



# Oregon

Tina Kotek, Governor

**Department of Transportation**

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Clackamas County  
Board of County Commissioners  
2051 Kaen Road  
Oregon City, OR 97045

April 6, 2023

Dear Chair Smith and members of the Clackamas County Board of Commissioners,

The Oregon Department of Transportation (ODOT) has received your letter requesting a 90-day public comment period for the I-205 Toll Project Environmental Assessment. We appreciate your continued involvement in the project as a Participating Agency and welcome your comments about the possible impacts, benefits, and mitigations identified in the Environmental Assessment.

In partnership with the Federal Highway Administration (FHWA), ODOT prepared the Environmental Assessment in accordance with the National Environmental Policy Act (NEPA). The NEPA process, including the duration of review and comment periods on NEPA documents, are subject to FHWA regulations. Regulations<sup>1</sup> for Environmental Assessments, and ODOT's approved NEPA Public Involvement Procedures<sup>2</sup>, specify that comments must be submitted during a 30-day availability period unless FHWA determines, for good cause, that a different period is warranted. These time limits support FHWA and ODOT's responsibility to facilitate a timely and efficient decision-making process.

On February 21, 2023, ODOT and FHWA released the I-205 Toll Project EA for a 45-day review and public comment period. The initial 45-day public comment period exceeded the standard 30-day availability period required in accordance with 23 CFR 771.119(f) in recognition of high interest in the proposed action and to ensure that ample time was available to review the EA for Oregon's first tolling project. On March 2, in response to requests from partners for more time, ODOT and FHWA agreed to extend the original 45-day public comment to 60 days — double the required 30-day availability period. ODOT has consulted with FHWA and determined the 60-day comment period balances the requests for additional review time that have been received while ensuring a timely decision-making process and maintaining consistency with the NEPA implementing regulations of 40 CFR 1500-1508. No additional extensions to the public comment period for the I-205 Toll Project Environmental Assessment will occur.

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<sup>1</sup> 23 CFR 771.119(f)

<sup>2</sup> Available at:

[https://www.oregon.gov/ODOT/GeoEnvironmental/Docs\\_NEPA/NEPA\\_PI\\_Procedures\\_FHWA.pdf](https://www.oregon.gov/ODOT/GeoEnvironmental/Docs_NEPA/NEPA_PI_Procedures_FHWA.pdf)

ODOT appreciates the need for comprehensive partner and public engagement on the I-205 Toll Project. ODOT's engagement has included providing early opportunities for review and input of project information and technical data and materials. Engagement with the public and Participating Agencies for the I-205 Toll Project has been ongoing since it began in the summer of 2020. During this time, ODOT has provided extensive opportunities for agencies and the public to review project information and provide feedback, including holding 333 public briefings and presentations; 41 tabling, workshop, or listening session events; and 47 focus groups or stakeholder interviews. During the Environmental Assessment process, Participating Agencies had the opportunity to review and provide comment on the Agency Coordination Plan; the Purpose and Need and Goals and Objectives; and Alternatives for study, study methods and performance measures. ODOT also held 9 mitigation workshops in Canby, Gladstone, Oregon City, Tualatin, Rivergrove, Stafford, West Linn, and Lake Oswego, providing the draft Transportation Technical Report and collaborating on the development of mitigation for transportation impacts. This engagement resulted in many project modifications, including but not limited to clearly linking the toll revenue to the I-205 Improvements Project, modifications in evaluation criteria related to climate change, equity and transportation performance, and modification and refinements to the mitigation strategies in the Environmental Assessment.

The public comment period will close on April 21, 2023, at 4:00 p.m. We encourage you to share your comments via email at [I205TollEA@odot.oregon.gov](mailto:I205TollEA@odot.oregon.gov) or the [I-205 Toll Project online comment form](#). After April 21, ODOT and FHWA will evaluate the feedback alongside the technical information and, depending on the results of the analysis and input, the Environmental Assessment will either be revised and a Finding of No Significant Impact made, or a determination will be made that additional analysis is required.

We appreciate your continued partnership and will continue collaborating with Participating Agencies, stakeholders and the public on the outcomes for the I-205 Toll Project.

Sincerely,



Mandy M Putney

**Mandy Putney**  
Strategic Initiatives Director  
Oregon Department of Transportation

CC: Kris Strickler, ODOT  
Keith Lynch, FHWA