



April 21, 2023

Mandy Putney
ODOT Urban Mobility Office
18277 SW Boones Ferry Road
Tualatin, OR 97224

Subject: I-205 Toll Project Public Comments

Dear Ms. Putney:

Thank you for the opportunity to review and comment on the I-205 Toll Project Environmental Assessment (EA). In general, Metro supports the concept of tolling, and we wish to see the I-205 toll project succeed. Metro's Regional Congestion Pricing Study found that tolling, when done right, can manage congestion while helping to meet our region's goals on climate, equity, and safety. However, both Metro Council and staff have concerns about whether this project can be successful as it is described in the EA.

This letter summarizes Metro staff's technical review of the EA and related appendices. Some of these concerns have been shared previously. But because Metro staff was not provided the opportunity to comprehensively review the EA prior to the public comment period, including the identified impacts and proposed mitigations, many of the comments provided in this letter reflect new concerns identified through our review of the public comment document.

In addition to detailed comments beginning on page three, below are general comments on the EA:

- The project's purpose, need, and goals do not adequately address state law¹ and state policy² that tolling projects should manage congestion on and address impacts to adjacent, connected or parallel highways to the tollways, in addition to the tollways themselves.
- The EA fails to describe the impacts of the project, particularly those related to transportation, in a clear, consistent, and easily understood format.
- The EA provides for insufficient mitigation to address the impacts caused by the project.
- The EA does not consider the implications of the likely implementation of the Regional Mobility Pricing Project (RMPP). While the RMPP was not identified in the 2018 Regional Transportation Plan (RTP), that project is now undergoing its own Environmental Review, has been submitted into the 2023 RTP Call for Projects, and tolling is expected to begin in 2025. For these reasons, we believe the RMPP is a reasonably foreseeable project, and should be incorporated into the I-205 Toll Project EA.
- The project as described in the EA and the analysis in the EA is not in alignment with commitments made by ODOT to Metro and the Joint Policy Advisory Committee on Transportation (JPACT) in the attached Letter of Agreement, dated April 25, 2022. Specific to issues relevant to the EA:

¹ ORS 383.150

² Oregon Highway Plan, Goal 6

- ODOT committed that its Low-Income Toll Report would inform the NEPA process; however, the analysis within the EA does not include any consideration of equitable income-based toll strategies as part of the build alternative. Rather, the findings from the Low-Income Toll Report are identified only as potential mitigation measures for Environmental Justice impacts. The project should include assumptions around the low-income toll report as part of the build alternative; this would likely result in a reduction in diversion to local roadways as discounts or exemptions could encourage low-income drivers to remain on I-205.
- ODOT also committed to fund projects that address diversion impacts. In addition to not identifying sufficient mitigation for diversion impacts as noted above, the EA is unclear as to whether the diversion mitigations identified would be funded by ODOT. In particular, we are concerned about language such as "coordinate with" and "contribute to" in the mitigations section of the EA.

Given the scale of identified changes that are needed in this analysis and the likelihood of changes to identified impacts and mitigations, we request additional outreach with participating agencies, as well as additional public engagement, prior to publication of a revised or final EA and Finding of No Significant Impact. We welcome the opportunity to work closely with ODOT staff and leadership to address these concerns to ensure the success of this project and of tolling in our region.

If you have any questions or would like to discuss our comments in more detail, please contact Alex Oreschak at alex.oreschak@oregonmetro.gov.

Sincerely,



Margi Bradway
Deputy Director
Planning, Research, and Development

cc: Metro Councilors

Below are Metro staff's detailed comments on the I-205 Toll Project Draft Environmental Assessment.

Chapter 1:

Page 1-1: It is unclear what the project is defining as an "urban area" in figures throughout the document (beginning with Figure 1-1). The areas shown are not consistent with the Urban Growth Boundary. The figures should be updated to reflect the Urban Growth Boundary or more information should be provided on how "urban areas" are defined.

Page 1-2: Discussion of HB 3055 in the second paragraph should identify that HB 3055 included language allowing for tolls to address traffic congestion and safety "not only on the tollway but also on adjacent, connected or parallel highways to the tollways, regardless of ownership," as well as to reduce impacts of diversion as a result of a tollway project.

Page 1-2: This section should also include context around the OHP amendments to Goal 6, passed by the OTC in January 2023.

Page 1-4: Does ODOT have more recent traffic data to share on congestion (i.e. post-COVID data)? Changes from 2015 to 2017, and traffic counts from 2018, seem outdated and not the most useful in this context.

Page 1-7: Amend to read: Goal: Support safe travel regardless of mode of transportation, ***not only on the tollway but also on adjacent, connected or parallel highways to the tollways.***

Page 1-7: Amend to read: Goal: Support management of congestion and travel demand, ***not only on the tollway but also on adjacent, connected or parallel highways to the tollways.***

Chapter 2:

Page 2-2: Figure 2-1 appears to show a different lane configuration for the Abernethy Bridge in the build alternative compared to the no-build alternative, with an additional auxiliary lane between OR-43 and OR-99E. However, this is not identified in blue as part of the build alternative lane configuration and is inconsistent with the description of the no-build alternative in Section 2.1.1. Please clarify if this auxiliary lane is part of the no build alternative or the build alternative.

Page 2-5: The EA includes a sensitivity analysis examining the effects of a higher toll rate for medium and heavy trucks. Given the likelihood of a low-income toll program being implemented in Oregon, and previous commitments from ODOT in the Letter of Agreement Clarifying Commitments between Metro and the Oregon Department of Transportation dated April 25, 2022, to establish and implement equitable income-based toll strategies before a toll is assessed, ODOT should include low-income toll program assumptions as part of the EA, or at the very least provide a similar sensitivity analysis regarding the effects of low-income discounts or exemptions on diversion and traffic volumes.

- From the Letter of Agreement: ***Center Equity in our Process and Outcomes.*** ODOT will continue to use the Oregon Toll Program's Equity Framework and support the recommendations from the Equity Mobility Advisory Committee (EMAC) to guide the I-205 Toll Project. Before a toll is assessed, the Project will establish and implement equitable income-based toll strategies as described in HB 3055 Section 162 (2021). A Low Income Toll Report will inform the NEPA process and be submitted to the Oregon legislature in Fall 2022.

- The I-205 Toll Project’s Level 2 Toll Traffic and Revenue Study Report did identify such a scenario as a “sensitivity test” though very minimal information was provided in that report. That report identified potentially substantial changes in traffic volumes resulting from testing different scenarios such as a low-income toll program, but the findings shared in Table 2-6 of that report only focus on I-205 volumes, not on impacts to local streets. For example, it showed that a low toll rate could result in a 16% increase in I-205 traffic volumes, while a high toll rate could result in a 15% decrease in I-205 traffic volumes. But it is not clear how these and the other tested scenarios would impact the local roads most impacted by projected diversion. If a low toll increased I-205 traffic volumes by 16%, it would stand to reason that diversion on local streets would fall, at least to some extent, as traffic returns to I-205. The environmental assessment should include analysis of both a lower toll for all drivers and of a low-income toll program to assess the changes to impacts from diversion on local streets.

General Comments on Chapter 3, Section 3.1 Transportation and Appendix C:

- Overall, the transportation analysis in Chapter 3 and Appendix C includes traffic analysis that is presented in an inconsistent and/or confusing manner from one table or figure to the next, making a comprehensive review of the analysis and its findings challenging.
- The threshold at which an impact is significant and must be mitigated should be clarified. There appear to be several impacts that involve substantial increases in traffic volumes on local streets where no mitigation is proposed, or proposed mitigations may be insufficient. For example, daily traffic volumes on the Oregon City Arch Bridge are expected to increase by 40% to 50%, yet no mitigation is proposed to address these volume increases. It is difficult to understand how the project could have a Finding of No Significant Impact given the inconsistent and incomplete analysis of impacts and the fact that there are so many unmitigated impacts in multiple locations within the API.
- Additionally, given the many identified impacts that include no identified mitigation, or insufficient mitigations, it appears that the project may not successfully be meeting its stated purpose of managing congestion or its goals of limiting traffic diversion, supporting safe travel, and supporting management of congestion and travel demand, particularly when it comes to minimizing impacts to adjacent local roadways. As noted above, the project should analyze the effects of lower toll rates in the project area to determine how or if lower toll rates would affect traffic volumes and diversion and better meet the project’s stated purpose and need.
- VMT or daily volumes should be used on adjacent, parallel or nearby roadways (as defined by HB 3055) for identifying impacts requiring mitigation. There are a number of locations where daily or peak volumes are expected to increase by over 20% (and in some cases up to or beyond 100%), yet no traffic mitigation is proposed at these locations. Examples include SW Borland Rd east of Stafford Road, Willamette Falls Drive, and the Downtown Oregon City screenline.
- Some of these trip increases seem like they could fully overload the identified street segments and cause further diversion into neighborhood streets or other areas. Examples include the 90% to 100% increase in traffic on Willamette Falls Drive or 100%+ increase at the 19th St / Ostman Rd. screenline shown in Figure 5-9, or the 40% to 50% increase on the Oregon City Arch Bridge in Appendix C Figure 5-11.

- The amendments to Goal 6 of the Oregon Highway Plan that were approved by the OTC in January 2023 identified a threshold for mitigation analysis of a volume to capacity ratio (V/C) increase of 0.05 and an overall V/C greater than 0.7 in the build scenario. The analysis in Appendix C does not appear to be using these thresholds. Instead a mobility standard has been identified for each intersection that differs on a case-by-case basis. Thus, for example, while the 10th Street and Willamette Falls drive intersection sees a V/C increase of 0.15, from a 0.67 V/C to a 0.82 V/C, it does not appear to be identified as an impact that needs to be mitigated.
- We also recommend that ODOT apply the regional mobility policy within the defined corridor to identify where congestion needs to be managed.
- The EA fails to fully describe the impacts of the project on safety, especially regarding fatal and life changing injuries on streets within the project area.
- The EA provides for insufficient mitigation to rectify the increase in fatal and serious crashes on streets within the project area. To reduce risk, a systemic approach to safety for all users (as opposed to the hotspot approach used in the EA) should be applied throughout the area. Lighting, medians, pedestrian crossings, leading pedestrian intervals, separated bikeways, traffic calming, and other proven countermeasures should be implemented systemically throughout the area as part of the project.
- While the EA mentions health a few times, the EA does not provide specifics related to health impacts, including those that may result from an increase in serious traffic crashes within the project area. Due to the issues related to diversion analysis noted above, the EA likely underestimates the health impacts from increased diversion. The EA should include a Health Impact Assessment (HIA) to accurately demonstrate the health impacts of the different scenarios and identify appropriate mitigation using an upstream public health approach.
- In cases where monitoring of impacts is proposed, it is unclear what the process or outcomes of that monitoring will be, or who will review the data. How will data be shared with local partners? How will it be used to identify impacts requiring mitigation, and who will make those decisions? Who will pay for that mitigation? Will it be ODOT, or will local partners be asked to pay for it? The monitoring process needs to be more clearly defined to ensure that future unanticipated impacts will be mitigated and that local agencies will have a substantive role in the process.

Chapter 3:

Page 3-45: Please include information regarding the Portland metropolitan region's non-attainment designation for the ozone standard and the subsequent revocation of the standard. The Portland region has obligations to an ozone State Implementation Plan (SIP), which includes transportation strategies the region is committed to in the SIP to address ozone pollution.

Page 3-47: HB 2007 included provisions which require transportation projects over a certain cost threshold to include clean construction equipment as part of the construction activity (OAR 731-005-0800). These requirements should be noted in Section 3.2 Air Quality and Appendix D.

Page 3-54: Table 3-28 Annual VMT figure seems to be inconsistent with traffic analysis elsewhere in the report. Table 3-28 shows an annual VMT reduction between 2045 No Build and 2045 Build of 5%. However, Table 5-4 in Appendix C shows a daily regional VMT reduction between 2045 No Build

and 2045 Build of only 0.2%. The inconsistency between the two analyses should be corrected or clarified.

Page 3-91: The Travel Time Scenarios analysis does not indicate that any of the analyzed trips would see an increase in travel times on toll-free routes with the Build Alternative. However, in Section 3.1 and Appendix C, trips on many toll-free routes are anticipated to see increased travel times in the Build Alternative compared to the No-Build Alternative. Additionally, in reviewing Tables E-4 to E-19 in Appendix J, Attachment E, travel times for toll-free trips are expected to increase in 3 of the 16 scenarios in the build alternative in 2045. Some of the other trips are shown to use the Oregon City Arch Bridge, which is anticipated to see traffic volume increases of 40% to 50% in the Build Alternative as well as travel time increases of up to 3.2 minutes in the PM peak period. It also seems unlikely that transit trips traversing downtown Oregon City and McLoughlin Boulevard would not see increases in travel times given the analysis in Section 3.1 and Appendix C.

Page 3-98 to 3-100: The proposed mitigation for increased transportation costs for low-income drivers does not commit to any specific discounts or exemptions for low-income drivers or identify the extent to which the proposed mitigation would address the identified impact. It only commits to the Oregon Transportation Commission considering options for a low-income toll program. The lack of specific committed mitigations for this impact means that the EA should not make a determination that the build alternative would not result in disproportionately high and adverse effects on any low-income populations or minority populations in accordance with the provisions of EO 12898 and the FHWA guidance memorandum on Environmental Justice and NEPA.

Page 3-98: Table 3-41 identifies impacts to the I-5 southbound ramps and Nyberg Street intersection in Tualatin and the OR 99E and Ivy Street intersection in Canby as disproportionately impacting areas with a greater percentage of environmental justice populations than the county as a whole. However, the proposed traffic mitigation for I-5 southbound ramps and Nyberg Street intersection only identifies monitoring traffic volumes to determine if mitigation is warranted, and the proposed traffic mitigation for OR 99E and Ivy Street intersection only says to “consider” operational improvements at OR 99E and Pine St to facilitate more traffic use of that intersection to reach downtown Canby, thereby alleviating some traffic impact at Ivy St. Neither of these identified mitigations is sufficient for the impacts identified, therefore it is not reasonable to conclude that “these effects would be addressed through proposed transportation mitigation measures listed in Table 3-41.”

Page 3-99: Table 3-41 identifies impacts to pedestrian conditions on OR 99E between 11th Street and Main Street as disproportionately impacting social resources that serve environmental justice populations. However, there do not appear to be any proposed pedestrian mitigations for OR 99E between 11th Street and 10th Street, only from 10th Street to Railroad Avenue, and only on the west side of the street. Similarly, proposed mitigations are insufficient for impacts to the six intersections in Oregon City that would experience worse traffic operations under the build alternative and affect how environmental justice populations access social services in the downtown area of Oregon City.

Page 3-99: It is unclear in Table 3-41 or Section 3.8 in general which three intersections in areas with higher environmental justice concentrations in Canby, Gladstone, and Tualatin would experience safety impacts in 2027 and/or 2045. Therefore, the claim that “Impacts would be mitigated as specified in Section 3.1.4.” cannot be verified. Additionally, the impacts described for OR 99E, which has segments that cross through areas in Canby and Gladstone with higher concentrations of

environmental justice populations (would have more crashes under the Build Alternative in 2027 and 2045) are not adequately mitigated.

Page 3-120: We are concerned with the exclusion of the Regional Mobility Pricing Project (RMPP) from the analysis in this EA, as we believe the project is a reasonably foreseeable future action. While the RMPP was not identified in the 2018 Regional Transportation Plan (RTP), that project is now undergoing its own Environmental Review, has been submitted into the 2023 RTP Call for Projects, and is expected to begin tolling in 2025. Additionally, while key details about the RMPP may not have been known at the time of publication of this project's Draft EA, those details are now being shared with project partners and should be incorporated into the analysis in any revised or final EA.

Appendix C:

Page 64-65: Table 5-4 indicates an increase of approximately 100,000 non-highway trips in the 2045 Build compared to the 2045 No Build. While some information on where these trips go is provided in Figures 5-7 to 5-12, and in Table 5-3, it does not appear to be comprehensively documented in the EA. For example, Table 5-3, in total, identifies an increase of 26,980 trips on local streets in 2027; it would be helpful to know what the total increase in non-highway trips in 2027 will be, and where the remaining substantial increases in trips on local streets are occurring. It would also be helpful to have a table similar to Table 5-3 that identifies change in daily volumes in 2045, including additional local streets where substantial increases in trips are occurring. The inconsistency in what is being reported in the EA for 2027 vs 2045 does not allow a proper assessment of both the near term and long term diversion impacts.

Page 67: Figure 5-3 identifies hourly changes to local (arterial) roadways in the 2045 Build Alternative. With the goal of minimizing diversion to local roadways in mind, it would seem prudent to conduct sensitivity testing or analyze an alternative that decreases tolls during the periods where local street volumes are increasing (such as 4am-6am and 9am-3pm), to see if reducing the tolls during these times will reduce the diversion impacts.

Page 73: Figure 5-7 shows 15,600 fewer trips on I-205 just east of the I-5 interchange. It needs to be clarified how many of those trips are diverting to I-5 itself to/through downtown Portland, and how many are diverting to OR 99-E, Stafford Rd, or other points south of the interchange.

Page 73: Percent change in Figure 5-7 appears to be calculated incorrectly, using:

- $(2045 \text{ Build volume} - 2045 \text{ No Build Volume}) / 2045 \text{ Build volume}$

The correct calculation would divide by the 2045 No Build volume. For example, on Borland Road, the change from 11,600 vehicles per day in the No Build to 16,800 vehicles per day in the Build is an increase of 5,200 vehicles per day, or 44%, rather than the 31% identified. This is causing volume increases to appear smaller and volume decreases to appear greater throughout the figure than they are.

Additionally, Figure 5-7, even using the correct figures, appears to be inconsistent with the following Figures 5-8 to 5-12. Again, using Borland Road as an example, the increase in Figure 5-7, whether it is 44% or 31%, differs from the 50% to 60% increase identified in Figure 5-9. These inconsistencies should be reviewed for accuracy and corrected where appropriate; an explanation for the inconsistencies should also be provided.

Page 77: Table 5-7 indicates that approximately 5,000 regional trips each direction are no longer entering/exiting the API. Where are those trips going? Are these all the trips that are diverting to I-5 or elsewhere outside the API? Does that mean 10,000 daily trips diverting to I-5 or elsewhere?

Page 98: Figures 5-23 to 5-29 show peak hour travel time changes along corridors that seem inconsistent with volume increases shown earlier in the report. For example, how can Borland Rd/Willamette Falls Drive show 50% to 100% increases in traffic volumes, but travel time reductions up to 8.7 minutes in the PM peak? Also confusing: Main St southbound sees a 12 minute improvement in the morning, but an 8 minute increase in PM travel time? This in an area where daily volumes were shown to increase by 30% to 40%.

Page 123: Table 5-20 again shows confusing results when compared with earlier findings in Appendix C. How can Willamette Falls Drive between 16th and 10th see a travel time reduction of 6.4 minutes in the PM peak when a segment of that same corridor is showing a daily volume increase of 90% to 100% in Figure 5-9? Additionally, the findings in Table 5-20 do not seem to add up in a way that is consistent with Figures 5-23 to 5-29.

Page 125: The results in Table 5-21 also seem inconsistent with volume changes shown in Tables 5-7 to 5-12. Table 5-21 should also highlight in red where Transit MMLOS is shown to worsen in the Build scenario (for example, W Arlington St to Dunes Dr on OR 99E). The way it is currently shown is inconsistent with how changes are displayed elsewhere in Appendix C and makes it less clear where worsening changes are happening.

Page 128: The LOTS results in section 5.3.5 seem surprising given some of the volume increases shown earlier in the report.

Page 138: ODOT or Clackamas County should identify standards for which an increase in predictive crashes requires mitigation. The Oregon Highway Plan as amended in January 2023 says only that "the analysis must show a meaningful and measurable increase in risk."

Page 139: Tables 5-37 to 5-40 should use red highlighting to identify where predictive crashes increase in the build scenario. Without this, it is not easy to identify where these increases occur.

Page 168 and 177: What is meant when the EA includes the terms "coordinate with" and "contribute to" in terms of identified mitigations? Would this require that local jurisdictions pay for some portion of the cost of the mitigation? If so, what percentage of these mitigations would ODOT expect to pay for as mitigation and what percentage would a local jurisdiction be expected to pay for? The Letter of Agreement Clarifying Commitments between Metro and the Oregon Department of Transportation, dated April 25, 2022, includes as a commitment from ODOT to fund projects that will help manage local diversion impacts, not to *partially* fund such projects; the EA does not make clear whether ODOT will meet this commitment as part of the project.

- ***Monitor diversion and fund projects that address diversion impacts.*** As indicated in the amendments made to the 2018 Regional Transportation Plan, ODOT will fund projects to help manage local diversion impacts from the I-205 Tolling project.

Page 161: Below are additional specific comments on where proposed mitigations for identified impacts appear insufficient, or where no mitigations are proposed for identified impacts. This is not a comprehensive list. Given the issues identified above on the analysis of impacts, it is likely that there are additional impacts that would require mitigations not yet identified in this EA. Mitigations

for these and any additional identified impacts should be developed in coordination with local agencies and should be scaled to the level of impact anticipated.

- Southwest Borland Road east of Stafford Road is shown to have volume increases of up to 112% in 2027, and up to 60% in 2045; however, the only identified mitigation is to “contribute to” adding paved shoulders and to potentially install an all-way stop or roundabout at SW Elk Road “pending further analysis.”
- Willamette Falls Drive between 12th Street and Dollar Street is shown to have volume increase of up to 100% in 2045, but the only identified mitigation is solar panel stop signs.
- The 19th / Ostmann screenline north of Willamette Falls Drive is shown to have volume increases of 100%+ in 2045, but no mitigation is identified.
- SW Johnson Road west of Woodline Road is shown to have volume increases of up to 40% in 2045, but no mitigation is identified.
- The Oregon City Arch Bridge is shown to have volume increases of up to 40% in 2045, but no mitigations are proposed.
- SW Ehlen Road east of I-5 is shown to have volume increases of up to 60% in 2045, but no mitigations are proposed.

Page 164: Given the identified diversion impacts to Southwest Borland Road, Active Transportation mitigations could include funds for planning and/or construction of the parallel Tualatin River Greenway Trail. Metro has identified the Tualatin River Greenway Trail in both the 2018 Regional Transportation Plan and the 2018 Regional Trails System Plan Map. It is important that, regardless of whether this trail is identified as mitigation, the I-205 bridges over the Tualatin River should be designed and constructed in a method that accommodates passage of a regional AASHTO-compliant trail beneath the bridge.



April 25, 2022

Re: I-205 Toll Project Regional Transportation Plan Amendment Letter of Agreement Clarifying Commitments between Metro and the Oregon Department of Transportation

This letter outlines the commitments of the Oregon Department of Transportation (ODOT) as it works closely with Metro and regional partners to develop the I-205 Toll Project, which is currently being evaluated under the National Environmental Policy Act (NEPA) process. The I-205 Toll Project would add a variable rate toll on all lanes of Interstate 205 (I-205) between Stafford Road and Oregon Route 213 (OR 213), and the tolls would raise revenue to complete financing for the planned I-205 Improvements Project and manage congestion on this section of I-205.

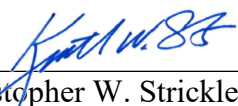
The commitments below reflect considerable input received over the past several months from regional partners, including Metro Council, Joint Policy Advisory Committee on Transportation (JPACT), Transportation Policy Alternatives Committee (TPAC), Metro Technical Advisory Committee (MTAC), and Metro Policy Advisory Committee (MPAC).

- **ODOT will submit the Regional Mobility Pricing Project into the federal Value Pricing Pilot Program (VPPP).** This program provides more flexibility and innovation to manage demand. While the I-205 Tolling project is not going through the VPPP process, it does include demand management and ODOT acknowledges that any tolling project in the region must include funding for diversion mitigation and integrate demand management.
- **Integration of I-205 Tolling with the Regional Mobility Pricing Project (RMPP).** As I-205 tolling proceeds in order to finance critical shared priorities, ODOT will design this project to align with the RMPP. Metro Council, JPACT and MPAC will create congestion pricing policies to include in the 2023 RTP. Concurrently, the Oregon Transportation Commission will be seeking public input on the Oregon Highway Plan (OHP) and Oregon Transportation Plan (OTP), which will incorporate statewide tolling policies. ODOT, Metro Council, JPACT, and MPAC will work collaboratively to align the RTP, OHP, and OTP documents. This will provide a comprehensive framework to incorporate the I-205 tolling project and the RMPP in the context of the larger regional and statewide transportation system. In addition to not starting collection of tolls on I-205 until after the RMPP application has been submitted to FHWA/USDOT under VPPP, ODOT and Metro will work to keep the RMPP application submittal on schedule and will

make reasonable effort to narrow this window even further when opportunities become available.

- **Center Equity in our Process and Outcomes.** ODOT will continue to use the Oregon Toll Program’s Equity Framework and support the recommendations from the Equity Mobility Advisory Committee (EMAC) to guide the I-205 Toll Project. Before a toll is assessed, the Project will establish and implement equitable income-based toll strategies as described in HB 3055 Section 162 (2021). A Low Income Toll Report will inform the NEPA process and be submitted to the Oregon legislature in Fall 2022.
- **Monitor diversion and fund projects that address diversion impacts.** As indicated in the amendments made to the 2018 Regional Transportation Plan, ODOT will fund projects to help manage local diversion impacts from the I-205 Tolling project.
- **Local input on the direction of tolling revenue.** While toll policies will be developed for statewide applicability, the only place that ODOT currently plans to toll is in the Portland region. Regional representatives must have a significant, majority voice in any advisory body consulted on tolling revenue allocation. ODOT commits to ensuring a strong local voice in decisions around the allocation of tolling revenue and when and how local projects that address diversion impacts are funded. ODOT will work collaboratively with Metro and JPACT to determine how the regional input is incorporated.
- **ODOT will terminate the collection of tolls upon retirement of bonds associated with the initial tolling of I-205 and costs associated with construction of the I-205 South Corridor Widening and Seismic Improvements Project, if the Regional Mobility Pricing Project, or other regional tolling project, is not implemented.** The Oregon Transportation Commission (OTC), as the tolling authority for state-owned roads in Oregon, will set a rate structure and determine the duration of tolling. However, local governments represented at JPACT, MPAC and the local coordinating committees have expressed their concern about isolated tolling for the I-205 South Corridor Widening and Seismic Improvements Project continuing in perpetuity if the Regional Mobility Pricing Project (RMPP), or other regional tolling project, does not come to fruition.

Given that the shared understanding of the congestion pricing projects can result in transportation, climate, equity and financial benefits, ODOT and Metro agree to support ongoing and timely development of the I-205 Toll Project, incorporating continued local input throughout the process.



Kristopher W. Strickler 4/25/2022
Director, Oregon Dept. of Transportation Date



Lynn Peterson 4/27/2022
President, Metro Council Date