD by FHWA, which will both be based on the Preferred Alternative.
PHASE 1

The Preferred Alternative will be constructed in multiple phases with each phase opening independently of the other. ODOT has identified Phase 1 and anticipates it will open in 2016. All improvements included in Phase 1 are also included in the Preferred Alternative.

This section provides the following information related to phasing of the project:

- A description of the Oregon Jobs and Transportation Act (JTA) that identifies Phase 1 funding and the general location of the first phase identified by the Oregon legislature.
- A description of Phase 1 location and improvements.
- Options considered for the Phase 1 Oregon 99W Connection south of Dundee.
- Public and agency participation associated with the development of Phase 1.
- Land use actions required for Phase 1 before construction can begin.

Oregon Jobs and Transportation Act

The Tier 2 DEIS stated that the Newberg Dundee Bypass project would likely be phased. The 2006 Oregon Legislature passed the Oregon Jobs and Transportation Act (JTA), which increased the state motor fuel tax, heavy vehicle weight mile tax, and vehicle registration fees to fund state, county, and local transportation improvement and maintenance projects. The JTA also directed state and local agencies to explore changes in transportation policy. Part of the increased funding is designated for a $900 million transportation project bonding program. A joint house and senate legislative committee selected the transportation projects for the bonding program.

The legislative committee used a list of transportation projects provided by the Oregon Transportation Commission (OTC) to select projects and determine the amount of funding each project would receive. The OTC list included logical phases of large transportation projects where the cost of the entire project was too great to fit into the bonding program. The legislative committee authorized $182 million of bonds to be issued for the first construction phase (Phase 1) of the Newberg Dundee Bypass.

The Committee identified the first phase as one lane in each direction from approximately Oregon 219 at Wynooski Road, (South Newberg) around the southern end of Newberg and reconnecting to Oregon 99W south of Dundee, beyond Fulquartz Landing Road. The roads would only have access points at the two ends. The OTC adopted the JTA project list into the State Transportation Improvement Program. There is broad support by project stakeholders (i.e. local jurisdictions in the project area) for construction of this portion of the Bypass project.

Phase 1 Location and Improvements

Phase 1 will include two new project areas that ODOT did not previously identify in the Tier 2 DEIS. These new areas are located in East Newberg and south of Dundee, and will be the location of the connections of the Bypass to Oregon 99W.

Phase 1 will include construction of one lane of the Bypass in each direction, as described for the Preferred Alternative\(^1\), between Oregon 219 in Newberg and Oregon 99W south of Dundee.

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\(^1\) See the Newberg Dundee Bypass, Tier 2 DEIS, ODOT Recommendation Document for the Preferred Alternative, June 2011 for a description of the overall Preferred Alternative.
(about four miles in length; see Figure 2). Phase 1 will also include required local circulation changes needed to reconnect local roads disrupted by construction. Phase 1 will build the westbound travel lanes of the Bypass within a portion of Segment 2; within all of Segments 3, 4 and 5; and within a portion Segment 6. Phase 1 will not include construction of the East Dundee Connector or the associated local circulation improvements in Segment 4.

Phase 1 will have the following characteristics:

- Operating speed of 55 mph
- Two 12-foot travel lanes (one in each direction)
- Paved shoulders² (approximately 7 feet wide)
- Full access control between Oregon 219 and Oregon 99W
- Stormwater treatment facilities

Phase 1 will include two new project areas that were not previously included in the Tier 2 DEIS Build Alternative. These new areas are located in East Newberg and south of Dundee. With Phase 1, roadway improvements are needed in these new areas to provide vehicular access between the Bypass and Oregon 99W. These areas include improvements to Springbrook Road in East Newberg (see Figure 3) and an interim connection between the Bypass and Oregon 99W south of the Dundee city limits and UGB, next to Parks Drive and Niederberger Road (see Figure 4).

Phase 1 transportation improvements in East Newberg will include:

- An additional southbound left turn lane on Oregon 99W at Springbrook Road
- Widening Springbrook Road to three lanes (one northbound lane, one southbound lane, and a center dual left turn lane) generally between Oregon 99W and Oregon 219
- Constructing a traffic signal at the intersection of Springbrook and Fernwood Roads
- Adding a second southbound left turn lane on Springbrook Road at Oregon 219
- Widening Oregon 219 to five lanes between Springbrook Road and the new Bypass signalized intersection on Oregon 219 (Similar to full Bypass improvements on Oregon 219)
- Connecting Wilsonville Road to the new Bypass signalized intersection on Oregon 219
- Restricting Oregon 219 at 2nd Street to right-in/right-out
- Adding a right turn lane on Wynooski Road at Oregon 219

² Oregon 99W will remain the designated bicycle route through the Newberg and Dundee areas after Phase 1 is constructed. Bicycles will be allowed to use the Bypass’s outside shoulders.
Springbrook Road in East Newberg

Phase 1 transportation improvements south of Dundee will include:

- Construction of an interim section of the Bypass to connect to Oregon 99W, via a new structure over the WPRR and Oregon 99W, connecting to Oregon 99W at an interim signalized intersection
- Widening westbound Oregon 99W west of the new intersection to two travel lanes
- Widening eastbound Oregon 99W west of the new intersection to include two left turn lanes onto the Bypass
- Access changes for several properties fronting Oregon 99W south of Dundee, including the construction of a cul-de-sac
Figure 3 Phase 1 New Areas in East Newberg

- Widen Springbrook Road to three lanes.
- Widen Oregon 219 to five lanes. Add traffic signal. Connect Wilsonville Road to new Bypass.
- Add traffic signal.
- Additional southbound left turn lane.
- Additional southbound left turn lane.
- Restricted right in/right out.
- Add right turn lane.

Map ID: Fg2.2-7 Ph1NewAreaGNewberg.indd
Print Date: December 2011
Figure 4  Phase 1 New Areas South of Dundee

- Construct new signalized intersection.
- Widen westbound Oregon 99W to two travel lanes.
- Widen eastbound Oregon 99W. Include two left turn lanes.
- Interim structure connects Phase 1 to Oregon 99W.
Options Considered for the Phase 1 Oregon 99W Connection South of Dundee

In Segment 2, south of Dundee, Phase 1 includes a new project area, not included in the Tier 2 DEIS, for an interim Bypass connection to Oregon 99W. The interim connection consists of a new roadway alignment from the eventual full Bypass alignment, with structures over the railroad and Oregon 99W connecting to the highway at a signalized intersection south of Dundee.

To determine the location for connecting Phase 1 to Oregon 99W south of Dundee, ODOT developed a series of design concepts. The design concepts were located within the Dundee UGB and between the Dundee UGB and Archer Summit Road.

The two design concepts within the Dundee UGB were both located along Parks Drive, connecting to Oregon 99W. ODOT evaluated these concepts for a connection to Oregon 99W because a goal exception would be required to locate the interim connection on farm land south of Dundee and the goal exception process requires examining options within the Dundee UGB.

The two design concepts developed would have located Phase 1 along Parks Drive between Edwards Drive and Oregon 99W. The first concept would have an at-grade railroad crossing and would have displaced all residential (over 15) and business properties along the north side of Parks Drive. In most projects, at-grade crossings are discouraged due to safety concerns, but in this case, ODOT wanted to consider a full range of design concepts for the interim connection to Oregon 99W. In some cases, the adjacent residential properties would have also been required for right-of-way acquisition. In addition, the conversion of Parks Drive to the new Phase 1 Oregon 99W connection would have required disconnecting all local Dundee streets that connect to Parks Drive. This would increase traffic on adjacent local neighborhood streets within Dundee.

ODOT also explored the impacts of adding a grade-separated railroad crossing to the design concept on Parks Drive described above. The grade-separated railroad crossing design concept had about the same impacts along Parks Drive east of the railroad, but would have also displaced 3 to 5 additional businesses and 6 to 10 additional residential properties west of Oregon 99W. Impacts to business and residential properties from these two design concepts were judged unreasonable and were dismissed from further consideration.

The remaining design concepts south of the Dundee UGB were evaluated based on existing opportunities and constraints, resulting in three being chosen for further refinement and evaluation. Each design concept offered a slightly different approach to meeting design and safety standards, minimizing inefficiencies, and maintaining local access. Challenges for the new interim Phase 1 Oregon 99W connection included crossing over the railroad, connecting with Oregon 99W, preserving farmland, utilizing existing right-of-way and minimizing cost. Of these three design concepts, one located south of Fulquartz Landing Road was eliminated due to (1) impacts to historic properties between the railroad and Oregon 99W and (2) higher costs due to the extension of Phase 1 about 0.5 mile further south of Dundee.

The two remaining design concepts both connected to Oregon 99W just south of the Dundee UGB and included a grade-separated railroad and highway crossing and a new signalized intersection on Oregon 99W. Both of these design concepts required new right-of-way not identified in the Tier 2 DEIS, and a new goal exception approval by Yamhill County. ODOT evaluated the remaining two options based on business and residential displacements, impacts to farmland and farm operations, and impacts to natural resources. Both design concepts had similar impacts west of Oregon 99W to business and residential displacements, farmland and farm operations, and impacts to natural resources.

Between Oregon 99W and the railroad, one design concept would have displaced a mini-storage business and two residential properties. This design concept would also have had greater impacts to a 23-acre farm just east of the railroad, consisting of two farm fields (14 acres and 9 acres) separated by a small creek. The design concept would have impacted the larger farm field making it very difficult for farm operation to efficiently continue.
ODOT chose the design concept that had the least impact to farmland and farm operation east of the railroad and did not eliminate the mini-storage business between Oregon 99W and the railroad. (See the Newberg Dundee Bypass – Phase 1 South Oregon 99W Connection Report, ODOT 2011 for more detail).

**Land Use Actions Required for Phase 1**

In Segments 2, 5, and 6 new land use actions and permits will be required for Phase 1 before beginning construction. Land use actions approved for the Preferred Alternative will allow construction of Phase 1 in Segments 3 and 4. The following table lists the required land use actions and county and city permits for Phase 1.

### Land Use Actions or Permits Required Before Construction of Phase 1

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Source: Parametric 2011.
Phase 1 Public and Agency Involvement

ODOT conducted the following public and agency involvement activities that specifically addressed Phase 1.

The February 2011 project newsletter included a description of the Preferred Alternative and an introduction to Phase 1. During the summer of 2011, ODOT developed the design concepts for improvements to Springbrook Road in Newberg and for the Phase 1 connection to Oregon 99W south of Dundee. The design concept for improvements to Springbrook Road were coordinated and reviewed by City of Newberg staff and the mayor and city council. The City of Newberg also sponsored and participated in the Newberg open house, described below. To determine the location for connecting Phase 1 to Oregon 99W south of Dundee, ODOT developed a series of design concepts during the summer of 2011. The design concepts were located within the Dundee UGB and between the Dundee UGB and Archer Summit Road. The concept development and selection process resulted in over 13 concepts and ideas being generated, refined, and evaluated. These design concepts and the selected alternative were reviewed by City of Dundee and Yamhill County officials during the concept development process. The selected alternative was presented to the Dundee city council after the open house, described below. Both the improvements to Springbrook Road and the Phase 1 connection to Oregon 99W were presented and discussed at Yamhill County Parkway Committee meetings.

The September 2011 project newsletter presented a detailed description of Phase 1 and an announcement for the Phase 1 open houses that would be held by ODOT later in September. ODOT held open houses in the cities of Dundee and Newberg, in September of 2011, to present Phase 1 roadway design information and receive feedback from the community and agencies. Over 200 people attended the events, where they could ask detailed questions about both the Bypass design as well as Phase 1 improvements to existing roadways in Newberg and to Oregon 99W south of Dundee. Feedback was generally positive, with most expressing a desire to see the project quickly move forward to construction.

In October 2011, ODOT staff briefed the Collaborative Environmental and Transportation Agreement for Streamlining (CETAS) members on Phase 1.

CURRENT PHASE 1 ISSUES

- Amendments to the Newberg and Dundee TSPs and a Yamhill County Goal Exception and TSP Amendment for Phase 1, areas not addressed in the Tier 2 DEIS. These land use actions will be completed after release of the Tier 2 FEIS but before construction of Phase 1. Findings of consistency with the State Agency Coordination agreement OAR 731-015-0075 are attached in Appendix A.
APPENDIX A

NEWBERG DUNDEE BYPASS FINDINGS OF COMPLIANCE WITH THE STATE AGENCY COORDINATION RULE, OAR 731-015

Introduction

These findings are developed to support ODOT’s Recommendation Document consistent with ODOT’s coordination responsibilities pursuant to OAR 731-051-0075. The State Agency Coordination Rule, OAR 731, Division 15 addresses land use and transportation decisionmaking coordination procedures for transportation plans and projects to ensure compliance with the statewide planning goals and compatibility with acknowledged comprehensive plans. Section 0075 of the rule specifically addresses coordination procedures for adopting plans for Class 1 and 3 transportation projects. The Newberg Dundee Bypass is a Class 1 transportation project under the National Environmental Policy Act (NEPA). The purpose of this report is to document and provide findings to demonstrate that the recommendation for Phase 1 of the Newberg Dundee Bypass is in compliance with the State Agency Coordination Rule, 731 15 0075. The report describes how Phase 1 of the Preferred Alternative meets all State Agency Coordination Rule requirements.

Public notice of ODOT’s recommendation of Phase I of the Preferred Alternative and these findings will be published in a project newsletter and posted on the Newberg Dundee Bypass project website (www.NewbergDundee.org). The newsletter will be mailed to all interested parties who have participated in the development of the project. The determination that ODOT complied with its coordination responsibilities under OAR 731-015-0075 is a final land use decision and is subject to review before the Land Use Board of Appeals consistent with ORS 197.830.

PREFERRED ALTERNATIVE FINDINGS OF COMPLIANCE WITH THE STATE AGENCY COORDINATION RULE, OAR 731-015-0075

The State Agency Coordination Rule (OAR 731-015-0075), requires ODOT coordinate and complete all land use actions needed to make the Preferred Alternative for the Newberg Dundee Bypass project consistent with the statewide planning goals and local comprehensive plans prior to completion of the Final Environmental Impact Statement (FEIS) or Revised Environmental Assessment.

A. Pursuant to the State Agency Coordination Rule, OAR 731-015-0075, ODOT completed all statewide planning goal and comprehensive plan amendments with Yamhill County and all comprehensive plan amendments with the cities of Dayton, Dundee, and Newberg for the Newberg Dundee Bypass Preferred Alternative as shown below:

- YAMHILL COUNTY – MAY 24, 2011
- CITY OF DAYTON – APRIL 8, 2011
- CITY OF DUNDEE – APRIL 5, 2011
- CITY OF NEWBERG – MARCH 10, 2011
PHASE 1 FINDINGS FOR COMPLIANCE WITH THE STATE AGENCY COORDINATION RULE, OAR 731-015-0075(4)

The State Agency Coordination Rule, OAR 731-015-0075(4), allows ODOT to complete all land use actions after completion of the Final Environmental Impact Statement (FEIS) or Revised Environmental Assessment if the phased construction is identified in the NEPA environmental documentation for the Preferred Alternative. Consistent with the Recommendation Document, the Newberg Dundee Bypass Tier 2 FEIS will identify that phased construction will be used to build the Bypass and that construction of the first phase is scheduled to begin in 2014. ODOT anticipates that Phase 1 will open in 2016. Phase 1 will extend from Oregon 219 in Newberg and connect to Oregon 99W just south of Dundee. Phase 1 includes roadway improvements in East Newberg along Springbrook Road and south of Dundee on Oregon 99W that were not identified in the Tier 2 DEIS.

Forecast traffic volumes for 2016 were used by ODOT in determining the appropriate level of service for Phase 1 and affected existing roadways, based on ODOT’s applicable HDM Standards for state highways and on applicable local operational standards for non-state roadways. The roadway improvements for Phase 1 were designed to meet the applicable ODOT and local design standards for 2016.

A. Pursuant to the State Agency Coordination Rule, OAR 731-015-0075(4a) ODOT finds that there is an immediate need to construct Phase 1 of the Newberg Dundee Bypass project because it was identified by the 2009 legislature to be funded with bond proceeds authorized in the Jobs and Transportation Act (JTA). The legislature found that the Oregon transportation system is a vital link that connects all Oregon communities to one another and is essential to economic development in the state and will help Oregon achieve critical environmental and economic goals. Phase 1 of the Newberg Dundee Bypass is the largest single project authorized by the JTA and is needed to reduce congestion on Oregon 99W. The project will also create jobs and improve the infrastructure in the state.

B. Pursuant to the State Agency Coordination Rule, OAR 731-015-0075(4b) ODOT finds that construction of Phase 1 will meet a transportation need independent of the construction of the entire Bypass project and will benefit the surrounding transportation system for the following reasons:

- Phase 1 will provide immediate traffic congestion relief on Oregon 99W in Newberg and in Dundee. Under the No Build Alternative, 2016 average daily traffic (ADT) within the project area is forecast to range from 29,000 to 48,000 vehicles on Oregon 99W, and about 16,000 on Oregon 219. Without Phase 1, 2016 ADT is projected to increase by 5 to 25 percent on Oregon 99W and by about 10 percent on Oregon 219, as compared to 2011. In many locations, the demand on Oregon 99W would exceed its capacity. As a result, more traffic will use the local street system for alternate routes, adversely affecting traffic mobility on local streets.

- Phase 1 is forecast to have 2016 ADT of 16,000 vehicles. Compared to the No Build Alternative, Phase 1 is forecast to reduce traffic levels on Oregon 99W between Providence Drive in Newberg to south of Dundee. In 2016, these reductions will range from 1,500 to 13,000 vehicles per day. Traffic levels for Phase 1 will increase over the No Build Alternative in 2016 on Oregon 219 north of Wyonooki Road. This is due to the additional travel demand by motorists desiring to access Phase 1 at the Oregon 219 intersection (the east end of Phase 1).

- Phase 1 would decrease ADT in downtown Dundee (East of 5th Street) by about 40 percent and in downtown Newberg (East of College Street) by 20 percent in 2016. This decrease will reduce vehicle congestion, ease access to properties along
Oregon 99W, and allow for more vibrant and pedestrian-friendly redevelopment in the
downtowns.

- Phase 1 will improve intersection operation on Oregon 99W, Oregon 219, and
  Springbrook Road in Newberg and on Oregon 99W in Dundee. ODOT will construct
  transportation improvements as part of Phase 1 to ensure that the operational
  performance of all impacted intersections in Newberg is equal to or better than the
  2016 No Build Alternative.

C. Pursuant to the State Agency Coordination Agreement, OAR 731-015-0075(5), the Tier 2
  FEIS will be completed in April of 2012. All necessary plan amendments and goal
  exceptions associated with Phase 1 of the project, listed in item F below, will be
  completed prior to constructing the project.

D. Pursuant to the State Agency Coordination Agreement, OAR 731-015-0075(6) if
  compatibility with city or county comprehensive plans cannot be achieved, ODOT may
  modify one or more project alternatives to achieve compatibility or discontinue the
  project.

E. Pursuant to the State Agency Coordination Agreement, OAR 731-015-0075(7) ODOT
  will adopt findings of compatibility with the acknowledged comprehensive plans of
  affected cities and counties when it grants design approval for the project. Notice of the
  decision will be mailed out to all interested parties.

F. Pursuant to the State Agency Coordination Agreement, OAR 731-015-0075(8) ODOT will
  obtain the following land use approvals and planning permits prior to the construction of
  Phase 1:

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