



April 10, 2023

Mandy Putney
Oregon Department of Transportation
Urban Mobility Office
355 Capitol Street NE, MS 11
Salem, OR 97301

Via email

Dear Ms. Putney:

Thank you for the opportunity to comment on the I-205 Toll Project Draft Environmental Analysis (EA) published by the Oregon Department of Transportation (ODOT) in February 2023. The Clackamas County Coordinating Committee (C4) hosts representatives of communities from across the county, including the proposed toll area and areas of impact. Our comments represent a unified voice on the proposed project from the County, cities, special districts, and community representatives who comprise C4.

C4 has commented on the progress of the I-205 capital and toll project since 2017. The primary reason our communities have long advocated for a solution to the bottleneck created by the last two-lane segment of I-205 in Oregon, which was that it caused highway drivers to reroute into local neighborhoods for years.

We have major concerns with ODOT's modeling, analysis, proposed mitigations, and overall process related to the development of the toll project and Draft EA. Many of our jurisdictions are providing detailed technical comments in separate letters. Our comments are intended to highlight our most significant issues in the Draft EA.

First, ODOT has not adequately demonstrated how the Build Alternative would reduce diversion from the highway onto local streets, and thereby improve traffic safety both on and off the tolled system. Currently, traffic diverts off I-205 onto the local system due to the bottleneck created by the last remaining two-lane section of I-205 in Oregon; tolling would induce additional diversion as drivers make an economic choice to avoid the toll.

The Draft EA presents multiple goals relating to diversion and safety, including "limit additional traffic diversion from tolls on I-205 to adjacent roads and neighborhoods."¹ However, ODOT's analysis shows alarming traffic changes at multiple arterial locations, including increases of 86.5-114.5% along routes that

¹ I-205 Toll Project Environmental Assessment, Oregon Department of Transportation, February 2023; page 1-7

are popular for diversion today.² The comparison of daily traffic volumes shows a 25% decrease in traffic on I-205 under the build scenario and a corresponding 31% increase on SW Borland Road east of SW Stafford Road as well as an 11% increase on OR-99E through Canby.³ Additionally, ODOT failed to study several intersections that already see significant diversion today.

ODOT has suggested that drivers would change their mode of travel due to tolling, using transit or active transportation as an alternative. However, our communities face a severe lack of transit, both in terms of convenient access and frequency. We understand that there is a restriction in the Oregon Constitution on the use of certain funds for transit—we have not received a clear response from ODOT whether improved transit would be an allowable use of tolling revenues. Furthermore, the EA studied how tolling would affect transit times for the existing system, but did not perform a comprehensive evaluation of the needed transit system to make it a viable alternative to driving.

Amalgamating tolling (a financial mechanism new to the region that will create diversion) with a capital project (to relieve a bottleneck and reduce diversion) conceals the impacts caused solely by tolling, particularly in light of those two components being fundamentally at odds with each other in terms of diversion. **We conclude that a suite of alternatives, including construction of the capital project without tolling, would be the best mechanism for affected communities to understand both the bifurcated and comprehensive impacts of ODOT's proposal.**

Second, economic impacts on our communities have not been fully addressed. The economic analysis is fraught with assumptions, as ODOT places great emphasis on the creation of short-term construction jobs but fails to consider impacts to local small businesses on a sufficiently granular and localized scale.⁴ As representatives of urban, suburban, and rural communities in Clackamas County, we are deeply concerned that the plan as proposed would economically disadvantage our communities while communities in Washington and Multnomah counties continue to prosper.

ODOT claims that “additional business revenues and employment in nearby commercial areas [will result] from projected changes in traffic volumes due to vehicles rerouting off I-205.”⁵ We are concerned about economic impacts spreading across the region and state as two things happen simultaneously—businesses raise prices to build the cost of tolling into their bottom lines, and toll-payers reduce spending on goods and services to balance their personal budgets.

Yet the residents and business owners we talk to have expressed deep concern about diversion resulting in gridlock on local streets. Small businesses, in particular, are concerned about financial detriment from customers choosing not to traverse the tolled corridor or gridlocked side streets. Residents are concerned

² I-205 Toll Project Environmental Assessment Transportation Technical Report, Oregon Department of Transportation, February 2023; page 64

³ I-205 Transportation Technical Report; page 73

⁴ I-205 Toll Project Environmental Assessment Cumulative Impacts Technical Report, Oregon Department of Transportation, February 2023; page 26

⁵ Environmental Assessment; page 3-124

about safety for kids and seniors as well as the potential for property values to decrease in high diversion neighborhoods.

In fact, because modeling has only been performed at 'peak' hours, there is no way to understand how tolls would affect economic or tourism activity in the evening or on weekends. **Therefore, it is essential that the economic analysis must be more localized and potentially add further mitigations, particularly along local main streets in Oregon City, West Linn, and Canby where diversion is expected to be highest.**

Our concern extends to the broader economic impacts to individuals who need access to work, school childcare, healthcare, and other fundamental needs and cannot change their schedule to access off-peak toll rates. We also are concerned about the localized air quality and noise impacts for nearby neighborhoods and schools.

Third, there is a continued lack of financial transparency from ODOT. Local jurisdictions have asked ODOT repeatedly for comprehensive, transparent financial information. It was only after a community group submitted a public records request that ODOT shared the Level 2 Traffic and Revenue Study with impacted jurisdictions. The Level 2 Traffic and Revenue Study shows that projected tolling revenues would finance \$500-800 million in construction funding.⁶ That amount is insufficient to complete the capital project and construct NEPA-required and locally preferred mitigations.

We cannot accurately evaluate the adequacy of mitigation proposals without a complete revenue picture, including an understanding of how ODOT plans to pay for the complete project and share revenue with local jurisdictions to address costs associated with diversion including future mitigations, local capacity projects, and increased maintenance.

Finally, the Draft EA fails to fully consider cumulative environmental impacts, particularly in light of ODOT's parallel project, the Regional Mobility Pricing Project (RMPP), which proposes congestion pricing along the same corridor as the I-205 Toll Project.⁷ We believe RMPP should be considered a Reasonably Foreseeable Future Action, as its environmental review is underway with a Scoping Comment Period held from November 18, 2022 to January 6, 2023.⁸ ODOT should analyze the impacts of all proposed projects within the Urban Mobility Office to develop an implementation strategy that has the least impacts on the local system.

⁶ Fact Sheet: I-205 Toll Project Level 2 Toll Traffic and Revenue Study, Oregon Department of Transportation, December 16, 2022; page 4

⁷ Regional Mobility Pricing Project: Proposed Action for NEPA Analysis, Oregon Department of Transportation, November 2022; pages 1, 5

⁸ Regional Mobility Pricing Project Scoping Comment Period, Oregon Department of Transportation, <https://www.oregon.gov/odot/tolling/Pages/RMPP-Scoping-Comment-Period.aspx> (accessed March 27, 2023)

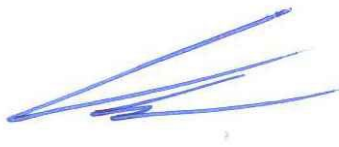
Furthermore, ODOT staff has stated the I-205 Toll Project would fund the back office for statewide tolling projects, including RMPP and the Interstate Bridge Replacement.⁹ Shifting this statewide financial burden to our local communities is unfair.

Noting the above comments, in conjunction with the additional technical comments from local jurisdictions, the C4 members request a full Environmental Impact Statement for the I-205 Toll Project alongside FHWA direction to coordinate the I-205 Toll Project alongside the Regional Mobility Pricing Project for the purposes of comprehensive environmental analysis.

As our jurisdictions and technical experts weigh in on the substance of the EA, C4 reserves the right to supplement our comments.

Thank you again for the opportunity to comment.

Sincerely,



Paul Savas, Commissioner
Clackamas County
C4 Co-Chair
R1ACT Vice Chair



Brian Hodson, Mayor
City of Canby
C4 Co-Chair
R1ACT Member

CC: Kris Strickler, ODOT Director
Keith Lynch, FHWA

C4 Membership: Clackamas County; the Clackamas Cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, Tualatin, West Linn, Wilsonville; Clackamas CPOs, Hamlets, and Special Districts; Ex Officio Members including Metro, MPAC Citizen, Port of Portland, Urban and Rural Transit

⁹ Mandy Putney, Oregon Department of Transportation Urban Mobility Office Strategic Initiatives Director, via email to Clackamas County staff, January 5, 2023