



Right-of-Way Technical Report

Multnomah County | Earthquake Ready
Burnside Bridge Project

Portland, OR

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Earthquake Ready Burnside Bridge Right-of-Way Technical Report

Prepared for

Multnomah County
Transportation Division – Bridges
1403 SE Water Ave
Portland, OR 97214

Prepared by

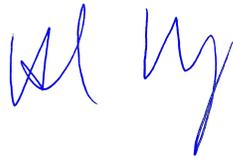
HDR
1050 SW 6th Ave, Suite 1800
Portland, OR 97204
T (503) 423-3700

Parametrix
700 NE Multnomah St, Suite 1000
Portland, OR 97232
T (503) 233-2400

Contract# DCS-SVCSGEN-857-2019-conv
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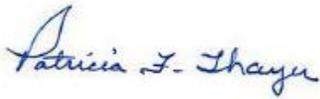
CERTIFICATION

The technical material and data contained in this document were prepared under the supervision and direction of the undersigned, as a professional right-of-way agent.



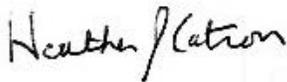
Signature Reserved for Final Version

Prepared by Hannah Halpenny (Right-of-Way Agent)



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Checked by Patricia F. Thayer, SR/WA (Right-of-Way Manager)



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Approved by Heather Catron (Consultant Project Manager)

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Acronyms, Initialisms, and Abbreviations

AMR	American Medical Response
API	Area of Potential Impact
CFR	Code of Federal Regulations
CSZ	Cascadia Subduction Zone
DSL	Oregon Department of State Lands
EIS	environmental impact statement
EQRB	Earthquake Ready Burnside Bridge
I-5	Interstate 5
I-84	Interstate 84
ID	identification
IGA	Intergovernmental Agreement
NEPA	National Environmental Policy Act of 1969
ODOT	Oregon Department of Transportation
ORS	Oregon Revised Statute
PCFC	Pacific Coast Fruit Company
PRM	Portland Rescue Mission
PSM	Portland Saturday Market
ROW	right-of-way
TCE	Temporary Construction Easement
Uniform Act or URA	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
UPRR	Union Pacific Railroad

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Executive Summary

The Right-of-Way Technical Report has been prepared to support the National Environmental Policy Act (NEPA) review of the Earthquake Ready Burnside Bridge project (EQRB), which is located near and across the Willamette River within the central city of Portland, Oregon. This report describes anticipated right-of-way (ROW) impacts for No-Build and four Build Alternatives: Enhanced Seismic Retrofit, Replacement Alternative with Short-span Approach, Replacement Alternative with Long-span Approach, and Replacement with Couch Extension. There is also an option for a Temporary Detour Bridge with all Build Alternatives.

Each alternative and option was assessed; individual parcels were identified and analyzed for an understanding of zoning, ownership, cost to acquire based on sales data in the immediate area, and any possible relocation concerns; and an estimate was completed using design data from the Area of Potential Impact (API) mapping. This report describes anticipated property acquisitions and displacements and how ROW and relocations will be performed in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA or Uniform Act) and Oregon Department of Transportation (ODOT) Right of Way Manual. Relocation benefits would also be provided to owners or tenants for displacement of personal property (known as “personal property only relocations”). The main findings within this ROW report point to impacts to commercial, industrial, and park lands as well as non-residential displacements across all alternatives and options. The Enhanced Seismic Retrofit Alternative without a Temporary Detour Bridge Option would result in the least ROW impacts and costs while the Replacement with Couch Extension with a Temporary Detour Bridge Option would have the greatest ROW impacts and costs.

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1 Introduction

As a part of the preparation of the Environmental Impact Statement (EIS) for the EQRB Project, this technical report has been prepared to identify and evaluate ROW impacts within the Project's API.

1.1 Project Location

The Project Area and API are located within the central city of Portland (Figure 1). The Burnside Bridge crosses the Willamette River connecting the west and east sides of the city. The Project Area encompasses a one-block radius around the existing Burnside Bridge and W/E Burnside Street, from NW/SW 3rd Avenue on the west side of the river to NE/SE Grand Avenue on the east side. Several neighborhoods surround the area including Old Town/Chinatown, Downtown, Kerns, and Buckman.

1.2 Project Purpose

The primary purpose of the Project is to build a seismically resilient Burnside Street lifeline crossing over the Willamette River that would remain fully operational and accessible for vehicles and other modes of transportation following a major Cascadia Subduction Zone (CSZ) earthquake. The Burnside Bridge would provide a reliable crossing for emergency response, evacuation, and economic recovery after an earthquake. Additionally, the bridge would provide a long-term safe crossing with low maintenance needs.

2 Project Alternatives

The project alternatives are described in detail with text and graphics in the draft *Description of Alternatives Report* (Multnomah County 2021b). That report describes the alternatives' current design as well as operations and construction assumptions.

Briefly, the DEIS evaluates the No-Build Alternative and four Build Alternatives. Among the Build Alternatives, there is an Enhanced Seismic Retrofit Alternative that would replace certain elements of the existing bridge and retrofit other elements. There are three Replacement Alternatives that would completely remove and replace the existing bridge. In addition, the DEIS considers options for managing traffic during construction.

Nomenclature for the alternatives/options are:

- No-Build Alternative
- Build Alternatives:
 - Enhanced Seismic Retrofit (Retrofit Alternative)
 - Replacement Alternative with Short-span Approach (Short-span Alternative)
 - Replacement Alternative with Long-span Approach (Long-span Alternative)
 - Replacement Alternative with Couch Extension (Couch Extension Alternative)
- Construction Traffic Management Options
 - Temporary Detour Bridge Option (Temporary Bridge) includes three modal options:
 - Temporary Bridge: All modes
 - Temporary Bridge: Transit, Bicycles and Pedestrians only
 - Temporary Bridge: Bicycles and Pedestrians only
 - Without Temporary Detour Bridge Option (No Temporary Bridge)

3 Definitions

The following terminology will be used when discussing geographic areas in the EIS:

- **Project Area** – The area within which improvements associated with the Project Alternatives would occur and the area needed to construct these improvements. The Project Area includes the area needed to construct all permanent infrastructure, including adjacent parcels where modifications are required for associated work such as utility realignments or upgrades. For the EQRB Project, the Project Area includes approximately a one-block radius around the existing Burnside Bridge and W/E Burnside Street, from NW/SW 3rd Avenue on the west side of the river and NE/SE Grand Avenue on the east side.
- **Area of Potential Impact (API)** – This is the geographic boundary within which physical impacts to the environment could occur with the Project Alternatives. The API is resource-specific and differs depending on the environmental topic being

addressed. For all topics, the API will encompass the Project Area, and for some topics, the geographic extent of the API will be the same as that for the Project Area; for other topics (such as for transportation effects) the API will be substantially larger to account for impacts that could occur outside of the Project Area. The API for ROW is defined in Section 5.1.

- **Project vicinity** – The environs surrounding the Project Area. The Project vicinity does not have a distinct geographic boundary but is used in general discussion to denote the larger area, inclusive of the Old Town/Chinatown, Downtown, Kerns, and Buckman neighborhoods.
- **Displacements** – Residential and non-residential occupants of properties, those permitted/authorized to be operating within public ROW, and/or entities with personal property only that would need to be temporarily or permanently relocated as part of the Project. Non-residential occupants could include businesses, farms, and non-profit organizations.
- **Temporary Construction Easement** – A temporary construction easement (TCE) is a temporary property right allowing the agency to access a portion of the grantor's property for the purposes of access, staging, monitoring, or constructing the Project.
- **Permanent Easement** – A permanent easement is a permanent property right allowing the agency to use a portion of the grantor's property for a specific purpose (e.g., bridge facilities, slopes, subsurface soil stabilization, and public utilities).
- **Partial Acquisition** – The purchase of a portion of a property required for ROW, maintenance, or to relieve access constraints resulting from the Project.
- **Full Acquisition** – The purchase of an entire property required for ROW, maintenance, or to relieve access constraints resulting from the project.

4 Legal Regulations and Standards

4.1 Laws, Plans, Policies, and Regulations

4.1.1 Federal Laws

The following federal regulations, plans, and policies guide or inform the assessment of ROW impacts to provide fair and equitable treatment of all parties:

- Title 49 Code of Federal Regulations Part 24 (49 CFR 24), the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs, Final Rule and Notice, issued by the U.S. Department of Transportation. This is the federal regulation governing acquisition and relocation for transportation projects using federal funding. It implements the law and statutory amendments to the Uniform Act of 1970, as amended, and establishes definitions, standards, requirements, eligibility, and procedures for all activities associated with appraisal, acquisition and relocation.
- Title 23 Code of Federal Regulations Part 710 (23 CFR 710), the Right-of-Way and Real Estate Regulations for Federal and Federally Assisted Programs, Final Rule

and Notice, issued by the U.S. Department of Transportation. Title 23 Part 710 ensures the prudent use of Title 23 grant (federal) funds by a state department of transportation or other Title 23 grantee in the acquisition, management, and disposal of real property. This rule also clarifies the ability to use funds for preliminary property research and mapping prior to U.S. Environmental Protection Agency NEPA clearance.

4.1.2 State of Oregon and Local Government Regulations

The following is a list of state and local laws, regulations, plans, and policies that guide or inform the assessment of ROW impacts to provide fair and equitable treatment for all parties:

- Oregon Revised Statutes Chapter 35 (ORS 35), Eminent Domain, Public Acquisition of Property. This statute defines the rights of the state and private property owners in the use of eminent domain. This statute replaces ORS 281.045 to ORS 281.105.
- ORS Chapter 368 (ORS 368), County Roads. This statute defines a county's right to develop and manage roads, as well as the right and associated remediation to private property owners for acquiring property for road development.
- *2018 ODOT Right of Way Manual* (or subsequent editions). This document provides ODOT's interpretation and implementing procedures for discretionary elements of the Uniform Act. Federally funded projects require that ODOT have a Federal Highway Administration–approved ROW manual.

4.2 Design Standards

There are no applicable design standards required by federal, state, or local law, or by agency policy, that relate to ROW impacts.

5 Affected Environment

5.1 Area of Potential Impact

The API for the ROW impact analysis is limited to the areas on the east and west ends of the bridge that would be affected permanently or temporarily by the alternatives (Figure 1). The API is the Project Area, which is bounded by NW/SW 3rd Avenue, NW Couch Street, SW Ankeny Street, and SW Ash Street on the west end of the bridge and NE/SE Grand Avenue, NE Davis Street, SE Ankeny Street, and SE Ash Street on the east end of the bridge.

5.2 Resource Identification and Evaluation Methods

This section describes the methods used to collect ROW data and analyze the potential ROW impacts and estimated costs associated with the Build and No-Build Alternatives.

This report is based on general information as final design work has yet to be completed at this phase of the project. Project ROW impacts were considered on a parcel-by-parcel basis. An impacted parcel is defined as an individual tax lot that requires ROW

acquisition and/or relocation due to the project. Property acquisition is needed when the project footprint extends beyond the existing ROW. In many cases, several tax lots are held under the same ownership and might be treated as one acquisition. The exact number of acquisitions will be determined during the ROW phase in a discussion of larger parcel appraisal considerations.

Initial property data was collected from Portland Maps, the Multnomah County Assessor's Office, and Oregon Secretary of State websites to identify tax lots, ownership and tenant/business information, site addresses, zoning, current use, and existing lot sizes.

The EQRB ROW Impacts Conceptual Plans, assessor tax maps, community outreach discussions for the project, and site investigations from the public ROW were used to identify potential ROW impacts and displacements. No property owners, business owners, or tenants were initially interviewed for the purposes of this report, however, during the revision of this report, outreach to American Medical Response, University of Oregon, and Pacific Coast Fruit Company (PCFC) was conducted to understand the impact to these three (3) facilities better. The estimated acquisition areas were developed for each Build Alternative using aerial conceptual design maps and public records to identify affected parcels and the impact to property, property improvements, and possible damages to remaining property (Table 3).

Land values were applied on a price per square foot basis derived from recent appraisal data, current listings, and market data from the Regional Multiple Listing Service. For this level of analysis, the value of building improvements was estimated based on County assessment data. Damages to the remaining property (cost to cure) were estimated taking into consideration the highest and best use of the property, zoning and development ordinances, functionality of the remaining property, and potential building modifications needed. The cost of ROW services was also estimated based on recent project ROW experience and data.

Parcels that may have Project-related building access impacts (e.g., current pedestrian and/or vehicular access points being removed or temporarily closed due to project improvements and/or construction activities) were identified. Parcels losing building access due to the Project will be provided alternate reasonable access via either construction accommodations or a cost to cure for building modifications. If access mitigation and/or building modifications are not feasible, it is assumed that occupants would become eligible for relocation benefits. At least one commercial parcel has been identified that may have onsite parking impacts as a result of the project. City of Portland zoning requirements in Title 33, Chapter 33.266 Parking and Loading, does not require any parking for commercial sites located less than 1,500 feet from a transit station or less than 500 feet from a transit street that has 20-minute peak hour service, which applies throughout the EQRB API.

Relocation impacts were identified based on ROW acquisition impacts or loss of access to building improvements. The estimated cost for relocation benefits included in this report are based on similar projects completed for public agencies by professional ROW agents. When NEPA is complete and final design begins, individual property owners, business owners, and tenants will be contacted for initial interviews to gather data that

are more specific, identify needs, and explain relocation rights and benefits for which they may be eligible.

In summary, the data gathered will be used to describe and analyze the ROW impacts and associated costs on a per parcel basis as they relate to the Build and No-Build Alternatives to inform context and impacts analysis.

5.3 Existing Conditions

The majority of the west bridgehead Project area is located within the new Chinatown/Japantown and Skidmore Old Town historic districts, which primarily consist of high density mixed-use historic buildings housing a variety of social services, a TriMet light rail corridor, and the Tom McCall Waterfront Park. The east bridgehead Project area is split between the Kerns and Buckman East Portland neighborhoods, primarily consisting of older industrial buildings, new mixed-use high-rise development, the Vera Katz Eastbank Esplanade, and Interstate 5 (I-5), Interstate 84 (I-84) and Union Pacific Railroad (UPRR) corridors. The Willamette River is under the Oregon Department of State Lands' (DSL) jurisdiction.

The east bridgehead Project area is currently evolving from industrial use to more of a mixed-use commercial/multi-family location with a recent increase in high-rise mixed-use development. Additional detailed zoning maps can be found in the appendix of the *EQRB Land Use Technical Report* (Multnomah County 2021c) and additional details about the API, impacted buildings, and real estate market conditions can be found in the *EQRB Acquisitions and Displacements Technical Report* (Multnomah County 2021a).

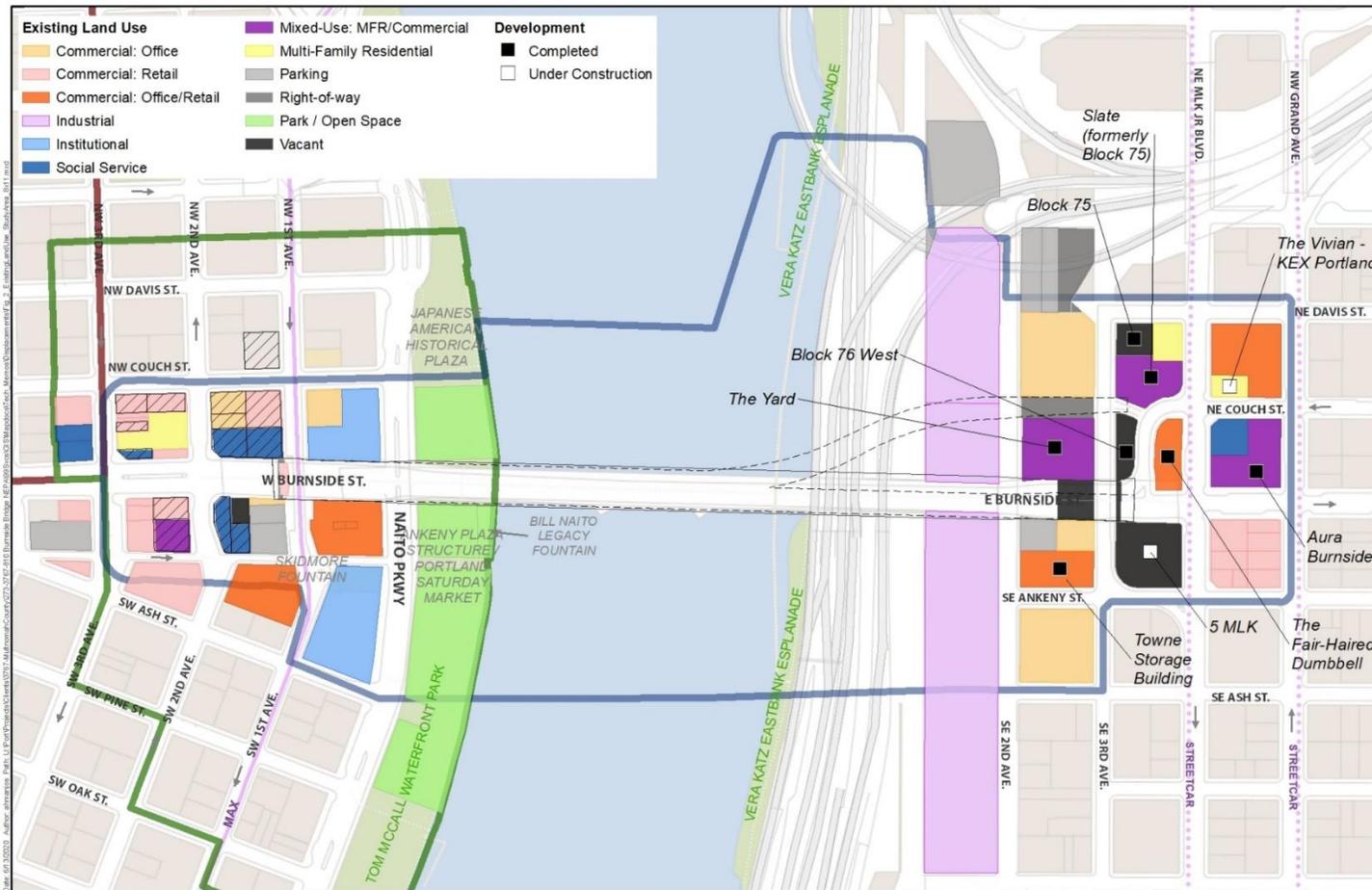
Figure 2 summarizes existing land uses within the API, which include open space (parks), commercial, industrial, and mixed-use commercial/multi-family residential.

Table 1 presents zoning in the Project area, specific to properties that have proposed ROW impacts across alternatives.

Table 1. API Zoning

Zone	Description
CX	Commercial/Mixed-Use – High-density commercial zone intended for development within Portland's most urban and intense areas. Allows for intense development with high building coverage and large buildings placed close together. Development is intended to be pedestrian oriented with a strong emphasis on a safe and attractive streetscape.
EX	Central Employment – allows a full range of high density commercial, light industrial, institutional, and residential uses. This zone is intended for sites in or near the Central City and in Gateway.
IG1	General Industrial 1 – Smaller lots and a grid block pattern. The area is mostly developed with sites having high building coverages and buildings that are usually close to the street.
OS	Open Space – Preserves and enhances public and private open, natural, and improved park and recreational areas.

Figure 2. Existing Land Uses within the API



Source:
 City of Portland, Oregon
 HDR, Parametrix, Metro RLIS

0 150 300 600 Feet

— Direct Impact API

□ Retrofit
 □ Short-span Alternative
 □ Long-span Alternative

□ Couch Extension

▨ Historic Properties
 Historic Districts

▨ New Chinatown / Japantown

▨ Skidmore / Old Town

Figure 2
 Land Use and Development
 and Historic Resources

Earthquake Ready Burnside

6 Impact Assessment Methodology and Data Sources

6.1 Long-Term Impact Assessment Methods

Long-term ROW impacts are defined as the permanent acquisition of property and/or property rights, including the relocation of any persons or property that would be displaced as a result of the acquisition of ROW for Project improvements. These impacts are quantified by identifying the following:

- The number, type, and condition of properties and buildings that would be permanently acquired for each alternative.
- The number and location of buildings that would need to have their accesses closed or relocated for each alternative.
- The number of businesses and residents that would be permanently displaced for each alternative.

A Project element is considered to have the potential for displacement and relocation if any one or more of the following circumstances would occur:

- Any building, facility, structure, or improvement used for residential, social/recreational, or business purposes lies in the path of a portion of the proposed transportation facility preventing it from functioning in its current use.
- Access to any building used for residential, social/recreational, or business purposes would be eliminated by any portion of a proposed transportation facility completely and permanently, and could not be reasonably restored by reconfiguring the access or building.
- The widening of streets and construction of sidewalks, bike lanes, water quality facilities, or other improvements required in conjunction with proposed transportation improvements would come into physical contact with or encroach upon a building preventing it from functioning in its current use.

6.2 Short-Term Impact Assessment Methods

Short-term ROW impacts are defined as the temporary acquisition of property and/or property rights, including the relocation of any persons or property displaced as a result of the temporary acquisition of ROW for Project improvements during construction.

These impacts are quantified by identifying the following:

- The number, type, and condition of properties and buildings that would be affected during the construction of each alternative.
- The number and location of buildings that would need to have their accesses temporarily impacted or relocated during the construction of each alternative.
- The number of residential and non-residential occupants that would be temporarily displaced during the construction of each alternative.

7 Right-of-Way Impacts

7.1 Introduction

The EIS description of long-term impacts is divided into (a) pre-earthquake impacts, based on each alternative’s footprint and its day-to-day operations, and (b) impacts that would occur after the next CSZ earthquake, including how each alternative affects resiliency, emergency response, longer-term recovery potential, and potential property impacts. Potential post-earthquake impacts are not considered ROW impacts due to not being the direct result of acquisition or construction activities needed for the Project. Therefore post-earthquake discussions, displacements, and associated costs are not included in this report.

The displacement of any illegal occupancy such as homeless encampments, or individual people inhabiting existing ROW limits is not considered a ROW impact and is therefore not included in this report.

7.2 Long-Term Acquisition Impacts

All alternatives, except No-Build, will need to acquire property adjacent to the existing ROW for either construction or permanent use by the Project. Three types of acquisitions are expected for all Build Alternatives: property in fee, permanent easements for bridge improvements, and TCEs for work areas. Of these acquisition types, the property in fee can result in full or partial acquisition of a property. Full acquisition of a property would result in the permanent displacement and relocation of any residential or non-residential occupant(s) whereas a partial acquisition may or may not result in the need to displace or relocate existing uses unless the highest and best use in the after condition has changed.

Table 2 summarizes the number of parcels potentially impacted by each alternative and the types of acquisitions required, with the exception of the No-Build Alternative which would not result in any property acquisition.

Table 2. ROW Acquisition Summary

Displacements and Acquisitions by Build Alternative	Fee Full & Partial Acquisitions	Easements	TCEs	Business Displaced Permanent (Temporary)
Enhanced Retrofit	8	7	14	6(1)*
Replacement, Short-span	8	6	17	6(0)
Replacement, Long-span	8	1	17	6(0)
Replacement with Couch Extension	12	7	20	6(0)
Additional with Temporary Bridge	+0	+0	+2	+0(1)

*** Closure to the Portland Rescue Mission expected to be two to three months during construction.

Table 3 lists all impacted properties associated with the Build Alternatives.

Table 3. Impacted Properties

ID	TLID	Property Name	Enhanced Retrofit (bus. displ.)	Replacement, Short-span (bus. displ.)	Replacement, Long-span (bus. displ.)	Replacement with Couch Extension (bus. displ.)	Temporary Bridge (bus. displ.)
1	1N1E34CA-09200	Central City Concern (Shoreline Building)	-	TCE Access	TCE Access	TCE Access	-
2	1N1E34DB-00900	Portland Rescue Mission	TCE Access (*1)	TCE Access	TCE access	TCE Access	-
3	1N1E34DB-01500	Portland Saturday Market Storage (City of Portland)	Easement	Easement	Easement	Easement	-
4	1N1E34DB-01400	University of Oregon Classroom (City of Portland)	Full**	Full**	Full**	Full**	-
5	1N1E34DC-00800	Portland Saturday Market Administration Offices (Skidmore Fountain Plaza, LLC)	Full*** (1)	Full***(1)	Full***(1)	Full***(1)	-
6	1N1E34CD-00300	Salvation Army	-	TCE Access	TCE Access	TCE Access	-
7	1N1E34CD-00100	Vacant Lot (Skidmore Fountain Plaza, LLC)	Full	Full	Full	Full	-
8	1N1E34DC-00900	Diamond Parking Services (Skidmore Fountain Plaza, LLC)	Full****(1)	Full****(1)	Full****(1)	Full****(1)	-
9	1N1E34DC-01000	Diamond Parking Services (Skidmore Fountain Plaza, LLC)	Full	Full	Full	Full	-
10	1N1E34DB-00600	University of Oregon (White Stag Building)	TCE Access	TCE Access	TCE Access	TCE Access	-
11	1N1E34DC-90000	Mercy Corps	TCE	TCE	TCE	TCE	-
12	1N1E34DB-01300	Japanese American Plaza (City of Portland)	Easement & TCE	Easement & TCE	TCE	Easement & TCE	-
13	1N1E34DC-03600	Ankeny Plaza Structure (City of Portland)	Easement & TCE	Easement & TCE	TCE	Easement & TCE	-
14	1N1E34DC-00100	BES Pump Station (City of Portland)	Easement & TCE	Easement & TCE	TCE	Easement & TCE	-

Table 3. Impacted Properties

ID	TLID	Property Name	Enhanced Retrofit (bus. displ.)	Replacement, Short-span (bus. displ.)	Replacement, Long-span (bus. displ.)	Replacement with Couch Extension (bus. displ.)	Temporary Bridge (bus. displ.)
15	1N1E34DC-03700	Bill Naito Legacy Fountain (City of Portland)	-	-	-	-	TCE
16	1N1E34DA-01500	Pacific Coast Fruit Company	TCE****(1)	TCE****(1)	TCE****(1)	Full(1)	-
17	1N1E34DA-01900	Rose City Transportation (David Nemarnik)	Full(1)	Full(1)	Full(1)	Full(1)	-
18	1N1E34DD-01000	American Medical Response (Produce Row LLC)	Partial(1)	Partial(1)	Partial(1)	Partial(1)	-
19	1N1E34DA-02800	Eastside Exchange Building (Bridgehead Development LLC)	-	-	-	Partial & TCE Access	-
20	1N1E34DA-02602	The Yard – Pedestrian / Bike Right-of-Way (Bridgehead Development LLC)	-	-	-	Full	-
21	1N1E34DA-02001	The Yard (Yard Residences LLC)	TCE	TCE	TCE	Partial & TCE	-
22	1N1E34DD-00900	Nemarnik Family Properties Parking Lot	-	-	-	-	TCE(1)
23	1N1E34DD-00700	230 E Burnside Building (Templeton Office Investments LLC)	TCE Access	TCE Access	TCE Access	TCE Access	-
24	1N1E34DA-03100	Union Arms Apartments	-	-	-	TCE Access	-
25	1N1E34DA-02900	The Slate (Block 75)	-	-	-	Partial & TCE Access	-
26	1N1E34DA-03300	Block 76	Partial	Partial	Partial	TCE Access	-
27	1N1E34DA-3500	Fair-Haired Dumbbell	-	TCE Access	TCE Access	TCE Access	-
28	1N1E34DD-00100	5 MLK (Under Construction)	TCE Access	TCE Access	TCE Access	TCE Access	-
A	NA	Willamette River (Dept. of State Lands)	Easement & TCE	Easement & TCE	TCE	Easement & TCE	-

Table 3. Impacted Properties

ID	TLID	Property Name	Enhanced Retrofit (bus. displ.)	Replacement, Short-span (bus. displ.)	Replacement, Long-span (bus. displ.)	Replacement with Couch Extension (bus. displ.)	Temporary Bridge (bus. displ.)
B	NA	Vera Katz Eastbank Esplanade (City of Portland)	TCE	TCE	TCE	TCE	-
C	NA	I-5 & I-84 (ODOT)	Easement & TCE	Easement & TCE	TCE	Easement & TCE	-
D	NA	Union Pacific Railroad	TCE	TCE	TCE	Easement & TCE	-

TLID = Tax lot ID | Full = Full Acquisition | Partial = Partial Acquisition | Easement = Permanent Easement | TCE = Temporary Construction Easement | TCE Access = Temporary Construction Easement for access closures only | bus. displ. = business displacements | Temp. = Temporary

*Under the Retrofit Alternative, the Portland Rescue Mission will require Temporary Relocation for two to three months during construction due to their primary access being blocked.

**The University of Oregon uses this space and this is identified as a business displacement of personal property.

***Portland Saturday Market would be permanently displaced from their administration offices but would only be temporarily displaced from their market location on the waterfront. A single permanent displacement has been tallied for this business.

****Diamond Parking Services would be displaced from Map IDs 8 and 9 but are only counted as one business displacement.

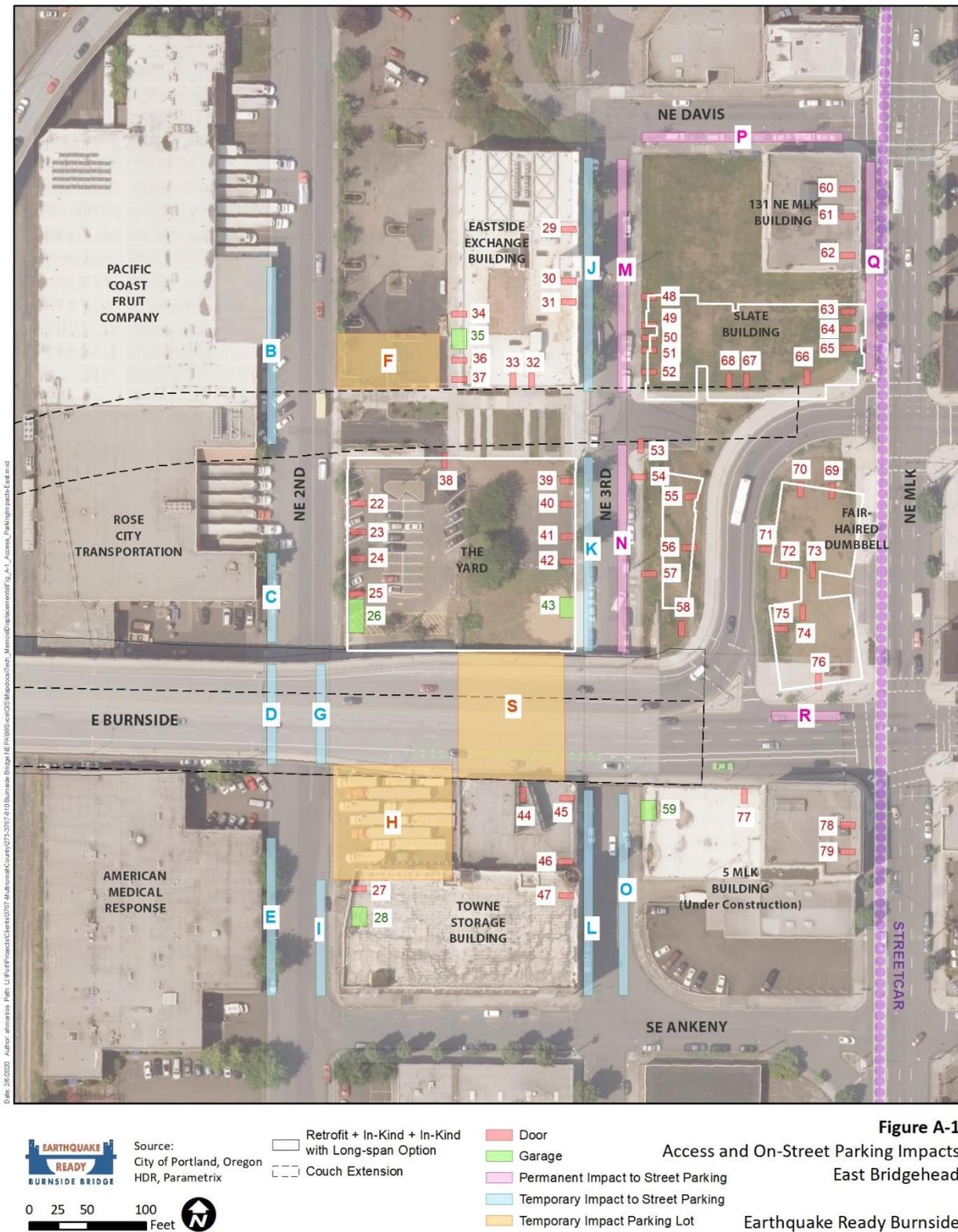
*****The Retrofit, Short-span and Long-span Alternatives could potentially displace the Pacific Coast Fruit Company business due to impacts to the Rose City Transportation building next door which shares a wall. Because of the uncertainty surrounding the building impacts, Pacific Coast Fruit Company is being included as a business displacement.

There are some properties adjacent to the bridge across all alternatives that do not require acquisition of property rights for construction of Project improvements, but will be impacted due to temporary and/or permanent access closures during construction. Figures A-1 and A-2 from the *EQRB Acquisitions and Displacements Report* (Multnomah County 2021a) show the locations of potential permanent and temporary access impacts. Table 2 includes minor temporary easements that will be acquired from these properties to accommodate access closures and provide a means of compensating property owners for building modifications that may be necessary to keep real estate assets and businesses operational during and after the Project (cost to cure).

Beneficial impacts to real estate across all Build Alternatives include improved sidewalks, safe bicycle lanes, and Americans with Disabilities Act compliant ingress and egress to parcels and recreational areas via the Burnside Bridge. All three Build Alternatives are being designed to accommodate potential streetcar service on the Burnside Bridge in the event that service is expanded in the future.

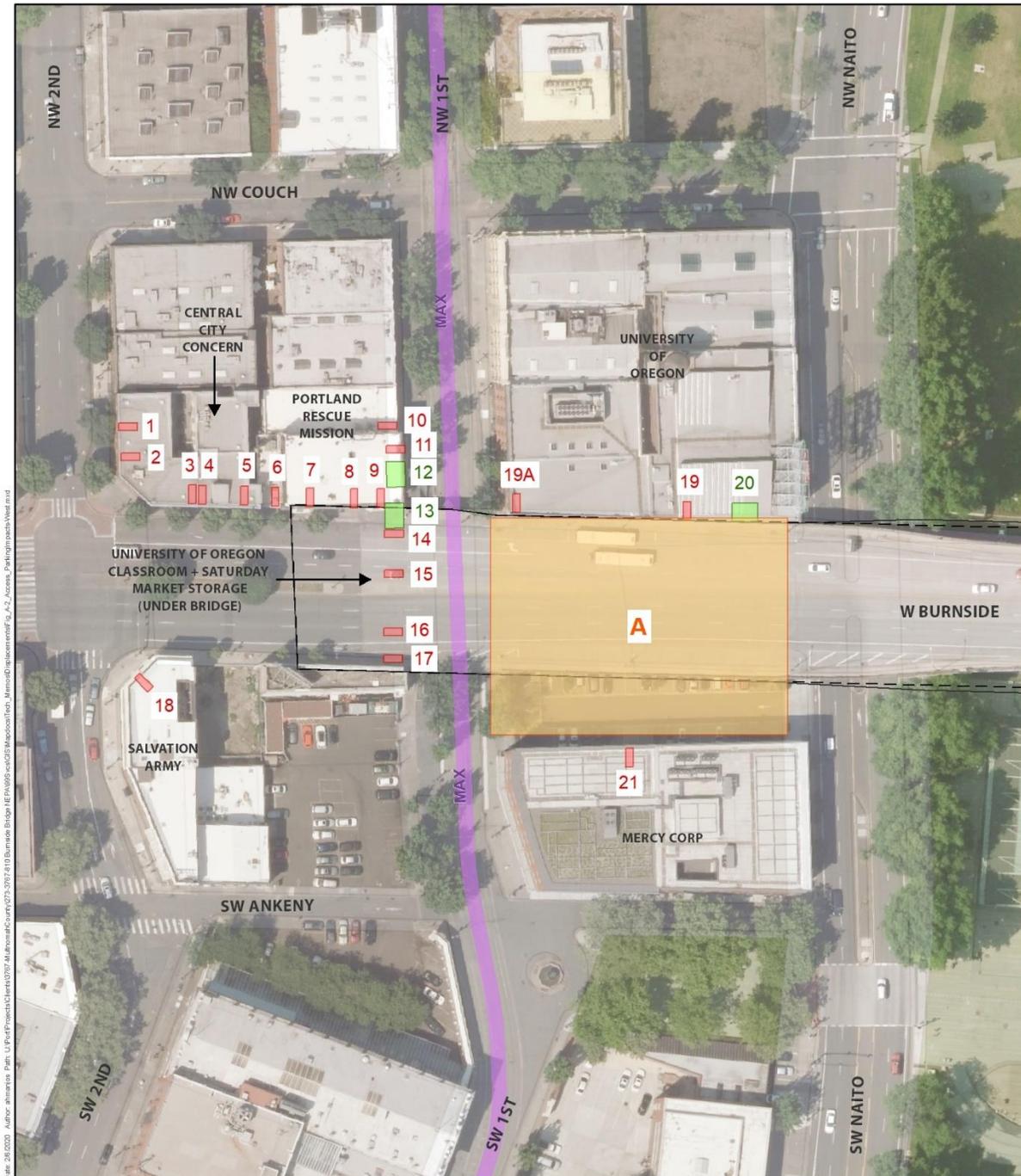
The location of temporary construction and other easements on public and private rights of way (Map ID A, B, C, and D) are shown in Figure 3. The remainder of this section details affected properties by alternative, including for the No-Build Alternative. Impacts are mapped by alternative and bridgehead in Figure 4 through Figure 7. Map identifications (IDs) referenced in the remainder of this report can be found on these figures.

Access and Parking Impacts – East Bridgehead



Source: Figure A-1 from *EQRB Acquisitions and Displacements Report* (Multnomah County 2021a).

Access and Parking Impacts – West Bridgehead



Date: 2/8/2020 Author: shirleyk Path: U:\P\Projects\Charters\2017_Airport\County\2017-2019_410 Burnside Bridge\EP\695-ec\25 Map\Access\Tech_Memo\04\Access_Parking\pasta-West.mxd



Source:
 City of Portland, Oregon
 HDR, Parametrix



- Retrofit + In-Kind + In-Kind with Long-span Option
- Couch Extension
- Door
- Garage
- Temporary Impact Parking Lot

Figure A-2
 Access and On-Street Parking Impacts
 West Bridgehead

Earthquake Ready Burnside

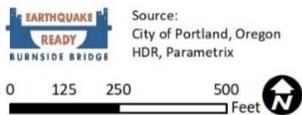
Source: Figure A-2 from *EQRB Acquisitions and Displacements Report* (Multnomah County 2021a).

Figure 3. Right-of-Way Impacts



Figure 3
Right-of-way Impacts
(Not Taxlot Specific)

Earthquake Ready Burnside



Source:
City of Portland, Oregon
HDR, Parametrix

- Ⓐ Right-of-way Impacted
- ⓐ Temporary Construction Easement Limits*

* Limit shown represent the combined impacts for all alternatives with a temporary bridge.

Figure 4. Property Impacts – West Bridgehead, All Alternatives

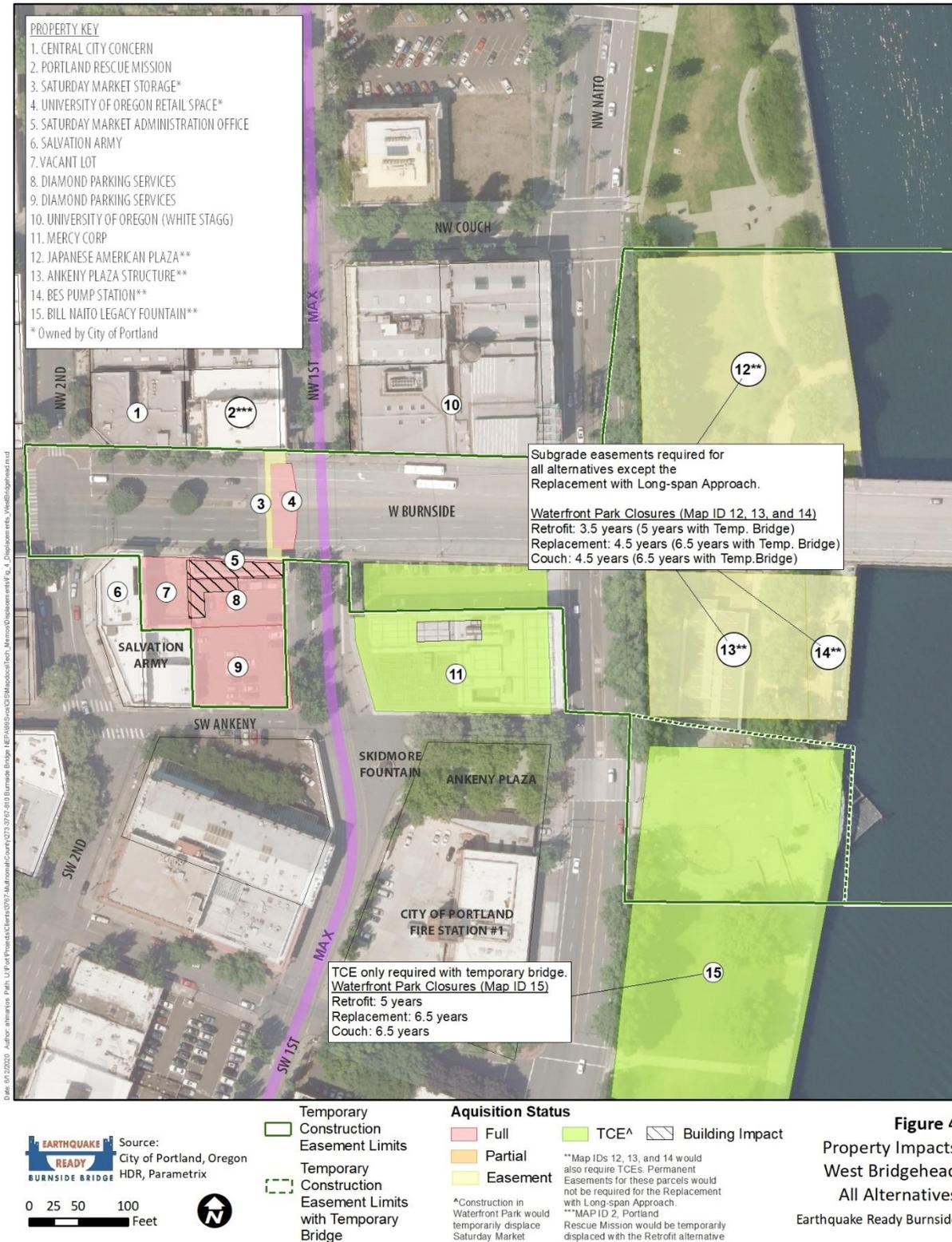
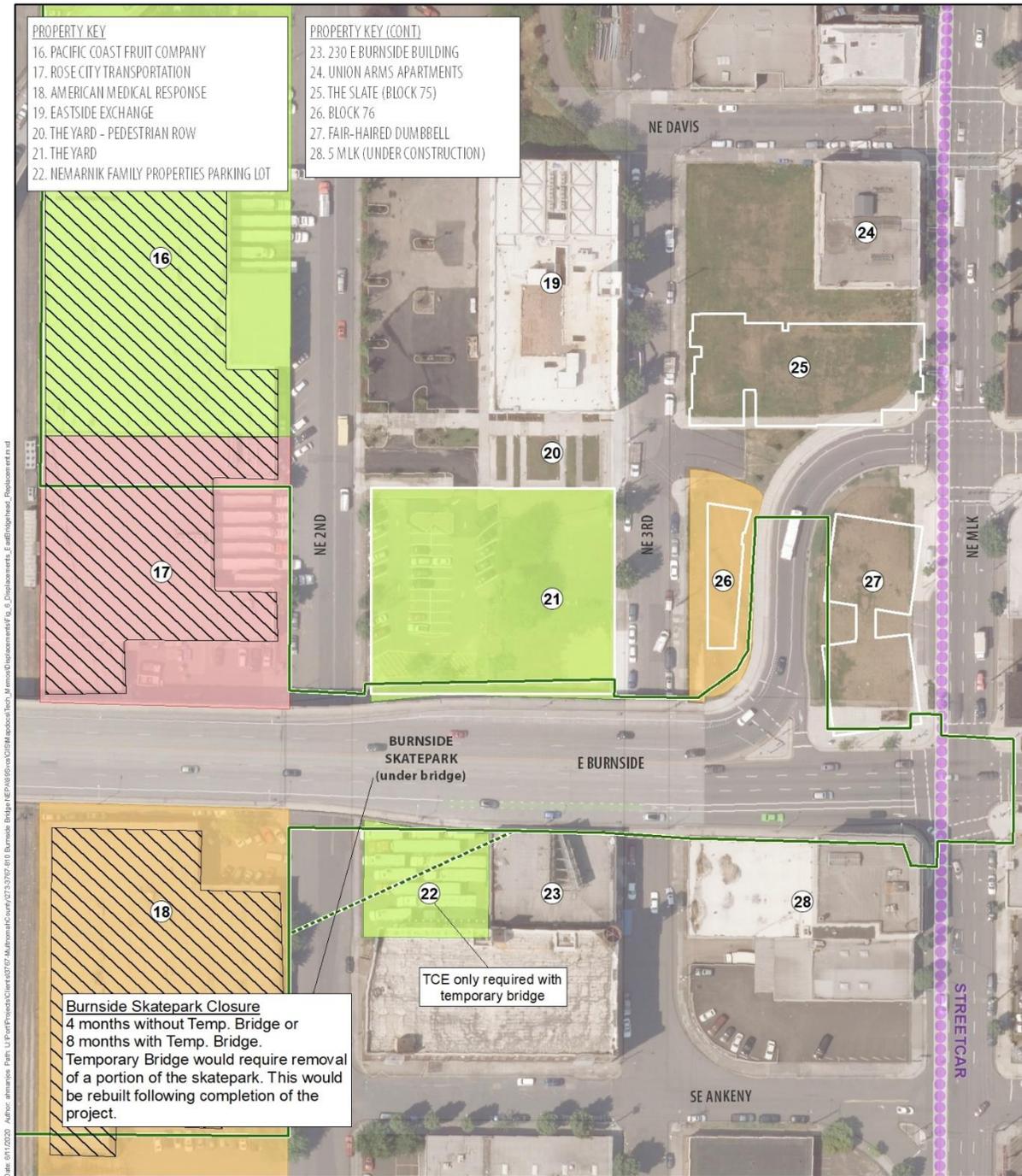


Figure 6. Property Impacts – East Bridgehead, Short-span and Long-span Alternatives



Source:
City of Portland, Oregon
HDR, Parametrix

0 25 50 100 Feet

Temporary Construction Easement Limits

Temporary Construction Easement Limits with Temporary Bridge

Acquisition Status

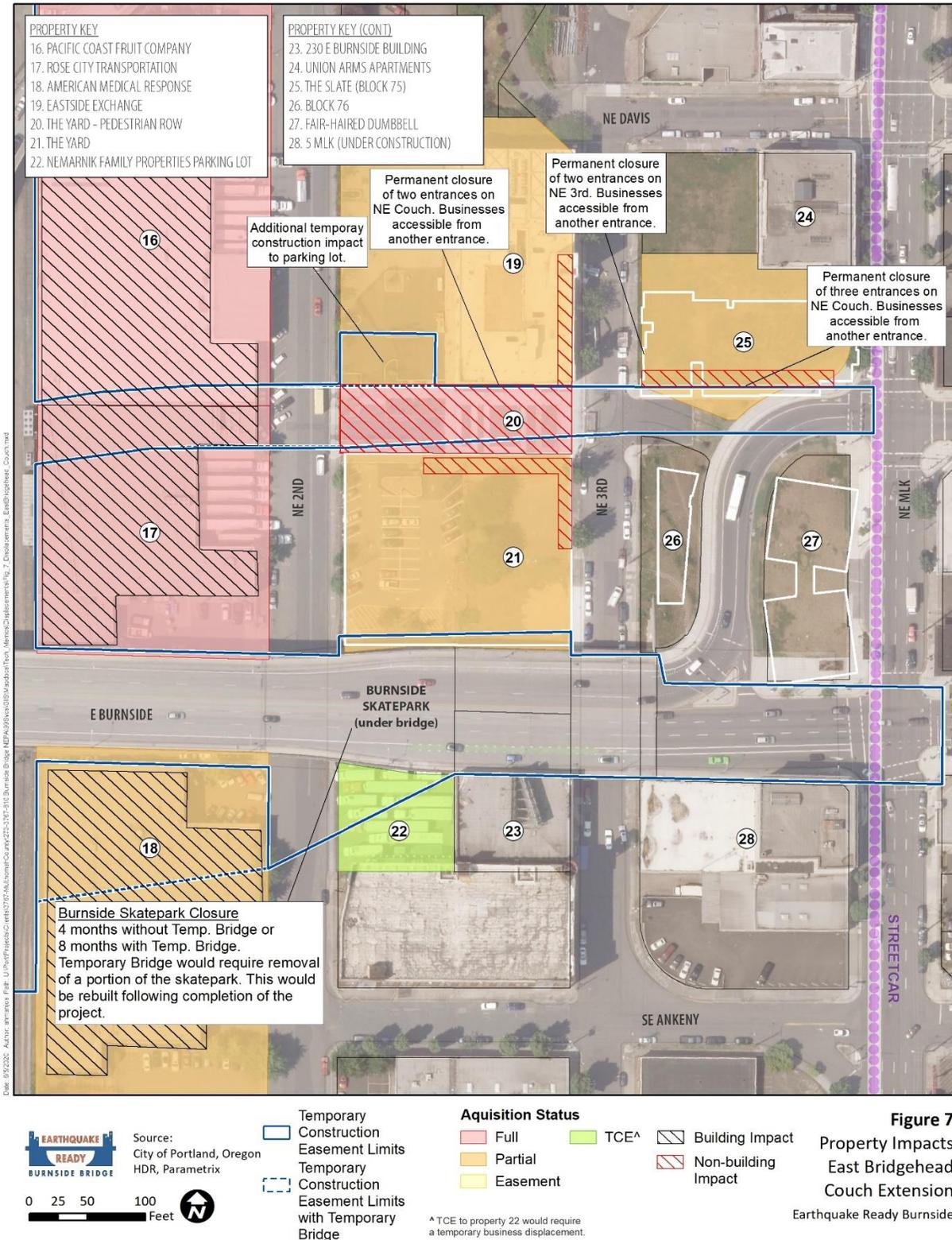
- Full
- Partial
- Easement
- TCE[^]

[^] TCE to property 22 would require a temporary business displacement. TCE to property 16 could require a permanent business displacement.

- Building Impact
- Non-building Impact

Figure 6
 Property Impacts
 East Bridgehead
 Replacement Alternatives
 Earthquake Ready Burnside

Figure 7. Property Impacts – East Bridgehead, Couch Extension Alternative



7.2.1 No-Build

Under pre-earthquake conditions, the No-Build Alternative would not require new impacts to any properties as the current structure and access to the bridge would remain as they are today.

7.2.2 Enhanced Retrofit

Impacts associated with the Retrofit Alternative would be limited to properties directly below the bridge and those used for new bridge access at the west bridgehead. This alternative would result in the fewest property impacts.

Under pre-earthquake conditions, the Retrofit Alternative would require full acquisition of five private properties and partial acquisition of one additional property, and a two to three month closure of the Portland Rescue Mission (PRM) which will require a temporary closure if alternative access into building cannot be configured. If configuration of the building for different access cannot be done, then the PRM will be required to relocate temporarily and a long lead time in locating a temporary location and moving the PRM is required. This will be a very costly impact for a two to three month duration. In addition, this building is considered a Historic property that will require additional permitting and specialty modifications if possible in providing a temporary access point in another portion of the existing structure. Relocations for each alternative are discussed in Section 7.4.

At the east bridgehead, one full acquisition (Rose City Transportation – Map ID 17) and one partial acquisition (American Medical Response – Map ID 18) would be required. The project likely would also need to acquire the building located on the PCFC property due to sharing a load-bearing wall with Rose City Transportation, whose building is affected by this alternative.

This alternative would require permanent easements from five public parcels (Map ID 3, 4, 12, 13, and 14) under the west bridgehead. These properties include four parcels within Tom McCall Waterfront Park and two parcels owned by the City of Portland, directly below the bridge on SW/NW 1st Avenue. The parcel depicted as Map ID 3 is currently being leased by the Portland Saturday Market (PSM) for storage space. Map ID 4 is currently developed as classroom space and leased by the University of Oregon. It is unclear at this level of design whether this classroom would be maintained, rebuilt following construction, or closed permanently.

This alternative would also partially affect the newly developed frontage associated with Block 76 (Map ID 26) at the east bridgehead. Impacts to Block 76 would be limited to approximately 240 square feet of pedestrian walkways and landscaping at the southern edge of the parcel on East Burnside.

This alternative would also temporarily impact the PRM due to the two access doorways being temporarily blocked during construction. As mentioned above, if the current structure cannot be reconfigured to construct alternative access into the building in order to provide services in a safe manner, this non-profit would be required to close temporarily if an alternative location cannot be found. This is a significant impact.

The Retrofit Alternative project impacts are shown on Figure 4 and Figure 5 for the west and east bridgeheads, respectively. See Section 7.3 for additional information on construction impacts.

Long-Term Impacts Summary

- Six (potential) full acquisitions and two partial acquisitions

7.2.3 Replacement, Short-span and Long-span

Both the Short-span and Long-span Alternatives would completely remove the existing bridge and replace it with a seismically designed structure with a revised horizontal profile and fewer footings and bents. This new structure would maintain the existing alignment and approaches for vehicles but add new accesses and improved facilities for pedestrians and bikes.

These alternatives would result in permanent and partial property impacts similar to the Retrofit Alternative with the exception of one additional property impact at the east bridgehead.

The Short-span Alternative would require permanent easements identical to those required for the Retrofit Alternative. The Long-span Alternative would require five fewer permanent easements as it would not require footings within Tom McCall Waterfront Park at the west bridgehead or within the ODOT or DSL rights of way near the east bridgehead.

Impacts are listed in Table 3 and shown on maps in Figure 4 and Figure 6 at the west and east bridgeheads, respectively. See Section 7.3 for additional information on construction impacts.

Long-Term Impacts Summary

- Six (potential) full acquisitions and two partial acquisitions

7.2.4 Replacement with Couch Extension

Similar to the Short-span and Long-span Alternatives, the Couch Extension Alternative would require completely removing and replacing the existing bridge structure. Under this alternative, the new bridge would follow the existing alignment at the west bridgehead but would split before the east bridgehead with separate approaches for NE Couch Street (westbound) and East Broadway Street (eastbound). The approach to NE Couch Street at the east bridgehead would pass above the existing pedestrian and bike ROW (Map ID 20) between The Yard (Map ID 21) and the Eastside Exchange Building (Map ID 19).

The Couch Extension Alternative would result in the highest number of ROW acquisition impacts.

The Couch Extension Alternative would require identical property acquisitions as the other alternatives at the west bridgehead. At the east bridgehead, this alternative would require the full acquisition of the pedestrian and bike ROW associated with The Yard (Map ID 20) and the PCFC parcel (Map ID 16). In addition to these full acquisitions, the

Couch Extension Alternative would require partial acquisition of the Eastside Exchange property (Map ID 19), The Yard (Map ID 21), and The Slate (Map ID 25). Building impacts would not be expected to any of these partial acquisitions, however there are some short to long-term building access closures that may require building modifications to accommodate businesses during construction.

Permanent easement requirements would be identical to both the Retrofit and Couch Extension Alternatives. The Short-span Alternative requires one less easement than the Retrofit and Couch Extension Alternatives, where the Long-span Alternative would only require one permanent easement. The Couch Extension Alternative project impacts are listed in Table 3 and mapped in Figure 4 and Figure 7 at the west and east bridgeheads, respectively. Section 7.3 provides additional information on construction impacts.

Long-Term Impacts Summary

- Eight full acquisitions and four partial acquisitions

7.2.5 Unique Long-Term ROW Components

This section describes unique long-term ROW components that are not covered in other sections of this report.

All Build Alternatives

- The existing property rights for the Burnside Bridge at the west bridgehead are the result of City Resolutions and Ordinances from the 1920s. As part of this Project, the County needs to perfect their ownership rights by obtaining a Permanent Easement for Bridge Facilities from the City of Portland within the impact area. This easement is assumed included in an Intergovernmental Agreement (IGA) with the City for this Project.
- City-owned tax lots depicted on Map ID 3 and 4 in the Appendix of the *EQRB Acquisitions and Displacements Technical Report* (Multnomah County 2021a) are being leased to the University of Oregon as retail space (Map ID 4) and the PSM for storage (Map ID 3). The City lease agreements include a bridge maintenance clause requiring existing tenants to vacate the area if and when the bridge needs to be maintained or reconstructed. The lease language does not specify that the tenants will be ineligible for relocation benefits, so these properties are included in relocation discussions in Section 7.4. Design specifications will need to require the contractor provide sufficient advanced notice of use of the City ROW and tax lots under the bridge to accommodate proper notice to their tenants. It is unknown at this time if the current uses of these spaces will be available for use post-construction; therefore, these impacts are considered permanent.
- The temporary and permanent easements needed over and under the Willamette River would be secured via the DSL easement application process. DSL grants 30-year easements and the application process requires a minimum of six months.
- Permanent easement rights for bridge improvements that are outside of the County's existing ROW over and under ODOT's I-5 corridor at the east bridgehead would be

handled via an IGA. Associated ODOT personnel costs likely would be requested as compensation and have been included in estimated ROW costs per alternative.

Enhanced Alternative and Temporary Bridge

- The Retrofit Alternative and Temporary Bridge across all alternatives would require physical damage to and closure of the Burnside Skatepark under the east bridgehead for the duration of construction. All other alternatives without a Temporary Bridge would require periods of temporary closure but would physically maintain the skatepark during construction. The skatepark currently occupies public ROW; there are no ROW acquisition or relocation efforts required. It is assumed that use, closure, and/or restoration of the skatepark property would be handled via the City of Portland IGA.

Couch Extension Alternative

- The Couch Extension Alternative would require a permanent easement for bridge facilities over UPRR property at the east bridgehead. Negotiations with UPRR have historically taken a minimum of 12 months, which will need to be accounted for in the project schedule.
- The Couch Extension Alternative requires one additional full property acquisition near the east bridgehead, a 1.88-acre property owned by PCFC. The Couch Extension Alternative would result in displacement of the business and demolition of the building, however permanent Project improvements only require a small portion of the parcel. The Couch Extension Alternative design proposes a full site acquisition. Once acquired, the remainder of this property would be used as a staging area during construction.

7.3 Short-Term Acquisition Impacts

Adverse impacts would occur across all Build Alternatives during construction including limited accessibility to businesses. Although not displaced by the Project, businesses could suffer severe effects of operating within a construction zone. There is also the potential for economic benefit for some businesses because construction workers may frequent businesses while working on site.

The following section describes construction-related impacts for all alternatives with and without a Temporary Bridge. There are several Temporary Bridge options including a bicycles and pedestrians only; transit, bicycles and pedestrians only; and all modes. The ROW impacts for each type of Temporary Bridge are identical.

Off-site construction staging could occur with any of the Build Alternatives. Whether, where and how to use such sites will be the choice of the contractor and therefore the actual site or sites cannot be known at this time. The four potential sites (A, B, C and D) listed in Table 4 **Error! Reference source not found.** are representative. These locations would be used for construction staging or access and returned to their current use following the Project. No business displacements are anticipated for staging sites. Potential construction staging site locations are shown in Figure 8 of the *EQRB Acquisitions and Displacements Technical Report*.

Table 4. Potential Off-Site Staging Parcels

Site	TLID	Property Owner	Current Use	Staging Acres
A	1N1W13 -00205	Atofina Chemical Inc.	Industrial	14.89
A	1N1W13 -00206	Atofina Chemical Inc.	Vacant	24.18
B	1N1E28B -00100	Port of Portland	Industrial	11.70
B	1N1E28B -00400	Port of Portland	Industrial	16.39
C	1N1E34AD -01300	Union Pacific Railroad	Rail Right-of-way	1.32
D	1N1E27CB -03000	R B PAMPLIN CORPORATION & SUBS	Industrial	1.59
D	1N1E27CB -02900	R B PAMPLIN CORPORATION & SUBS	Industrial	0.32
D	1N1E34AC -00400	900 Thunderbird LLC	Industrial	3.18

Construction impacts within the API can be split into two categories: construction and staging area closures and access closures. Construction and staging area closures are defined by locations where construction equipment is staged or where construction activities are occurring and would need to be closed for safety. Access closures are defined as properties where building accesses would be closed temporarily or permanently due to street closures or other construction activity. In the following short-term construction impacts, access closures are only counted for properties where no other TCEs are required for construction and staging area closures.

A summary of TCEs is provided in Table 2 and Table 3. The *EQRB Construction Approach Technical Report* (Multnomah County 2021a) provides additional information on construction scheduling and closures.

7.3.1 Without Temporary Bridge

Enhanced Retrofit

In addition to the off-site staging areas identified in **Error! Reference source not found.**, construction of the Retrofit Alternative would require TCEs from 13 properties (Table 3). Four of the parcels impacted by construction of this alternative would be within Tom McCall Waterfront Park at the west bridgehead (Map ID 12, 13, 14, and 15) and used for staging and construction of the bridge. The Mercy Corps property (Map ID 11) and The Yard (Map ID 21) also would be impacted by this alternative.

During construction of the Retrofit Alternative, 16 building entrances and garages would be temporarily closed. The location of these entrances is shown on the East and West Bridgehead Access Impact images above (Map ID 12, 13, 14 and 15, and Map 1D 11).

Short-Term Construction impacts

- 10 properties affected by TCEs.
- Four additional properties affected by TCEs for access only.

Replacement, Short-span and Long-span

Temporary construction impacts associated with these alternatives would impact 17 properties.

During construction of the Short-span and Long-span Alternatives, 25 doorways and garage entrances would be temporarily affected. These access closures would require seven additional TCEs.

Short-Term Construction Impacts Summary

- 10 properties affected by TCEs
- 7 additional properties affected by TCEs for access only
- 25 buildings entrances would be temporarily closed

Replacement with Couch Extension

The Couch Extension Alternative would require TCEs for 20 properties, 11 for accesses only. The non-access easements at the west bridgehead would be identical to the other Replacement Alternatives.

Construction of the Couch Extension Alternative would require 45 temporary access closures, which is more than the other alternatives, as well as seven permanent access closures from two properties at the east bridgehead. These permanent access closures would not result in any business displacements and the affected properties have already been identified as partial acquisitions.

Short-Term Construction Impacts Summary

- 9 properties affected by TCEs
- 11 additional properties affected by TCEs for access only
- 45 building entrances would be temporarily closed
- 7 permanent entrance closures

7.3.2 With Temporary Bridge

Enhanced Retrofit

Construction of the Retrofit Alternative with the Temporary Bridge would require TCEs from two additional property compared to the same alternative without the Temporary Bridge. The additional property is the Nemarnik Family Properties Parking Lot (Map ID 22) at the east bridgehead.

No additional property access closure would be required.

*Short-Term Construction Impacts with Temporary Bridge Summary**

* Impacts shared for all alternatives

- Two additional TCEs are needed, including the parcel including the Bill Naito Fountain within Tom McCall Waterfront Park.

Replacement, Short-span and Long-span

Temporary construction impacts for the Short-span and Long-span Alternatives, with a Temporary Bridge would be the same as for the Retrofit Alternative with one additional affected property. Like the Retrofit Alternative, the temporary closure of the Nemarnik Family Properties Parking Lot (Map ID 22) would be required.

For the Short-span and Long-span Alternatives, a Temporary Bridge would require physical damage to and closure of the Burnside Skatepark under the east bridgehead for the duration of construction. The Short-span and Long-span Alternatives without a Temporary Bridge would require periods of temporary closure but would physically maintain the skatepark during construction. The skatepark currently occupies public ROW; there are no ROW acquisition or relocation efforts required. It is assumed that use, closure, and/or restoration of the skatepark property would be handled via the City of Portland IGA.

Replacement with Couch Extension

The temporary construction impacts for the Couch Extension Alternative with a Temporary Bridge would have significantly more TCEs than the Retrofit, Short-span, and Long-span Alternatives.

7.3.3 Unique Short-Term ROW Components

This section describes unique short-term ROW components that are not covered in other sections of this report.

All Build Alternatives

- It is the County's intention to eliminate any potential closure of the PRM and avoid displacing PRM services, regardless of the alternative chosen. This can be accomplished with all alternatives except for the Retrofit Alternative. The Retrofit Alternative will block access into the building for 2-3 months thus closing PRM if an alternative access point cannot be determined and constructed, nor being temporarily relocated which the cost will be significant for such a short time frame.
- It is assumed that temporary use and restoration of TriMet's Skidmore Fountain MAX station under the west bridgehead will be handled via IGA and is not considered a ROW impact.
- There are parking lots on the City of Portland ROW under the bridge on both sides of the river that are being leased to adjacent property owners. These City lease agreements also include bridge maintenance clauses. Proper advanced notice and coordination of use by the contractor will be required for these parcels.

- Temporary use of ODOT’s I-5 and I-84 rights of way at the east bridgehead would be handled via a permitting process with ODOT. Associated ODOT personnel costs likely would be requested as compensation and have been included in estimated ROW costs per alternative. This agreement is included as a TCE in Table 2.
- The project also requires temporary use of UPRR property under the east bridgehead. An appraisal for temporary easement rights from UPRR likely would be required in conjunction with UPRR’s Right of Entry/Temporary Use of Railroad Property process.

7.4 Relocations

Table 5 presents anticipated relocations for each Build Alternative. The Retrofit Alternative will temporarily block the only access into the PRM. This impact will be for two to three months. Due to this impact, temporary relocation will be required unless alternative access can be determined and constructed. If a temporary location cannot be found, or should alternative access not be constructible, PRM may be required to close for the 2-3 month duration. This is a significant impact to the community. The temporary easement for the Temporary Bridge would result in one additional business relocation per Build Alternative. Businesses displaced by the Project would become eligible for relocation assistance per the Uniform Act. The Uniform Act ensures fair and equitable relocation and re-establishment of persons, businesses, farms, and nonprofit organizations displaced as a result of federal or federally assisted programs. Oregon state policy on relocations can be found in Chapter 8 of its Right of Way Manual. The January 2005 Code of Federal Regulations update is incorporated into the manual. The ODOT relocation brochures in Appendix A have been updated as of September 2014 and January 2015. The updates reflect increases to relocation benefits available to both residential and non-residential displacees.

Table 5. Displacements/Relocations by Alternative

Alternative	Residential	Non-Residential
Enhanced Retrofit (Temporary Relocation)	0	6 (1)
Replacement, Short-span	0	6
Replacement, Long-span	0	6
Replacement with Couch Extension	0	6
Additional with Temporary Bridge	+0	+1

7.4.1 Residential Relocation

There are no residential relocations anticipated with any alternative.

7.4.2 Non-Residential Relocation

The following are potential non-residential displacements across alternatives with the exception of the No-Build Alternative, which would not require relocations.

All Build Alternatives

- Portland Saturday Market (PSM) administrative office, storage, and market space (west - Map ID 3, 5, and 13): The PSM operates from three different parcels within the API. The close proximity of the PSM's administrative office (Map ID 5), storage space (Map ID 3), and weekend market space (Map ID 13) is key to maintaining operations of their organization. Therefore, due to the market's administration building being a proposed full acquisition across all Build Alternatives, the PSM is considered a permanent displacement.
- Diamond Parking Services parking lot (west – Map ID 8 and 9): Full acquisition
- University of Oregon Classroom/Retail Center under the bridge (west – Map ID 4): Bridge construction will require relocation of the Classroom/Retail Center.
- Pacific Coast Fruit Company (PCFC) (east – Map ID 16): Construction of the Couch Extension Alternative would require acquisition of the PCFC building and remaining parcel for long-term construction staging, requiring relocation of the business. The Retrofit, Short-span and Long-span Alternatives, though not directly affecting the PCFC parcel, would require relocation of the business due to an important portion of their operations being located within the Rose City Transportation building (Map ID 17) which is affected across all alternatives. PCFC shares a load-bearing wall with the Rose City Transportation building and utilizes portions of Rose City Transportation's building. The potential ability to retrofit any portion of the remaining building to continue to house PCFC long term would be looked at. The PCFC employs 300 full time employees.
- Rose City Transportation freight business (east – Map ID 17): Full acquisition
- American Medical Response (AMR) emergency transportation business (east - Map ID 18): Partial acquisition impacts AMR building requiring relocation of the business. AMR employs 339 full-time employees and 30 part-time employees. AMR houses 45-50 ambulances and personnel vehicles within their building, in addition to having a full bay for washing and cleaning inside and outside of vehicles. AMR also is the hub for SW WA and OR Communications Center for all emergency calls, 911 calls and dispatch calls.
- Under the Retrofit Alternative, the PRM will require temporary relocation due to a two to three month TCE for construction where their only access will be blocked.

Temporary Bridge

- Nemarnik Family commercial parking lot (east - Map ID 22): Temporary Easement for a Temporary Bridge would require displacement of the commercial parking lot leased to the PCFC.

With the recent trend of converting industrial space to more intensive uses such as mixed-use and commercial development within API east, the study area for industrial replacement sites likely will need to be expanded to other areas of Portland. For example, the AMR business will require a replacement site (or retrofit any portion of the remaining structure if possible) that is centrally located and up to seismic standards, which could be the biggest relocation challenge to meet existing code requirements.

Otherwise, there appears to be adequate replacement sites for the displacements within the Project area, and an appraisal will determine just compensation and business operation viability at remaining sites.

7.4.3 Personal Property Relocation

The following are potential personal property only displacements across alternatives with the exception of the No-Build Alternative, which would not require any relocations.

All Build Alternatives

- All Build Alternatives will require the relocation of one outdoor advertising sign located on top of the PSM administration building at the west bridgehead. The relocation benefits available to outdoor advertising sign owners are similar to those available to other displaced businesses with the exception of a reestablishment payment and/or a payment in lieu of moving expenses. With Section 46 of the recent House Bill 4059 legislation, there are modifications to methods by which an outdoor advertising sign is valued and acquired. These procedures are currently being established by ODOT and will be incorporated.
- There are 250 to 270 PSM vendors, some of which have inventory (personal property) stored in the market storage space under the west bridgehead, which may be eligible for personal property only move benefits. This determination will depend on research into current lease agreements at the time of the offer. Associated personnel and benefit costs are included in Section 8.
- The appraisal process will determine whether there are any other personal property items, within the acquisition areas, that could require relocation benefits. It is standard to pay for fixtures as part of the acquisition process and pay to move personal property as part of the relocation program.

8 ROW Cost Estimates

Acquisition and relocation ROW costs include land acquired in fee, permanent easements, TCEs, improvements within the acquisition area, damages/cost to cure, relocation benefits, personnel (project management staff, acquisition and relocation agents, appraisal and title review, etc.), legal, and contingency. These estimated costs are summarized per alternative in Table 6, except for No-Build, which would have no ROW costs. Due to unknown future market prices and inflation rates, all values are estimated in current dollar values, with adjustments made for the year of expenditure.

Table 6. Estimated ROW Costs

Alternative	Permanent ROW ^a	Temporary Easements	Damages	Relocation	Personnel & Title Reports	Legal & Contingency (30%)	Total
Enhanced Retrofit	Baseline	Baseline	Baseline	Baseline	Baseline	Baseline	Baseline

Table 6. Estimated ROW Costs

Alternative	Permanent ROW ^a	Temporary Easements	Damages	Relocation	Personnel & Title Reports	Legal & Contingency (30%)	Total
Replacement, Short-span	+0.1%	+19%	+2%	+0%	+9%	+5%	+5%
Replacement, Long-span	-0.5%	+19%	+2%	+0%	+9%	+5%	+5%
Replacement with Couch Extension	+33%	+9%	+14%	+0%	+16%	+26%	+26%
Additional with Temporary Bridge	+0%	+4%	+4%	+4%	+3%	+1%	+1%

^a For this level of analysis, building improvements are included in permanent land values

9 ROW Process and Schedule

ROW acquisition will be coordinated with the construction schedule in order to provide the contractor access to the parcels for construction as needed for construction activities. Once acquisition needs are determined and unlikely to change (generally at 60 percent design), legal descriptions and parcel maps of the proposed acquisition areas are developed. The County will present the proposed acquisitions to their board for approval of a Resolution of Necessity that will authorize federal funding for the ROW phase. Once authorized, the appraisal and acquisition process may commence via state and federal guidelines. Following the Uniform Act, once the Board approves the Resolution, General Information Notices will be immediately mailed to all impacted property owners and tenants and preliminary title reports will be ordered. Actual ROW impacts, just compensation, and relocation benefits for affected individuals will be determined in accordance with the ODOT Right of Way Manual and 49 CFR Part 24 – Uniform Act. Once appraisals are completed and reviewed and offers of just compensation presented, private property owners have a minimum of 40 days to consider their offer. If the 40 days pass and efforts to reach a negotiated settlement come to an impasse, the County has the option of exercising eminent domain to take possession of any property rights that were not settled within statutory timeframes, if needed. ROW acquisition and relocation takes 12 to 18 months from the date legal descriptions are finalized to the date of ROW certification. The acquisition process and schedule is the same for all Build Alternatives, with or without a Temporary Bridge.

10 Conclusion

The No-Build Alternative would not require any ROW acquisitions or relocations and therefore would not have any property impacts.

All Build Alternatives would require the acquisition of ROW and there are potential non-residential and personal property only relocations. The Retrofit Alternative would require the fewest acquisitions and is estimated to have the lowest ROW costs of the Build Alternatives. Acquisitions required for the Short-span and Long-span Alternatives would be comparable to the Retrofit Alternative with one additional partial acquisition. The Couch Extension Alternative would require the greatest number of property acquisitions with the highest estimated ROW costs. All four Build Alternatives would require the same relocations.

ROW Impact Summary

- The Retrofit Alternative requires the fewest ROW acquisitions (21 total) and lowest estimated ROW costs.
- The Short-span and Long-span Alternatives would require four additional property acquisitions (25 total) over the Retrofit Alternative. Total estimated ROW cost for the Replacement Alternatives is approximately 5 percent greater than the Retrofit Alternative.
- The Couch Extension Alternative requires the highest number of ROW acquisitions (30 total) with more TCEs, permanent easements, and fee acquisitions than the other Build Alternatives. Total estimated ROW cost for the Couch Extension Alternative is approximately 26 percent greater than the Retrofit Alternative.
- The following businesses are potentially displaced by all alternatives: PSM, Diamond Parking Services, University of Oregon classroom, Rose City Transportation, AMR, and PCFC.
- The Nemarnik Family Properties parking lot would be temporarily displaced by a Temporary Bridge with all the Build Alternatives.

11 Mitigation Measures

Following are potential mitigation measures to reduce ROW impacts across all Build Alternatives:

- Coordination with design and construction to identify opportunities to remove or reduce property impacts through design refinements.
- Coordination with Multnomah County and the City of Portland to identify potential relocation sites for displaced businesses.
- The ROW acquisition and relocation process will comply with the Uniform Act, in cooperation with the Federal Highway Administration. (See Appendix A for a summary of the ODOT processes that are being used as a model for this Project).
- The ROW acquisition and relocation process will comply with Title 23 Code of Federal Regulations Part 710 (23 CFR 710), the Right-of-Way and Real Estate Regulations for Federal and Federally Assisted Programs, Final Rule and Notice, issued by the U.S. Department of Transportation.

12 Preparers

Name	Professional Affiliation	Education	Years of Experience
Hannah Halpenny	HDR, Inc.	Bachelor of Art in Economics	6
Leigh Enger	HDR, Inc.	SR/WA	20
Josh Ahmann	Parametrix	Master of Urban and Regional Planning	15
Pat Thayer	HDR, Inc.	SR/WA	39

13 References

City of Portland

- 2018 Chapter 33.266 Parking, Loading, Transportation and Parking Demand Management

Multnomah County

- 2021a EQRB Acquisitions and Displacements Technical Report. <https://multco.us/earthquake-ready-burnside-bridge/project-library>.
- 2021b EQRB Description of Alternatives Report. <https://multco.us/earthquake-ready-burnside-bridge/project-library>.
- 2021c EQRB Land Use Technical Report. <https://multco.us/earthquake-ready-burnside-bridge/project-library>.

Oregon Department of Transportation

- 2018 ODOT Right of Way Manual. <https://www.oregon.gov/ODOT/ROW/Documents/ROW-Manual.pdf>.

Seventy-Ninth Oregon Legislative Assembly

- 2018 House Amendments to House Bill 4059; Section 46. <https://olis.leg.state.or.us/liz/2018R1/Downloads/MeasureDocument/HB4059/House%20Amendments%20to%20Introduced>.

Appendix A. ODOT Relocation Brochures

■ Possession

No person lawfully occupying real property shall be required to move from his home, farm, or business location without at least 90 days' written notice. A displaced residential occupant will not be required to move earlier than 90 days after the date comparable replacement housing is made available.

The displacee will again be notified 30 or more days prior to the date the property must be vacated. The 30-day notice will not be given until the property owner has been paid for his or her property. However, if a purchase does not require the person to move, the agreement to purchase the property may require the person to surrender possession of his or her property upon payment.

■ Appeals

Any person who is dissatisfied with a determination of his or her eligibility or claim for any relocation benefit payment shall have the right of appeal. Any person making such an appeal will be given a choice of appealing for an optional reconsideration conference or for an administrative hearing. A reconsideration conference is an optional process to afford a displacee an opportunity to present additional relevant information that may not have been considered by the department or to correct factual errors and for the Department to reconsider the claim with the new or corrected information. An administrative hearing is a formal hearing process conducted by the Office of Administrative Hearings according to the Administrative Procedures Act, ORS 183.310 to 183.550. Either type of **appeal must be filed within 60 days of relocation benefit or claim determination**, and must be submitted on Form 734-3623 which is available from the Right of Way Agent assigned to the file.

■ Right of Way Agent

Relocates will be given information regarding their eligibility and possible benefits by the Right of Way Agent assigned to acquire the property.

General Summary of Relocation Benefits			
Residential		Business, Farm, Non-Profit	
Owner-occupant of 90 days or more prior to initiation of negotiations for the parcel		Owner-occupants and tenant-occupants entitled to the same benefits	
May be eligible for:		May be eligible for:	
Replacement Housing Differential Payment	\$31,000	Actual reasonable moving costs	Actual
Including Costs incidental to purchase or replacement dwelling		Or Negotiated moving costs payment not to exceed lower of two estimates secured by agency	No more than lowest estimate
And including: Increased interest cost on replacement dwelling		Plus Tangible personal property loss due to relocation	Actual value or estimated costs to move, whichever is lower
Or Rent Supplement	\$7,200		
All displacees may be eligible for:			
Actual reasonable moving costs	Actual	Plus Reasonable cost of search for new site	\$2,500 max.
And Storage of personal property up to twelve months with prior approval	Actual	Plus Storage of personal property for up to twelve months with prior approval	Actual
Or Moving costs based upon schedule		Plus Reestablishment expenses at the replacement site	\$25,000 max.
		Or Fixed payment in lieu of all other benefits; requires approval of agency	Average of annual net earnings for two years prior to year of relocation of \$1,000 min., \$40,000 max.



Moving Because of Highway or Public Projects?

A description of the Oregon Department of Transportation Relocation Assistance Program

Department of Transportation policy requires that no family or individual will be required to vacate any dwelling until such displacee has found or has been offered comparable replacement housing.

All replacement housing offered will be fair housing open to all persons regardless of race, color, religion, sex, or national origin.

Relocation payments and relocation advisory services, pursuant to State and Federal law, may not be provided to an alien unless the alien is lawfully present in the United States, except in cases of exceptional or extreme hardship. Displacees will be asked to sign a "Certification of Legal Residency in the United States."

Relocation legislation, because of its wide scope, is somewhat complicated and difficult to read and interpret. For the benefit of those who are affected by the Department of Transportation property acquisitions, this brochure summarizes the principal provisions of relocation services and benefits. However, persons reading this brochure are urged not to form advance opinions as to the benefits and amounts to which they may be entitled. The Right of Way Agent assigned to purchase property will have detailed information for displaced persons.

No relocation payment received by a displaced person under this part shall be considered as income for the purpose of the Internal Revenue code of 1954, which has been redesignated as the Internal Revenue Code of 1986 or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law, except for any Federal law providing low-income housing assistance.

■ Relocation Services

The Department of Transportation maintains Regional Right of Way offices in the following locations:

Region 1 123 N.W. Flanders St. Portland, OR 97209 (503) 731-8200 (888) 769-7341	(888) 769-7343
Region 2 455 Airport Rd SE, Bldg. A Salem, OR 97301 (503) 986-2601 (888) 769-7342	Region 4 63055 N. Hwy 97, Bldg. M Bend, OR 97701 (541) 388-6196 (888) 769-7344
Region 3 3500 Stewart Pkwy., Ste. 164 Roseburg, OR 97470 (541) 957-3559	Region 5 3012 Island Ave. La Grande, OR 97850 (541) 963-7552 (877) 851-9091

These offices maintain current lists of replacement dwellings, businesses, and farms for displaced persons, as well as current data regarding required deposits for utilities, closing costs, typical down payments, interest rates, and FHWA and VA requirements and information. The offices also have maps showing the location of schools, parks, playgrounds, and shopping areas. Public transportation routes are shown, and schedules and fare information are available. Experienced Right of Way Agents are available to aid displaced persons to the fullest extent. Right of Way Agents do not expect and will not accept any fee for any service rendered.

■ Eligibility

It is important to note that eligibility for any of the following benefits is not established until you have received a written notice of eligibility from the State.

■ General Moving Expenses

Service charges for reconnecting utilities are reimbursable except under schedule move procedures.

■ Individual and Family Moving Expenses

Any individual or family displaced by a Department of Transportation project is entitled to receive a payment for actual and reasonable expenses for moving personal property a distance not to exceed a 50-mile radius or to the nearest available and adequate site.

In order to obtain a moving expense payment, a displaced person must file, within 18 months after displacement, a written claim with the Department of Transportation on a form provided for that purpose. In some cases, a written arrangement with the Department of Transportation will allow the displaced person to present an unpaid commercial moving bill, and the Department of Transportation will make payment directly to the mover. If the residential displacee chooses, costs may be reimbursed according to set schedule based upon the number of rooms of furniture to be moved.

■ Residential Moving Schedule

Unfurnished (Relocatee owns furniture)	
\$600 (1 room)	\$800 (2 rooms)
\$1,000 (3 rooms)	\$1,200 (4 rooms)
\$1,400 (5 rms)	\$1,600 (6 rms) \$1,800 (7 rms) \$2,000 (8 rms)
Plus \$200 for each additional room	

Furnished (Relocatee does not own furniture)

\$350 for first room plus \$100 for each added room

■ Re-establishment Payment (Businesses, farms, non-profit organizations only)

Displaced small businesses, farm operations, and non-profit organizations may receive a payment not to exceed \$25,000 for expenses actually incurred to relocate and re-establish themselves at a replacement site. Eligible expenses can include repairs and improvements required by law, replacement of soiled and worn surfaces at the replacement site and other modifications, exterior signing, advertisement of the replacement location, and estimated increased cost of operation of the first two years.

■ Business, Farm and Non-Profit Organization Moving Expenses

Displaced businesses, farm operations, and non profit organizations are entitled to receive actual reasonable moving expenses for moving personal property a distance not to exceed a 50-mile radius or to the nearest available and adequate site. The actual and reasonable cost of searching for a replacement location may be claimed in an amount up to \$2,500 for a farm, non-profit organization, or business. Such payments must be supported by receipted bills or other evidence of expenses incurred.

As an alternate moving expense procedure, in the case of a self-move, the business, farm operation, or non-profit organization may be paid an amount not to exceed the lower of two estimates secured by the Department of Transportation from qualified moving companies.

Under certain conditions, businesses, farms, and non-profit organizations may receive payments for direct losses of tangible personal property resulting from the necessity to relocate.

A displaced or discontinued business, non profit organization or farm operation, except advertising sign owners, may, under certain conditions, elect to receive a fixed payment in an amount equal to the average annual net earnings of the business or farm preceding the year in which such business or farm operation during the two tax years immediately preceding the year in which such business or farm operation is displaced. The payment cannot exceed \$40,000 and will not be less than \$1,000. Those who choose the fixed payment are not eligible for any other relocation benefit payment.

■ Storage of Personal Property

Storage of personal property requires the written approval of the Department of Transportation and may not exceed twelve (12) months except in unusual circumstances. It should be clearly understood that those dislocatees who accept the scheduled move or fixed payment are not eligible to receive the storage expense benefit.

■ Replacement Housing

A displaced owner-occupant of a dwelling owned and occupied for 90 days or more immediately prior to the initiation of negotiations for such property may be eligible for additional payments, the combined total of which may not exceed \$31,000. The replacement housing payment is the amount, if any, which when

added to the amount for which the State acquired his or her dwelling, equals the actual cost which the owner is required to pay for a decent, safe, and sanitary replacement dwelling or the amount determined by the State as necessary to purchase a comparable dwelling, whichever is less. This payment includes compensation for increased interest costs for financing the replacement dwelling and actual closing costs incidental to the purchase of replacement housing.

The rent payment is the increase in rent necessary to rent a comparable dwelling for 42 months or the amount determined by the State as necessary to rent a comparable dwelling for 42 months, whichever is less. To be eligible for these benefits, the displaced occupant must purchase or rent and occupy a decent, safe, and sanitary replacement dwelling within one year after the required date of displacement or within one year after the actual date of displacement, whichever is later.

Claims for replacement housing differential payment and rent supplements must be made in writing on a Department of Transportation form supplied for this purpose and must be filed with the Department of Transportation no later than 18 months after the date of displacement.

Before payments for any replacement dwelling benefits can be made, the replacement dwelling must be checked by Department of Transportation personnel to ascertain that it meets the decent, safe, and sanitary standards established by the Federal Department of Transportation. It is recommended that this determination be made prior to a commitment to rent or buy. The decent, safe, and sanitary inspection of the replacement dwelling by agency personnel is for the sole purpose of determining a relocatee's eligibility for a relocation payment.

▪ Payment

If you sign a deed and any accompanying agreements, and the Transportation Commission approves it, then the transfer of title and payment may proceed. As in a private sale, you are responsible for clearing encumbrances to the title such as unpaid taxes, assessments, mortgages, outstanding leases and other liens against your property. The Right of Way Agent will assist you in clearing title. No payment can be made until a warranty deed conveying clear title to the Department has been recorded in the appropriate county records.

At the time the deed is available for recording, authorization is given to prepare a check for your property. Normally, when no cloud obscures the title, you will receive payment for your property about three weeks after you give the Department a deed to the property.

If the condemnation action has been filed, the amount established by the Department as Just Compensation will be deposited with the court for distribution in accordance with the order of the court.

You are entitled to be reimbursed for fair and reasonable costs you incur for expenses incidental to conveying your property to the Department. Such expenses could be, but are not necessarily limited to, penalty costs for prepayment of any pre-existing recorded mortgage encumbering your property, mortgage release fees, and the State's portion of real property taxes.

▪ Possession

You are not required to surrender possession of your property until you have been paid the agreed purchase price or an amount equal to the Department's established estimate of just compensation has been deposited with the court for your benefit.

When negotiations begin, you, as well as any tenants occupying your property, will be notified in writing that it is the Department's intent to acquire the property. You will not be required to move from your home, farm, or business location earlier than 90 days following that notice or within 30 days after payment, whichever is later. However, if the purchase does not require you to move, the agreement to purchase your property may require you to surrender possession of your property upon payment.

The Department is aware of the need for a reasonable time for relocation. If your property is not needed for several months, your continued occupancy may be permitted on a short-term basis. The amount of rent the Department may charge you, or another tenant, may not exceed the fair rental value of the property to a short-term occupant.

▪ Right of Way Offices

For your convenience the Department maintains Regional Right of Way Offices in the following locations:

Region 1 – Portland

123 NW Flanders
Portland, OR 97209
Voice: 503-731-8200
Fax: 503-731-8458
Toll Free: 888-769-7341

Region 2 – Salem

455 Airport Road SE Bldg. A
Salem, OR 97301-5397
Voice: 503-986-2601
Fax: 503-986-2622
Toll Free: 888-769-7342

Region 3 – Roseburg

3500 Stewart Parkway Suite 164
Roseburg, OR 97470
Voice: 541-957-3559
Fax: 541-957-3563
Toll Free: 888-769-7343

Region 4 – Bend

63055 N Highway 97 Bldg. M
Bend, OR 97701-9901
Voice: 541-388-6196
Fax: 541-388-6381
Toll Free: 888-769-7344

Region 5 – LaGrande

3012 Island Avenue
LaGrande, OR 97850
Voice: 541-963-7552
Fax: 541-962-9819
Toll Free: 877-851-9097



Oregon Department of Transportation

Acquiring Land for Highways & Public Projects

A description of the
Department of Transportation
Land Acquisition Program



When improving highway facilities, the Department of Transportation has the task of acquiring right of way. It is the aim and desire of the Department to obtain right of way with fairness and equity.

The State is empowered to acquire private property for public use. With this power goes the obligation to protect the rights of the individual property owner. The Department thus has a dual responsibility. It is to recognize and protect the individuals who are affected by acquisition of land, as well as competent and efficient service to the public.

▪ **Public Hearings**

Public hearings, when required, are held during the location and design stages of a project. Such hearings provide opportunities for public participation to ensure that highway locations and designs are consistent with Federal, State and Local goals and objectives.

The corridor hearing is held after preliminary studies have been made on several possible routes. During the course of this hearing, testimony is recorded for study by Department personnel and the Transportation Commission.

Upon selection of a corridor, a detailed survey within that corridor is made and a preliminary design plan developed for presentation at a “Design Hearing”.

The “Design Hearing” provides an opportunity to present testimony about the final highway design.

In an instance where a choice of corridors is not involved, such as the case of an improvement to an existing highway, a single “Combination Corridor-Design Hearing” may be held.

After all data and testimony has been studied, a final design is adopted by the Transportation Commission and the acquisition of rights of way is authorized.

▪ **Just Compensation**

Owners of property needed for a highway project will be offered Just Compensation for the required rights of way. Just Compensation includes the estimated value of all the land and improvements within the needed area. In addition, if only a part of a property is to be acquired, Just Compensation will also include any measurable loss in value to the remaining property due to the partial acquisition.

Just Compensation is based on the Department’s valuation of the needed property and its estimation of any damages to the remaining property. Department procedures, guided by Federal Regulations, have been designed to protect both owners of properties needed for highway rights of way as well as other taxpayers. The valuation process will be conducted either by an experienced and qualified employee of the Department or by an independent fee appraiser under a contract with the Department. The value arrived at will be by comparison of similar properties in the market that have recently sold, by knowledge and consideration of costs and depreciation for any improvement(s) to be acquired, and when applicable, by the property’s income potential. The final value determination will be based on this type of information from the local real estate market.

The property to be acquired is inspected by a qualified appraiser during the first part of the valuation process. With complex acquisitions involving large portions of the property, major buildings or improvements on the property, displacement of residents, and/or damages to the remaining part of the property not being acquired, property owners will be given 15 days to prepare the property, and will be given the opportunity to

accompany the appraiser during a detailed inspection of their property.

Any increase or decrease in the value of needed property brought about by public knowledge of the upcoming highway project, is disregarded in the valuation process.

The final value estimate is reviewed for completeness and accuracy, and Just Compensation is established by the Department’s Review Appraiser. In addition to this estimate of Just Compensation, the Department will make an offer to purchase any remaining property determined to have no remaining economic value to the owner.

▪ **Acquisition Procedure**

The Right of Way Agent who calls on you has studied the Department’s valuation of the needed property and can illustrate with maps and other data how the acquisition will affect your property. The Department’s offer will be confirmed in writing, together with an acquisition summary statement, and an appraisal, or evaluation sheet, which provides the basis for that amount. The Agent is authorized to obtain a deed from you to purchase your property, subject to the approval of the Transportation Commission. The Agent is unable, under Department procedures governing acquisitions, to engage in “horse trading”; rather the Agent is confined to those monetary values indicated by the appraisal process.

However, the Department is ready and willing to reconsider its position in light of any new evidence of value presented by you including a documented professional appraisal.

The Department may not take any action which would coerce you into accepting its offer. Prohibited actions include advancing the time of condemnation, deferring negotiations or condemnation or

postponing the deposit of funds in court for your use.

You need not accept the State’s offer or enter an agreement felt to be unfair. Owners have a minimum 40-day period to accept or reject the offer, unless an emergency has been declared. A refusal is simply a case of disagreement between the two parties on the value of the property.

In the event the parties are still unable to agree as to the compensation to be paid, or you cannot clear the title, mediation of differences between parties, conducted by an independent mediator, can be arranged by the Department in order to reach settlement prior to filing any condemnation action.

In the event parties are still unable to agree as to compensation to be paid, or if title cannot be cleared, a condemnation action will be filed. Once condemnation is filed, a trial date will be determined.

Discussions and mediation can, of course, continue even after a condemnation action is filed in an effort to resolve differences. The filing allows the State to proceed with the construction project.

▪ **Improvements**

When the Department acquires an interest in your land, it must acquire an equal interest in your house or any other improvements located on the land acquired. If buildings are required to be removed, the Department may allow the owner to retain the improvements. If you are interested, this can be discussed with the Right of Way Agent.