

## CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

### Policy Session Worksheet

**Presentation Date:** 04/14/21    **Approx. Start Time:** 9:30 a.m.    **Approx. Length:** 2 hours  
**Presentation Title:** Transportation Funding for the Interstate Highway System and County Values on Proposed Solutions  
**Department:** Public and Government Affairs; Department of Transportation and Development  
**Presenters:** Chris Lyons (PGA Government Affairs Manager), Trent Wilson (PGA Government Affairs Specialist), Jamie Stasny (DTD Principal Planner), Abe Moland (H3S Public Health)  
**Other Invitees:** Sue Hildick (PGA Director) Dan Johnson (DTD Director), Mike Bezner (DTD Assistant Director); Lucinda Broussard (ODOT Tolling Manager)

#### **WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?**

The Board of County Commissioners (BCC) will receive a presentation on the history and background of funding Interstate improvements in the region/state, and adopt values important to Clackamas County on proposed funding solutions for the Interstate system in Oregon.

#### **EXECUTIVE SUMMARY:**

The Board of County Commissioners (BCC) has requested an educational policy session related to transportation funding policies. Staff has identified an immediate need to facilitate a discussion related to funding projects on the Interstate system in the region. This need is related to the Interstate 205 (I-205) Widening and Seismic Improvements Project and other major infrastructure projects of statewide significance.

Problem Statement: The Interstate 205 (I-205) Widening and Seismic Improvements Project and other major infrastructure projects in the region have reached a critical policy dilemma. Namely, how will the State and the Oregon Department of Transportation (ODOT) fund projects of statewide significance within the Portland region?

Additionally, conversations are underway at the State Legislature to amend the 2017 transportation package (HB 2017), including prioritization of key bottlenecks projects in the Portland region, adjustments to the revenue dedicated to the projects, and direction to the ODOT to pursue “tolling” as a means to fund these and other future projects on the Interstate. These changes to HB 2017 would have significant implications for the transportation system within Clackamas County, most notably to I-205 and adjacent facilities, and for that reason the county’s position is being sought on current proposals.

#### **History and Future of Transportation Funding**

Historically Interstate improvements have been funded through gas tax revenue which is decreasing due to fuel efficiency and electric cars. These projected decreases in revenue have created a funding shortfall for ODOT. Recognizing this challenge, the State has been working to identify new revenue sources such as a Road User Fee and Tolling/Congestion Management. The most recent action by the State Legislature to fund transportation projects in a meaningful way occurred with the passage of House Bill 2017 (in 2017), which prioritized three bottlenecks in the region: Highway 217, the I-5 Rose Quarter Project, and I-205 Stafford Road to Highway 213. The bill fully funded Highway 217 and partially funded the Rose Quarter through the dedication of a 1 penny increase to the gas tax. The end of session budget bill provided \$13 million to the I-205 project.

Since that time, ODOT has provided more than \$50 million in design funding to the I-205 Bottleneck Project, which is at 90% design and would be “shovel ready” in early 2022 if construction funding is identified. The I-205 project is the only large-scale Interstate project in the state that can boast such project readiness.

The bill also mandated ODOT establish a traffic congestion relief program by implementing value pricing (e.g. tolling) on the I-5 and I-205 corridors within the region.

There are two applications of tolling that are commonly used in this country, as follows:

**Traditional Tolling** – A funding mechanism by which a project (usually a new project) is funded by users paying a toll when they enter a designated area, naturally associated with the project. Federal law only allows revenue from tolling to be spent on the costs of construction, maintenance, operations and enforcement for the tolled facility. This type of tolling is commonly referred to as Section 129 tolling, taken from the U.S. Code that authorizes it. Section 129 tolling can also use variable pricing. ODOT already has the authority to implement this funding.

**Congestion/Value Pricing** – An approach in which use of a highway facility is priced to reduce demand and congestion. Often congestion pricing varies by time of day with the highest prices charged in the morning and afternoon rush hours. Revenues from congestion pricing can be spent for construction, maintenance, operations and enforcement but can also be spent for improvements throughout the system or even for improvements to transit, bicycle or pedestrian systems.

ODOT has begun the National Environmental Policy Act (NEPA) review that assesses the environmental feasibility of tolling I-205 between the Abernethy Bridge and Stafford Road. That NEPA process is not finalized, and Clackamas County submitted comments (attached).

On a parallel trajectory is ODOT’s recognition that the needs on the Interstate system within the region are outpacing their ability to pay for it, and that the Interstate system lacks a meaningful funding solution. While nothing is final, ODOT has established the Comprehensive Congestion Management and Mobility Plan (CCMMP).

The CCMMP proposes the implementation of a *system wide* congestion pricing program along the entire stretch of I-5 and I-205 between Wilsonville (roughly) and the Columbia River, as mandated by HB 2017. To be truly “system wide,” ODOT recognizes that other state corridors within the region would need to be included in the future, including I-84, I-405, Hwy 217, and US 26. The proposed congestion pricing program within CCMMP outlines a means by which users pay for infrastructure needs on the Interstate system within the region, including users from outside of the region.

ODOT has taken a unique approach to evaluating the possible impacts from tolling by forming an Equity and Mobility Advisory Committee (EMAC) that will provide recommendations on both the I-205 and I-5 NEPA processes.

### **Needs at the county level**

Conversations about projects, tolling, and congestion management have reached a critical juncture, especially as discussions evolve about the future of the I-205 Bottleneck Project and how to pay for it. Given the importance of this conversation for Clackamas County, staff recommends that the Board of County Commissioners adopt high-level values that balance acting in the best interest of Clackamas residents and passers-through as well as ensuring

Clackamas remains “at the table” as the Oregon Transportation Commission (OTC) determines how future revenues will be allocated through the CCMMP.

Staff is proposing the BCC adopt a set of values that would guide the county’s participation at the regional and state levels where the CCMMP is being discussed and developed.

The likelihood that the CCMMP – or a comparable funding mechanism – is adopted is significant, and staff respectfully submits that a values-based approach, while not a direct endorsement of the program, ensures Clackamas remains “at the table” as the policy is developed. By adopting clear values related to potential funding solutions, Clackamas positions itself strategically to advocate for the best interests of Clackamas County residents and businesses.

**FINANCIAL IMPLICATIONS (current year and ongoing):**

N/A

**STRATEGIC PLAN ALIGNMENT:**

- This item aligns with the Public and Government Affairs Strategic Business Plan goals to provide intergovernmental connections and relationship building, strategic policy development and messaging, legislative, advocacy, and outreach services to county elected officials and departments so they can build key partnerships to achieve policy goals important to Clackamas County, with special emphasis on the strategic results in the BCC Strategic Plan.
- This item aligns with all five of the county’s Performance Clackamas goals:
  - Build public trust through good government;
  - Grow a vibrant economy;
  - Build a strong infrastructure;
  - Ensure safe, healthy, and secure communities; and
  - Honor, utilize, promote, and invest in our natural resources.
- This item aligns with the following Performance Clackamas Policy Lenses:
  - Equity, Diversity, Inclusion
  - Carbon Neutrality, including developing and implementing a Climate Action Plan
  - Healthy and Active Lifestyle, guiding housing, transportation, and land use policies and decisions

**LEGAL/POLICY REQUIREMENTS:**

N/A

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

The values set by the BCC relating to funding for the Interstate system will guide staff on the county’s preferred policies during stakeholder discussions.

**OPTIONS:**

1. Adopt the Values within the attached document titled, Clackamas County Values on Proposed Funding Solutions for the Interstate System in the Portland Metropolitan Area
2. Amend and adopt the Values within the attached document titled, Clackamas County Values on Proposed Funding Solutions for the Interstate System
3. Gather more information
4. No action

**RECOMMENDATION:**

Staff recommends Option 1: Adopt the Values within the attached document titled, Clackamas County Values on Proposed Funding Solutions for the Interstate System in the Portland Metropolitan Area

**ATTACHMENTS:**

- DRAFT Clackamas County Values on Proposed Funding Solutions for the Interstate System in the Portland Metropolitan Area
- Clackamas County Comment Letter re I-205 Tolling NEPA Alternatives
- ODOT Equity and Mobility Advisory Committee Equity Framework and Appendix
- Presentation Materials: Transportation Funding for the Interstate System

**SUBMITTED BY:**

Division Director/Head Approval \_\_\_\_\_

Department Director/Head Approval s/Sue Hildick

County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact Sue Hildick @ 503-742-5900
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**CLACKAMAS COUNTY VALUES  
ON PROPOSED FUNDING SOLUTIONS  
FOR THE INTERSTATE SYSTEM IN THE PORTLAND METROPOLITAN AREA**

4.7.2021

Clackamas County supports a functional regional interstate system that prioritizes equity, safety, a vibrant economy, healthy and active communities, climate action, disaster resilience, and the reliable movement of people and goods.

We acknowledge that additional funding is needed to construct these projects and other improvements on the interstate system. Clackamas County has identified the following values that should be reflected in any approved funding solutions.

**To ensure a safe, equitable regional interstate system, funding solutions should...**

- Support timely allocation of funds to construct the projects of statewide significance from HB2017
- Ensure that net toll revenue be reinvested in projects identified by an inclusive public process led by ODOT and coordinated with the local governments
- Elevate engagement with people who have been historically left out of policy discussions, such as low income families and people of color
- Establish viable alternative transportation options that support the functionality of the interstate system, such as an accessible transit system, in areas with inadequate service
- Support necessary improvements to accommodate the region's current and projected growth

**To support a vibrant economy & ensure the reliable movement of people and goods, funding solutions should...**

- Ensure that no tolling or congestion pricing occurs on any one part of the system prior to full system implementation to avoid economic disadvantages or unfair burdens on people (communities and businesses)
- Maintain a transportation system that is dependable and predictable to attract new businesses and industry, and provides reliable travel times for commuters and employers
- Enhance opportunities for Disadvantaged Business Enterprise (DBE) in capital projects and incorporate Construction Career Pathways (C2P2) strategies to promote diversity in skilled construction occupations

**To prioritize disaster resiliency and climate action, funding solutions should...**

- Provide safe, efficient evacuation routes during natural disasters, such as wildfires and earthquakes, by upgrading vulnerable bridges and other transportation infrastructure to be earthquake ready
- Balance transportation improvements with the County's goal to be carbon neutral by 2050 by working to improve regional air quality and mitigate impacts of vehicle pollution on public health and the environment

**To support healthy and active communities, funding solutions should...**

- Mitigate impacts on local facilities caused by diversion (all modes)
- Embed health and equity into project designs and program policies
- Improve connections and travel options to places of work, school, medical care, and recreation

This document is not an endorsement or acceptance of any proposal to implement tolling or congestion pricing on I-205.



September 15, 2020

Lucinda Broussard, Toll Program Director

Oregon Department of Transportation  
355 Capitol Street NE, MS 11  
Salem, OR 97301-3871

**RE: I-205 NEPA Alternatives Comment Period**

Dear Director Broussard:

On behalf of the Clackamas County Board of Commissioners, we respectfully submit our comments on the identified Purpose and Need of ODOT's I-205 Toll Project and the alternatives that will be advanced through the project's National Environmental Policy Act (NEPA) analysis.

***Before doing so, the Clackamas County Board of Commissioners would like to be clear that this letter is not an endorsement or acceptance of any proposal to implement tolling on I-205.***

**First, the desired outcome(s) of this study remains unclear.** Is the goal to toll for the purpose of generating revenue to construct the I-205 Widening and Seismic Improvements Project, or is the intention to implement value pricing for the purpose of managing congestion? We respectfully request clarity on the desired outcome(s) of this study and the potential implementation of tolling.

**Second, the financial necessity and the benefits of tolling this section of I-205 have not been clearly articulated.** After years of improving the highway system of Oregon without the use of tolling, many residents and businesses in Clackamas County question why it is necessary that this project be tolled. We request that a financial analysis of the I-205 Widening and Seismic Improvements project be released that justifies tolling and demonstrates that it cannot be completed without toll funding.

**Third, should tolling be implemented in the future, we reject the idea that tolling could be implemented on I-205 before system-wide tolling or congestion pricing is applied.**

Clackamas County should not be forced to bear the burden of tolling or congestion pricing, with all of the potential associated impacts, before a system wide approach is applied. It is unfair and unacceptable. We request the OTC clarify its policy for funding of major highway improvements and assure stakeholders that tolling will be applied equitably to major highway

improvements in the region, including these I-205 improvements as well as other proposed improvements on I-5, I-84, I-405, and OR 217.

**Fourth, we are concerned about a lack of clarity around the intentions and policies regarding toll revenue allocation.** At the August 13<sup>th</sup> OTC meeting, ODOT Urban Mobility Office staff asked the OTC to consider a revenue policy. We support tolling staff's request that revenue generated in tolling project areas remain in those tolling project areas to help fund capital projects and diversion mitigations.

We also ask for clarification on the definition of project area vs. corridor. Should tolling be implemented, the Clackamas County Board supports the concept that revenue generated from tolling on I-205 be used to fund capital projects on I-205 and mitigations on the adjacent facilities to accommodate the diversion anticipated by the implementation of tolling. Please clarify the definition of corridor or project area relating to the revenue discussion – where, specifically, will the revenue generated be allowed to be spent?

**Finally, we are concerned that this study assumes that the current level of diversion off I-205 onto the surrounding street network is the baseline that will be maintained.** The current level of diversion is not acceptable, our local networks are over capacity, and we believe that much of the traffic is actually existing diversion from a heavily congested I-205. The proposed environmental analysis does not include an analysis of the current level of diversion. To better understand the current level of traffic diversion from I-205 we request that ODOT undertake two additional model runs. The first model run should be an untolled 2018 build scenario that includes the increased capacity proposed for the I-205 project (an additional lane in each direction on I-205 between OR99E and the Stafford Road interchange). The second model run should be an untolled 2018 base scenario model run that does not include the proposed capacity increases proposed for the I-205 project. A comparison of these two model runs will show the amount of diversion that occurred in 2018 and the locations that were impacted in the surrounding communities. Once the level of existing diversion has been analyzed, it will be possible to better analyze the traffic impacts of the future year alternatives, and better understand the additional diversion that will be experienced due to tolling.

The Board of Commissioners supports C4's comments and requests as listed below -

1. The 2027 travel demand modeling used to select alternatives fails to adequately account for the long-term impacts of tolling on the surrounding communities. We request that ODOT use Metro's 2040 travel demand model to assess the long-term re-routing of traffic that will result from the implementation of tolling on this segment of I-205 and impact our communities.

2. We request that ODOT seek to understand both the difference between the increase of vehicles created by diversion and the impact of those increases on local roads where diversion and delays already occur. To achieve this, apply traffic simulation to determine the impacts of traffic congestion and delay on the arterial roads and signalized intersections that will be impacted by traffic re-routing from I-205 as a result of the implementation of tolling. This analysis should include state highways – and the roads that feed them – that serve as major

arterials in surrounding communities, including but not limited to OR 99E, OR 212, OR 43, and OR 213.

3. We request that ODOT analyze the following alternatives in the Environmental Assessment:

- A. The No-Build alternative should be identified as the full 6-lane improvement to I-205 without tolling. This alternative provides the best baseline to determine the impacts of the tolling alternatives.
- B. The following alternatives from the "I-205 Toll Project Comparison of Screening Alternatives": Alternative #3, Alternative #4, and Alternative #5.
- C. An alternative in which the OR 43 Arch Bridge is restricted to bike/ped modes only.
- D. An alternative in which the existing OR 43 Arch Bridge is restricted to bike/ped modes only and a new vehicle bridge across the Willamette River between Oregon City and West Linn is added with sufficient capacity for forecasted 2050 traffic volumes.
- E. An alternative in which the tolled area of I-205 extends eastward from a location west of the Stafford Rd interchange to a location north of the OR 212 interchange.
- F. For each of the above, we request that a version of the alternative be modeled in which equivalent tolls are implemented on I-5 in Portland and I-205 in Clackamas County as was recommended in the 2018 Value Pricing Feasibility Study, and also a version in which only I-205 is modeled.

4. We request that ODOT quantify the impacts of traffic re-routing on state highways and major city and county roads throughout the full extent of Clackamas, Multnomah, and Washington Counties, rather than focusing solely on highways and roads in Clackamas County. We believe that this project will have region-wide impacts and that to meet the intent of NEPA it is necessary that those impacts be analyzed.

5. We request more detailed analysis of how each alternative will meet project objectives by adding a peak hour performance measure analysis on all major roads. While an initial evaluation has been provided, we believe each alternative should receive a full analysis to allow a comparison of all the alternatives.

6. We request that ODOT assess the health and equity impacts of each alternative in the Environmental Assessment. We recognize the Equity and Mobility Advisory Committee (EMAC) will provide a more robust analysis of this need, but we highlight this as an opportunity to incorporate health and equity criteria into the performance measures analysis, perform an equity analysis by analyzing the performance measures for subareas with a high percentage of marginalized and vulnerable populations, and partner with Oregon Health Authority (OHA) Environmental Health to explore modeling options of health outcomes.

7. We request ODOT use this NEPA process to additionally assess the original intent of HB 2017 to toll the entirety of I-5 and I-205, between the Columbia River and their intersection north of Wilsonville. Value pricing as a means of congestion relief cannot be achieved as a pilot program where select communities bear the burden of discovery. If value pricing is to have a true impact in our region, ODOT and the region at large will benefit by studying those impacts now, and potentially pursuing those methods of value pricing if they truly model congestion



relief. This approach not only favors a system-wide approach to congestion relief, but also removes the already observable and unfair model of penalizing several small communities to fund a project of statewide significance.

Finally, we feel obliged to reinforce our concerns for the impacts of diversion to communities immediately surrounding this project, as well as those peripheral to the project. Diversion already exists on local roads due to bottleneck congestion on I-205. Increased diversion to roads already accommodating diversion is likely to eliminate community support. Hence why Comment 3-A is so important. The I-205 Widening and Seismic Improvements Project must be considered completed for any of this to resonate with our local communities.

We also expect the NEPA analysis to inform how ODOT plans to remedy the impacts of tolling diversion where transportation gaps exist in this area, including a need for improved transit alternatives such as bus on shoulder access and connection routes around the project, improved pedestrian accommodation on projects where diversion will increase, and additional river crossings to accommodate diversion.

Thank you for considering our comments, and we look forward to your response as part of the NEPA process.

Sincerely,

**CLACKAMAS COUNTY BOARD OF COMMISSIONERS**

A handwritten signature in blue ink that reads "Jim Bernard". The signature is written in a cursive style with a large, looping initial "J".

Jim Bernard, Chair  
On Behalf of the Clackamas County Board of Commissioners

# I-5 and I-205 Toll Projects

## Toll Projects' Equity Framework



Updated December 3, 2020

### INTRODUCTION

The Oregon Toll Program recognizes past land-use and transportation investments in the Portland metro area—including highway investments—have resulted in negative cultural, health, economic, and relational impacts to local communities and populations. These projects have resulted in *displacement* and *segregation*<sup>1</sup> and have disproportionately affected:

- people experiencing *low-income* or *economic disadvantage*;
- *Black, indigenous and people of color (BIPOC)*;
- older adults and children;
- persons who speak non-English languages, especially those with limited English proficiency;
- persons living with a disability; and
- other populations and communities historically excluded and underserved by transportation projects.

Discriminatory transportation patterns, urban planning decisions, and high housing costs have priced out many community members from centrally located neighborhoods, resulting in a mismatch between job locations and housing in areas with few transportation options. Collectively, these transportation and land use investments have resulted in a form of *trauma* for these historically excluded and underserved communities and individuals.

### WHY AN EQUITY FRAMEWORK FOR THE I-205 AND I-5 TOLL PROJECTS?

As part of previous community engagement efforts (including for the 2018 Value Pricing Feasibility Analysis), discussions with community members, regional stakeholders, and elected officials revealed three consistent themes:

#### State of Oregon Definition of Equity

*Equity acknowledges that not all people, or all communities, are starting from the same place due to historic and current systems of oppression. Equity is the effort to provide different levels of support based on an individual's or group's needs in order to achieve fairness in outcomes. Equity actionably empowers communities most impacted by systemic oppression and requires the redistribution of resources, power, and opportunity to those communities.*

Definition from June 2020  
State of Oregon Equity Framework in  
COVID-19 Response and Recovery

<sup>1</sup> Please see the glossary for the definition of italicized terms.

- Concerns about tolling effects on communities experiencing low income
- Need for improved transit and other transportation choices
- Concerns with the potential for tolling to cause traffic to reroute to local streets

The Oregon Toll Program has developed this draft Equity Framework to identify the burdens and benefits of tolling and provide a process for determining how to equitably distribute those burdens and benefits from the I-205 and I-5 Toll Projects. The framework will guide the project to ensure tolling on I-205 and I-5 will lead to equitable outcomes. Additionally, the framework will ensure the Oregon Toll Program implements an intentional and equitable engagement process that makes historically excluded and underserved communities a priority.

To create this framework, the Oregon Toll Program worked with a team of equity specialists to create this initial draft, which will be updated over time as more individuals and organizations become involved in this work.

This I-205 and I-5 Toll Projects' Equity Framework includes:

- Goals for the proposed toll projects, and an explanation of why the Oregon Toll Program is prioritizing equity
- A definition of equity within the context of the toll projects, including key concepts and definitions related to equity
- The overall approach and organizing principles for addressing equity
- A set of actions for measuring benefits and burdens to historically excluded and underserved communities and populations

## **GOALS OF THE TOLL PROJECTS**

The I-205 and I-5 Toll Projects were assigned two goals by the Oregon State Legislature:<sup>2</sup>

1. To reduce traffic congestion in the Portland metropolitan region by encouraging people to travel at less congested times or to change travel mode, thereby providing more reliable travel time; and
2. To generate revenues which can then help fund congestion relief projects or other efforts through the state's Congestion Relief Fund.

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<sup>2</sup> In 2017, the Oregon Legislature approved House Bill 2017, known as Keep Oregon Moving. This bill committed hundreds of millions of dollars in projects that will address our congestion problem and improve the transportation system in the region and statewide. HB 2017 directed the Oregon Transportation Commission to pursue and implement congestion pricing on I-5 and I-205 in the Portland Metro region to provide additional traffic management tools to further manage congestion.

At the same time, the Oregon Toll Program has made community mobility and equity<sup>3</sup> strategies key components of successful toll projects. The Oregon Toll Program is committed to minimizing burdens and maximizing benefits to communities that transportation projects have historically excluded and underserved. The Oregon Toll Program will engage these communities so that it can intentionally inform, listen to, learn from, and empower them throughout the toll projects' development, implementation, monitoring, and evaluation processes.

## UNDERSTANDING EQUITY FOR THE I-205 AND I-5 TOLL PROJECTS

The Oregon Toll Program will consider the different transportation needs of historically excluded and underserved communities and the barriers those communities face so that the design of the toll projects improve access to jobs, goods, services, and key destinations.

“Equity” for transportation projects is the just allocation of burdens and benefits within a transportation system. For the purposes of ODOT’s toll projects, equity is described in two ways: process equity and outcome equity.

*Process equity* means that the planning process, from design through to post-implementation monitoring and evaluation, actively and successfully encourages the meaningful participation of individuals and groups from historically excluded and underserved communities.

*Outcome equity* means that the toll projects will acknowledge existing inequities and will strive to prevent historically excluded and underserved communities from bearing the burden of negative effects that directly or indirectly result from the toll projects, and will further seek to improve overall transportation affordability, accessible opportunity, and community health.

Together, process and outcome equity focus on four dimensions:

- **Full Participation.** Impacted populations and communities will play a major role throughout the Projects. Agency accountability and transparency will be a key component of the Toll Projects' activities.
- **Affordability.** The Projects will explore how to improve the affordability of the transportation system to affected populations and communities.
- **Access to Opportunity.** The Toll Projects will focus on improving multi-modal<sup>4</sup> access to the region's many opportunities for historically excluded and underserved communities.

<sup>3</sup> Community mobility and equity strategies could improve mobility for the broadest possible cross-section of the community and avoid, minimize, or mitigate negative impacts to historically excluded and underserved communities. Strategies could include improved transit and other transportation choices.

<sup>4</sup> For the purposes of this document, “multi-modal access” considers and accommodates the many different modes that people use for transportation, including (but not limited to) private and for-hire motor vehicles, public transit

- **Community Health.** The Toll Projects will address air quality, noise, traffic safety, economic impacts and other potential effects on historically excluded and underserved communities.

## OUR APPROACH

Explicit goals for these Toll Projects include reduced congestion and the generation of new funds to help pay for improved transportation facilities or other efforts funded by the state's Congestion Relief Fund. *Equitable community and mobility strategies will need to produce benefits beyond revenue generation and direct congestion management improvements on the I-205 and I-5 freeways.* Other benefits could include better functioning transportation facilities and services for people not using the freeways, and strategies for managing and limiting potential vehicle rerouting from the freeway through neighborhoods with significant populations of historically excluded and underserved communities.

The I-205 and I-5 Toll Projects can maximize potential positive benefits and minimize negative effects by following organizing principles to ensure both process and outcome equity:

1. **Incorporate a trauma informed perspective in our current context** by recognizing the trauma associated with multiple historic and current events, including the ongoing killings of African Americans by police, the COVID-19 pandemic, the economic ramifications from these events, as well as the impacts of past transportation and land use investments. While the future is uncertain, there is opportunity to demonstrate how ODOT can shift power to impacted community members to improve outcomes for all. Embracing this trauma-informed perspective in policy making can begin to address past harms, minimize burdens, and maximize benefits for historically underserved community members.
2. **Begin with a racial analysis.** By being explicit about race and systemic racism, the I-205 and I-5 Toll Projects can develop solutions that maximize benefits to all historically excluded and underserved communities. By beginning with race, the Oregon Toll Program ensures that race will not be ignored or diminished as part of an overall analysis of equity in the system.
3. **Acknowledge historic context.** Communities which have been historically affected by the transportation system should be explicitly acknowledged and involved in a direct and meaningful way in project development and follow-up.
4. **Identify disparities.** The Oregon Toll Program has developed this draft Equity Framework for the I-205 and I-5 Toll Projects, consistent with Title VI of the Civil Rights Act, to analyze policy proposals as well as historical impacts, assess disparities in the distribution of project benefits and burdens/, and provide remediation solutions where warranted.

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and paratransit, walking, rolling a wheelchair or motorized assisted scooter, cycling, skateboarding, and the use of shared mobility devices such as bike share and scooter share programs. Multi-modal indicates that any one of these modes may be used and that multiple different modes may be used on a single trip.

5. **Prioritize input from impacted historically excluded and underserved communities.** The Oregon Toll Program is committed to identifying communities that have historically been excluded in transportation planning and who have been underserved or negatively impacted by prior transportation investments and plans, as well as those at highest risk of being negatively affected by the I-205 and I-5 Toll Projects. ODOT commits to prioritizing the voices of impacted, excluded, and underserved communities and ensuring that their concerns, goals, and experiences shape the design of the toll projects. This focus will help produce greater overall benefits throughout the system.
6. **Attend to power dynamics among stakeholders.** The Oregon Toll Program aims to elevate the needs and priorities of historically marginalized communities through this process. To do this requires that each of the projects recognize, understand, and shift existing power dynamics within ODOT, other government agencies, groups, the community, and the projects' teams.
7. **Maintain a learning orientation.** A focus on equity and using tolls to manage congestion are innovative nationally and new for ODOT. The Oregon Toll Program commits to letting equity drive its approach to the planning process, including National Environmental Policy Act (NEPA)<sup>5</sup> studies and community participation. The Oregon Toll Program commits to striving for continuous improvement and to creating space conducive for growth and collective learning.

## EQUITY IMPLEMENTATION STEPS

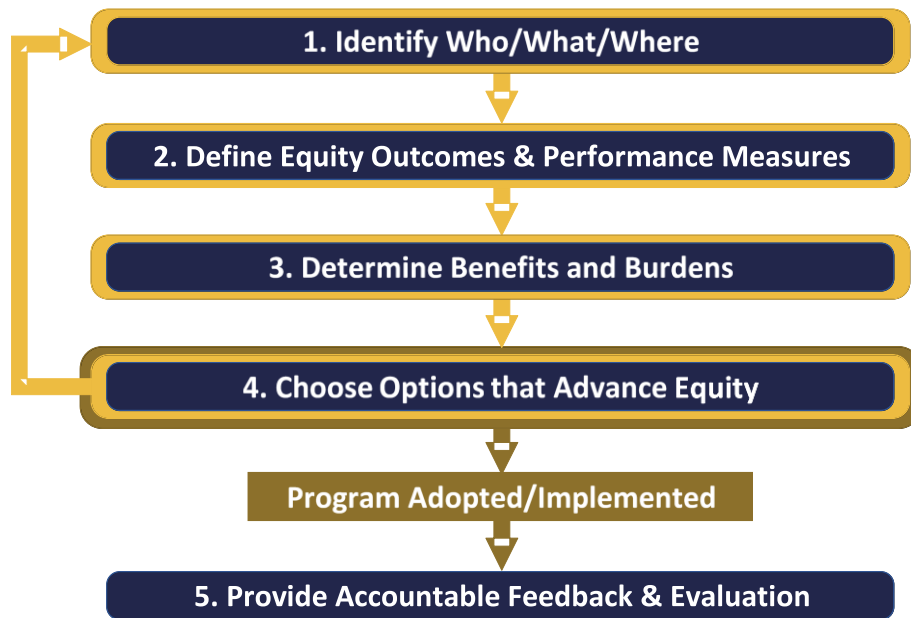
This framework uses a five-step iterative process that can help reduce systemic inequities and support the desired outcomes of the toll projects. This process encourages decision-makers to critically address health, racial, social, and economic disparities and historic disinvestment and transportation decisions that have harmed communities. Figure 1 illustrates the five iterative steps of the framework adapted from TransForm, a transportation and land use policy organization. TransForm based its framework on a study of tolling equity practices worldwide, with special attention to guidance from the National Cooperative Highway Research Program's 2018 guidebook and toolbox, *Assessing the Environmental Justice Effects of Toll Implementation or Rate Changes*.<sup>6</sup>

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<sup>5</sup> The National Environmental Policy Act of 1970 (as amended) ensures the federal agencies consider the potential environmental effects of their proposed actions and inform the public about their decision making. It is especially important for communications related to this project because public outreach and engagement activities will frequently be tied to milestones in the NEPA process.

<sup>6</sup> Pesesky, L., et al., *Assessing the Environmental Justice Effects of Toll Implementation or Rate Changes: Guidebook and Toolbox*, National Cooperative Highway Research Program Research Report 860 (Washington, D.C.: Transportation Research Board, 2008).

**Figure 1. Five Step Process for Achieving Equitable Outcomes<sup>7</sup>**



Oregon Toll Program actions for each step are delineated below.

### **Step #1: Identify Who, What, and Where**

- Identify all historically excluded and underserved communities and small businesses the toll projects may disproportionately affect, including presenting the context of how and why these communities have been excluded and underserved by in the past through prior transportation and land use planning and investment.
- Document the travel patterns of historically excluded and underserved communities that may be affected by the toll projects, and anticipate potential changes to them.
- Develop a range of potential pricing strategies and related policy proposals that directly address community-identified mobility and equity priorities.

### **Step #2: Define Equity Outcomes and Performance Measures**

Develop a set of performance measures that establish both *baseline conditions* for historically excluded and underserved communities, and the effects of different proposed pricing and equity strategies on these communities. Performance measures will address both process and outcome equity.

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<sup>7</sup> Cohen, S., and Hoffman, A., *Pricing Roads, Advancing Equity*, Report and toolkit (Oakland, California: Transform, 2019).

## Process Equity

*Process Equity* measures help determine how successful the projects are at achieving inclusive and accountable participation of historically excluded and underserved communities in the transportation planning and decision-making process.

### Inclusive and Accountable Participation

**Measures of participation.** Representation on advisory committees:

- The number of workshops, virtual meetings, their locations, and the number of unique attendees from historically excluded and underserved communities
- The number of public comments and surveys received from historically excluded and underserved communities
- Measures of the distribution of print and web resources, including languages served

**Responsiveness.** The Oregon Toll Program will develop qualitative evaluation measures of its ability to be responsive in addressing comments, ideas and concerns voiced by historically excluded and underserved communities:

- Collect feedback from participants, the advisory committee, and equity sub-consultants on quality of facilitation and ability to incorporate the needs of historically excluded and underserved communities.
- Ensure continuous application and incorporation of the “Oregon Toll Program Approach” through the toll projects meetings and processes.
- Monitor regularly the following within decision-making processes and project management:
  - Projects’ adaptability to needs expressed by historically excluded and underserved communities
  - That historically excluded and underserved communities have a voice and the opportunity to directly impact design and outcomes
  - Transparent accountability: it is clear who the decision-makers are and how to influence decision-making
  - That the Oregon Toll Program is communicating directly and regularly with underserved and excluded communities and clearly describing the input, ideas and concerns that have been voiced, and how that feedback is being used in project development.

## Outcome Equity

*Outcome Equity* measures will address three dimensions: affordability (user costs), access to opportunity, and community health to determine which pricing and equity strategies best advance equity.



## 1. Affordability

- **Travel costs.** Change in travel costs for historically excluded and underserved communities
- **Financial barriers.** Potential financial barriers that may limit use of the tolled facilities by historically excluded and underserved communities, including for the unbanked and for those who may have trouble putting up deposits for transponders or other required technologies

## 2. Access to Opportunity

- **Travel patterns.** Potential changes to travel patterns and behavior
- **Transportation options.** Alternative transportation choices (roads, transit, etc.) in the study area available to those who choose to not pay tolls, with some measure of their relative costs (in time and/or money) and benefits
- **Time penalties or improvements.** Effects on un-tolled alternatives, including roadways affected by rerouting and potential benefits or impacts to transit services

## 3. Community Health

- **Community health.** Health indicators, including those identified by historically excluded and underserved communities
- **Environmental impacts.** Projected changes in air, water, and noise pollution, as well as visual impacts
- **Safety.** Potential implications for safety, particularly for the most vulnerable road users (bicyclists and pedestrians)
- **Community cohesion or isolation.** Potential implications of changes in travel behavior and infrastructure on community cohesion or isolation, including potential impacts on rents
- **Small business.** Potential effect of construction or tolls on small businesses within historically excluded and underserved communities

### Step #3: Determine Benefits and Burdens

Determine impacts (both positive and negative) related to the outcome and performance indicators that will be identified in Step Two, with an eye to determining the effects listed in Table 1. Table 1 lists a range of possible effects that could be considered as part of each of the toll projects' equity and mobility analyses and do not represent a final set of outcomes to be considered.

**Table 1. Benefits and Burdens for Consideration**

**Potential Benefits and Burdens**

**User costs** – both for the tolled facility as well as for any viable alternatives, including both monetary and non-monetary (such as time) costs

**Choices** – including travel options for those for whom a new toll might prove burdensome

**Travel time** – including delay or improvements to travel time

**Transit** – including changes to operating speed, reliability, and ridership from tolling as well as from potential improvements in transit as part of the projects

**Traffic patterns** – including potential rerouting impacts through neighborhoods with significant populations from historically excluded and underserved communities

**Businesses** – especially those at risk for impacts from changes in travel behavior, traffic rerouting, or construction

**Noise** – where it might be generated and whom might be exposed to it, including expected changes in noise on potential or existing diversion routes

**Social** – including improved access to opportunity

**Environmental** – including localized as well as regional changes to water and air quality for historically excluded and underserved communities

**Visual** – including any takings or impacts from the placement and construction of any physical infrastructure required as part of the Projects

**Step #4: Choose Options that Advance Equity**

- Determine which strategies are most promising to provide greater affordability, and potentially price certainty, as part of the tolling proposal.
- Involve historically excluded and underserved communities in meaningful review of these strategies.
- Determine which strategies will most benefit commuters from historically excluded and underserved communities.
- Determine which strategies will most benefit non-commuters in historically excluded and underserved communities.
- For those strategies that are not permissible in Oregon, due to constitutional restrictions or other legal considerations, find alternatives that similarly advance equity.
- Subject the final alternative(s) to detailed modeling to get a finer grain prediction of impacts.
- With the input of historically excluded and underserved communities, refine proposed pricing and equity strategies to optimize their performance.

**Step #5: Provide Accountable Feedback and Evaluation**

- Incorporate input from historically excluded and underserved communities and consider community priorities as part of the development of mobility and mitigation strategies.
- Prioritize funding commitments made to historically excluded and underserved communities as part of the toll projects and delineate responsibilities clearly, publicly, and transparently.

I-205 and I-5 Toll Projects' Equity Framework  
Updated December 3, 2020

- Develop a timeline, with public input, describing who is responsible for determining if the I-205 and I-5 Toll Projects meet the Oregon Toll Program's goals and commitments to historically excluded and underserved communities.
- Make explicit who is responsible for providing continuous oversight of equity issues following implementation of the toll projects, including periodic evaluation and adjustments in toll policies and prices.
- Identify any equity issues or concerns raised for which the toll projects are unable to provide resolution. Such unresolved issues will be addressed in communications with historically excluded and underserved communities.
- Continue to seek ongoing opportunities for representatives of historically excluded and underserved communities to participate in the entire transportation planning process.

## GLOSSARY - IMPORTANT DEFINITIONS

Many terms are used to indicate communities and populations affected by planning and land-use decisions. Planning documents frequently refer to communities that have historically been excluded by land-use projects and from transportation decision-making as “historically marginalized communities.” Some communities have been discriminated against systemically; these fall under the broad term of “historically underserved communities.”

This document uses the terminology “historically excluded and underserved communities” to be broad in the definition of the communities, populations and individuals who have been excluded from transportation decision-making and/or systematically discriminated against. Other terms often used to describe some of these communities include:

- **Marginalized communities/populations** are those communities that have been confined to the peripheral edge of society, and have had little involvement in, among other processes, transportation decision-making.
- **Vulnerable populations** include populations that are more likely to be transit-dependent and/or otherwise disproportionately affected by changes in travel cost and choices, such as the elderly, children, people of color, low-income persons, and persons with disabilities.
- **Low-income** is defined for the purposes of the toll projects as individuals or households with income below 200 percent of the federal poverty level for the area.
- **Environmental Justice (EJ) populations** include individuals who are African American, Asian American, Hispanic American, Native American and Alaska Native, Native Hawaiian and Pacific Islander, of two or more races, and/or low-income.
- **Black, indigenous and people of color**, also known as BIPOC, is a term for people who identify as Black, Asian, Hispanic, Latin American, Native American and Alaska Native, Central and South American indigenous, Native Hawaiian and Pacific Islander origin, and/or of one or more non-white races or ethnic groups.

Other terms used in this document include:

- **Displacement** occurs when people and businesses, often residences or businesses of people of color, are forced from their homes and commercial areas due to rising rents, property taxes, or government policy that directly relocates people or businesses or favors replacing current community members, homes or businesses with others, particularly white-owned or occupied residences and businesses.
- **Economic Disadvantage** refers to individuals and communities with significantly less wealth and financial resources and whose economic health and wellbeing has been impaired due to systemic barriers (such as limited access to opportunities, through

discrimination in education, or health care, hiring and promotions, lack of banking and credit or other factors) as compared to other people or communities in the same region.

*Please see Appendix A for a written example of someone experiencing economic disadvantage.*

- **Race** is a social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (particularly color), ancestral heritage, cultural affiliation, cultural history, ethnic classification, and the social, economic and political needs of a society at a given period of time. Racial categories subsume ethnic groups. (Based on Portland Metro definition)
- **Segregation** is when facilities, services, and opportunities such as housing, medical care, education, employment, and transportation in the United States are divided along racial, economic, ethnic, or religious lines. (Adapted from Portland Metro definition)
- **Systemic Racism** is a system of interrelated policies, practices, and procedures that work to advantage and position white people and communities over people of color. It can result in discrimination in criminal justice, employment, housing, health care, political power and education, among other issues.
- **Trauma** is the unique individual or group experience of an event or enduring set of conditions where resulting stress overwhelms the individual's or group's ability to manage their emotional and physical experience, resulting in long-lasting and adverse emotional, cognitive, and physiological effects. At the community level, trauma can result from current and historic systemic discrimination and violence against people from certain groups. (Adapted from Trauma Informed Oregon's *Standards of Practice for Trauma Informed Care: Definitions and Additional Resources* and U.S. Substance Abuse and Mental Health Services Administration's *Concept of Trauma and Guidance for a Trauma-Informed Approach*.)
- A **Trauma-Informed Perspective** is one that realizes the pathways and impacts of trauma within the community, is able to recognize the signs and symptoms of people experiencing trauma, responds by incorporating knowledge of trauma into practice, and actively seeks to avoid re-traumatization. In the context of toll projects, it realizes the ways transportation projects and planning processes have caused trauma, understands what this looks like in practice, and incorporates this knowledge into all aspects of toll development (staff training, policy development, project outreach etc.) to avoid re-traumatization. (Adapted from U.S. Substance Abuse and Mental Health Services Administration's four "R's" of a trauma-informed approach.)

*Please see Figure 1 in Appendix A for a visual representation of a trauma-informed perspective.*

## **AUTHORS AND CONTRIBUTORS**

The following individuals contributed extensively to this Equity Framework

### **Primary Authors of the I-205 and I-5 Toll Projects' Draft Equity Framework**

- Alan Hoffman – Independent policy and planning consultant, Co-author of *Pricing Roads, Advancing Equity* guidebook and toolkit
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- Chris Lepe – Mariposa Planning Solutions - Independent equitable transportation and land use consultant
- Desiree Williams Rajee – Founder and Principal of KAPWA Consulting – Equity Strategy and Leadership
- Leslie Parker – Amber Ontiveros and Associates – Transportation Equity Consultants

### **Additional Contributors to Revised Versions**

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- Brooke Jordan – WSP Toll Projects Consultant Team; Consultant Team Task Lead
- Christine Moses, Owner of Buffalo Cloud Consulting, LLC. – Equity and inclusion facilitator and consultant
- Diana Avalos Leos – Equity and Mobility Advisory Committee Member
- Emily Benoit – WSP Toll Projects Consultant Team
- Francisco Ibarra – Dedicated EMAC Research Intern, PSU Masters Candidate
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- Josh Channell – WSP Toll Projects Consultant Team; I-5 Toll Project Corridor Lead
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- Dr. Phillip Wu – Equity and Mobility Advisory Committee Member
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### **ODOT Contributors**

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- Lucinda Broussard – Oregon Toll Program Director
- Hannah Williams – Toll Program Community Engagement Coordinator

I-205 and I-5 Toll Projects' Equity Framework  
Updated December 3, 2020

Si desea obtener información sobre este proyecto traducida al español, sírvase llamar al 503-731-4128.

Nếu quý vị muốn thông tin về dự án này được dịch sang tiếng Việt, xin gọi 503-731-4128.

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# I-5 and I-205 Toll Projects

## Draft Toll Projects' Equity Framework – Appendix A



*Updated December 7, 2020*

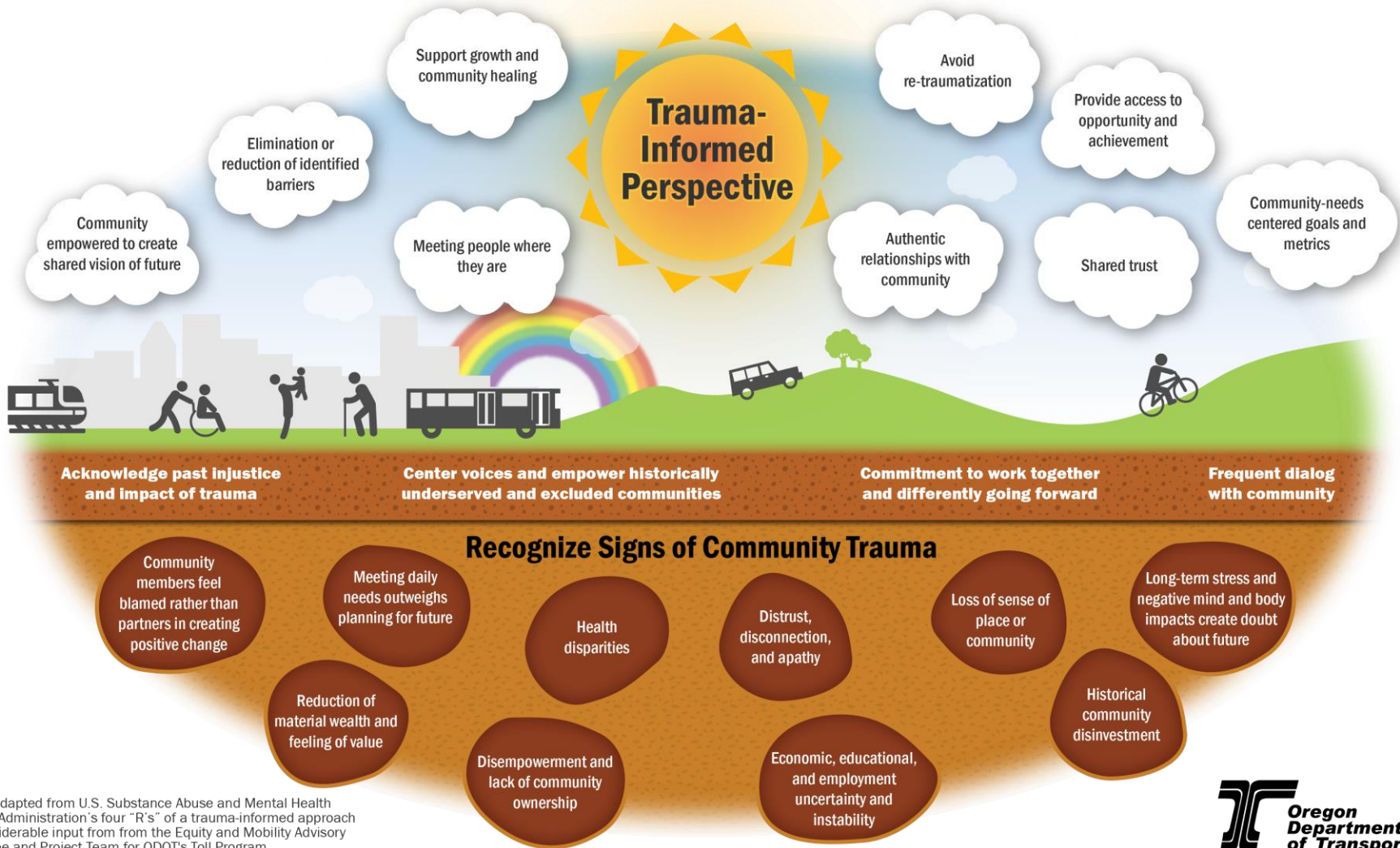
### **ECONOMIC DISADVANTAGE**

#### **Example**

A (hypothetical) young man who recently graduated from high school does not own a vehicle because he cannot qualify for a car loan due to his age and lack of credit. He also worries he can't afford the vehicle operating costs (gas, insurance and maintenance). He lives in an area he can afford but without a car, his only transportation option is to walk to one public bus stop from home, and the bus only operates on weekdays during daytime hours. He has less ability to access job locations compared to his former classmates whose parents co-signed on their car loans and help them with operating costs. Some other former classmates live in areas with more bus and train lines or have safe sidewalks and bike paths between home and job centers and have all found new jobs. But he can't apply for a job that requires weekend or evening work. The lack of options from the financial barriers he experiences limits his travel options and further limits his job prospects and income potential.



# Trauma-Informed Perspective



Source: Adapted from U.S. Substance Abuse and Mental Health Services Administration's four "R's" of a trauma-informed approach and considerable input from from the Equity and Mobility Advisory Committee and Project Team for ODOT's Toll Program



# I-5 and I-205 Toll Projects

## Draft Toll Projects' Equity Framework – Appendix A



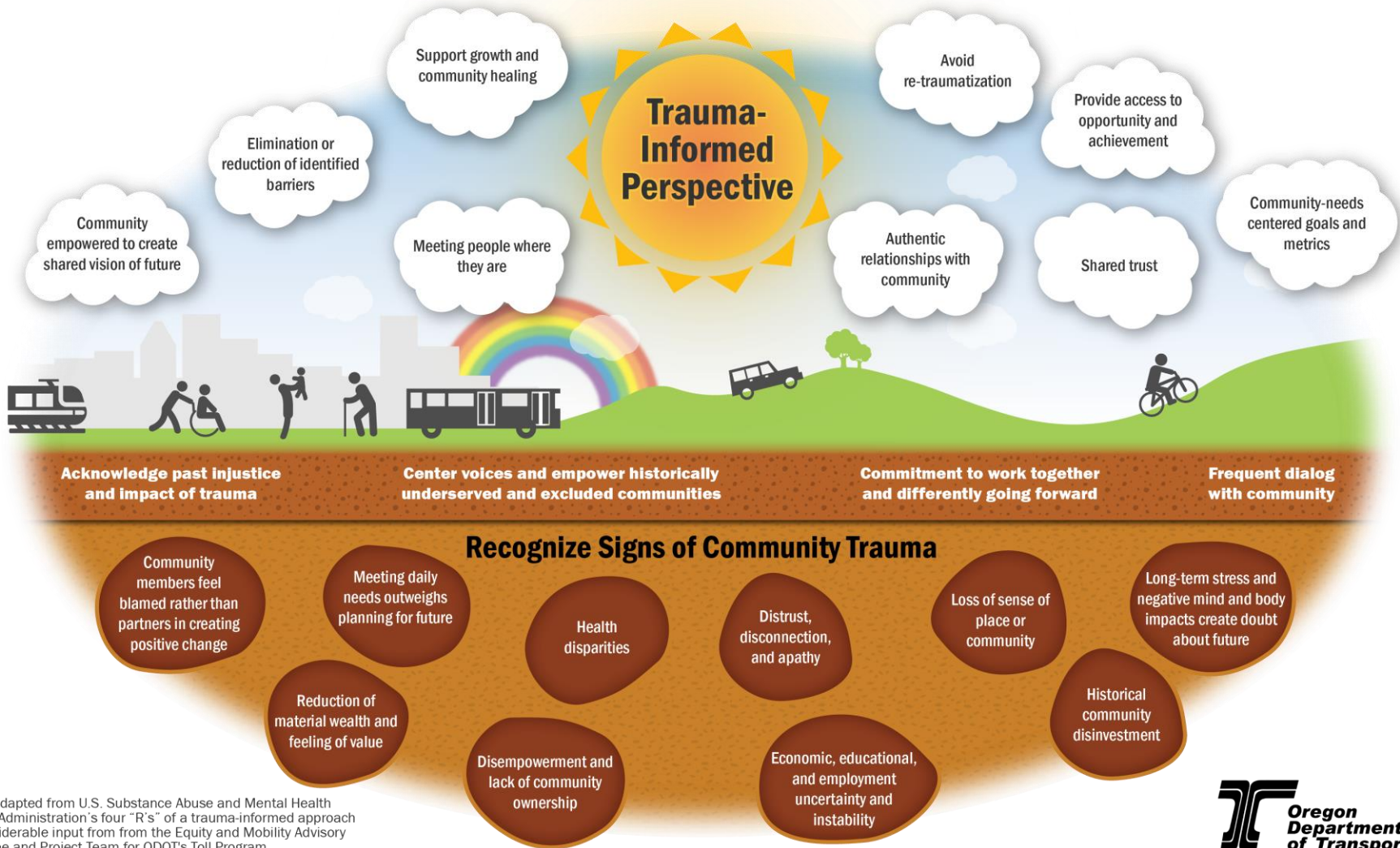
*Updated December 7, 2020*

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# Transportation Funding

for the Interstate Highway System

**Board of Commissioners Policy Session**

**April 14<sup>th</sup>, 2021**



# Agenda:

- History of Transportation Funding
- Future of Transportation Funding
- Equity Approach
- Clackamas County Values and Outcomes for Interstate Highway Funding

# Focus Today:

## Funding for major capital projects on the Interstate Highway System in the Portland Metropolitan Area

### Problem statement:

The Interstate 205 (I-205) Widening and Seismic Improvements Project and other major infrastructure projects in the region have reached a critical policy dilemma. Namely, how will the State and the Oregon Department of Transportation (ODOT) fund bottleneck projects in the Portland region?



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# Transportation Funding Overview

U.S. System funding policies

Government Level	Roles
<b>Federal</b> <i>Congress, U.S. Department of Transportation</i>	<ul style="list-style-type: none"><li>• Congress sets policy and collects funding</li><li>• USDOT implements policy, makes rules, and distributes funding</li></ul>
<b>State</b> <i>Oregon Department of Transportation</i>	<ul style="list-style-type: none"><li>• Follows Federal policy</li><li>• Creates State policy</li><li>• Spends and distributes federal money</li><li>• Can raise own dollars</li></ul>
<b>Regional</b> <i>Metro</i>	<ul style="list-style-type: none"><li>• Follows Federal and State policy</li><li>• Creates regional policy</li><li>• Distribute federal money to local agencies</li></ul>
<b>Local</b> <i>Clackamas County, City Partners</i>	<ul style="list-style-type: none"><li>• Follows Federal, State, and Regional policy</li><li>• Creates local policy</li><li>• Spends Federal and State dollars</li><li>• Can raise local dollars</li></ul>

# History of Funding

- Historical funding came from the gas tax, DMV Fees & weight-mile taxes on heavy trucks
- Growing fuel efficiency is rendering the fuels tax unsustainable over the long term
- Inflation erodes most transportation funding sources
- Federal funding has been flat for more than a decade – the federal gas tax has not increased since 1993



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# History of Funding

2004 Subaru Outback



HWY MPG	25
City MPG	19

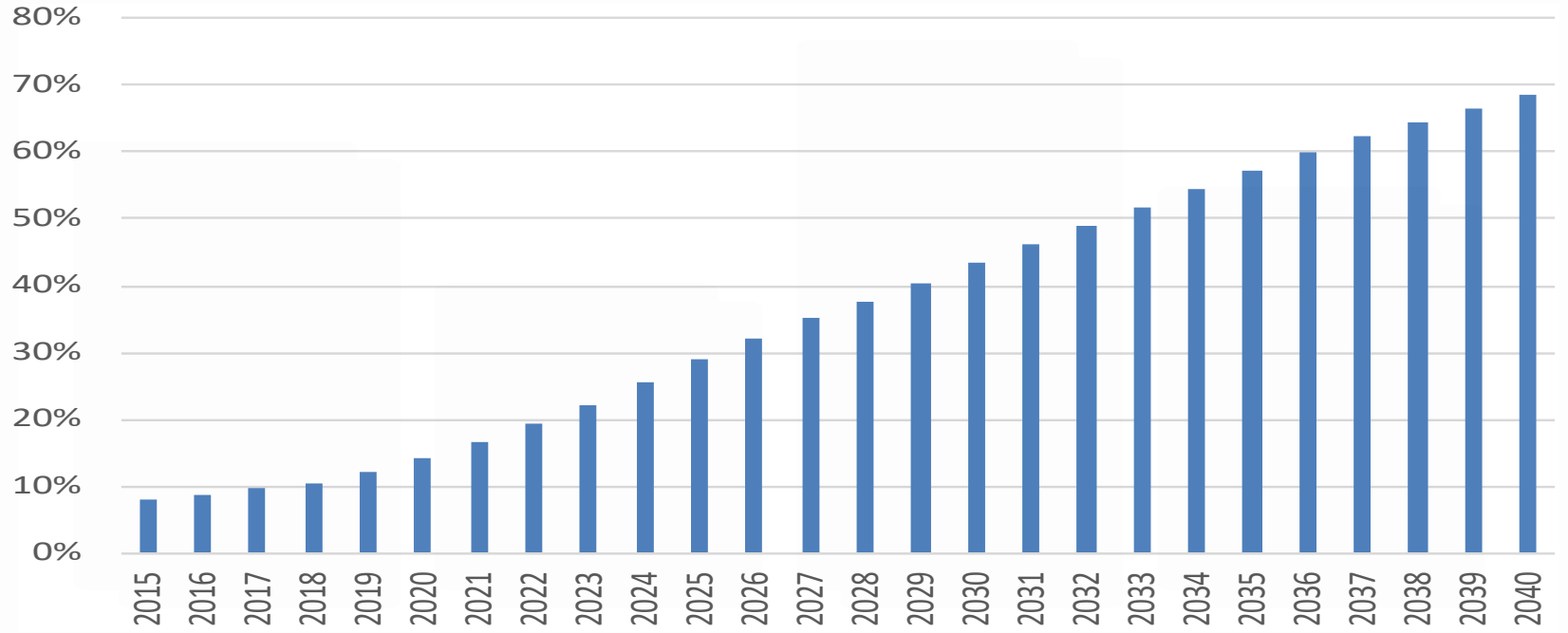
2020 Subaru Outback



HWY MPG	33
City MPG	26

# History of Funding

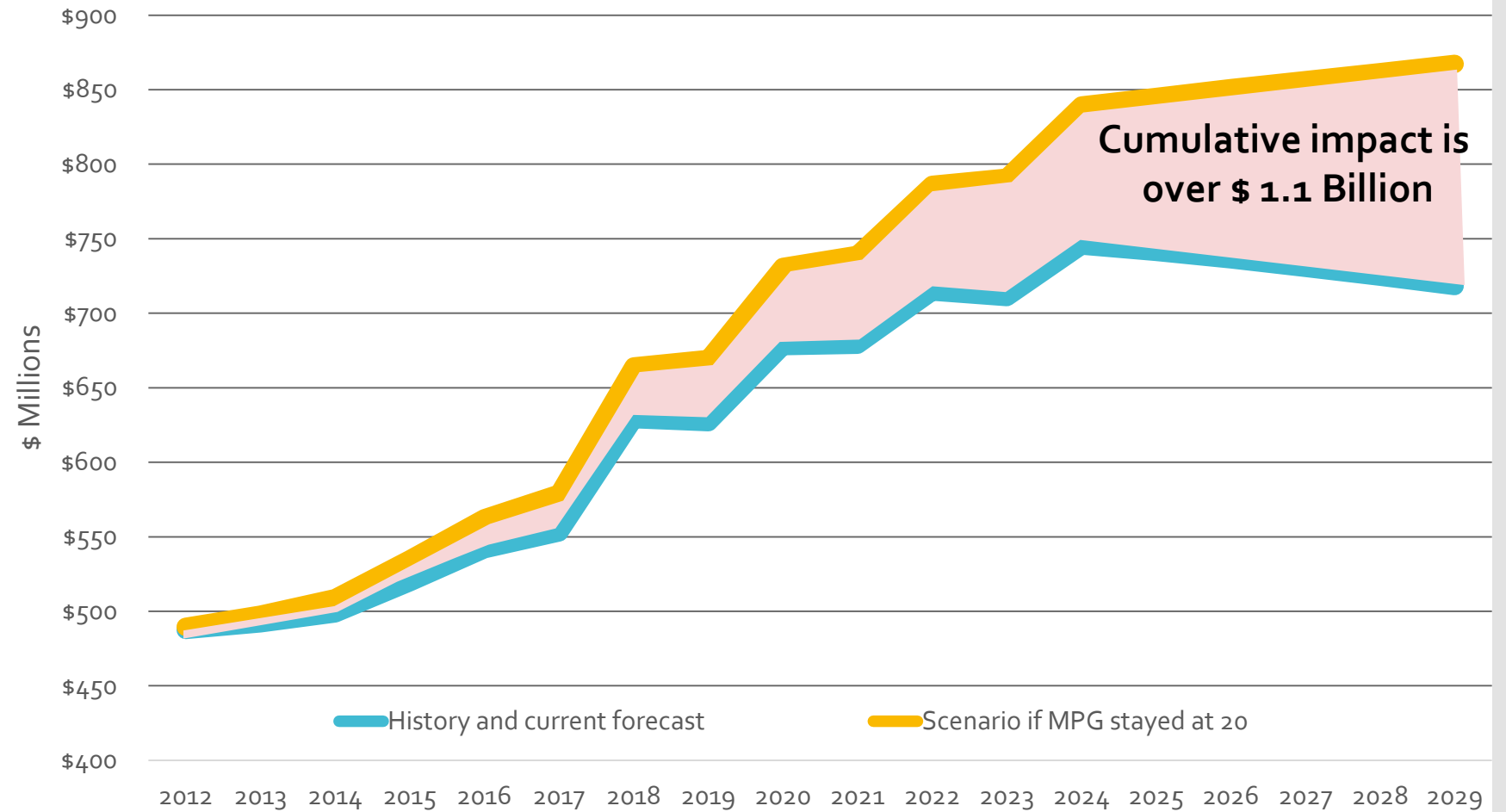
Projected Share of Passenger Vehicles over 30 MPG



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# History of Funding

## State Fuels Tax Revenue is Projected to Decline Due to Increasing MPG



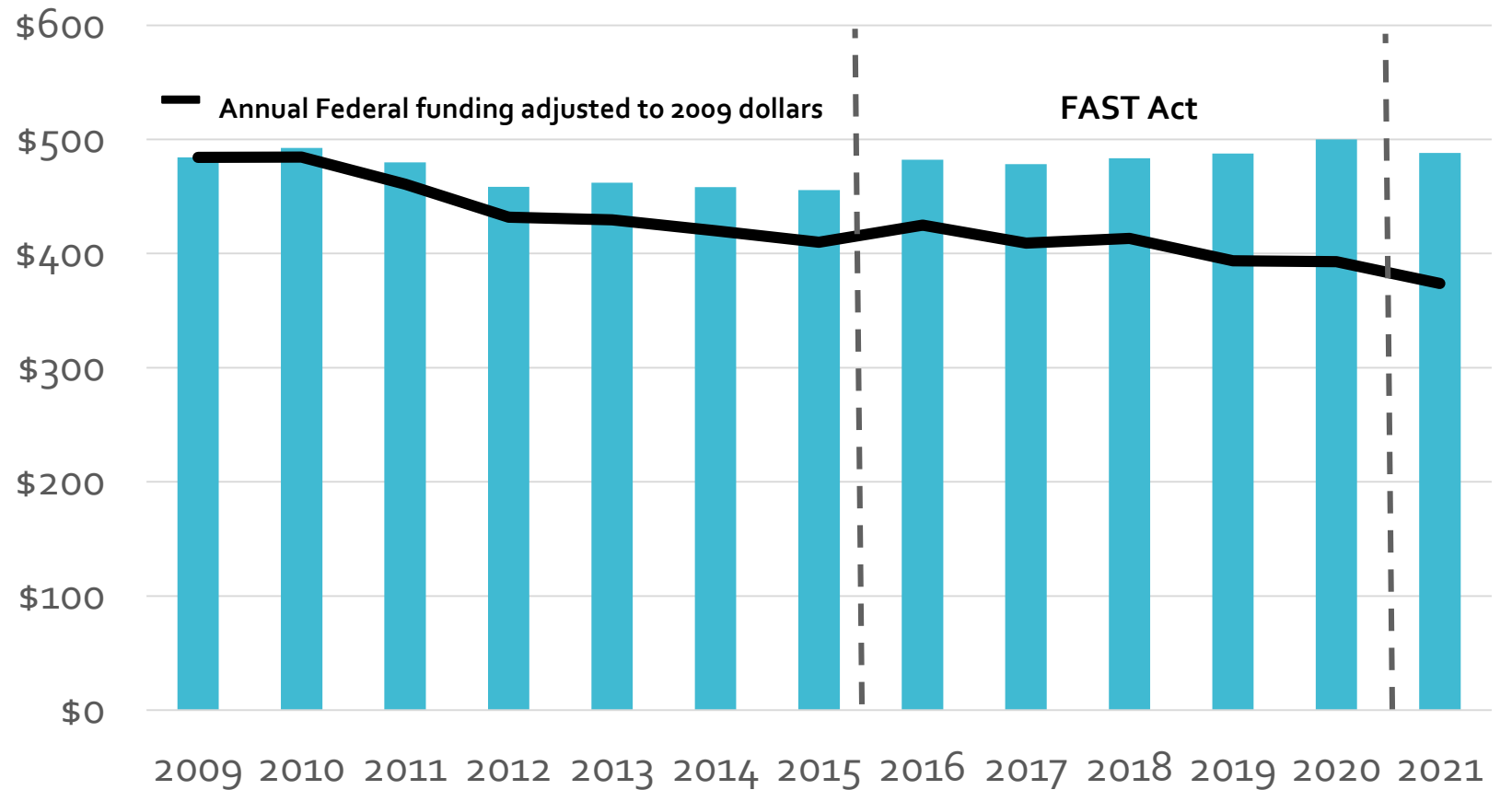
Source: ODOT October 2019 State Revenue Forecast



# History of Funding



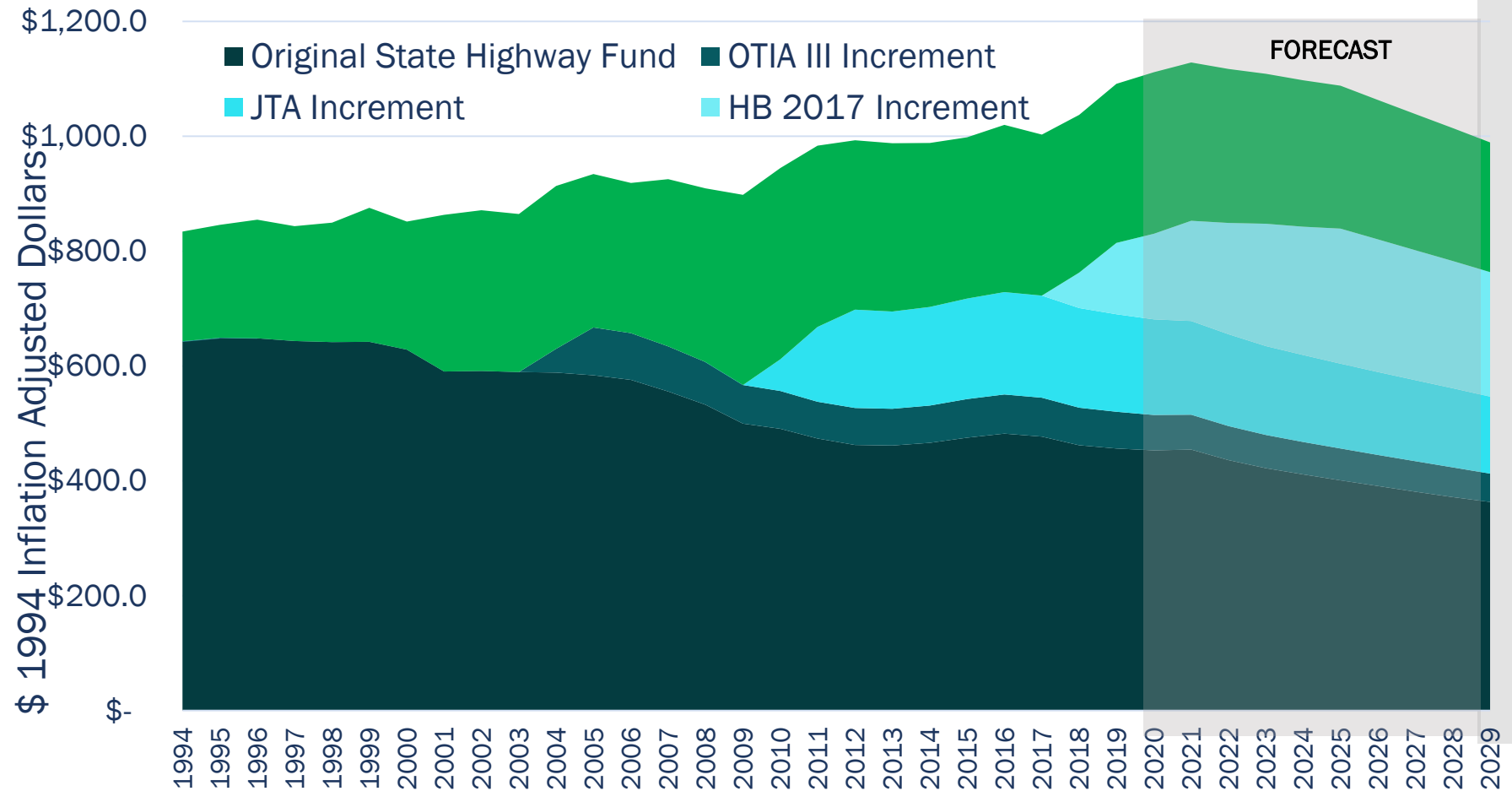
Oregon Federal-Aid Highway Formula Funding  
In millions of dollars, nominal and inflation-adjusted



# History of Funding



Federal and State Highway Funds Adjusted for Inflation



# History of Funding



'24-'27 STIP Funding Allocation  
Approved December 15, 2020

Category	24-27 STIP	21-24 STIP
Fix-It	\$800m	\$850m
Non-Highway	\$255m	\$158m
Enhance Highway	\$175m	\$687m
Safety	\$147m	\$147m
Local Programs	\$404.5m	\$406m
ADA	\$170m	--
Other Functions	\$161.4m	\$159m
<b>Total</b>	<b>\$2.1 billion</b>	<b>\$2.4 billion</b>

# History of Funding

## **Priorities are changing:**

In addition to the technical funding challenges, a paradigm shift is happening in the realm of transportation funding. Priorities for allocating funds have shifted to a focus on climate action and mode shift which does not support new lanes or capacity improvements.



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# History of Funding Questions?

- **Do you have questions regarding the history of funding?**



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## Questions?



# Future of Funding

## New funding sources currently under consideration

Funding Source	Predictable
Federal Earmarks, Programmatic funding	Competitive/Not-predictable
Road User fee	Predictable
Congestion Pricing/Tolling	Predictable



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# Federal Funding Opportunities

## Earmarks

- 2 buckets
  - Appropriations
  - Transportation Reauthorization/Build Back Better
- The region's federal funding priorities (endorsed by JPACT)
  - \$250M for I-205
  - \$10M for County safety project – 65<sup>th</sup> & Stafford
  - City projects
    - West Linn - Hwy 43
    - Happy Valley - 172nd
    - Gladstone - Portland Avenue
    - Wilsonville – I-5 Bike/Ped Bridge
- Other County Earmark Requests
  - Bull Run Bridge
  - Willamette Falls Locks



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# Road User Fee

## OReGO

- Created by Legislature in 2013
- Since 2015 over 1,600 vehicles have proven the concept
- Vehicles 20 mpg and above can voluntarily participate
- Volunteers pay 1.8 cents per mile, receive non-refundable fuel tax credit
- GPS not required, and privacy is protected
- Vehicles over 40 MPG can opt out of tiered registration fees if they join OReGO
- House Bill 2342 up for consideration at the State Legislature



# State Transportation Package (HB 2017)



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- Prioritized 3 bottleneck projects of statewide significance
  - I-205 Widening & Seismic Improvements (Funded at \$13M)
  - Rose Quarter (partially funded with dedicated “penny” increase to gas tax)
  - Highway 217 (Fully funded at \$99M)
- Directed OTC to implement value pricing on I-5 and I-205 between the Washington state line and where they intersect

#### Budget Note from 2017

*“The Oregon Department of Transportation is directed to ensure an ongoing commitment to fully fund congestion relief on I-205, including but not limited to the Stafford Road to Abernethy Bridge bottleneck. Pursuant to HB 2017, any value pricing revenue shall be dedicated to I-205. In the event that value pricing revenue is not sufficient, or should value pricing prove not to be a viable funding source, the agency shall report immediately to the Legislative Assembly on the funding issues along with specifics on funding needs and options available to the Legislative Assembly to quickly remedy such funding gaps. An initial report shall be provided to the Joint Transportation Committee no later than the last legislative days in calendar year 2018.”*

# Future of Funding

Questions

- **Do you have questions so far on the future of funding?**



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## Questions?

# Tolling Program History

- Value Pricing Feasibility Study in 2017/2018 recommended segments on I-5 and I-205 where tolls could be applied and resulted in Metro Area Value Pricing Feasibility Analysis report.
- Federal Highway Administration (FHWA) approved continued toll implementation process with guidelines in 2019



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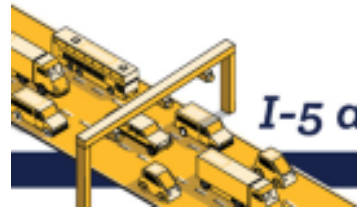
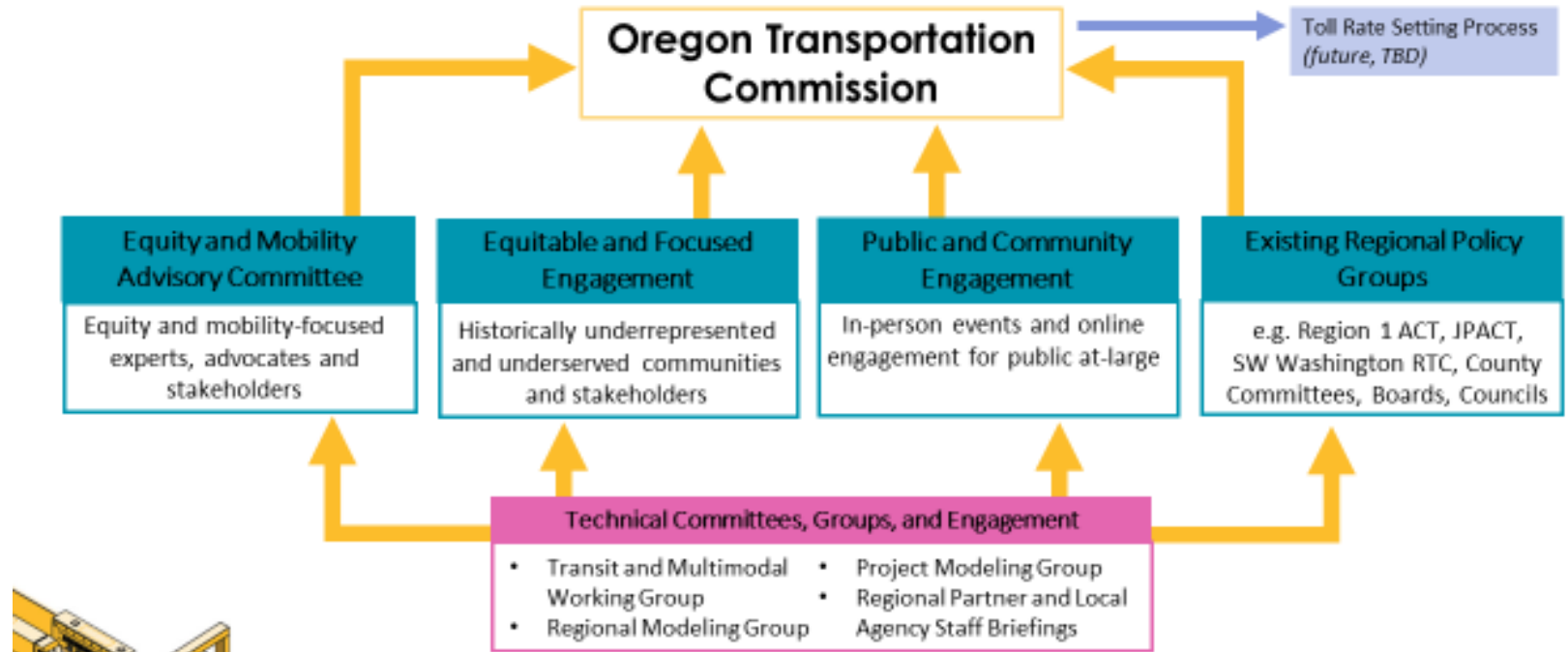
# Tolling Program First Steps



- ODOT has:
  - Began scoping process for the environmental analysis on I-205 in 2020
  - Established Equity and Mobility Advisory Committee to develop equity framework for tolling in Oregon
  - Initiated NEPA on 205
- Clackamas County has:
  - Board and Staff reviewed initial documents and submitted testimony
  - Clackamas County accepted invitation to become a participating agency in the environmental process
  - Staff participate in:
    - Regional Agency Coordination
    - Transit and Multimodal working group
    - Regional Modeling group
    - Equity and Mobility Advisory Committee

# Tolling Program Committees

## Project Decision-Making Structure



### I-5 and I-205 Toll Projects

July 28, 2020 | 25



[www.OregonTolling.org](http://www.OregonTolling.org)





# Tolling Program

What is EMAC?

The **Equity and Mobility Advisory Committee** formed in March 2020, and is a 15-member group representative of the four counties in the Portland Metro region. Tasked with:

- Ensure decisions and developments related to the technical and environmental review process are grounded in equity
- Provide input on mobility and equity strategies to maximize benefits from tolling projects
- Develop and support implementation of an inclusive public involvement plan to accompany the 1-205 NEPA process



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# Tolling Program Equity Definitions

## State of Oregon Definition of Equity:

Equity acknowledges that not all people, or all communities, are starting from the same place due to historic and current systems of oppression. Equity is the effort to provide different levels of support based on an individual's or group's needs in order to achieve fairness in outcomes. Equity actionably empowers communities most impacted by systemic oppression and requires the redistribution of resources, power, and opportunity to those communities.

*Definition from June 2020 State of Oregon Equity Framework in COVID-19 Response and Recovery*

## ODOT Toll Program Definition of Transportation Equity:

The just allocation of burdens and benefits within a transportation system.

# Tolling Program Equity Definitions

**Process equity** means that the planning process, from design through to post-implementation monitoring and evaluation, actively and successfully encourages the meaningful participation of individuals and groups from historically excluded and underserved communities.

**Outcome equity** means that the toll projects will acknowledge existing inequities and will strive to prevent historically excluded and underserved communities from bearing the burden of negative effects that directly or indirectly result from the toll projects, and will further seek to improve overall transportation affordability, accessible opportunity, and community health.

# Tolling Program EMAC

- Updated and adopted charter and equity framework
- Developing and refining public involvement plan and process equity metrics
- Will be defining performance metrics for outcome equity, focused on affordability, access to opportunity, and community health

# Equity Approach Questions?

- **Do you have questions or would you like more information on the equity framework?**

## Questions?



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# Tolling Program History





## Tolling Authority –

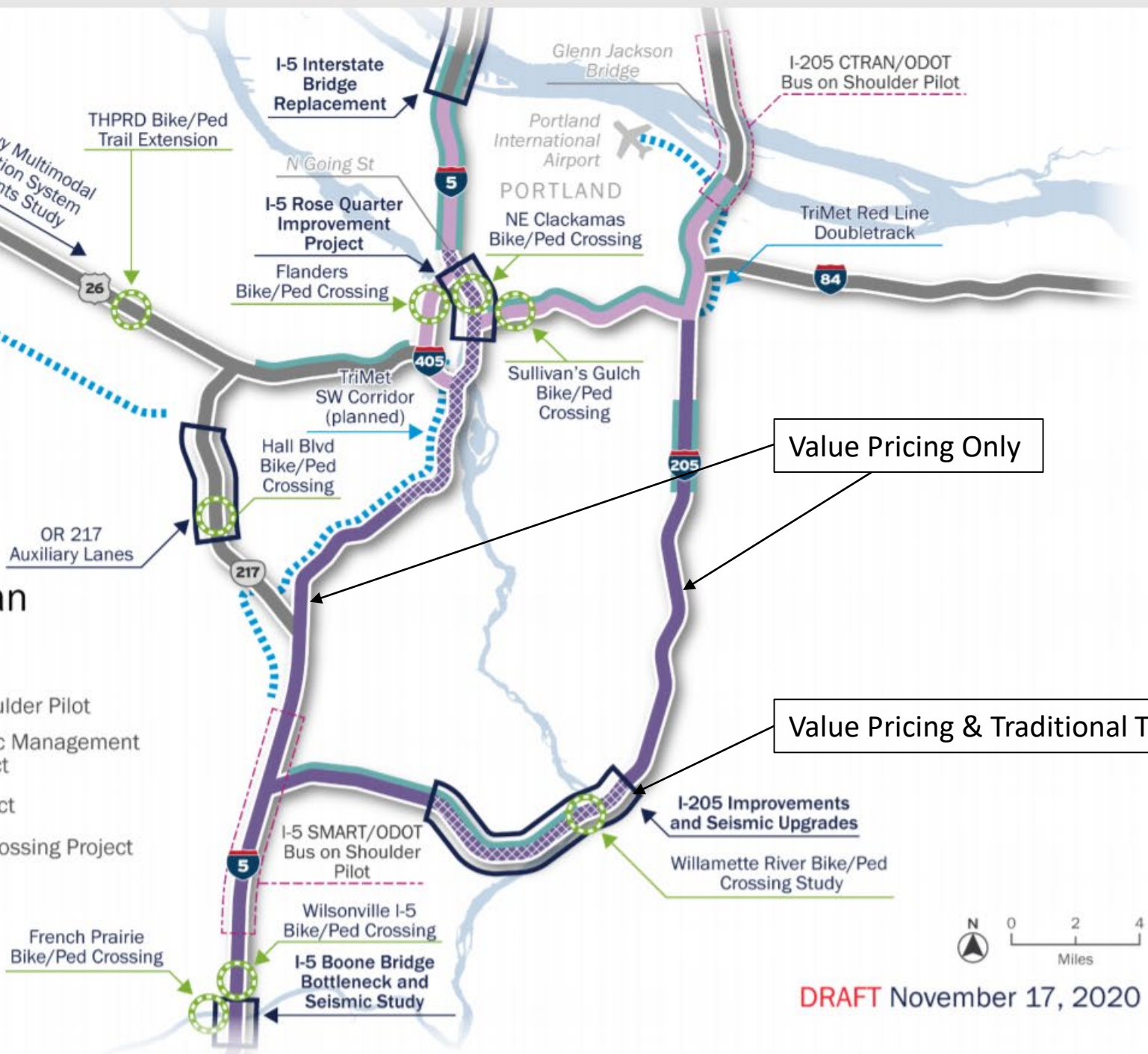
- Under Section 129 of Title 23 of the USC (Traditional Tolling)
  - Terminates when project is funded
  - ODOT has the authority to toll all lanes of the Abernethy bridge if the bridge is reconstructed & seismically upgraded
  - Only improved segments are eligible to be tolled under Section 129
  - Requires full NEPA analysis
  - Requires only an MOU with the FHWA for audit purposes
- Under Section 1216(a) of TEA-21 continued as part of SAFETEA-LU the Value Pricing Pilot Program (VPPP) (Congestion Pricing)
  - Can be permanent
  - ODOT would be required to develop a Value Pricing Tolling Plan
  - Tolling could be applied broadly on the Portland Metro Highway System to help manage congestion
  - Requires full NEPA analysis
  - Requires cooperative agreement with FHWA and formal approval



# Comprehensive Congestion Management and Mobility Plan (Portland Region)

-  Current Toll Corridor
-  Expanded Toll Corridor Limits
-  Potential Toll Corridor Limits
-  System Improvement Project

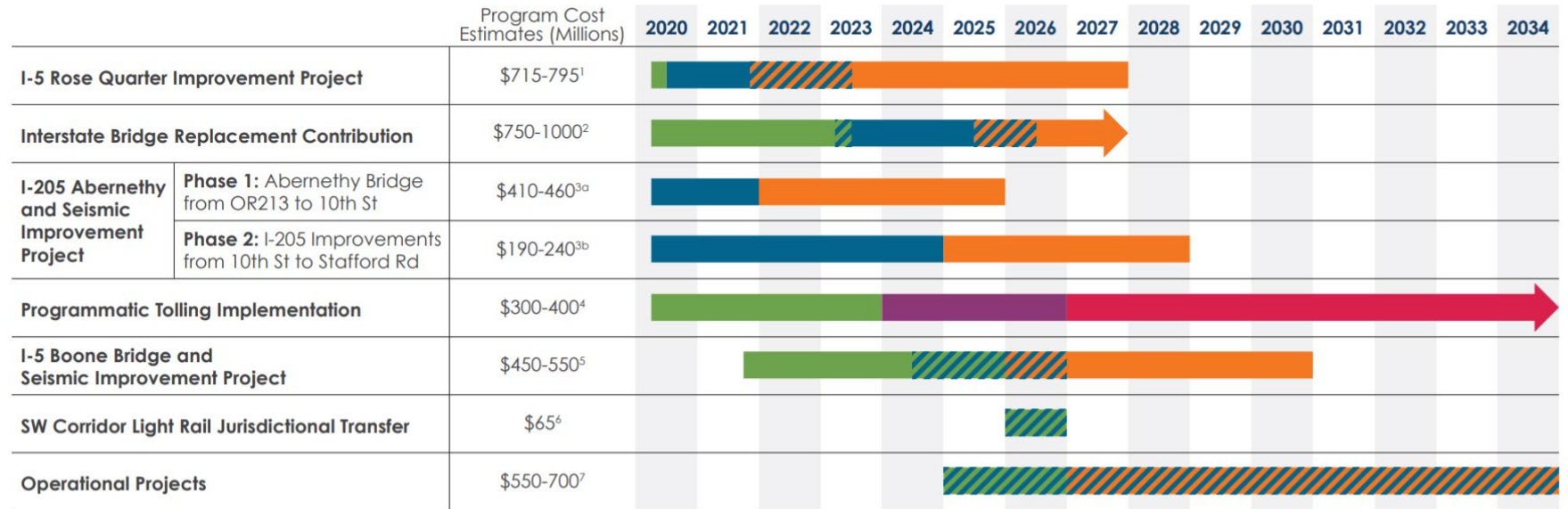
-  Bus on Shoulder Pilot
-  Active Traffic Management (ATM) Project
-  TriMet Project
-  Bike/Ped Crossing Project



DRAFT November 17, 2020

# CCMMP

## COMPREHENSIVE CONGESTION MANAGEMENT and MOBILITY PLAN: INVESTMENT AND IMPLEMENTATION STRATEGY



### Legend



### Notes

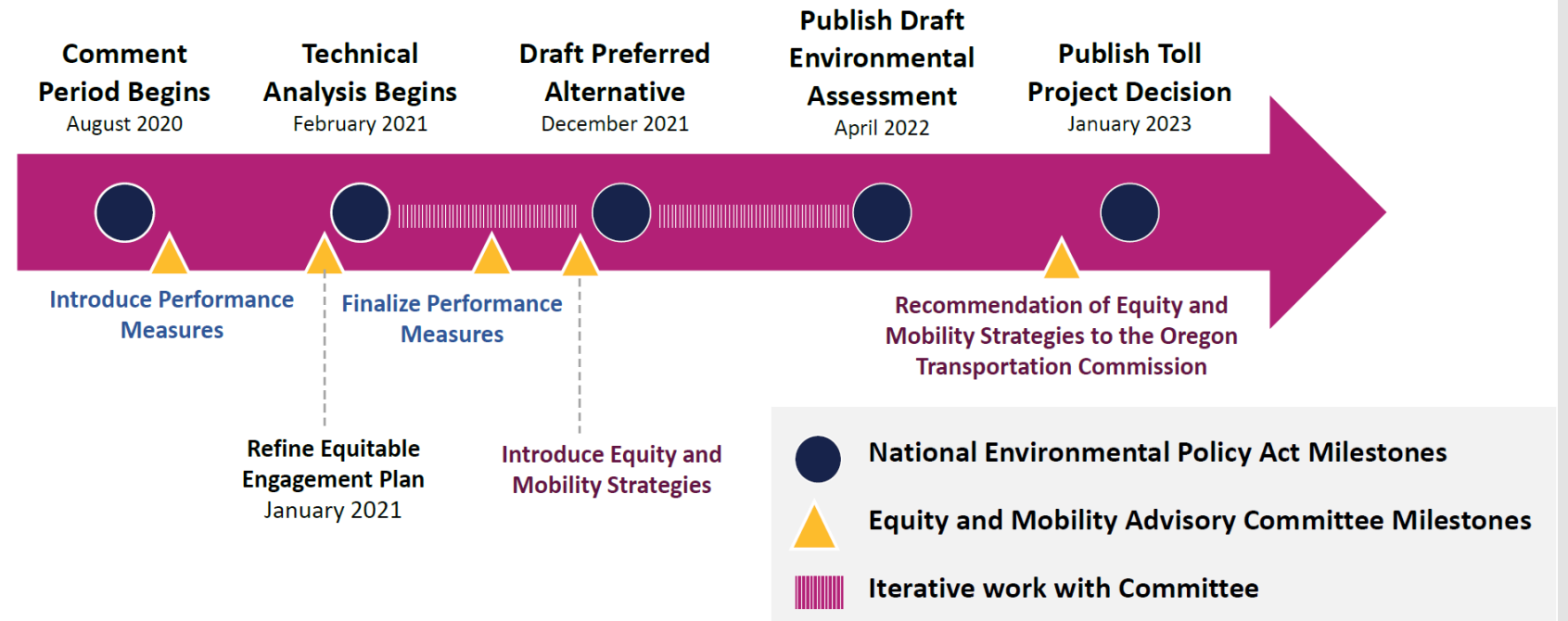
1. Cost range based on 15% design and includes I-5 mainline improvements, baseline highway covers, local street improvements and the Clackamas pedestrian and bicycle bridge. Additional funding may be required for expanded highway covers and other elements. Design and construction timelines subject to change as Early Work Package opportunities are to be identified with CM/GC.
2. Cost range reflects previous \$450M Oregon commitment to the Oregon components of the bridge replacement, inflated for additional design and new delivery year. Actual project cost estimates and changes to the finance plan are anticipated after environmental process is complete.
- 3a. Based on 60% design with late 2021 construction start. Team will continue to refine costs as design progresses to construction phase.
- 3b. Cost range reflects inflation and other factors due to construction year 2025.
4. Costs to be refined after additional planning, environmental review and design work is completed.
5. Cost range reflects conceptual planning level estimate (3% design) to be refined after additional planning, geotechnical/seismic investigations, environmental review and design work is completed.
6. ODOT to provide \$65 million to project as part of Barbur Blvd. Jurisdictional Transfer agreement with City of Portland.
7. Conceptual planning level (3% or less) estimates for operational improvement projects on I-5 and I-205.





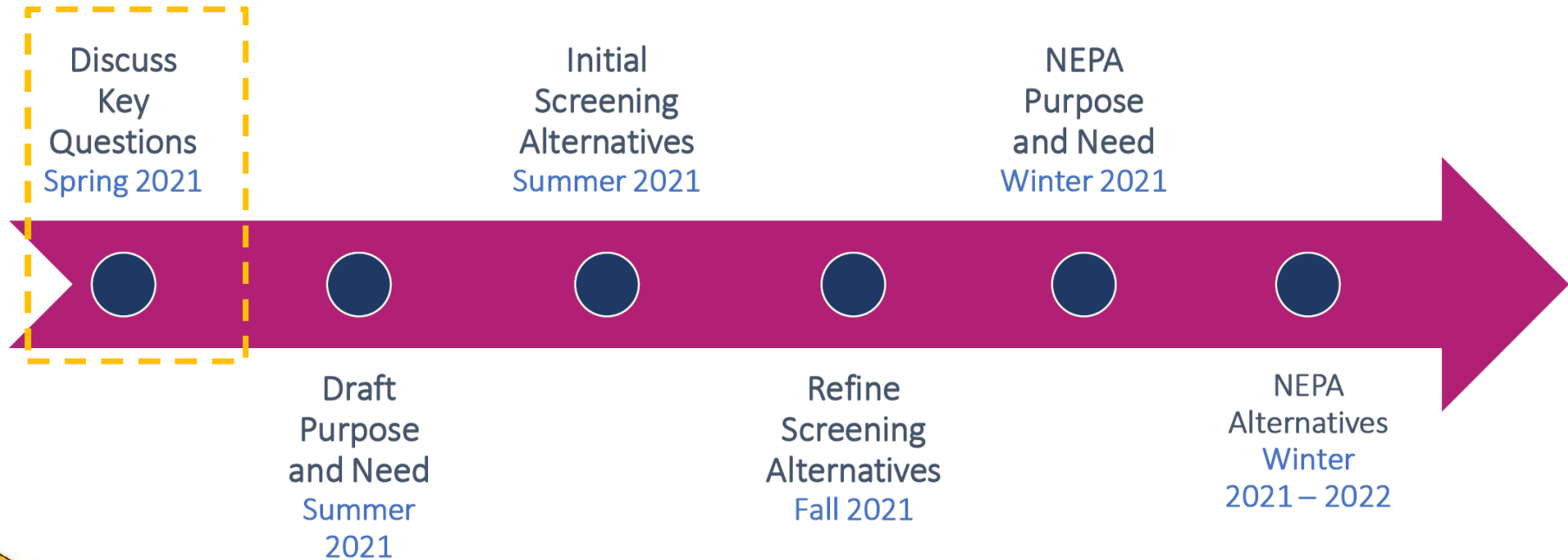
# Tolling Program Timeline for I-205 Abernethy

## Responses to public and agency comments in March 2021



# Tolling Program Timeline

## Anticipated PEL milestones (2021 – 2022)



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# Tolling Program Questions?

- **Do you have questions about tolling?**
- **Would you like regular briefings on the tolling program?**

## Questions?



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# County Needs: Values & Outcomes Approach

- **County Needs & Opportunity**
  - To be a part of the conversation
  - To assume a leadership position
- **Why Values & Outcomes?**
  - Early in process
  - More questions than answers
  - Allows us to be nimble and to evolve our position as concept proposal matures



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4.6.2021

Clackamas County supports a functional regional interstate system that prioritizes equity, safety, a vibrant economy, healthy and active communities, climate action, disaster resilience, and the reliable movement of people and goods.

We acknowledge that additional funding is needed to construct these projects and other improvements on the interstate system. Clackamas County has identified the following values that should be reflected in any approved funding solutions.

**To ensure a safe, equitable regional interstate system, funding solutions should...**

- Support timely allocation of funds to construct the projects of statewide significance from HB2017
- Ensure that net toll revenue be reinvested in projects identified by an inclusive public process led by ODOT and coordinated with the local governments
- Elevate engagement with people who have been historically left out of policy discussions, such as low income families and people of color
- Establish viable alternative transportation options that support the functionality of the interstate system, such as an accessible transit system, in areas with inadequate service
- Support necessary improvements to accommodate the region's current and projected growth

**To support a vibrant economy & ensure the reliable movement of people and goods, funding solutions should...**

- Ensure that no tolling or congestion pricing occurs on any one part of the system prior to full system implementation to avoid economic disadvantages or unfair burdens on people (communities and businesses)
- Maintain a transportation system that is dependable and predictable to attract new businesses and industry, and provides reliable travel times for commuters and employers
- Enhance opportunities for Disadvantaged Business Enterprise (DBE) in capital projects and incorporate Construction Career Pathways (C2P2) strategies to promote diversity in skilled construction occupations

**To prioritize disaster resiliency and climate action, funding solutions should...**

- Provide safe, efficient evacuation routes during natural disasters, such as wildfires and earthquakes, by upgrading vulnerable bridges and other transportation infrastructure to be earthquake ready
- Balance transportation improvements with the County's goal to be carbon neutral by 2050 by working to improve regional air quality and mitigate impacts of vehicle pollution on public health and the environment

**To support healthy and active communities, funding solutions should...**

- Mitigate impacts on local facilities caused by diversion (all modes)
- Embed health and equity into project designs and program policies
- Improve connections and travel options to places of work, school, medical care, and recreation

This document is not an endorsement or acceptance of any proposal to implement tolling or congestion pricing on I-205.

# Values & Outcomes Approach



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# Discussion

- **Knowing this information, do you support the values & outcomes approach?**
- **Do you have feedback on the draft values & outcomes?**



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