

**CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS**

**Policy Session Worksheet**

**Presentation Date:** March 1, 2023    **Approx. Start Time:** 11 am    **Approx. Length:** 30 mins

**Presentation Title:** I-205 Toll Project Environmental Assessment Update

**Department:** Department of Transportation and Development

**Presenters:** DTD – Dan Johnson (Director), Mike Bezner (Assistant Director)

**Other Invitees:** Karen Buehrig – Long Range Planning Manager, Chris Lyons – Government Affairs Manager, PGA

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

Approval of a letter to request a 45 day extension to the public comment period for the I-205 Toll Project Environmental Assessment.

**EXECUTIVE SUMMARY:**

ODOT has released the Environmental Assessment (EA) for the I-205 Toll Project. The EA consists of over 2,000 pages of analysis and detailed information about the I-205 Toll Project proposal. Details regarding the EA can be found on the Oregon Department of Transportation (ODOT) website at <https://www.oregon.gov/odot/tolling/Pages/I-205-Tolling.aspx>. ODOT has granted a 45 day public comment period which staff feel is insufficient time to conduct the required review and coordinate responses for the Board and other committees. For that reason staff is requesting Board approval for a letter to ODOT and Federal Highway Administration (FHWA) requesting an additional 45 days to extend the public comment period to 90 days. See Attachment A.

Assuming no extension is granted, staff has developed a timeline noting significant dates. See Attachment B. A much deeper dive into the EA will occur at the March 8<sup>th</sup>, 11 am Policy Session when ODOT staff will provide a detailed overview of the Environmental Assessment and will answer specific questions about the elements of the document.

**Next Steps:**

After the March 8<sup>th</sup> Policy Session with ODOT on the EA, staff will return to the Board on March 15<sup>th</sup> to present the results of our initial review of the EA and to share with you an updated draft of the Transportation Funding Values Statement for your consideration, as requested by the Board.

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

Is this item in your current budget?     YES             NO

What is the cost? \$ N/A

What is the funding source? N/A

**STRATEGIC PLAN ALIGNMENT:**

- This item relates to 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.

**LEGAL/POLICY REQUIREMENTS:**

N/A

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

Involves several departments and external partner agencies. ODOT is currently conducting public engagement with jurisdictions and some service providers.

Clackamas County has submitted comments on the record throughout the EA process.

**OPTIONS:**

- A. The Board authorize staff to finalize and submit the extension request letter.
- B. The Board direct staff to incorporate suggested edits by the board, finalize and submit revised extension request letter.
- C. The Board direct staff to not finalize and submit the extension request letter at this time.

**RECOMMENDATION:**

Staff respectfully requests the Board authorize staff to finalize and submit the extension request letter.

**ATTACHMENTS:**

- A. Letter to ODOT and FHWA requesting extension to 45 day comment period.
- B. 45 Day Review Schedule

**SUBMITTED BY:**

Division Director/Head Approval:

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Department Director/Head Approval: *Dan Johnson*

County Administrator Approval:

For information on this issue or copies of attachments, please contact Dan Johnson @ 503-742-4325
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BOARD OF COUNTY COMMISSIONERS  
PUBLIC SERVICES BUILDING  
2051 KAEN ROAD | OREGON CITY, OR 97045

March 1, 2023

Mandy Putney  
Oregon Department of Transportation  
Via email  
CC: Keith Lynch, FHWA, Kris Strickler, ODOT

Dear Ms. Putney,

We are aware that the public comment period for the I-205 Toll Project Environmental Assessment (EA) began on February 21, 2023. **After initial review of the materials, we do not feel that the 45 day public comment period that ODOT is offering is sufficient.** The Environmental Assessment includes thousands of pages of information that must be reviewed and analyzed before comments can be developed. Comments will then need to be presented, discussed and coordinated through this body and our coordinating body, the Clackamas County Coordinating Committee (C4).

We are also concerned about the lack of opportunities for public engagement. Two webinars, one three-hour public hearing, and a survey all set to occur within 45 days will not provide sufficient opportunity for our community members to become informed and have the opportunity to provide feedback. More time and more opportunities are needed.

You are proposing a major change to how our transportation system (both on and off the highway) will function as evidenced by the extensive analysis presented in the EA. This proposal will cause significant impacts to our communities which we do not take lightly.

Therefore, as a participating agency for the I-205 Toll Project Environmental Assessment, we formally request an additional 45 days be added to the public comment period for the I-205 Toll Project Environmental Assessment which will result in a 90 day public comment period. This extension will allow adequate time for review and public engagement.

Thank you for your consideration.

Sincerely,

X

**I-205 Toll Program EA – 45 Day Review Schedule****2.22.23****Week of February 21<sup>st</sup> -**

Tuesday, Feb 21: EA Release

**Week of February 27<sup>th</sup> -**Wednesday March 1<sup>st</sup>: County staff EA update to BCC – consider submittal of request for extension to 45 day public comment periodThursday March 2<sup>nd</sup>: ODOT Presentation at CTACThursday March 2<sup>nd</sup>: ODOT Presentation at C4**Week of March 6<sup>th</sup> -**Wednesday March 8<sup>th</sup> ODOT Presentation to BCC – 11 AM**Week of March 13<sup>th</sup> –**Wednesday March 15<sup>th</sup>: C4 Metro, Diversion SubcommitteeWednesday March 15<sup>th</sup>: County Staff Presentation to BCC with initial EA analysis and updated Transportation Funding Values discussion**Week of March 20<sup>th</sup> –**Wednesday March 22<sup>nd</sup>: Target Date to bring Draft EA comment letter to BCC**Week of March 27<sup>th</sup> –**Wednesday March 22<sup>nd</sup>: Backup Date to bring Draft EA comment letter to BCC (finalize comments)**Week of April 6<sup>th</sup>–**

Thursday April 6 C4 – Finalize letter of comment

Friday April 7 Submit all comments to ODOT/FHWA by 4 PM deadline