

EXHIBIT D

Email from Oregon Department of Transportation, dated April 28, 2010

From: KEVLIN Ross P [mailto:Ross.P.KEVLIN@odot.state.or.us]
Sent: Wednesday, April 28, 2010 3:42 PM
To: Duke, Courtney; RAHMAN Lidwien
Subject: RE: NW Remand

Hi, Courtney --

Here's the e-mail Lidwien sent the city in February, '09 discussing ODOT's response to the remand:

This message is to convey ODOT 's position with regard to the City's efforts to respond to the remand of the North West District Plan (NWDP).

ODOT has received the requested documentation of the methodology and assumptions used for estimating a "reasonable worst case" of households and employment both before and after, i.e. without and with the NWDP Comprehensive Plan and Zoning amendments. While we do not recommend using a Metroscope derived "market factor" for estimating a reasonable worst case of population and employment in the future, we did not object to this method in the course of earlier communications regarding this and previous City legislative plan amendments, therefore we accept the methodology and associated documentation in this case.

Based on the numbers, the NWDP amendments constitute a net reduction in households and employment. hence, there is no significant impact on the planned function and performance of the State facility, I-405, and therefore Transportation Planning Rule OAR 660-012-0060, section -060 does not apply. ODOT does not have a position on potential significant affects to the planned capacity or function of City transportation facilities.

Because there is no significant impact on our facility as defined by the Rule, we are not commenting on the traffic analysis that was prepared by the City. We did note that there are some questions about the geometry assumed in the analysis, which may lead to a miscalculation of certain traffic movements.

We look forward to working with the City of Portland to further establish parameters, clarify expectations, and identify communication protocols for future City of Portland plan amendments.

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