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# PreservationWORKS!

*Conserve Reuse Recycle*

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PO Box 1474, Corvallis, OR 97339

November 12, 2019

Oregon Transportation Commission  
c/o Chair Bob Van Brocklin  
760 SW Ninth Ave, Suite 3000  
Portland, OR 97205

Dear Chairman Van Brocklin and OTC commissioners:

We respectfully request that ODOT place the Van Buren Bridge project later in the queue for HB 2017 funds, rectify shortcomings enumerated below, clarify the budget and pursue a more respectful planning process. All design work on ODOT's preferred plan should cease immediately.

ODOT's Van Buren Bridge project failed to respect public process, ignored state planning goals 1, 5, 6, 15 and perhaps others, demanded a premature ownership decision from Corvallis' City Council, withheld accurate budget information, failed to assess mandated review of environmental impacts, and overall set aside ODOT's established practices for construction projects. This unacceptable behavior merits correction.

On October 21, the Corvallis City council voted not to accept the National Register-eligible, Van Buren Bridge, the oldest pin-connected swing span bridge west of the Mississippi River, and Oregon's third oldest Willamette River crossing. The ODOT team drove this decision, using suspect methods that violated all past engagement with our city in 1993 and 2004-06 regarding this bridge.

In 1993, the Riverfront Task Force, the Downtown Revitalization Task Force, the Downtown Corvallis Association, the Chamber of Commerce, the Economic Development Partnership and city leadership all expressed their desire to preserve our 1913 bridge. There was considerable interest in a bike-ped facility.

In a 2004 ODOT established a Van Buren Bridge Project Management Team with 23 members and resource professionals and another group of 12 stakeholders. Over a year, this dedicated group debated the future of the Van Buren Bridge and developed multiple workable alternatives – none of which required bridge destruction. ODOT clearly favored options that would not preserve the bridge despite understanding that this adverse effect could put ODOT's actions in conflict with section 4(f) of the 1987 Federal Surface Transportation Act and section 106 of

the 1966 National Historic Preservation Act. Also ORS 358.653(1) instructs state agencies to conserve historic resources and to “assure that such property shall not be inadvertently transferred, sold, demolished, substantially altered or allowed to deteriorate.”

The passage of HB2017 in October 2017 provided more funds to seismically upgrade state highways and launched the current planning process fraught with problems.

1. The ODOT team announced this project would start on February 27, 2019, yet **no public process followed to review and evaluate previous project work**. The ODOT team essentially dismissed the 2004 consulting work of David Evans & Associates, ODOT's 2005 project design alternatives, and the collaborative work of two citizen committees that generated the alternatives. This violation of Oregon Statewide Planning Goal 1 created negative consequences. ODOT failed to build upon the David Evans & Associates' five alternative designs, four of which retained the historic bridge. The alternatives do not become obsolete.

2. We now learn there are new and **serious issues with the ODOT/FHWA National Environmental Protection Act (NEPA) process**. Between May 14, and October 21, 2019 ODOT acted as if state and federal requirements were satisfied, but they were not. In 1983 ODOT finalized an Environmental Impact Statement (EIS) for two phases of the eastern Corvallis bypass. The south phase bridged the Willamette River and joined Hwy 34 just east of the Van Buren Bridge. The second phase, the proposed north bypass to highway 20, was not built. ODOT has not completed a NEPA EIS nor Environmental Assessment (EA) for the 1983 traffic plan. Apparently, ODOT and FHWA think that the 1983 EIS covers the Van Buren Bridge environmental and cultural issues, and a NEPA Categorical Exclusion (no significant impacts) will suffice to update it.

The 1983 EIS, however, did not include alterations to the Van Buren Bridge preferred alternative, nor address the bridge as a historic resource. NEPA requires that controversial projects like this one promoting demolition of the historic bridge go through the comprehensive EIS process. A shorter and less expensive assessment could suffice, if the preferred alternative preserves the existing bridge in situ for bike/ped use.

ODOT claims that its contractor “revalidated” studies from 2005, but those materials did not include an EIS. There is no basis in any relevant law for “revalidating.” ODOT is proceeding with a different alternative than an earlier EIS studied. It is not proper for federal review purposes to re-use a study that was about anything other than the proposal moving forward. This evasion of NEPA protections is especially galling because ODOT cited the cost of an all-new EIS as the reason ODOT could not consider using seismic funds on the Harrison Bridge north of the historic Van Buren Bridge.

3. **ODOT violated its own planning procedures.** The ODOT Manual, Planning and Technical Guidance states “. . . ODOT invites the public and stakeholder groups to participate in long-range planning, in making decisions about where to invest transportation dollars and in identifying project impacts . . . ” The policy calls for early, open, continuous and effective participation in planning and project decision-making processes.”

On June 14, 2019, four days after OBEC Consulting Engineers submitted a draft report on the Van Buren Bridge, ODOT presented the City Council and the Historic Resources Commission with three alternatives that the OBEC team priced out. ODOT then required City Council to decide on one of the alternatives – including potential city acquisition of the bridge – by September 2019.

In a an open house, ODOT presented two alternatives:

- An additional bridge alignment immediately north of the Van Buren Bridge with a sharp ramp curve – not one of the 2004-06 alternatives, and
  - A new bridge in the existing alignment requiring demolition of the historic bridge.
- The first alternative was a straw man. Asking people if they would like a nice straight bridge is like asking whether would like their taxes lowered.

4. **Instead of a real cost analysis, ODOT provided City Councilors with vastly inflated figures to obfuscate real costs for the city to own and maintain the bridge.** At a July 29 meeting advocates challenged ODOT's \$12.18 million figure for needed capital improvements and \$145,000 figure annual maintenance costs. Both ODOT and advocates agreed \$787,000 capital costs and less than \$4,000 annual maintenance costs were more realistic estimates. ODOT failed to inform City Council about revised cost estimates and persisted in presenting inflated figures, which suggests that ODOT purposely intended to mislead Corvallis City Council.

A 2005 SHPO email contained a telling comment: “There is the possibility that ODOT may be trying to “uber-plan” upfront so that they can later prove, for 4(f) purposes, that all steps have been taken to minimize harm to the structure and that feasibility of rehabilitation or re-use is minimal. However, our view is that this bridge is too valuable to lose.”

Please understand that the Corvallis wants a new bridge to alleviate traffic congestion, but also wants to keep the historic Van Buren bridge as a bike/ped amenity. It has never been an either/or exercise.

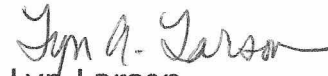
A new project team and proper stakeholder input may be accomplished, if the Corvallis project is moved to a later phase of the 2017 seismic funding. No city management nor city councilors should sit on either group as they ultimately will act on findings. No design, demolition or sale contracts should be let until issues set out here are resolved to respect fair and transparent public process.

We hope that the OTC will reform a new ODOT team that will follow the agency's stated policy of public involvement, develop more accurate cost estimates for reusing the historic bridge, and provide the Corvallis City Council with appropriate options.

Respectfully submitted,



Tony Van Vliet  
Former State Representative 1975-95  
Ways & Means, 17 years and Co-Chair 1991  
Chair, Riverfront Park Project  
Professor Emeritus, Wood Science and Engineering



Lyn Larson  
Secretary,  
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Cc: Governor Kate Brown  
U.S. Rep. Peter DeFazio  
Sen. Sara Gelser  
Rep. Dan Rayfield  
Sen. Arnie Roblan (Ways & Means Transportation subcommittee co-chair)  
Rep. David Gombert (Ways & Means Transportation subcommittee co-chair)  
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