

Wednesday, November 29, 2023

12:00 PM – 1:30 PM

Meeting Link:

<https://clackamascounty.zoom.us/j/89874883542?pwd=Q0JjOVdESStDZnRzaU1qUlplTUytUQT09>

AGENDA

- **JPACT Debrief and Updates (15m)**
[JPACT Meeting Packet 11/16/2023](#)
Reporting: JPAC Members
- **RTAC Update (20m)**
Introducing: Jamie Stasny, ClackCo
- **I-205 Supplemental Environmental Assessment (10m)**
Introducing: Mike Bezner, ClackCo
- **Special Subcommittee on Transportation Planning (SSTP) (45m)**
Discuss SSTP Community Meetings
Introducing: Bryan Hockaday, ClackCo Government Relations

Attachments:

- RTAC Meeting Materials 11/27/2023
- I-205 Supplemental EA
- SSTP Work Plan 10/25
- Discussion Draft: SSTP Themes and Main Requests

Regional Toll Advisory Committee Meeting 11

Meeting Materials: November 27, 2023

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3. Oregon Toll Program Implementation Report Outline
4. I-205 Express Toll Lanes Analysis
5. Meeting 10 Summary and Public Comments (Received between June 22, 2023 and September 14, 2023)

Meeting Agenda: Regional Toll Advisory Committee

Subject	RTAC Meeting #11
Meeting Date:	Monday, November 27, 2023
Setting:	In-Person, Virtual Option (Zoom and YouTube livestream)
Location:	Billy Frank Jr. Conference Center at Ecotrust (721 NW 9th Avenue in Portland)
Meeting Time:	9:00 am – 11:30 am

OBJECTIVES

- Discuss Abernethy Bridge toll financial planning scenarios and trade-offs
- Review Implementation Plan outlines for equity and diversion mitigation

AGENDA

Time	Topic	Speaker
9:00 am (20 minutes)	Welcome and Opening Remarks <ul style="list-style-type: none"> • Special Subcommittee on Transportation Planning update • Status: revenue allocation, toll rulemaking and Low Income Toll Program 	David Kim, Facilitator Brendan Finn, ODOT Kris Strickler, ODOT
9:20 am (45 minutes)	Abernethy Bridge Toll Scenario Trade-offs (<i>Discussion</i>) <ul style="list-style-type: none"> • Overview of Abernethy Bridge toll financial planning scenarios, modeling, and revenue assumptions • Discuss key findings and trade-offs 	Travis Brouwer, ODOT Brent Baker, Project Team
10:25 am (45 minutes)	Implementation Plans (<i>Information</i>) <ul style="list-style-type: none"> • Overview of outlines for Diversion Mitigation Implementation Plan and Equity Implementation Plan • Public Transportation Strategy and Nexus projects update 	Brendan Finn, ODOT
10:50 am (10 minutes)	Public comment <i>Meeting observers are welcome to provide comment to members of the RTAC. Up to 2 minutes are allotted per person. If there are more people who want to speak, then the amount of time per person may be reduced.</i>	David Kim, Facilitator
11:00 am (25 minutes)	Toll Program Updates <ul style="list-style-type: none"> • EMAC report-out • STRAC report-out • Low Income Toll Program • I-205 express toll lanes analysis • Overview of recent public engagement 	James Paulson Commissioner Nafisa Fai Garet Prior, ODOT Zoie Wesenberg, ODOT
11:25 am (5 minutes)	Reflection and next steps	Kris Strickler, ODOT David Kim, Facilitator
11:30 am	Adjourn	

I-205 Toll Project: Toll Revenue Scenarios

In 2022, a Toll Traffic and Revenue (T&R) study was completed for the I-205 Toll Project which analyzed tolling on both the Abernethy and Tualatin River bridges. The analysis assessed traffic levels and performance in combination with forecasts of the potential gross and net toll revenues. Based on those projections, ODOT concluded that I-205 tolling would provide somewhere between \$500 and \$800 million in construction funding from toll bonds.

In June 2023, ODOT indefinitely postponed the Tualatin River Bridge toll and construction of the third lane and other improvements, which reduced the scope of the I-205 Toll Project to a single toll on the Abernethy Bridge. ODOT is conducting additional financial analysis for the reduced scope of the I-205 Toll Project to help pay for current Abernethy Bridge construction.

Toll Traffic and Revenue Studies

Transportation agencies use toll T&R studies to understand future travel demand and to support financial planning. Toll T&R studies are classified into one of three levels of analysis depending on the phase of project development or specific need. For I-205, ODOT has conducted a Level 1 analysis to gain a better understanding of the relative traffic effects and potential revenues under different scenarios in which just the Abernethy Bridge is tolled. These results will inform the next level of analysis, the Level 2. Levels of toll T&R studies include:

Level 1: Sketch	Level 2: Comprehensive	Level 3: Investment – Grade
<ul style="list-style-type: none"> Examines feasibility of tolling and tests high-level alternatives. Usually takes 1-6 months. <i>This analysis for I-205 will allow for comparisons of tradeoffs.</i> 	<ul style="list-style-type: none"> More detailed evaluation of alternatives and toll scenarios that support initial rate setting and policy development. Usually takes 6-8 months but may take longer with multiple iterations. <i>Will be prepared concurrently with the Supplemental Environmental Assessment.</i> 	<ul style="list-style-type: none"> Deeper evaluation of a preferred toll scenario that supports formal rate-setting, informs investors and lenders, helps to obtain a credit rating, and secures financing. Usually takes 12 months. May be refreshed periodically. <i>Will begin as the Environmental Assessment process ends.</i>

I-205 Toll Project Financial Scenarios

To determine what to study in the Level 2 analysis, ODOT conducted a preliminary analysis of several different toll scenarios to understand the relative differences in revenue potential, effects on traffic speeds, hours of congestion, and diversion to arterials. All scenarios assume a toll only at the Abernethy Bridge. The table below compares each toll scenario.

Summary of findings:

Description	Goal	Min. Toll	Max. Toll	Congestion Management Benefits*	Arterial Impacts/ Diversion	Net Toll Revenue Resources (TIFIA + Toll Bonds)
Level 2 T&R Study (Oct. 2022)	Identify potential for construction funding from toll bonds	\$0.55	\$2.10	45-60 mph average peak speeds 2 hours or less with stop and go traffic	Limited Diversion	\$500 - \$800 million
No Build	N/A			30-35 mph average peak speeds 7 hours with stop and go traffic		
Base Scenario (0): Abernethy Bridge-only Base Toll Rates	2022 Level 2 T&R study toll rates with minor adjustments (including \$0.75 minimum toll) to adapt for one bridge	\$0.75	\$2.25	35-40 mph average peak speeds 6 hours with stop and go traffic	Least Diversion	\$340 million
Flatter Tolls (1): Two toll rates only at peak and off-peak hours	Generate same net revenue as the Base Scenario with a simpler toll rate schedule	\$1.00	\$1.80	35-40 mph average peak speeds 5 hours with stop and go traffic	Least Diversion	\$342 million
Congestion Management (2): Highest peak period toll rates and no overnight tolls	Manage congestion in the entire project area/corridor (Abernethy Bridge to Stafford Road) with peak toll rates	\$0.00	\$5.60	45-50 mph average peak speeds 0 hours with stop and go traffic	Most Diversion	\$556 million
Revenue Emphasis (3): Higher variable tolls than Scenario 0 to increase net revenue	Increase net revenue	\$0.75	\$2.75	35-40 mph average peak speeds 4 hours with stop and go traffic	Medium Diversion	\$436 million

*For the October 2022 Level 2 T&R, the congestion management benefits are for 2045. For the No Build and the October 2023 Level 1 T&R scenarios, the congestion management benefits are for 2027.

Key takeaways:

- None of the four scenarios were sufficient to generate net revenue of \$400 million using toll bonds only. Securing a TIFIA loan from the federal government, which offers better financing terms than toll bonds, could make any of the scenarios viable. The two scenarios (“base” and “flatter”) would require some upward rate adjustments to reach the \$400 million net revenue target.
- Similar revenue levels can be achieved with different rate structures. A rate schedule with lower rates at peak times can be constructed in a way that generates sufficient revenue, but it will require higher off-peak rates to meet revenue targets.
- A point toll at the Abernethy Bridge is not the best tool to manage congestion for this 7-mile corridor of I-205. Without the implementation of the Regional Mobility Pricing Project and/or construction of the missing lane on I-205, toll rates would have to be set at much higher levels to achieve significant long-term congestion relief. The consequences associated with high toll rates would include high levels of diversion and greater financial impacts to customers.

Timeline

The Oregon Transportation Commission will discuss the scenarios in November, which will kick off regional conversations on the tradeoffs in November and December. In January 2024, OTC will provide direction on which scenario to use for a Level 2 T&R study.

November 6, 2023

Oregon Toll Program Implementation Report Outline

Equitable Toll Program Development and Diversion Management and Mitigation Plans

As ODOT works to implement tolls on I-5 and I-205 in the Portland metro region, input from community members and leaders throughout the region continues to shape the Oregon Toll Program. Through this process, we have heard two primary questions raised by elected officials and residents:

- How will ODOT ensure a toll program is equitable and does not cause further harm to low-income families?
- How will tolls on major interstates impact travel on nearby local streets and neighborhoods?

On May 4, 2023, in response to concerns raised by elected officials and region residents, Governor Kotek directed ODOT to delay toll collection until January 1, 2026. The updated timeline provides us more time to develop a toll program that works for Oregonians and the Portland metro region, with public and partner input throughout the process.

Before toll collection can begin in 2026, there are many decisions still to be made to shape the Oregon Toll Program policies, pricing, and design. The Implementation Report will give the public and our partners an update on our efforts and plans to center equity in the Oregon Toll Program and our plans and process to minimize traffic diversion to local streets. It will provide an overview of the key decisions that have been made and how public input has influenced the toll program since 2017. It will also detail how partners and the public will help inform the important decisions ahead.

This outline provides an overview of the contents of the Oregon Toll Program Implementation Report that will be presented to the Oregon Transportation Commission on December 11, and sent to the governor's office by December 15.

Equitable Toll Program Development Plan

The impact of tolls on low-income households is one of the primary concerns we have heard in our work with regional partners and through community engagement.

This section will present our continued efforts to center the voices of community members who have been historically underrepresented in transportation decisions. We will share the work that has been led by the Equity Mobility Advisory Committee (EMAC) to establish a low-income toll program, and we will detail upcoming policy decisions that could impact low-income and underserved communities.

There are many decisions that have not yet been made for the toll program policies or projects. Some of these outstanding decisions include income thresholds for benefits and draft rules for enrollment,

verification processes for the low-income toll program, and toll rate-setting and rate-adjustment processes.

As we continue to develop the Oregon Toll Program, it is critical that ODOT and our partners have the information and analysis they need to make informed recommendations on impactful policy decisions.

The Equitable Toll Program Development Plan will dive into four topic areas:

- **Understanding equity and the needs of our community:** *We are engaging our partners and the region's public as we develop the Oregon Toll Program, with the desire to reflect their input in the program.* This section will focus on equitable engagement and how input received has and will inform decision making.
- **Establishing a low-income toll program:** *While we are one of the last metropolitan areas in the United States to implement tolling, we will be the first in the country to have a low-income toll program on day one of operations.* This section will describe the low-income toll program purpose, development process, next steps, and anticipated outcomes.
- **Developing toll rules for an accessible and equitable toll program:** *We are prioritizing equity as we develop the broader foundational statewide toll rules for the Oregon Toll Program, which will be applicable to all future toll projects in the state.* This section will present an overview of the toll rulemaking policy process, policy decisions already made, and those occurring in the future.
- **Long-term equity commitments and accountability:** *We plan to sustain our equity commitments by establishing and committing to a long-term monitoring and accountability processes.* This section will provide an overview of key accountability considerations, commitments made by the Oregon Transportation Commission, and decision points to establish the accountability process.

Diversion Management and Mitigation Plan

We have heard regional and local partner agencies, residents, and businesses express great concern about traffic diversion from the tolled interstates to adjacent highways and local roads. As we plan, design, and ultimately implement the toll program, our top priority is to significantly improve travel on the tolled interstates and raise revenue for transportation needs, and to do so in a way that minimizes impacts to local communities.

This section will present our approach to limiting vehicle diversion from the tolled interstates onto the local road network through toll project development and design. A process timeline will be presented that details when and how diversion mitigation will be identified, and when the public and partners will be engaged in that process. The plan will outline our proposed approach to developing the Oregon Toll Program Adaptive Traffic Management Framework, including the preliminary steps we will take to continuously assess the effectiveness of the toll projects. This will include how and when we will initiate a process to identify solutions for any unforeseen traffic impacts. This plan will cover three topic areas:

- **Toll program and project design:** *We aim to avoid and minimize traffic diversion from the tolled interstates to adjacent highways and local roadway network in the first place by (1) setting appropriate toll rates to balance traffic at the lowest fee possible and (2) selecting gantry locations to discourage excessive toll avoidance. If analysis identifies traffic diversion that causes community impacts through the federal environmental analysis and review process, we will work with impacted communities to identify and implement mitigation.* This section will focus on our goal to avoid and minimize diversion early in the development process, such as through identifying appropriate toll rate

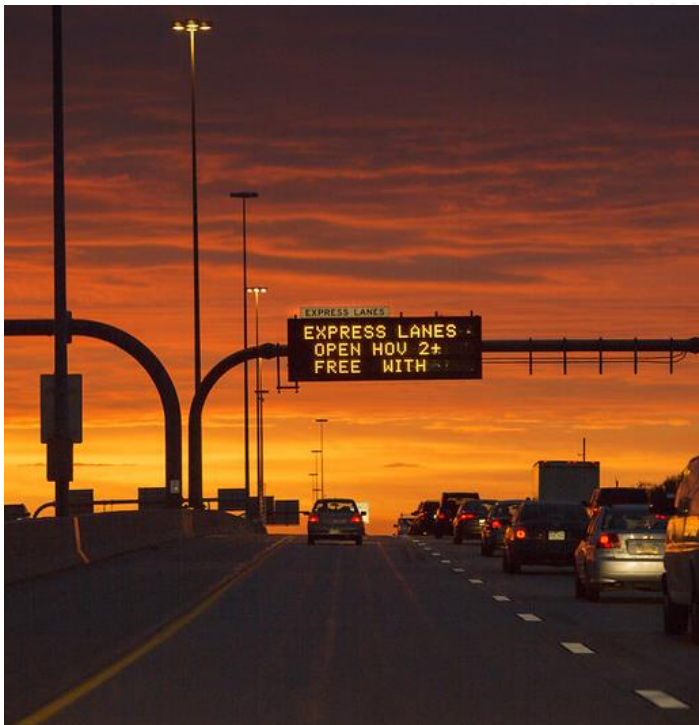
structures and toll gantry locations. It will also present our approach to identifying, developing, and vetting required mitigation for harmful diversion.

- **Oregon Toll Program Adaptive Traffic Management Framework:** *After implementing toll projects, we will not “set it and forget it.” We will continue to collaborate with regional partners to assess travel and diversion patterns after tolls begin and into the future. As the toll system begins operation, if we find that it causes any significant traffic diversion impacts to the local community and roadway network, we will work with partners to identify solutions.* This section will present a summary of steps to establish and adjust components of a management program, the toll project, or the toll program as a whole as needed to reflect evolving needs and conditions.
- **Projects that complement the Oregon Toll Program:** *We will continue to collaborate with regional partners to explore other multimodal investments and funding opportunities to expand travel options for those who need to travel on or near the tolled interstates.* This section will present the efforts and next steps to support our partners to identify and refine the list of projects that complement the toll projects.

I-205 Express Toll Lanes Analysis

Refining toll options for I-5 and I-205

We're reviewing multiple options to manage congestion and raise needed revenue to fund transportation improvements in the Portland metropolitan region. These options include a point toll at the Abernethy Bridge on I-205 and all-user or zone tolling of all lanes of I-5 and I-205. We're also looking at express toll lanes on the 7-mile stretch of I-205 between Stafford Road and OR 213. Some combination of these methods could be used in our region.



Example of an Express Lane in Colorado (Colorado Department of Transportation Flickr)

What is an Express Toll Lane?

Express toll lanes are one type of a “**managed lane**.” A managed lane is a lane or set of lanes on a highway restricted to specific vehicles. With an **express toll lane** drivers pay a toll to use the lane, with the goal of traveling faster and more efficiently than lanes without a toll.

Express toll lanes are open to all users willing to pay the toll, including High Occupancy Vehicles (cars with 2+ people) and Single Occupancy Vehicles (cars with a single driver).

Prior analysis

In 2018, we considered a **regional** managed lane system for I-5 and I-205. [A summary can be found online](#).¹ We found a variety of challenges, including:

- **Performance:** A minimum of three lanes is required for managed lanes to work; one to be managed and two to handle the remaining traffic. There are locations along I-5 and I-205 without a third lane. The highway would not function correctly if managed lanes were attempted without adding a third lane, which doesn't meet the goals of the program.
- **Limited revenue potential for construction costs:** Adding a lane throughout the region, whether building new or adapting the existing highway space requires construction funding. Managed lanes rarely generate revenue beyond paying for operations, maintenance, and some of the construction costs for the lanes themselves.

¹https://www.oregon.gov/odot/tolling/Documents/230907_RMP_P_Managed_Lanes_Report_Remediated.pdf



Listening to the community

In response to recent requests from the community, we're conducting a new study to see if express toll lanes could be implemented on a segment of I-205.

Two potential express toll lane design options, with one lane in each direction, are being considered for the portion of I-205 between Stafford Road and the Abernethy Bridge:

- Revisiting our original design, which included building a new lane along some stretches of the highway and making other improvements, including replacement of the Tualatin River Bridge.
- Reconfiguring the existing I-205 corridor without widening to create a new lane. This could include restriping existing lanes and reducing shoulder width to provide space for a third lane.

We're looking at the cost to construct the lane, how much revenue could be collected, what it could mean for drivers, and how it might support Oregon Toll Program goals. We are also reviewing different policy options for potential express lanes, which could include looking at free trips for some HOV vehicles.

What are the next steps?

We'll continue our review of express toll lanes to see how an updated approach could meet the overall goals of the Oregon Toll Program. We'll share findings from the study in early 2024.

Stay in Touch!

We welcome your questions, input, and feedback.

Website: OregonTolling.org

Email: OregonTolling@odot.oregon.gov

Phone: 503-837-3536

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The information in this document, and the public and agency input received, may be adopted or incorporated by reference into a future environmental review process to meet the requirements of the National Environmental Policy Act.

Meeting Summary

Subject	Regional Toll Advisory Committee Meeting #10
Date and Time	September 18, 2023 / 9:00-11:30 a.m.
Location	Hybrid: Billy Frank Jr. Conference Center at Ecotrust and online via Zoom

Attendee	Organization / Role	Attendance
Committee Members		
Rory Bialostosky	City of West Linn	In person
Frank Bubenik	City of Tualatin	In person
Taylor Eidt (alternate for Shawn Donaghy)	C-TRAN	In person
Denise Harvey	Confederated Tribes of Grand Ronde	Virtual
Nafisa Fai	Washington County	In person
Carley Francis	Washington State Dept. of Transportation	In person
Sarah Iannarone	The Street Trust	In person
Jana Jarvis	Oregon Trucking Association	In person
Susheela Jayapal	Multnomah County	In person
Christine Lewis	Metro Council	In person
Anne McEnerny-Ogle	City of Vancouver	In person
James Paulson	EMAC Liaison	In person
Matt Ransom	SW Washington Regional Transportation Council	In person
Dean Reynolds	Cowlitz Indian Tribe	Virtual
Emerald Bogue	Port of Portland	In person
Paul Savas	Clackamas County	In person
Millicent Williams (alternate for Mingus Mapps)	City of Portland	In person
Kasi Woidyla	Virginia Garcia Memorial Health Center	In person
Keith Lynch	FHWA (ex officio)	Virtual
Travis Brouwer (for Kris Strickler, Director)	ODOT Assistant Director	In person
Brendan Finn	ODOT, Urban Mobility Office (ex officio)	In person
Della Mosier	ODOT, Urban Mobility Office (ex officio)	In person
Other attendees		
Mandy Putney	ODOT, Presenter	In person
David Ungemah	HDR, Presenter	In person
Zoie Wesenberg	ODOT, Presenter	In person
Tom Mills	TriMet, Presenter	In person
David Kim	Facilitator	In person
Kirsten Beale	Committee coordinator	In person
Anne Pressentin	Facilitation support	In person
Jodi Mescher	Notetaker	In person
Nick Fazio	Zoom host	Virtual

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Attendee	Organization / Role	Attendance
Logan Cullums	Zoom support	In person
<i>Committee member regrets: Willy Myers, JC Vannatta</i>		

1 Welcome and Opening Remarks

David Kim, facilitator, welcomed the meeting attendees and talked through meeting logistics. David reminded the audience that this is a public meeting and a hybrid meeting. David noted that ODOT Director Kris Strickler is not able to attend, but that Assistant Director Travis Brouwer was sitting in and will report back to Director Strickler.

Brendan Finn, ODOT, provided opening remarks. He acknowledged the work of project staff and jurisdictional partners to advance the Oregon Toll Program and identify projects that would complement a toll system in the Portland area. Brendan assured RTAC members that ODOT has no plans to change or alter the Nexus or public transportation strategy (PTS) lists; these are regional lists developed by the region to complement a toll system and address the potential for diversion.

Brendan shared that work is beginning on the framework for the Implementation Plan for diversion mitigation and equity that will be submitted to the Governor. The work to develop the PTS and Nexus lists, as well as RTAC's work, will be included in the plan. The Oregon Transportation Commission (OTC) met the week of September 11 with their counterparts in California and Washington. Much of the conversation was about revenue with all states facing the same issue as Oregon with declining gas tax revenue. The Special Subcommittee on Transportation Planning will meet on September 27. Brendan noted that ODOT has heard from RTAC members that legislators need more information about tolling. ODOT is looking to the subcommittee meeting as an opportunity to provide more context to legislators. The results of subcommittee meeting will be shared in November.

David discussed the committee workplan which was revised based on feedback received at the RTAC listening session. ODOT intends to extend RTAC's work into 2024 to align the workplan with the project development and analysis schedules. David reviewed key topics to discuss at upcoming meetings and shared that, going forward, RTAC meetings will be shifted to every other month.

- Commissioner Savas expressed concern that there would not be sufficient time for RTAC to review the Nexus projects in November, which are part of the Implementation Plan and submit to the plan to the governor in December.
 - Brendan said ODOT is continuing to work closely with jurisdictional staff and will meet as often as needed offline. The Implementation Plan will be presented back to RTAC in November.

2 Regional Mobility Pricing Project Options

Mandy Putney, ODOT, reviewed the development process for the Regional Mobility Pricing Project (RMPP) project options. RMPP, like the I-205 Toll Project, was originally built on the Value Pricing

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Feasibility Analysis (VPFA) completed in 2018. In 2021, work began on RMPP that built on feedback from the I-205 Toll Project and VPFA. Input through EMAC, regular partner engagement and three public comment periods have helped us refine the project concept. ODOT has engaged in a multi-year process with FHWA as a precursor to the NEPA process to develop a concept to toll all lanes of I-5 and I-205 in the Portland metropolitan area. Express lanes were evaluated during the feasibility analysis and did not move forward due to an understanding that building new capacity would be impactful and costly. The resulting new lane would serve fewer people and result in less net revenue than the approach of tolling all lanes.

David Ungemah, HDR, discussed the concept of managed lanes, a subset of road pricing, where only managed lanes users pay. David reviewed examples of managed lanes in the U.S. and explained that some states use HOV conversion models, some states construct new lanes, and some use a combination of both. Existing models demonstrate that congestion pricing through managed lanes can be an effective tool at managing congestion during congested periods of time, but that can have an impact on the rest of the system and general-purpose lanes remain congested. The VPFA found that managed lanes serve fewer travelers at a greater cost than all-lane tolling. Managed lanes have the potential to generate substantial revenue. However, the revenue depends on the ratio of managed lanes in a system; models that use only one managed lane in each direction do not see significant revenue streams. The funding to deliver managed lanes is reliant on public funds. Toll revenue does not fund 100% of construction.

For the Portland regional system (55 miles of interstate), express lanes would not be able to meet the stated goals of system-wide congestion management and ongoing revenue generation for transportation investments. Benefits would be experienced by fewer drivers, at a higher cost, and impacts would likely be greater for others. When considering existing lanes, equity, mobility, revenue, and cost, express lanes are not recommended for the Portland region interstate system.

- Jana Jarvis asked how diversion rates for managed lanes compare to diversion rates on a full-system road pricing model.
 - David Ungemah said that managed lanes that build new capacity do not have diversion, and traffic on arterials tends to move onto the freeway during peak periods. There is some diversion during off peak periods because there isn't as much incentive to use the managed lanes. There isn't an existing model of a general-purpose lane converted to a priced managed lane, but it could result in 700 to 800 vehicles per hour diverting into the general-purpose lanes. David referenced I-85 in Atlanta which converted an HOV lane to an express lane and raised the minimum number of passengers to use the HOV, which resulted in worse travel times in the general-purpose lanes and on arterials.
- Jana commented that the Portland metro area currently does not have enough infrastructure capacity and asked what the impact of adding a third lane in each direction would be.
 - David Ungemah referenced US 36 in Denver which added a new managed lane in each direction, auxiliary lanes, and bus-only shoulder lanes, resulting in improved travel speeds in each direction.

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- Councilor Lewis asked if there are any examples of a managed lane that added capacity at a lower cost than a grand highway project. She also suggested considering shoulder-hardening and restriping.
 - David Ungemah noted that several of the small-scale corridor projects utilized shoulder capacity and provided specific examples. However, it is best practice to have shoulders throughout the system. Additionally, Portland only has soft shoulders so those would need to be rebuilt to be a viable option.
- Commissioner Savas said that the premise of HB 2017 was to build a new lane on I-205 to address diversion that already existed. OTC recommended to cancel the I-205 expansion, so that diversion will not be addressed and will continue to be worse because of tolling. He noted concerns that the approach of converting general purpose lanes to managed lanes is not the intent of the I-205 project. He commented that high diversion corridors need a better alternative. Additionally, there should be the option to adjust designs based on the surrounding area. The area around I-205 does not have a grid system or public transit like seen around I-5 and throughout the City of Portland.
- James Paulson asked if managed lane models resulted in changes in traffic patterns and diversion over time.
 - David Ungemah responded that the use of managed lanes over time depends on two factors; sensitivity to the price of paying a toll, and background factors that may influence unpriced carpools using managed lanes. David referenced a study by Texas A&M that found that over time, 10 percent of users always used the express lane regardless of price, 40 percent never use the express lane, and 40 to 50 percent make a choice based on congestion and price trade-offs. These findings concluded that about half of the people traveling in the corridor are rational decision-makers. David said that he would share the study with RTAC members.
 - Brendan commented that ODOT has committed to a monitoring process that will be informed by national experts to understand how effective the Toll Program is over time.

Mandy introduced the RMPP options. Over the past two years, ODOT has gathered partner and community input to inform planning, the Purpose and Need Statement, and the project concept. ODOT has now compared three options at a high level for how they would reduce congestion, generate revenue, and meet other regional goals.

Della Mosier, ODOT, reiterated that ODOT has heard from RTAC members that the most important values to carry forward are equity, climate goals, managing diversion, and meeting the program goals of managing congestion and raising revenue. These values will be considered in the trade-offs when considering the three options for RMPP.

Mandy shared that more analysis will be completed about toll implementation and gantry locations once a decision is made about which RMPP option to move forward. Zoie Wesenberg, ODOT, reviewed options under consideration for RMPP. Under option 1 (systemwide toll), all drivers would pay a base toll when

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they enter the highway during daytime hours, and an additional toll when they go through high-traffic toll points. Under options 2a and 2b (toll zones), drivers would pay one toll per toll zone, regardless of the number of gantries in the zone. If the toll zone model is selected, ODOT will conduct significant collaboration with jurisdictional partners and EMAC to determine the gantry locations.

Zoie reviewed key findings of the cost and construction needs for the options. She also reviewed key findings of the similarities and differences between the options. All three options would result in average speeds near 45 mph and comparable trip costs through through-trip time savings, reductions in vehicle miles traveled (VMT) and vehicle hours traveled (VHT), limited diversion on a regional scale, minimal diversion within Equity Framework Areas, likely generation of net revenue, and decreased freight traffic on local roads. The modeling indicates that option 1 results in the greatest reduction in VHT, option 2a shows the least amount of total VMT increase to local roads, option 1 shows the greatest mode shift, options 2a and 2b have more hours and locations with a \$0 trip possible while still generating revenue, and option 2b is the most likely to generate more net revenue. Zoie mentioned that a detailed matrix of the comparison between the three options was included in the meeting packet for RTAC members.

Mandy discussed the next steps in evaluating the RMPP options, which will include EMAC input, public input, and additional agency staff coordination. All input will be summarized to inform ODOT of how to proceed. Regardless of the option identified, there will be an in-depth analysis of benefits and impacts, including diversion into non-tolled roads, in the Environmental Assessment.

- Mayor Bialostosky expressed concern that RMPP will be a big change for people in the region to adjust to. He asked what toll rate assumptions were used for the initial analysis of the options.
 - Zoie said that similar rate assumptions and trip costs were modeled across all the options to achieve the goals of the project. A through-trip would be about \$5-6 for autos. Most trips travel about 7 miles on the interstate and would pay less than \$2. The toll rate assumptions will be further refined as the analysis is progressed.
 - Brendan commented that ODOT shares the sentiment about the enormity of the Toll Program and stated the importance of RTAC's work.
- Mayor Bialostosky asked how the diversion rates were accounted for and how the modeling considered diversion on local roads.
 - Mandy responded that the initial analysis is a macro-view based on the regional travel demand model to evaluate diversion. Next steps will include looking at localized diversion in more detail. Zoie added that there are similar diversion patterns for the three options. Additional volume-to-traffic ratios have been shared with partner agencies.
- Councilor Lewis commented that Option 1 should not be called "system-wide" because it does not integrate 213 to Stafford Road. She also said that I-205 needs new capacity with a managed lane.
 - Mandy said that the analysis looked at RMPP specifically for managed lanes, but additional analysis can be done to evaluate a managed lane for the I-205 project.

Meeting Summary

RTAC Meeting #10 / September 18, 2023

- Councilor Lewis asked if the modeling for mode-shifts and diversion is specific to non-ODOT facilities, or if it considers all arterials. She said that ODOT needs to be clear about the modeling and is responsible for managing arterials, including 99E and 43.
 - Mandy said that the modeling is all arterials.
- Commissioner Savas commented that he is concerned that tolls will result in an overall increase in vehicle hours traveled based on person experience despite ODOT's findings of VHT reductions. He requested data on what the expected VHT is, and additional data on how much diversion is created. He stated that VHT and diversion are opposite things and asked for more information on how they can both be reduced.
 - Mandy said that the project team will follow-up with the additional data. She clarified that ODOT is not seeking a decision today about the options.
- Commissioner Savas asked if the RMPP is intended to have revenue generation, and what the anticipated revenue generation is for the options. He noted that there is not enough funding for adequate mitigation projects and other UMS projects.
 - Brendan clarified that the purpose of the Toll Program is to manage demand on the facility and raise revenue for needed transportation investments.
- Mayor Bubenik asked if the projected through-trip time savings of 3 to 5 minutes is on all I-205 or just along the I-205 Toll Project corridor. He said that the cost of the toll is too high for very little time savings.
 - Zoie responded that the No-Build Alternative includes the I-205 Toll Project, so that assumes time savings would be in addition to the I-205 Toll Project. ODOT will group those assumptions together to model total time savings.
- Mayor Bubenik commented that option 2a would result in pushing diversion to Tualatin and Stafford and that doesn't save money because people aren't doing short trips through that corridor.
- Millicent Williams commented that carpooling should not be considered as a mode-shift. She also commented that diversion in equity framework areas needs to be considered along with other Portland and regional projects that will impact mode-shift and cause people to move.
- Commissioner Fai noted that there was an initial statement that the tolls would result in bringing traffic congestion down to 2 hours and asked if that remains a goal of the program.
 - Mandy clarified that the information presented during the meeting was focused on RMPP. The initial time savings for the I-205 Toll Project were based on adding a third lane and tolling at the Tualatin and Abernethy Bridges. ODOT will update the evaluation based on the revised scope of that project to only toll at the Abernethy bridge.

3 Projects that Complement the Toll System

Mandy introduced a discussion about Nexus projects and the Public Transportation Strategy (PTS) projects that will complement the toll system.

Tom Mills, TriMet, shared details about the PTS and the committee approach to establishing an equitable PTS for the Portland metropolitan and SW Washington area. Assessment categories to evaluate the PTS projects include project type, relationship to congestion pricing, and equity. Additionally, project readiness will be used for future consideration. Projects were categorized by their anticipated ability to provide equity benefits to people who are historically and currently underrepresented and address impacts from toll implementation. Tom provided an overview of the initial PTS list and said that when new information, data, and analysis is available, regional partners may decide to revise or prioritize the list.

- Commissioner Fai asked if there any high-priority projects that involve transit expansion. She noted that in Washington County people are not able to get where they need to on transit.
 - Tom responded that every project TriMet provided to the PTS list is a transit expansion project involving more frequent service or new service lines. TriMet recently completed Forward Together which outlined a plan for restoration of service by the end of fiscal year 2026. TriMet is beginning to plan for Forward Together 2.0, which will focus on transit expansion and include bus and MAX service. Tom added that the list is not fiscally constrained, so TriMet still needs to identify funding sources.
- Commissioner Fai asked if TriMet is considering adding restroom for high-capacity service lines.
 - TriMet is not considering restrooms for customers at this point.
- Mayor Anne McEnerney-Ogle asked if there are any C-TRAN projects included on the PTS list.
 - C-TRAN included a curb-running bus along I-205.
- Councilor Lewis noted that there are no transit expansion projects in West Linn. She observed that Forward Together included line 154, but the PTS appears to move transit off the parallel line. She commented that the project can't move forward without further consideration of how to serve West Linn.
 - Tom responded that Forward Together recommends a bus line between Beaverton and Tualatin that route through 10th Avenue to Willamette Falls Blvd. into Oregon City. TriMet has committed to implementing that recommendation within a year. Line 154 may be reallocated through West Linn to Lake Oswego; the details for that line are still being determined.
 - Councilor Lewis commented that every community needs a specific conversation about who is affected.

Meeting Summary

RTAC Meeting #10 / September 18, 2023

- Mayor Bubenik observed that all the high-priority projects are in Portland and there are no high-priority projects in south Washington County. He commented that there needs to be an alternative to traveling on I-205.
 - Tom responded that the PTS list was a collaboration between people in the region representing different jurisdictions. The list is based on incomplete data and is focused on how well projects address tolling and equity concerns. As other criteria for evaluating projects are developed, the PTS list is likely to change. Tom reiterated that the list is not a commitment for funding, so medium-priority projects are still under consideration.

Mandy provided an overview of the parallel effort to develop the Nexus project list. Nexus projects are pedestrian, bicycle, roadway, or other mobility projects that would complement a tolling system on I-5 and I-205 in the Portland metropolitan area. Selection criteria for Nexus projects is based on the relationship to congestion pricing, equity, and project readiness. ODOT is reviewing the list of projects and will bring the list to RTAC in November for discussion.

- Sarah Iannarone asked how the Nexus projects fit with the RTP update.
 - Mandy responded that there is overlap between the Nexus projects and projects in the RTP, but it is not a requirement for Nexus projects to be in the RTP. ODOT is coordinating where possible.
- Commissioner Savas expressed concern that Nexus projects will become the only mitigation solutions. He commented that an internal analysis of the I-205 Environmental Assessment showed that the VHT would increase significantly which is contrary to the climate goals. He also commented that none of the local transportation system plans have incorporated tolling, so the RTP update will not include projects and analysis of what the impacts will be.
 - Mandy responded that ODOT is coordinating with Metro and that Metro's work on the RTP does include an analysis of RMPP to provide a regional analysis of pricing.
- Mayor Bubenik asked how the PTS and Nexus project lists will be integrated together.
 - Mandy responded that ODOT will share a combined list of the PTS and Nexus projects in the future. She added that submissions for the Nexus project list were asked to consider how they would complement PTS projects.

4 Public Comment

Two people provided public comment online:

- John McCabe commented that TriMet doesn't seem to be listening to the public. The bus line serving the Social Security/VA building in West Linn is being removed because the route is being moved. He said that the community has an issue with tolling. They were initially told tolls would cost \$400 per vehicle per year but the cost will be more than that. John referenced a report he

provided to RTAC at a previous meeting that shows a 45 percent diversion since 2008. He said that vehicles on I-205 are traveling 45 to 55 miles per hours and ODOT's study shows an average of 53 miles per hour, therefore travel times are not an issue and there shouldn't be a toll. John suggested that travel times on the freeway be reported in a public record.

- John Ley said that there is a lot of information that RTAC members were not told. John sat in on 5 out of 6 VPFA committee meetings in 2017 and 2018. In 2017, the community was told that there were 50,000 diversions due to lack of vehicle capacity and once tolling was implemented there would be 130,000 diversions. He said that every single vehicle crossing the I-5 Interstate bridge diverting onto side roads would have a huge safety issue and reduction in the quality of life for the impacted neighborhoods. He asked if there would be any reduction in travel times as a result of tolling. John commented that the best option in 2017 was discarded; he encouraged RTAC members to demand Option 4 be put back on the table and moved forward to implementation. John suggested ending tolling and raising revenue another way. He said that the cost of collection has not yet been mentioned. Jon said that Portland has a lack of vehicle capacity.

5 Oregon Toll Program Updates

Garet Prior shared an update on the Low-Income Toll Program. He discussed the rationale for considering basing the program on 200 percent of the Federal Poverty Level (FPL) in comparison to 400 percent FPL. EMAC has been strongly supportive of a 400 percent FPL benefit-level; adding an additional benefit level at the 400 percent FPL would avoid a single-tier benefit cliff, reach customers at the minimum wage, and attempt to not further increase transportation cost burdens. More investigation is needed to assess the benefit level for the Low-Income Toll Program. Garet shared that, by the end of 2023, the ODOT will make a recommendation to the OTC to commit to a discount or credit benefit for households up to 200 percent FPL and determine options for a 200 – 400 percent benefit level, and to identify the geographic extent that the program will apply to. Garet also discussed the outreach and analysis approach to informing the OTC's decision, including preliminary traffic and revenue analysis, analysis of implementation issues, and equity-focused engagement work.

James Paulson provided an update on EMAC. He shared that EMAC had a joint meeting with STRAC in July to discuss the Low-Income Toll Program. In October, EMAC will meet to further discuss the Low-Income Toll Program as well as the RMPP options. James encouraged any RTAC members to reach out to him with questions to bring forward to EMAC members. Commissioner Fai shared an update on STRAC. Previous meetings have discussed the regulations, policies, and draft rules for the low-income discounts and exemptions.

Mandy Putney shared an update on the I-205 Toll Project. ODOT and FHWA will prepare a Supplemental Environmental Assessment to analyze the effects of the project scope changes. The project will no longer include the toll at the Tualatin Bridge or the added third lane on I-205. The Supplemental Environmental Assessment will be released for public comment in 2024. ODOT will update the traffic and revenue analysis for four scenarios; base, flatter, congestion pricing, and higher revenue.

- Commissioner Jayapal commented that it is challenging to talk about refining the Nexus projects and PTS project lists without a discussion of how to pay for them, and that the discussion on toll

revenue allocation will not occur until September 2024. She added that there has been a request for ODOT to provide a commitment to revenue sharing and she has not seen that that's been made. She stated that it is important to hear back from ODOT on that request either before or at the next RTAC meeting. She added appreciation that the ODOT is considering a 400 percent FPL for the Low-Income Toll Program because the FPL is flawed for the region.

- Mayor McEnery-Ogle asked if Vancouver residents have been involved in recommendations for the low-income program.
 - Gareth confirmed that Vancouver residents have been considered. However, the tolls for the I-5 Interstate Bridge will be a bi-state process and there will be a separate process for toll rate setting and rules.

6 Next Steps and Close Out

Brendan shared closing remarks, saying that he has heard an overall theme around collaboration. ODOT is hearing RTAC's comments and is responding. ODOT has touchpoints with agency staff to move conversations forward and Brendan will be trying to reach out to RTAC members to be proactive.

Travis thanked RTAC members for their feedback. He acknowledged concerns about the real-world impacts of tolling in the communities, particularly around diversion, as well as an overall desire to see more specific information about the impacts. Travis also acknowledged that there is frustration around not having answers right now and said that ODOT is committed to collaborating moving forward to build the system and answer those questions through an iterative process.

The next RTAC meeting will be on November 13, 2023.

7 Action Items

The project team heard requests for additional information during the meeting. Action items for the team are:

- Share findings from Texas A&M study about traffic patterns from managed lanes over time. *(Complete)*
- Complete additional analysis of managed lanes for the I-205 Toll Project corridor. The evaluation presented at RTAC was for the 58 miles of RMPP project area. *(Analysis in process)*
- Follow-up with data behind diversion rates and VHT for evaluating RMPP options.
- Send out larger version of graphic showing PTS projects. *(Complete)*

8 Written Public Comment

For public comments sent before the meeting, see attached.

9 Meeting Evaluation

Four members submitted a paper meeting evaluation. No members submitted an online evaluation.

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Question 1: I clearly understood the agenda, the meeting objectives, and knew what the group was trying to accomplish during this meeting.	0	0	0	2	2
Question 2: Members had a chance to speak and contribute to items under consideration.	0	1	0	1	2
Question 3: The meeting was well facilitated.	0	0	0	2	2
Question 4: There were adequate options for public comment.	0	0	1	2	1

Comments received from members:

- **Commenter 1:** I think going to one meeting every other month will be challenging. I would rather calendar every month and release meetings which are not needed. Too hard to set meetings of this size on the fly.
- **Commenter 2:** Very dense agenda. Very useful data and concepts. Insufficient time for RTAC inquiry and input. I had commentary for each, but deferred to OR electeds input.
- **Commenter 2:**
 - 9: 20: Great data. Direct answers.
 - 9:57: Options – clear findings – toll assumptions? Time saving? Reduce congestion?
 - 10:50: PTS – argh! Slide 42 very disappointing – distracted from conversation. Please put link in summary
 - 11:03: Nexus – any news for Clark County projects?
 - 11:29 – Clark County low income options?

Thanks for clear titles and font size on slides. Please watch for readability.

Regional Toll Advisory Committee Meeting 10 Public Comments

Below are the comments received via the Oregon Tolling email and the toll program web comment form directed to the RTAC. This summary includes all comments received between June 22, 2023, and September 14, 2023. A total of three comments are included in this packet.

Date received	6/26/2023
Source	Email
From	Rennie
Subject	RTAC Public Comment

The impact scenarios were not helpful. Why would a time/travel impact scenario be after 5PM to go to a park for a walk with grandchildren? Why wouldn't it be rush hour and account for surface street congestion in West Linn as a result of toll diversion?

To be more specific, you chose a scenario to fit your desired narrative.

Date received	7/3/2023
Source	Email
From	Mary Peterson
Subject	RTAC Public Comment re TOLLING

RTAC Public Comment re TOLLING

DO NOT CHARGE EVERYONE TOLLS,

especially when:

- There is no alternate highway to use (OR A WAY TO CROSS OVER THE RIVER), not needing to use the highway 205
- It is only used for persons to get across the river from West Linn's HWY 43, to McLoughlin Avenue
- All other cities have a SEPARATE LANE/S) FOR TOLLS ONLY (for people who want a FAST LANE/S)
- It's not drivers' fault that we are supposed to be driving electric cars, and those who don't (like myself) spend \$100+ a month for gas.

Charge the electric cars only, if you must get lost revenue from non-users of gas.

Memorandum

RTAC Public Comment / August 22 – October 24, 2022

But, most importantly, don't toll the ONLY OPTION of a highway, for drivers access to get to work, appointments, doctors, school...

Date received	8/18/2023
Source	Email
From	David Hackleman
Subject	Emsc, rtac, and strac

It continues to amaze me that instead of a completely direct tax exactly relating to road wear isn't implemented instead of all the current and planned ideas. For nearly a century, it has been clear that there is a direct correlation between tire wear and road wear. What is keeping Oregon and the US from simply implementing an appropriate tax on tires? Tires are the only thing that all vehicles that use roads have in common. This implemented as a replacement to fuel taxes and tolls would eliminate all the issues currently faced. Sad that evidently something so simple cannot be accomplished.

I-205 Toll Project

Responses to Frequently Received Comments on the 2023 Environmental Assessment

November 2023



Responses to Frequently Received Comments on the 2023 Environmental Assessment

November 2023

Prepared for:



Prepared by:



WSP USA
851 SW 6th Avenue, Suite 1600
Portland, OR 97204



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2.2	Why are the current taxes I'm paying and other funding sources insufficient to fund I-205 improvements?	6
2.3	It's not clear how toll revenues from the Project will be used. Will they go back into the communities that are paying the tolls?	7
2.4	ODOT should invest in the transportation system, such as new lanes on I-205 or the regional transit system, rather than spending available funds to establish a toll system.	8
2.5	Tolling will negatively impact low- and middle-income households. These residents should receive a discount or exemption.	8
2.6	Communities adjacent to I-205 and other groups, such as delivery drivers, rideshare drivers, and emergency responders, are dependent on I-205. Will there be discounts, exemptions, or other concessions for them?	10
2.7	Tolls on I-205 should be removed once the I-205 improvements construction bonds are paid.....	10
2.8	There are many people who do not have good alternatives and can't adjust their work schedules or take public transportation. What options will there be for people who cannot choose when, where, and how they travel?	10
2.9	ODOT did not provide enough opportunities or sufficient notice for input on the environmental analysis before completion of the Environmental Assessment, and the comment period was not long enough.	11
2.10	The public should be able to vote on toll projects.	12
2.11	ODOT should have completed an Environmental Impact Statement rather than an Environmental Assessment for the Project. ODOT is not adequately analyzing the effects tolling will have on our communities.	13
2.12	ODOT should have considered more potential alternatives beyond just a No Build and Build Alternative, such as tolling one lane or implementing an express lane instead of tolling all lanes, constructing a new lane without tolling, tolling without adding a new lane to I-205, and increasing transit service in the area.	14
2.13	Tolling will not effectively reduce congestion, motivate people to choose other modes of travel, or generate benefits for our community.....	15
2.14	Tolling I-205 will increase safety risks for travelers in general, but especially for pedestrians and cyclists, by pushing more traffic onto local roads.	15
2.15	It is not possible for ODOT to adequately analyze the effects of tolling if the toll rates are not yet finalized. ODOT needs to share toll rates for the average household.	16
2.16	The Project will lead to increased air pollutant and/or greenhouse gas emissions in my neighborhood because traffic will get worse, and there will be more cars on the highway.....	17
2.17	Tolling will hurt access to businesses on local roads that experience congestion with rerouted traffic and will lead to higher costs for goods and services. Any benefits will be outweighed by the costs and burdens on families and businesses.	18
2.18	ODOT needs to provide more details on planned mitigation, any proposed monitoring programs, and how they will address negative effects to the local transportation system.	19

Responses to Frequently Received Comments on the 2023 Environmental Assessment

2.19 ODOT should have studied the cumulative effects of other regional projects like the Regional Mobility Pricing Project in the Environmental Assessment. 20

2.20 The environmental review processes for the I-205 Toll Project and the Regional Mobility Pricing Project should be combined. 21

2.21 The Project area did not capture all of the effects to local communities, nor include all of the roads and intersections in the Project area in enough detail. 21

2.22 The Project will lead to increased traffic noise for communities near I-205. 21

Acronyms and Abbreviations

Acronym/Abbreviation	Definition
ACS	American Community Survey
API	Area of Potential Impact
CE	Categorical Exclusion
CFR	Code of Federal Regulations
DTA	Dynamic Traffic Assignment
EFC	Equity Framework Community
EIS	Environmental Impact Statement
EMAC	Equity and Mobility Advisory Committee
FHWA	Federal Highway Administration
HB	House Bill
I-	Interstate
MSAT	Mobile Source Air Toxics
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
ODOT	Oregon Department of Transportation
ORS	Oregon Revised Statutes
Project	I-205 Toll Project
RFFA	Reasonably Foreseeable Future Action
RMPP	Regional Mobility Pricing Project
RTAC	Regional Toll Advisory Committee
RTP	Regional Transportation Plan
STRAC	Statewide Toll Rulemaking Advisory Committee
USEPA	U.S. Environmental Protection Agency

1 Introduction

In February 2023, the Oregon Department of Transportation (ODOT) and the Federal Highway Administration (FHWA) issued an Environmental Assessment for the I-205 Toll Project (Project) for public comment in accordance with the National Environmental Policy Act (NEPA). The Project proposed variable-rate tolls¹ on the Abernethy Bridge and Tualatin River Bridges to raise revenue for construction of planned improvements to I-205 and to manage congestion. The 2023 Environmental Assessment evaluated the effects of tolling and the toll-funded I-205 improvements on the human and natural environments.

Since the issuance of the [2023 Environmental Assessment](#) and the comment period, several key factors changed, affecting project costs and revenue sources. In May 2023, Governor Kotek directed ODOT to delay the collection of tolls until 2026 in response to concerns from legislators and Clackamas County residents. The delay in toll revenue made it necessary to indefinitely postpone Phase 2 of the I-205 improvements, which also decreased the scope of the I-205 Toll Project. ODOT and FHWA are evaluating the environmental effects of this revised I-205 Toll Project and will present the analyses in a Supplemental Environmental Assessment. ODOT and FHWA plan to publish the Supplemental Environmental Assessment for public review and comment in summer 2024.

ODOT and FHWA value the input provided through comments on the 2023 Environmental Assessment, some of which have applicability to the revised I-205 Toll Project. This document responds to comments that were frequently made during the 2023 Environmental Assessment comment period.

1.1 2023 Environmental Assessment Public Comment Period

ODOT and FHWA invited agency, Tribal, and public input on the Environmental Assessment and technical reports during a 60-day comment period from February 21, 2023, to April 21, 2023. ODOT and FHWA received more than 2,800 comment submittals.

The Environmental Assessment Public Engagement Activity and Comment Summary provides a comprehensive summary of outreach activities leading up to and during the Environmental Assessment comment period, as well as a summary of all public and agency comments received. ODOT and FHWA have published the summary and the full text of all comments received on the [Oregon Tolling website](#).

1.2 Comment Processing and Coding

Project team members reviewed all comment submittals, identified individual comments within the submittals, and categorized the comments by topic. Each comment submittal could include comments on multiple topics. Table 1 identifies the frequency that each topic category was used.

¹ Variable-rate tolls are fees charged to use a road or bridge that vary based on time of day and can be used as a strategy to shift demand to less congested times of day.

Responses to Frequently Received Comments on the 2023 Environmental Assessment

Table 1. Count of Environmental Assessment Comments by Topic

Topic	Number of Comments ²
Diversion/Rerouting	1,010
Revenue and Taxes	960
Household Finances	900
Trust and Accountability	880
Fairness	790
Congestion Observations and Impacts	790
Public Engagement/Process	740
Alternatives	600
Purpose and Need, Goals and Objectives	580
Multimodal Transportation	490
Toll Implementation	470
Equity	400
Safety	350
Air Quality, Climate Change, Greenhouse Gas Emissions, and Energy	350
Business and Freight	300
Social Resources and Communities	270
Mitigation and Monitoring	190
Other Regional Projects and Transportation Plans	170
Other Examples of Tolling	140
Other Environmental Effects	130

² Each comment could be tagged with multiple topics. Numbers are rounded to the nearest ten.

2 Responses to Frequently Received Comments

ODOT reviewed all comments received during the [2023 Environmental Assessment](#) comment period, compiled the most frequently received comments and questions, organized them by topic, and summarized them in the following 22 frequently received comments. They are presented roughly in order of frequency and summarized to reflect the general topic and sentiment of the comments received.

Because the scope of the I-205 Toll Project (Project) has changed since completion of the 2023 Environmental Assessment, most responses to the frequently received comments identify next steps for the environmental review process, such as how the Supplemental Environmental Assessment will update the analyses and, where applicable, incorporate input received during the 2023 Environmental Assessment comment period.

2.1 **Traffic already reroutes to local streets and alternative routes when traffic is bad on I-205. Tolling I-205 will make this congestion worse, particularly in Oregon City and West Linn, because drivers will use back roads to avoid the tolls. ODOT did not adequately study the effects of the Project on local streets.**

Existing traffic data indicates that some drivers currently use local streets to avoid congestion on highways, as discussed in Section 4.2 of 2023 Environmental Assessment Appendix C, [I-205 Toll Project Transportation Technical Report](#), and they will continue to do so as long as highways are congested.

For the [2023 Environmental Assessment](#), ODOT analyzed potential future effects of rerouting onto local streets resulting from the proposed Project (Build Alternative) compared to without the Project (No Build Alternative). The Project team determined the roadways and intersections to study based on the anticipated volume changes for daily, AM peak-hour, and PM peak-hour traffic from the Metro regional travel demand model results for 2045. Intersection locations were selected for inclusion in the study area, known as the Area of Potential Impact, if the change in AM or PM peak-hour volumes between the No Build and Build Alternatives met all three of the following criteria:

- Greater than 10% volume increase
- Greater than 100 vehicles increase total
- Volume-to-capacity ratio³ is greater than 0.7 in the Build Alternative model

The Project team considered input from local jurisdictions on specific intersections of concern. ODOT and FHWA increased the number of intersections studied for potential traffic rerouting effects from 34 to 50 because of this coordination with local cities and counties.

The Project team also developed and implemented a dynamic traffic assignment (DTA) model specific to the I-205 Toll Project to analyze impacts during the AM and PM peak periods. The Project team used the

³ Volume-to-capacity ratios measure the level of congestion on a roadway by dividing the volume of traffic by the capacity of the roadway.

Responses to Frequently Received Comments on the 2023 Environmental Assessment

DTA model to confirm the results of the Metro regional travel demand model and more closely reflect potential rerouting related to tolls under congested conditions.

The Project team analyzed a defined set of performance measures to assess potential effects on local streets and intersections, including future traffic volumes, volume-to-capacity ratios, average vehicle delay (wait times at intersection locations), level of service (the quality of traffic flow on a roadway), and travel times.

Chapter 3 of 2023 Environmental Assessment Appendix C, *I-205 Toll Project Transportation Technical Report*, provides a more detailed description of the methodology used for the 2023 Environmental Assessment analysis. ODOT provided the proposed methodology to participating agencies for their review and incorporated their input before beginning the analysis.

Section 3.1.5 of the 2023 Environmental Assessment identified the potential short- and long-term transportation effects of the No Build Alternative (future conditions without the Project) compared to the Build Alternative (the proposed Project). Section 5.3 of 2023 Environmental Assessment Appendix C, *I-205 Toll Project Transportation Technical Report*, provided more detailed information and data about these benefits and impacts.

Next Steps:

Like the 2023 Environmental Assessment, the Supplemental Environmental Assessment analysis will identify key roadways and intersections near the revised Project area that would potentially experience differences in AM or PM peak-hour traffic volumes and congestion levels under the Revised Build Alternative compared to the No Build Alternative. The transportation analysis methodology will generally be the same for the Supplemental Environmental Assessment as the 2023 Environmental Assessment. The supplemental analysis will include refinements to the assumed toll rates (including lower rates assumed for trucks). It could include new study intersections that were not considered in the 2023 Environmental Assessment, based on input from local jurisdictions and refinements to the screening criteria for determining intersections to assess for impacts.

The Supplemental Environmental Assessment will report on differences in traffic volumes, travel times, intersection operations, and congestion levels on I-205 and nearby streets and intersections and consider all modes, including vehicles, freight, transit, and active transportation. The reduced-scope Project will likely have different effects on local streets compared to the 2023 Environmental Assessment.

2.2 Why are the current taxes I'm paying and other funding sources insufficient to fund I-205 improvements?

The traditional sources of funding that ODOT has depended on to pay for transportation infrastructure improvement projects, like the fuels tax and registration fees, have not kept up with the needs and demands of our transportation system and the rising cost of constructing new transportation projects. Vehicles are becoming more fuel efficient and electric, which is a primary reason we're on track to reduce carbon emissions from transportation by 60% by 2050. This will create even less revenue from the fuels tax over time, which means a variety of funding sources are needed to maintain and upgrade the transportation system. Additionally, very high inflation in highway construction across the nation has driven project costs up significantly, and the cost of congestion within our region continues to hurt our

Responses to Frequently Received Comments on the 2023 Environmental Assessment

local and regional economies. High inflation and the high cost of congestion have added to the need for new, sustainable funding sources to account for these unforeseen costs.

ODOT is exploring tolling as directed by state law to reduce congestion in the Portland metropolitan region and raise revenue for improvements. The Oregon Legislature approved House Bill (HB) 2017 (Oregon Revised Statutes [ORS] 184.617-184.742) in 2017 and HB 3055 (ORS 383.001) in 2021, which directed the Oregon Transportation Commission to pursue and implement tolling on I-5 and I-205 in the Portland metropolitan region for traffic congestion reduction and to pay for transportation improvements.

The [2023 Environmental Assessment](#) identified a need for toll revenue to fund construction of critical transportation projects, including the I-205 improvements (See Section 1.4.1 of the 2023 Environmental Assessment).

In May 2023, Governor Kotek directed ODOT to delay toll collection on I-205 and I-5 until January 1, 2026, in response to concerns from elected officials and community members in Clackamas County. In response to this directive, ODOT submitted an [Urban Mobility Strategy Finance Plan](#) in July 2023 to answer key questions about how to pay for the Urban Mobility Strategy projects in both the short and long term. In the first phase of funding identified in the finance plan, with respect to I-205 improvements, ODOT will focus on completing the Abernethy Bridge reconstruction and will reduce the I-205 Toll Project to tolling only at the Abernethy Bridge. Funding for the other I-205 improvements previously evaluated in the 2023 Environmental Assessment (highway widening and replacements/reconstruction of other bridges in the 7-mile segment of I-205) is no longer available in the short term and, therefore, those improvements are not included in the Project.

By 2025, ODOT estimates that the costs incurred for Urban Mobility Strategy projects will use up all available HB 2017 funds and other available resources and will require additional funding to complete construction of Phase 1A. To cover this gap, ODOT will need an additional source of funding, such as tolling, or will need to cut funding from projects included in the Statewide Transportation Improvement Program to pay back short-term borrowing. The revised Project to be evaluated in the Supplemental Environmental Assessment identifies a need for toll revenue to help fund reconstruction of the Abernethy Bridge to make it earthquake ready.

2.3 It's not clear how toll revenues from the Project will be used. Will they go back into the communities that are paying the tolls?

Yes, tolls collected at the Abernethy Bridge will be used to make an earthquake-ready crossing of the Willamette River in this location.

ODOT is seeking environmental approval for the Project, which is authorized under the federal tolling program codified in 23 U.S. Code Section 129 (Section 129). The Section 129 General Tolling Program allows public agencies to impose new tolls on federal-aid highways for initial construction of a new highway, bridge, or tunnel; on initial construction of new lanes added to existing highways as long as the number of toll-free lanes is not reduced; and on the reconstruction or replacement of bridges, tunnels, and highways.

Whenever a facility is tolled pursuant to the legal authority under Section 129, the toll revenue collected from the operation of the facility must be used for projects on the tolled facility or for which the tolls are authorized. This means, for the revised Project, ODOT can and will only use the toll revenue for the

Abernethy Bridge reconstruction and any mitigation identified through the environmental analysis (see Response 2.2).

As required by federal law, toll revenue will first pay for operations and maintenance of the tolled roadways and the toll program itself. Once federal requirements have been met, any excess (net) toll revenue will be subject to the Oregon Constitution (Article IX, section 3a), state law, and Oregon Transportation Commission policy. The Oregon Constitution specifies that revenues collected from the use or operation of motor vehicles is spent on roadway projects, which could include construction or reconstruction of travel lanes, as well as bicycle and pedestrian facilities or transit improvements in or along the roadway.

As the state's tolling authority as established under Oregon Revised Statutes 383.004, the Oregon Transportation Commission holds the authority to designate toll revenues and those decisions will be made using an extensive public engagement process. State policy states that toll revenue will be invested in the same corridor it was collected.

ODOT provides regular updates about how all of its revenues are spent through financial [reports posted on its website](#).

2.4 ODOT should invest in the transportation system, such as new lanes on I-205 or the regional transit system, rather than spending available funds to establish a toll system.

House Bill (HB) 2017 (Oregon Revised Statutes [ORS] 184.617-184.742) and HB 3055 (ORS 383.001) directed ODOT to evaluate tolling on I-5 and I-205 and directed the Oregon Transportation Commission and ODOT to pursue and implement tolling on I-5 and I-205 in the Portland metropolitan region for traffic congestion management and to pay for transportation improvements.

HB 2017 also provided funding for improvements to freight rail, public transportation, and bike and pedestrian facilities throughout the state. In the five years after HB 2017 took effect, ODOT has invested \$312 million in public transportation and funded 21 multi-use path projects totaling \$15.1 million to help separate people walking and rolling from auto and freight traffic.

The Oregon Constitution specifies that toll revenue can be used on the construction or reconstruction of bike, pedestrian, and transit improvements in or along the roadway (see Response 2.3). ODOT is working with transit providers and local jurisdictions to enhance multimodal travel options in areas where there are gaps in the network. Options to improve transit access may include increased frequency on an existing bus route, establishment of new bus routes, or roadway projects that improve transit service.

2.5 Tolling will negatively impact low- and middle-income households. These residents should receive a discount or exemption.

The [2023 Environmental Assessment](#) analyzed the potential for adverse impacts related to the cost of tolls on low-income households, which could also include historically and currently underserved communities such as communities of color, Tribal members, older adults (age 65+) on fixed incomes, youth (age 18 and under), people experiencing a disability, people with limited English proficiency, and households with no vehicle access. The Project could increase transportation costs as a percentage of overall household spending for all drivers, which would be higher for low-income drivers, particularly

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those at or below the federal poverty level, as described in Section 3.8 of the 2023 Environmental Assessment.

To offset these impacts, ODOT has committed to a discount or credit program for people experiencing low incomes (see Section 3.8.4 of the 2023 Environmental Assessment). In September 2022, ODOT and the Oregon Transportation Commission submitted a report of discount options called the [Low-Income Toll Report](#) to the Oregon Legislature for its consideration. Development of the low-income toll program is ongoing. ODOT is committed to implementing a low-income toll program for households with incomes equal to or below 200% of the federal poverty level and plans to have this benefit available when tolls are first implemented. Basing the low-income toll program on the 200% federal poverty level is a common practice⁴ that would allow the program to rely on existing service providers for income verification. ODOT and the Oregon Transportation Commission are still considering options for a program for households at 200% to 400% of the federal poverty level to analyze in greater depth. There will be opportunities for public feedback on the draft options and continued coordination with the [Equity and Mobility Advisory Committee](#) (EMAC) and the [Statewide Toll Rulemaking Advisory Committee](#) (STRAC), groups that advise on toll program development. For more information on income-based discounts, please refer to the Draft Toll Rules in [STRAC's September 22, 2023, meeting materials](#) and the [analysis presented at EMAC's October 4, 2023, meeting](#) on the ODOT website.

The Oregon Transportation Commission would determine final toll rates, including any discounts or account structures and the geographic extent that will be eligible for the low-income toll program, using the results of ongoing technical and financial analysis, committee advice, and public input. More information and resources on how to enroll in the low-income toll program would be available prior to the start of tolling. ODOT would administer income-based benefits when tolling begins.

Next Steps:

ODOT and FHWA will analyze potential effects of the Revised Build Alternative on environmental justice populations⁵ and equity framework communities⁶ in the Supplemental Environmental Assessment. Based on public comments and availability of new data since the 2023 Environmental Assessment, ODOT will use more recent U.S. Census data to reflect potential changes in the Project area. The Supplemental Environmental Assessment will report on effects of the Revised Build Alternative to low-income populations related to household transportation costs, travel times, access to social resources and activity centers, safety, and other factors previously studied in the 2023 Environmental Assessment. The Supplemental Environmental Assessment will also identify strategies to avoid, minimize, or mitigate

⁴ Please refer to the Chapter 6 of the [Low Income Toll Report](#) for a review of best practices from other income-based toll programs and fare systems.

⁵ Environmental justice populations are defined as minority and/or low-income populations. Section 3.8.1 of the 2023 Environmental Assessment provides more detailed definitions and information about the analysis approach, which will also be used for the Supplemental Environmental Assessment.

⁶ Equity Framework Communities refers to adults (age 65+), children (age 18 and under), people experiencing a disability, people with limited English proficiency, and households with no vehicle access. Section 3.7.1 of the 2023 Environmental Assessment provides more information about the analysis approach, which will also be used for the Supplemental Environmental Assessment.

adverse effects as appropriate. Specific parameters of the low-income toll program, if available, will be included in the analysis presented in the Supplemental Environmental Assessment.

2.6 Communities adjacent to I-205 and other groups, such as delivery drivers, rideshare drivers, and emergency responders, are dependent on I-205. Will there be discounts, exemptions, or other concessions for them?

Exemptions, credits, and discounts are currently being discussed by the [Statewide Toll Rulemaking Advisory Committee \(STRAC\)](#). The STRAC advises on draft Oregon Administrative Rules for how customers interact with and use the tolling system and how toll rates are set up and adjusted. These rules will apply to planned toll projects in the Portland metropolitan region, including the I-205 Toll Project.

Exemptions are required by law for public transit and military personnel. Other user and vehicle types being considered for exemptions include emergency response vehicles, such as police, fire, and ambulance, and highway safety response vehicles. Exemptions for members of federally recognized Tribes and Tribal government vehicles are being explored in a separate government-to-government process between ODOT and Tribal government representatives.

A draft rules packet that includes proposals about exemptions, credits, and discounts is expected to be available for public review and comment at the end of 2023. Following STRAC's recommendation and the public process, the Oregon Transportation Commission will determine the toll rates, including determination of any discounts, credits, or exemptions and account structures. For more information regarding exemptions under consideration, please refer to [STRAC meeting materials on the ODOT website](#).

2.7 Tolls on I-205 should be removed once the I-205 improvements construction bonds are paid.

Construction bond repayment will take approximately 25 to 30 years. The Oregon Transportation Commission will determine the duration of tolling through a separate process that is outside of the National Environmental Policy Act (NEPA) review. Please see Response 2.3 for more information about other ways that toll revenues could be spent in the I-205 corridor aside from repaying construction bonds.

2.8 There are many people who do not have good alternatives and can't adjust their work schedules or take public transportation. What options will there be for people who cannot choose when, where, and how they travel?

ODOT recognizes that transit options are limited along the I-205 corridor and in the greater vicinity. ODOT is working with transit providers, such as TriMet and SMART, and local jurisdictions, such as Clackamas County, to expand the multimodal options in the area so people have more choices and can choose the travel option that works for them. Options may include increased frequency on an existing bus route or establishment of a new bus route.

ODOT also recognizes that not everyone can change their schedules to avoid peak-hour travel. However, some travelers who can make adjustments in their daily routines, such as choosing to delay running errands until off-peak hours, will do so based on the cost of the toll. Traffic modeling suggests that removing as little as 5% of the vehicles from a busy road reduces traffic and allows a more efficient flow of cars. That 5% of vehicles choose a variety of options, including traveling at a different time, carpooling, not making a trip, using a different mode, or taking a different route. Fewer vehicles on the road during

peak travel times means less traffic and improves trip reliability for those who have no choice but to drive at that time.

ODOT will establish a low-income toll program to help offset the impacts of tolling on household budgets for people experiencing low incomes (see Response 2.5).

2.9 ODOT did not provide enough opportunities or sufficient notice for input on the environmental analysis before completion of the Environmental Assessment, and the comment period was not long enough.

ODOT and FHWA have engaged in extensive public involvement, agency coordination, and Tribal consultation to gather input throughout development of the I-205 Toll Project. Engagement with the public and participating agencies has been ongoing since it began in the summer of 2020. Leading up to publication of the 2023 Environmental Assessment, ODOT provided extensive opportunities for agencies, tribes, and the public to review project information and provide feedback, including more than 100 public briefings and presentations to local officials, committees, and councils; numerous tabling, workshop, or listening session events, including at community gathering spaces such as farmers markets; focus groups and stakeholder interviews; and online and in-person open houses to provide information about the Project. Input provided informed key elements of the 2023 Environmental Assessment, including the purpose and need for the Project, alternatives considered, potential impacts, and possible mitigation measures. This engagement is summarized in Chapter 4 of the [2023 Environmental Assessment](#).

During the 2023 Environmental Assessment comment period, ODOT informed the community about the document and opportunities to comment through tabling events, webinars, agency and public briefings, business canvassing, toll committee meetings, engagement with community-based organizations, advertisements and news stories in local media, email newsletters, and social media posts. The Project team also worked closely with community engagement liaisons to share information with diverse and underserved communities, recruit members of the public to seven discussion groups, and translate or interpret information from English into Vietnamese, Chinese, Russian, or Spanish. The Environmental Assessment Public Engagement Activity and Comment Summary, available on the [Oregon Tolling website](#), provides a comprehensive summary of outreach activities leading up to and during the 2023 Environmental Assessment comment period.

Regulations⁷ for Environmental Assessments, and ODOT's approved NEPA Public Involvement Procedures,⁸ 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 Environmental Assessment 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 Code of Federal Regulations (CFR) 771.119(f), in recognition of high interest in the proposed action and to ensure that ample time was available to review the Environmental Assessment for Oregon's first tolling project.

⁷ 23 CFR 771.119(f)

⁸ Available at: https://www.oregon.gov/ODOT/GeoEnvironmental/Docs_NEPA/NEPA_PI_Procedures_FHWA.pdf

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On March 2, 2023, in response to requests from partners for more time, ODOT and FHWA agreed to extend the original 45-day public comment to 60 days. ODOT consulted with FHWA and determined the 60-day comment period balanced the requests for additional review time that had been received while ensuring a timely decision-making process and maintaining consistency with the NEPA implementing regulations of 40 CFR 1500-1508. Based on those factors, FHWA determined there would be no additional comment period extensions.

In May 2023, ODOT received direction from Governor Kotek to delay toll collection until January 2026. Implementing tolling for the first time in Oregon requires extensive planning and community engagement. This new timeline is an opportunity to improve ODOT's public outreach and receive increased guidance and engagement with ODOT's partners and local communities.

Next Steps:

During preparation of the Supplemental Environmental Assessment, ODOT will continue close coordination with local jurisdictions, partners, the public, and advisory committees (Equity and Mobility Advisory Committee and the Regional Toll Advisory Committee). This will include ongoing briefings with local and regional officials, and community engagement at public events. The revised analyses for the Supplemental Environmental Assessment will incorporate input received from the public and agencies during the 2023 Environmental Assessment comment period, as described further in Responses 2.1, 2.5, and 2.19. The Supplemental Environmental Assessment will be released for public comment during a 30-day availability period in 2024. FHWA and ODOT determined that the 30-day duration is adequate for the Supplemental Environmental Assessment because the Revised Build Alternative is reduced in scope.

2.10 The public should be able to vote on toll projects.

The Oregon Legislature directed ODOT to evaluate tolling on I-5 and I-205 through House Bill (HB) 2017 in 2017 and HB 3055 in 2021. During the [2023 Environmental Assessment](#) and now for the Supplemental Environmental Assessment, the Project team has been partnering with city, county, and regional governments and community organizations on the analysis of the Project's benefits and impacts, as well as holding open houses and webinars to hear public input throughout the Project development process.

Input from agencies and the public shaped the scope, methodology, and analysis for the 2023 Environmental Assessment and will continue with the revised Project. Examples of steps ODOT took to incorporate agency and public input into the 2023 Environmental Assessment include:

- Updating the I-205 Toll Project goals and objectives, listed in Section 1.5 of the 2023 Environmental Assessment, to include equity and to acknowledge quality of life impacts on nearby and adjacent communities, based on comments received from the public, agencies, the Equity and Mobility Advisory Committee, and specific outreach to historically and currently excluded and underserved communities.
- Adding performance measures to account for equity impacts on disadvantaged groups, such as health, safety, and accessibility.
- Increasing the number of intersections studied for potential traffic rerouting effects from 34 to 50 based on continuing coordination with local cities and counties.

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- Evaluating potential environmental effects from the implementation of tolling and the resulting changes in traffic patterns across a range of topic areas beyond transportation, including environmental justice, social resources and communities, and noise.
- Proposing mitigation measures to offset projected effects on local roadways through close coordination, including a series of workshops, with affected cities and counties.
- Expanding the number of engagement opportunities and outreach events to provide information about the I-205 Toll Project and environmental review process, including flyers distributed at local events and briefings.

Please refer to Chapter 4, Public Involvement, Agency Coordination, and Tribal Coordination, of the 2023 Environmental Assessment for more information on ODOT's commitment to public involvement throughout the development of the I-205 Toll Project.

2.11 ODOT should have completed an Environmental Impact Statement rather than an Environmental Assessment for the Project. ODOT is not adequately analyzing the effects tolling will have on our communities.

The National Environmental Policy Act (NEPA) requires preparation of an Environmental Impact Statement (EIS) when a project is likely to have significant effects on the quality of the human environment (23 Code of Federal Regulation [CFR] 771.123(a)). An Environmental Assessment is prepared when a project is not likely to have significant effects or when the significance of the effects is unknown, to determine if an EIS is needed. If adverse effects are not identified or can be mitigated to below significant levels, a finding of no significant impact may be prepared. If significant impacts are identified during the Environmental Assessment process, an EIS is prepared.

During summer of 2020, FHWA, in coordination with ODOT, decided to conduct an Environmental Assessment under NEPA for the I-205 Toll Project.

The rationale for this NEPA classification was:

- **Unlikely significant impacts:** The details of potential project impacts were unknown but assumed not to be significant based on known information. Anticipated impacts would primarily be related to changes in traffic patterns that result from tolling I-205. The effects of physical construction would be limited to the installation of toll gantries and associated signage, routing associated electrical and communications infrastructure, and construction impacts associated with the planned widening and seismic improvements on I-205 between Stafford Road and Oregon Route 213, which previously obtained NEPA clearance with a Categorical Exclusion.
- **National precedents for toll projects:** Nationally, FHWA has typically prepared EAs for toll projects as these projects have not resulted in significant effects to the environment. Examples include I-405 Renton to Bellevue Widening and Express Toll Lanes Project (Washington State Department of Transportation); I-95 HOT Lanes Project (Virginia Department of Transportation); 183 North Mobility Project (Texas Department of Transportation); Toll Locations 1 and 2 (Rhode Island Department of Transportation); and Toll Locations 3, 4, and 6 through 13 (Rhode Island Department of Transportation).

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An Environmental Assessment does not allow an agency to conduct less analysis or to analyze project effects in less detail than an EIS; it focuses the analysis on those impacts that could be significant. The [2023 Environmental Assessment](#) provided thorough analyses of the potential effects that could occur as a result of the Project, with a level of detail similar to what would be included in an EIS. This includes detailed analysis of potential effects to transportation, air quality, climate change, economics, noise, visual quality, social resources and communities, environmental justice, land use, geology and soils, hazardous materials, historic and archaeological resources, vegetation and wildlife, wetlands and water resources, and cumulative impacts.

Next Steps:

For the Supplemental Environmental Assessment, the same rigor of analysis done for the 2023 Environmental Assessment will occur for the relevant environmental topic areas. ODOT will reexamine how the revised Project will affect local communities and identify mitigation measures as appropriate.

2.12 ODOT should have considered more potential alternatives beyond just a No Build and Build Alternative, such as tolling one lane or implementing an express lane instead of tolling all lanes, constructing a new lane without tolling, tolling without adding a new lane to I-205, and increasing transit service in the area.

In 2017, the Oregon Legislature through Oregon House Bill (HB) 2017 directed the Oregon Transportation Commission to pursue and implement value pricing on I-5 and I-205 in the Portland metropolitan region to help manage traffic congestion. Oregon HB 3055, which the Oregon Legislature passed in 2021, further supported implementation of the Oregon Toll Program and related toll projects to manage congestion and raise revenue. Consistent with this direction, ODOT is developing a statewide tolling program, the Oregon Toll Program, to manage congestion and raise revenue, starting with two toll projects: the I-205 Toll Project and the Regional Mobility Pricing Project (RMPP).

Council on Environmental Quality regulations state that an Environmental Assessment shall “Briefly discuss...alternatives as required by section 102(2)(E) of NEPA” (40 Code of Federal Regulations 1501.5[c][2]). Sections 2.2.1 through 2.2.4 of the [2023 Environmental Assessment](#) summarize the alternatives for tolling that were initially considered but not advanced for study and the reasons ODOT did not move forward with these alternatives. Options for improving I-205 without tolling would not meet the Project purpose and need, which included generating construction funding for critical projects (see 2023 Environmental Assessment Section 1.4).

Prior to development of the I-205 Toll Project, in 2017, ODOT conducted the Value Pricing Feasibility Analysis to evaluate different options for congestion pricing and determine how and where congestion pricing could help improve congestion on I-5 or I-205 during peak travel times. Early analysis compared two ways to implement tolling: 1) tolling all lanes and 2) tolling a single lane, either by tolling an existing lane or constructing a new tolled lane in each travel direction. Following the first-round evaluation, a total of five concepts were evaluated, including Concept D that would price a third lane in each direction on I-205 from Oregon Route 99E to Stafford Road. Ultimately, the Value Pricing Feasibility Analysis recommended tolling all lanes of the existing interstate, rather than pricing a single lane or set of lanes. More specifically, Concept D was not recommended because it would provide little congestion-relief benefit and was not expected to generate substantial revenue to contribute toward the construction of the planned lanes and bridge widening project. More information about the analysis can be found in the

[Portland Metro Area Value Pricing Feasibility Analysis](#). Please see also the RMPP Managed Lanes Evaluation Memo included in the [September 2023 STRAC meeting materials](#) for more information about managed lanes.

In response to public input, ODOT is continuing to explore the potential use of a managed lane to fund the future construction of planned lanes on I-205. This analysis is not part of the I-205 Toll Project Supplemental Environmental Assessment.

ODOT will continue to work with transit providers and local jurisdictions to identify and implement multimodal solutions that provide more travel options to people in the Project corridor (see Response 2.4).

2.13 Tolling will not effectively reduce congestion, motivate people to choose other modes of travel, or generate benefits for our community.

Congestion pricing helps smooth the flow of traffic by charging a higher fee during rush hour and a lower fee at other times, so travelers can make informed choices, such as delaying running errands until off-peak hours; taking a bus, biking, or carpooling instead of driving alone; or paying a toll for a more reliable trip. Portland is not the first city to explore congestion pricing as a tool to reduce traffic. Places like Seattle and Minneapolis/St. Paul have been using congestion pricing for over a decade with great success. In Seattle, FHWA reported that traffic volumes decreased by 35% to 40%, and in Minneapolis/St. Paul, the state's department of transportation found that drivers were able to travel at speeds above 45 miles per hour approximately 96% of the time.

Tolling is also consistent with state transportation goals and policies. As stated in [Oregon Highway Plan Policy 6.C](#), "The intent of congestion pricing is to change some users' behavior so that they choose a different mode of transportation, time of day, route or not to make the trip. Congestion pricing can be considered as a complementary part of a tolling project incorporating new or upgraded infrastructure, but also can be considered as a travel demand strategy for an interstate or freeway segment without any planned infrastructure projects on the priced facility."

Travel times and congestion levels would improve on I-205 in the AM and PM peak hours in both directions under the Build Alternative, as discussed in Section 3.1.2 of the [2023 Environmental Assessment](#).

Next Steps:

Transportation modeling for the Supplemental Environmental Assessment is ongoing. Because of the reduced Project scope, effects related to congestion, travel times, and other effects will likely be different in the Supplemental Environmental Assessment than the 2023 Environmental Assessment.

2.14 Tolling I-205 will increase safety risks for travelers in general, but especially for pedestrians and cyclists, by pushing more traffic onto local roads.

The [2023 Environmental Assessment](#) identified potential impacts on safety conditions within the Area of Potential Impact for all modes of travel, including the predicted numbers of future crashes involving bicyclists, pedestrians, fatality/injury and property damage only, at intersections and along identified study corridors under the Build Alternative compared to the No Build Alternative. The 2023 Environmental

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Assessment also analyzed whether the Project would have effects on level of traffic stress (LTS) for people walking and biking. LTS is an analysis method used to quantify multimodal conditions by estimating the perceived safety of bicycle and pedestrian infrastructure. More details, including the results of the analysis, are included in Section 3.1.2 of the 2023 Environmental Assessment and in Sections 5.3.5 and 5.3.7 of the [I-205 Toll Project Transportation Technical Report](#).

Next Steps:

The Supplemental Environmental Assessment will provide an updated analysis of safety-related effects on I-205 and local streets for the revised Project using similar methods to the previous analysis. However, because of the reduced Project scope being considered in the Supplemental Environmental Assessment, effects related to safety will likely be different. The Supplemental Environmental Assessment will also identify mitigation measures as appropriate, including a monitoring program to track the effects of tolling on I-205 and local roadways (see Response 2.18).

2.15 It is not possible for ODOT to adequately analyze the effects of tolling if the toll rates are not yet finalized. ODOT needs to share toll rates for the average household.

A National Environmental Policy Act (NEPA) analysis is intended to provide the basis for an informed federal decision and, in the case of toll projects, often occurs before toll rate decisions have been finalized.⁹ As such, the NEPA analysis requires assumptions to be made about toll rates and the toll rate structure.

For the [2023 Environmental Assessment](#) and financial planning purposes, ODOT assumed a baseline weekday variable-rate toll schedule that balanced the objectives of revenue generation sufficient to meet the funding target for capital construction and alleviating congestion on I-205 during peak travel times, as explained further in Section 2.1.2 of the 2023 Environmental Assessment.

Next Steps:

The Supplemental Environmental Assessment will use similar assumptions about toll rates to analyze potential impacts to the transportation network, household spending, and the larger economy that result from the Project. As with the 2023 Environmental Assessment, these assumptions will be explained in the Supplemental Environmental Assessment to provide awareness and transparency to the public.

Determining final toll rates and expenditures of toll revenue will be part of a publicly accessible and transparent process. The Statewide Toll Rulemaking Advisory Committee is advising ODOT on how toll rates could be set. The Oregon Transportation Commission will decide the final toll rate schedule and allocation of revenues through a public process.

⁹ Decisions regarding the amount of the toll rates to be charged for the use of a toll facility are made by the public authority with jurisdiction over the facility or the private operator of the facility. These decisions require no review or input from the FHWA. Other tolling policy decisions, such as whether tolls will be collected on one direction of travel or both, the classes of vehicles upon which tolls are charged, and any toll exemptions or discounts for designated users, are also at the discretion of the public authority or private operator.

2.16 The Project will lead to increased air pollutant and/or greenhouse gas emissions in my neighborhood because traffic will get worse, and there will be more cars on the highway.

The [2023 Environmental Assessment](#) identified potential impacts on air quality and climate change within the Project area. Section 3.2.2 of the Environmental Assessment presented a quantitative evaluation of hazardous air pollutants called mobile source air toxics (MSAT),¹⁰ which used approaches recommended by FHWA's MSAT analysis guidance to estimate emissions from the Build and No Build Alternatives in 2027 and 2045. Although the Project area is in attainment for the most common air pollutants, known as criteria pollutants,¹¹ and further analysis of these pollutants was not required, ODOT also completed an analysis of criteria pollutant emissions to better understand the air quality effects of the Build Alternative.

The 2023 Environmental Assessment also identified the annual energy consumption and greenhouse gas emissions¹² associated with the construction and future operation of the Build and No Build Alternatives. Using a carbon estimator tool from FHWA,¹³ the Project team modeled greenhouse gas emissions and energy consumption from construction equipment and from vehicle delays during Project construction. The Project team also modeled energy use and greenhouse gas emissions associated with roadway maintenance and the operations of vehicles on the roadway network.

For the air pollutant and greenhouse gas emissions analyses, analysts used the U.S. Environmental Protection Agency's (USEPA) MOVES model version 3.0.2, the USEPA's state-of-the-art tool for estimating emissions from highway vehicles. The model is based on analyses of millions of emission test results and considerable advances in USEPA's understanding of vehicle emissions. Additional details about the methodology used for the air quality, greenhouse gases, and energy analyses are available in Chapter 4 of 2023 Environmental Assessment Appendix D, [I-205 Toll Project Air Quality Technical Report](#), and Chapter 4 of Appendix E, [I-205 Toll Project Energy and Greenhouse Gas Technical Report](#).

Additional information about modeled greenhouse gas and air pollutant emissions is included in Sections 3.2.2 and 3.3.2 of the 2023 Environmental Assessment, as well as Appendix D, [I-205 Toll Project Air Quality Technical Report](#), Appendix D1, [I-205 Toll Project Criteria Pollutant Emissions Memorandum](#),

¹⁰ MSATs are defined as 1,3-butadiene, acetaldehyde, acrolein, benzene, diesel particulate matter, ethylbenzene, formaldehyde, naphthalene, and polycyclic organic matter.

¹¹ Criteria pollutants include carbon monoxide, lead, ground-level ozone, particulate matter, nitrogen dioxide, and sulfur dioxide. Under the Clean Air Act, the USEPA has established the National Ambient Air Quality Standards (NAAQS), which specify maximum concentrations for carbon monoxide, particulate matter 10 microns or less in size (PM₁₀), particulate matter 2.5 microns or less in size (PM_{2.5}), ozone, sulfur dioxide, lead, and nitrogen dioxide. These pollutants are referred to as criteria pollutants. Highway projects in attainment areas are considered to be in conformity with the Clean Air Act and are not required to perform detailed analysis to demonstrate compliance with the NAAQS.

¹² Measured in metric tons of carbon dioxide equivalent.

¹³ FHWA's Infrastructure Carbon Estimator is a tool that estimates the lifecycle energy and greenhouse gas emissions from the construction and maintenance of transportation facilities based on details about the project type and size. The tool provides a planning-level analysis based on a nationwide database of construction bid documents, data collected from state departments of transportation, and consultation with transportation engineers and lifecycle analysis experts.

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Appendix E, *I-205 Toll Project Energy and Greenhouse Gas Technical Report*, and Appendix Q, [I-205 Toll Project Cumulative Impacts Technical Report](#).

Next Steps:

The Supplemental Environmental Assessment will provide an updated analysis of effects on air quality and climate for the revised Project using the same methodology as the 2023 Environmental Assessment.

2.17 Tolling will hurt access to businesses on local roads that experience congestion with rerouted traffic and will lead to higher costs for goods and services. Any benefits will be outweighed by the costs and burdens on families and businesses.

The [2023 Environmental Assessment](#) identified potential impacts on the economy in the Project area and broader region. This analysis included an assessment of the following effects of the No Build Alternative as compared to the Build Alternative:

- Short-term economic effects from construction spending
- Retail business effects resulting from changes in traffic patterns
- Household and user effects resulting from changes in travel times, travel costs, and job accessibility, including the overall change in household vehicle operating costs in the region and the resulting change in travel costs as a percentage of household income
- Effects on truck freight economics resulting from changes in travel costs, congestion, and reliability
- The monetary value of travel-time savings to users
- Monetary value of all other positive and negative effects, including changes in vehicle crashes, emissions, vehicle operating costs, and pavement maintenance costs

Additional details about the methodology used for the economics analysis available in Chapter 4 of 2023 Environmental Assessment Appendix F, [I-205 Toll Project Economics Technical Report](#).

Section 3.4.2 of the 2023 Environmental Assessment addresses the short-term, long-term, and indirect economic effects of the No Build and Build Alternatives on local businesses, residents, and truck freight transport, and Chapter 6 of the *I-205 Toll Project Economics Technical Report* provides more detailed information on these effects.

The 2023 Environmental Assessment identified that the Project would result in overall short-term and long-term user and social benefits, but it also acknowledged that the Project could result in higher transportation costs as a percentage of overall household spending for all drivers who use the tolled bridges on I-205 as compared to if the Project were not built (see Response 2.5).

Next Steps:

The Supplemental Environmental Assessment will provide an updated analysis of effects on the local and regional economy for the revised Project, using the same methodology as the 2023 Environmental

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Assessment. Based on public input and data availability, the supplemental analysis will use more recent U.S. Census data than the previous analysis.

2.18 ODOT needs to provide more details on planned mitigation, any proposed monitoring programs, and how they will address negative effects to the local transportation system.

Council on Environmental Quality regulations require that National Environmental Policy Act (NEPA) documents identify and consider relevant and reasonable mitigation measures for adverse project impacts (40 Code of Federal Regulations [CFR] 1508.1[s]). FHWA's regulations require that mitigation measures determined appropriate to be implemented must be incorporated in the project (23 CFR 771.105[e]) (i.e., environmental commitments identified in the NEPA decision document). Factors that go into determining what is "reasonable" and "appropriate" in this context include (but are not limited to) the resource impacted, the degree of harm to the resource by the project, the ability of the proposed mitigation to address the impact, whether or not the mitigation is possible, and if it is in the best overall public interest.¹⁴

The [2023 Environmental Assessment](#) identified potential mitigation measures which ODOT intended to refine with local government partners as the environmental review process continued. ODOT also committed to setting up a transportation system monitoring program to be in place prior to the initial implementation of tolls on I-205. This program would establish baseline conditions and then track conditions on roadways in the Area of Potential Impact, as agreed upon with local jurisdictions, to assess the extent of rerouting and its effect on the system. ODOT received many comments during the public comment period on the 2023 Environmental Assessment pertaining to the potential mitigation measures, including:

- Concerns that the mitigation would not be adequate to address impacts
- Concerns that proposed mitigation projects would not be consistent with local priorities and plans
- Requests for more detail on timing, delivery, and funding of projects
- Requests for more detail on monitoring and opportunities for additional, future mitigation.

Next Steps:

ODOT and FHWA will evaluate the Revised Build Alternative and identify relevant and reasonable mitigation measures for adverse impacts in the Supplemental Environmental Assessment. Mitigation measures will be informed by comments on the 2023 Environmental Assessment and ongoing conversations with community partners. Given the project scope changes associated with the Revised Build Alternative, modifications to previously identified mitigation strategies are likely.

Potential strategies to address adverse effects to transportation system performance could include a variety of operational and/or design strategies (e.g., signal-timing/phasing changes, restriping). The Supplemental Environmental Assessment will include a robust plan and multi-jurisdictional process for

¹⁴ [National Environmental Policy Act \(NEPA\) and Transportation Decisionmaking | Environmental Review Toolkit | FHWA \(dot.gov\)](#)

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monitoring, reporting, and addressing the actual/observed traffic effects associated with tolling implementation. The monitoring and reporting plan will provide details on interagency coordination and the process for identifying and implementing additional future mitigation, if needed. Required mitigation will be ODOT's responsibility to fund.

ODOT will draft the initial monitoring framework with proposed performance measures based on requirements from Policy 6.16 in the Oregon Highway Plan Policy Amendment to Goal 6: Tolling and Congestion Pricing¹⁵ and the Equity and Mobility Advisory Committee's [July 2022 recommendations](#) to the Oregon Transportation Commission. Topic areas for performance measures could include mobility (such as traffic volume, travel speed, and transit ridership), equity, air quality, greenhouse gas emissions, operating and maintenance costs, and revenue generation. Some of these performance measures are required by federal law and state policy, while others reflect ODOT's commitment to advancing equity through the Toll Program. The monitoring plan will be developed in partnership with local jurisdictions and more information will be shared with the public as the plan develops.

2.19 ODOT should have studied the cumulative effects of other regional projects like the Regional Mobility Pricing Project in the Environmental Assessment.

Cumulative effects are effects on the environment that result from the incremental effects of the proposed action when added to the effects of other past, present, and reasonably foreseeable actions (40 Code of Federal Regulations 1508.1(g)(3)). ODOT and FHWA selected the list of future projects, which are called reasonably foreseeable future actions (RFFAs), included for the cumulative impacts analysis in the 2023 Environmental Assessment through review of Metro's 2018 Regional Transportation Plan (RTP) and discussions with partner agencies. The RFFAs meet the following criteria, as discussed in Section 3.15.1 of the [2023 Environmental Assessment](#):

- The action is of a regional scale and is listed on the financially constrained project list in Metro's 2018 RTP.
- The action has a primary purpose of congestion management on the I-205 or I-5 corridors and is listed on the financially constrained project list in Metro's 2018 RTP.
- The action is anticipated to change vehicle or multimodal travel patterns in the vicinity of the I-205 Toll Project and is listed on the financially constrained project list in Metro's 2018 RTP.
- The action is within one or more of the environmental topic Areas of Potential Impact concerned with physical impacts, would have a physical impact on the same resource areas that would be physically impacted by the Build Alternative; and is listed on the financially constrained project list in Metro's 2018 RTP.

Next Steps:

For the Supplemental Environmental Assessment, RFFAs identified to support the cumulative impacts analysis for the 2023 Environmental Assessment will be reviewed to determine if updates are needed to assess the cumulative impacts of the revised Project. ODOT recognizes that many public and agency

¹⁵ ODOT. 2023. *Oregon Highway Plan Policy Amendment, Goal 6: Tolling and Congestion Pricing*. https://www.oregon.gov/odot/tolling/Documents/OHP_Goal_6_Policy.pdf. January 2023.

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comments during the 2023 Environmental Assessment specifically sought inclusion of the Regional Mobility Pricing Project (RMPP) in the cumulative effects analysis for the Project. ODOT will add the RMPP as an RFFA in the cumulative effects analysis for the Supplemental Environmental Assessment.

2.20 The environmental review processes for the I-205 Toll Project and the Regional Mobility Pricing Project should be combined.

Each toll project is proposed to meet a specific purpose and need, and although Areas of Potential Impact may overlap, each project has independent utility and does not rely on implementation of the other project to move forward.

As stated in Response 2.19, ODOT will include the Regional Mobility Pricing Project (RMPP) in the cumulative effects analysis for the Supplemental Environmental Assessment. In addition, the Environmental Assessment for the RMPP will include the revised I-205 Toll Project as part of the future condition in the effects analysis.

2.21 The Project area did not capture all of the effects to local communities, nor include all of the roads and intersections in the Project area in enough detail.

The [2023 Environmental Assessment](#) provides analysis of effects for a study area, known as an Area of Potential Impact (API), that was developed for each environmental topic area studied.

Response 2.1 provides information about how ODOT and FHWA developed the transportation API with input from local jurisdictions. As noted in this response, ODOT and FHWA plan to analyze intersections that were not previously included in the 2023 Environmental Assessment based on refinement in screening criteria for intersections to analyze, as well as comments received from local jurisdictions.

The APIs for air quality, energy and greenhouse gases, and economics were larger than the transportation API, as they were determined using a different threshold for changes in traffic volumes (plus or minus 5%) based on FHWA guidance. The environmental justice and social resources and communities analyses adopted the largest API to include all potential Project impacts. The methodology chapters of each of the individual technical reports for the 2023 Environmental Assessment provide more specific details on how the APIs were developed.

Next Steps:

The Supplemental Environmental Assessment will use the same approach as the 2023 Environmental Assessment for determining the appropriate API for each environmental topic area analyzed. Because the Project scope has been reduced to tolls at the Abernethy Bridge only, the size of the API for some environmental topic areas will be geographically smaller than the 2023 Environmental Assessment APIs.

2.22 The Project will lead to increased traffic noise for communities near I-205.

The FHWA Noise Standard outlines the items that must be included in traffic noise studies for highway construction projects. The regulation defines when noise impacts occur and when noise abatement (mitigation) must be considered. ODOT's Noise Manual describes ODOT's implementation of the requirements of the FHWA Noise Standard.

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The [2023 Environmental Assessment](#) recommended three noise walls along portions of I-205 for further consideration based on the Build Alternative's long-term noise effects, as discussed in Section 3.5.3 of the 2023 Environmental Assessment and in more detail in Appendix G, [I-205 Toll Project Noise Technical Report](#).

Next Steps:

The revised Project no longer proposes additional lane capacity on I-205; therefore, the Project meets the definition of a Type III project under 23 Code of Federal Regulations 772 and as defined in the ODOT Noise Manual. Type III projects, by definition, do not expose noise-sensitive land uses to a new or existing highway noise source and, as such, do not require an analysis of traffic noise or consideration of noise abatement measures to reduce potential impacts. However, similar to the 2023 Environmental Assessment, the Supplemental Environmental Assessment will present a quantitative analysis of potential noise impacts on local streets that may experience differences in traffic volumes resulting from the revised Project.



Joint Committee on Transportation, Special Subcommittee on Transportation Planning (SSTP) Work Plan

Purpose

The Joint Committee on Transportation, Special Subcommittee on Transportation Planning (SSTP) will be focused on a tolling program including five key areas of exploration: road system capacity, traffic, and congestion; expected outcomes of tolling on driver behaviors and travel patterns; effectiveness, safety, and diversion impacts of gantry locations; logistics of toll collection; and tolling rate (usage fee).

Over the course of the 2023-2024 biennium, the SSTP will be:

- Engaging with community members and stakeholders to learn more about the effects and tradeoffs of tolling on I-205 and I-5, and
- Reviewing agency tolling recommendations and assumptions to increase understanding and confidence in the outcome of tolling proposals.

Meeting Schedule*

Foundational Understanding

September Legislative Days, Wednesday, September 27th, 8:30 -11:00 am

1. Purpose of the Special Subcommittee on Transportation Planning

Invited presenters: Co-Chair of the Joint Transportation Committee, Governor's Office, and Oregon Transportation Commission Chair

- Role of the Commission, the SSTP, and the Legislature
- Decision-making process

2. SSTP Work Plan Overview

- Review the workplan
- Discuss the goal of the program; specific products and methods will be reviewed at subsequent meetings

3. Foundational Background

Invited presenters: Oregon Department of Transportation (ODOT)

- Focus on the need assessment and current traffic, congestion, and safety issues

4. Potential Infrastructure Outcomes of Proposed Tolling Revenue

Invited presenters: ODOT

- How the revenue would be used (e.g. bridge improvements, ramps, maintenance, public transit, etc.)
- In addition to congestion management what other changes and improvements will travelers and communities see?

Community Meetings

Four community meetings to review specific concerns focusing on congestion management, tolls, gantry locations, diversion, and mitigation.

Meeting Scope:

1. Local Officials and Primary Stakeholder Engagement
2. Public Testimony
3. SSTP follow up with questions to ODOT, at the meeting or for response at subsequent meeting

Proposed Meeting Areas

- Site 1: I-5 Rose Quarter (focus on congestion pricing)
- Site 2: Oregon City/West Linn/Gladstone
- Site 3: I-205 East Portland
- Site 4: Wilsonville/Charbonneau/Lake Oswego/Tualatin

Deep Dive Areas of Exploration

The SSTP will explore the following areas in greater depth: review agency tolling recommendations and assumptions to increase understanding and confidence in the outcome of tolling proposals by diving deeper into the following areas:

1. Road System Capacity, Traffic, and Congestion;
2. Expected Outcomes of Tolling on Driver Behaviors and Travel Patterns;
3. Effectiveness, Safety, and Diversion Impacts of Gantry Locations;
4. Logistics of Toll Collection; and
5. Tolling Rate (Usage Fee).

November Legislative Days

- Deep Dive 1 - Road System Capacity, Traffic, and Congestion
 - ODOT presentation including information on process and assumptions
 - Committee discussion and questions

Early December

- Review issues raised at local meetings to date
- Deep Dive 2 – Expected Outcomes of Tolling on Driver Behaviors and Travel Patterns
 - ODOT presentation including information on process and assumptions
 - Committee discussion and questions

January Legislative Days

- Deep Dive 3 – Effectiveness, Safety, and Diversion Impacts of Gantry Locations
 - ODOT presentation including information on process and assumptions
 - Committee discussion and questions
- ODOT implementation reports (due December 15th)
 - Equity and Mobility Advisory Committee recommendations
 - Statewide Toll Rulemaking Advisory Committee recommendations

February Legislative Session

- Deep Dive 4 – Logistics of Toll Collections

- ODOT presentation including information on process, assumptions, logistics and technology
- Committee discussion and questions

February Legislative Session

- Deep Dive 5 – Tolling Rate (Usage Fee)
 - ODOT presentation including information on process and assumptions
 - Committee discussion and questions

February Legislative Session

- Committee discussion of potential outcomes or alternatives
- Committee discussion of observations in anticipation of report to Joint Committee

- DISCUSSION DRAFT -

**Joint Special Subcommittee on Transportation Planning
Community Meetings Themes & Main Requests**

Safety

Themes

- Collisions and crashes on local streets are proven to be more dangerous and fatal than collisions on highways and interstates.
- ODOT has not provided a clear plan for how it will improve safety on local roads when tolling diverts traffic into the communities that are already struggling to address safety and transportation improvement needs.

Main Requests

- What is the plan to ensure mitigation projects are in place so that safety in local communities does not deteriorate?
- Integrity of the Safety Analysis was insufficient for the DRAFT I-205 Environmental Assessment. We ask that ODOT use a safe systems approach when analyzing and recommending safety mitigations for toll projects.
- What is ODOT's plan to improve safety on local systems when tolling will cause additional traffic to divert onto the local systems?
- What is ODOT's plan to address the safety concerns of diversion into the Stafford Area, which includes few to no street lighting, limited road shoulders, and by all intents and purposes has been designed as a rural road but currently managing urban trip numbers?
- How will ODOT ensure the air quality in local communities is not worsening as it implements a plan to divert traffic from the interstate? Will air quality improvements on the interstate come at the expense of local communities and neighborhoods?

Diversion

Themes

- Local impacts from tolling diversion need to be addressed if we're ever going to build regional support for this approach.
- ODOT says that, "All impacts from tolling will be mitigated." However, the threshold for what will be considered an impact is so unreasonably high. That will means ODOT doesn't actually have a plan to address the impacts that tolling will have on our local neighborhoods, especially those parts of the system with limited or no alternative modes.

Main Requests

- Diversion on I-205 existed before tolling was proposed, caused by both recurring and non-recurring congestion - hence the support to advance the 3rd lane on I-205, improve safety and capacity, and resolve the bottleneck. What is ODOT's plan to reprioritize the bottleneck project between Stafford and Abernethy Bridge?
- Freeways have very low fatality rates and fatality rates on the local system are much higher, so what is ODOT's plan to address the safety and capacity issues that will occur on the local system as a result of tolling only Abernethy Bridge, without resolving the bottleneck?

- There will be roads that do not meet the threshold for being considered a “mitigation,” but the increased volume of traffic will still cause safety issues in our communities. How will this committee hold ODOT accountable to make sure that revenue is available to local communities to deal with these additional impacts?

Funding

Themes

- We, as a state - including ODOT, counties and cities, all face a huge financial cliff for maintaining and improving our transportation systems.
- It’s time to elevate this conversation to explore multiple funding sources together to secure our transportation future.

Main Requests

- ODOT has communicated tolling is one way to address their funding deficit as a result of the declining gas tax, and yet, counties and cities also benefit from the gas tax in a 50/30/20 split. If ODOT plans to use tolling as recovery mechanism to maintain highways, then it makes sense the same funding would be used to maintain the local road system that modelling shows will bear the brunt of diversion caused by tolling. We ask this committee to advance a recommendation that tolling include a revenue sharing model that is simple and supports improvements both on and off the system.
- HB 2017 provided legislative direction to ODOT to resolve the Bottleneck on I-205 between Stafford and Abernethy Bridge, but their recent funding report “indefinitely postponed” I-205, citing a lack of funding.
 - What authority does ODOT have to subvert legislative direction?
 - How can ODOT cite a lack of funding, while still proposing to toll portions of a bottleneck because they are “congested.”
- ODOT has been vague about the potential cost of tolling for road users, and yet they model different scenarios to model revenue forecasts.
 - Can this subcommittee compel ODOT to share this information in a transparent way?
 - What is ODOT’s plan to share anticipated toll costs with the public?
- What is ODOT’s plan to protect the most vulnerable users, including:
 - Where the interstate does not have alternative modes?
 - When low income residents at or above a certain threshold who are not able to change their travel times (because of job requirements or school drop-off times), but still must rely upon the interstate system?
- What’s the plan for generating revenue for the HB 2017 bottleneck projects?
- ODOT has communicated they anticipate a 35%-40% administrative cost to deliver congestion pricing to the state. Does this subcommittee feel that number will pass public muster, and what is ODOT’s plan to be transparent about how those administrative funds will be used?

Transparency and Partnerships

Themes

- Regional opposition to tolling continues to grow because of the lack of trust and transparency
- Regional tolling will be a generational policy and funding shift for the state. It requires transparency and accountability. It is critical for this Special Subcommittee to ensure that before any project moves forward, it is accompanied by increased accountability from ODOT.

- We need ODOT to acknowledge that we have a shared revenue problem and that their unwillingness to elevate the concept of toll revenue sharing for the OTC to consider has put the entire program in peril. This should be a system solution, not an ODOT solution.

Main Requests

- The Governor initiated a pause on toll collections and this subcommittee was formed because ODOT failed to achieve the public, local, and regional trust to implement this project. To work toward transparency and build public trust we ask this subcommittee to require ODOT to:
 - Incorporate feedback from local voices and jurisdictions prior to implementation
 - Incorporate and track commitments made with local and regional partners through transparent and consistent communication
 - Deliver clear and obvious benefits to the drivers, communities, and businesses affected by toll corridors
 - Conduct real, robust and inclusive community engagement
 - Establish a long-term oversight and accountability committee to provide transparency
 - Extend the existing revenue sharing models with local jurisdictions (similar to or the same as the gas tax sharing model of 50/30/20) to apply to toll revenues
 - Prioritize the completion of the bottleneck projects identified in HB 2017 (2017) and HB 3055 (2021)
 - Explore alternative funding mechanisms beyond pricing to address transportation funding needs
- ODOT continues to model and share assumptions about the outcomes of tolling, but this information is not shared with local agencies when requested. What is ODOT's plan to work with local agencies and local system operators with a goal to understand the true impacts of tolling?
- The RMPP and tolling have so far been presented as a way to solve ODOT's funding problem, not the funding problem of the system at large or – more directly – the system that tolling will burden through congestion management. What is ODOT's plan to work with the region, with locals, and with state legislators to solve system-wide problems?
- Does this subcommittee have the ability to compel ODOT to share Data and Information about proposed tolling? How can this subcommittee work more closely with the OTC to ensure a more transparent process?

Alternative Modes

Themes

- The purpose of RMPP is to encourage mode shifts, but no alternative modes exist along most of the southern portion of I-205.
- This Special Subcommittee must prioritize coverage and frequency of transit where no infrastructure exists before investing in places with existing infrastructure.

Main Requests

- What is ODOT's plan to provide adequate public transit infrastructure within proposed toll corridors?
- How does ODOT intend to implement tolling in a way that supports a regionally balanced transportation system that provides reliable travel times for commuters and employers on and off the tolled corridor using all modes?

- What projects will ODOT implement to establish viable travel alternatives to accommodate mode shifts, including bicycle and pedestrian networks and accessible transit programs in areas with inadequate or no service?
- What is ODOT's plan or willingness to incorporate considerations for local trips with few or no alternatives, and consider "readiness" before implementing tolling?

DRAFT