

Mayor
Honorable Tom Ellis



City Manager
Jason A. Tuck, ICMA-CM

April 19, 2023

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

Re: I-205 Toll Project Environmental Assessment

Dear Ms. Putney,

On behalf of the Happy Valley City Council, thank you for assisting in community conversations around the I-205 Toll Project. We recognize that the I-205 Toll Project comes in response to legislative direction, and the development of this new pricing tool is complex. While City Council members have a variety of opinions on tolling, if tolling is implemented, the City of Happy Valley has several concerns that should be addressed. In general, the City supports comments made by other jurisdictions in Clackamas County regarding the I-205 Toll Project Environmental Assessment and offers the following additional concerns:

There is a continued lack of financial transparency from ODOT. The absence of financial information makes it difficult to interpret the EA.

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

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

Pre-Completion Tolling should be eliminated from the Environmental Assessment.

The I-205 Toll Project proposed to initiate tolls at the end of 2024/beginning of 2025, before the construction of the third lane on I-205 is completed. To fully understand the impacts of pre-completion tolling and provide clearer information on which intersections and locations need immediate mitigation, a full modeling analysis needs to be completed of the impacts of applying tolling without the third lane on

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I-205, both with and without the implementation of the RMPP. Moreover, the EA must clearly articulate which mitigations will alleviate pre-completion tolling impacts and when mitigations will be provided. This information will help us better plan for our local transportation system.

The EA does not adequately demonstrate how the Build Alternative will reduce diversion from the highway onto local streets, thereby improving traffic safety both on and off the tolled system.

The City of Happy Valley is deeply concerned that the I-205 Toll Project will cause harm to vulnerable communities, the environment, and quality of life in Clackamas County by redistributing traffic and emissions in areas unprepared for it. Currently, traffic diverts off I-205 onto the local system due to the bottleneck created by the last remaining two-lane section of I-205 in Oregon; tolling would induce additional diversion as drivers make an economic choice to avoid the toll.

The Draft EA presents multiple goals relating to diversion and safety, including “limit additional traffic diversion from tolls on I-205 to adjacent roads and neighborhoods.” However, ODOT’s analysis shows alarming traffic changes at multiple arterial locations, including increases of 86.5-114.5 percent along routes that are popular for diversion today.

As a newer community of nearly 26,700 neighbors, the City lacks the regional transportation infrastructure that was invested in more established parts of the Metro Area decades ago. With few larger capacity transportation facilities and limited transit options, our residents must travel on already congested roads and local streets. Happy Valley also has one of the lowest permanent tax rates in the Metro region (\$0.67 per \$1,000 of assessed value), which limits our ability to fund transportation connections or transition rural roads to urban multi-modal standards.

Prior to implementing the I-205 Toll Project, the Oregon Transportation Commission must fortify the local system to prevent serious injuries and deaths, as well as abrupt changes in traffic flow that may contribute to these losses.

Pursuant to Section 3.1 Transportation, the EA should be amended to expand the Area of Potential Impact to include Clackamas River Bridge and the OR 212/224 interchange and conduct additional analysis.

According to ODOT’s I-205 User Analysis, a meaningful number of Abernathy trips travel to and from the area north of the Clackamas River and east of I-205. The Area of Potential Impact, however, does not account for plausible diversion routes to or from this geography, leaving us only to speculate about how our community could be impacted.

Whereas our area lacks a north/south travel alternative in proximity to the interstate, there may be a viable diversion route on the east side of Happy Valley via the OR 212/224 interchange to Clackamas River Drive via the Clackamas River Bridge. There are several manufactured home communities in proximity to this route, and the route lacks basic amenities, like sidewalks and shoulders. Notably:

- In a 2018 analysis, the OR 212/224 intersection exceeded the ODOT volume to capacity ratio mobility standard. In the same analysis, the OR 224/Springwater Road intersection exceeded both the ODOT volume to capacity ratio mobility standard and the Clackamas County level of service mobility standard.
- The OR 224/Springwater Road intersection has been the site of 19 crashes in recent years, of which seven have included evident or possible injuries (2012-2016).
- In a recent scan of the ATNI, the bicyclist Level of Traffic Stress between the OR 212/224 interchange and the OR 224/Springwater Rd intersection appeared to range between 3-4. The urban bike crash risk appeared to range from 4.17 – 6.65, and the urban pedestrian crash risk factor largely appeared to range from 6.32 – 9.72, with a small segment measuring 5.13.

For these reasons, the City respectfully requests ODOT to expand the Area of Potential Impact to evaluate diversion in this area.

Pursuant to Section 3.15 Cumulative Impacts (Pg. 3-119), the Regional Mobility Pricing Project (RMPP) should be re-categorized and analyzed as a Reasonably Foreseeable Future Action (RFFA).

Within the EA, ODOT declines to name the Regional Mobility Pricing Project (RMPP) as a Reasonably Foreseeable Future Action (RFFA), which carries important analysis requirements, because the RMPP is not currently included in Metro's 2018 Regional Transportation Plan, and key details about the RMPP are purportedly unknown (e.g., starting and ending points for tolling, potential toll rates) (Pg. 3-120). Provided rationales are insufficient to exclude the RMPP as a Reasonably Foreseeable Future Action in consideration of the following factors:

- ODOT has [initiated](#) NEPA activities for the Regional Mobility Pricing Project. The activities undertaken through NEPA, however, are only permissible if completed under a programmed preliminary engineering phase in the Metropolitan Transportation Improvement Program, and by implication, a corresponding project in the 2018 RTP, as was the case for the I-205 Toll Project NEPA analysis.
- The Regional Mobility Pricing Project is *referenced* in Metro's 2018 Regional Transportation Plan, and it is specifically referenced in relation to the I-205 Toll Project preliminary engineering phase ([RTP ID 12099](#)). Pursuant to the project description, "The Project will enhance the connection between tolling on I-205 and the Regional Mobility Pricing Project."
- In 2022, ODOT entered into a written Letter of Agreement with Metro regarding the I-205 Toll Project, through which ODOT made several commitments that effectively link the I-205 Toll Project to the Regional Mobility Pricing Project. These linkages are such that the I-205 Toll Project must consider RMPP impacts. For example, ODOT committed to designing the project to align with the RMPP, not to start collection of tolls on I-205 until after the RMPP application has been submitted to FHWA/USDOT under the VPPP, and to terminate the collection of tolls upon retirement of bonds associated with the initial tolling of I-205 and costs associated with construction of the I-205 South Corridor Widening and Seismic Improvements Project, if the Regional Mobility Pricing Project, or other regional tolling project, is not implemented.

Not only should the I-205 Toll Project analyze the cumulative impacts of the RMPP, but the Environmental Assessment should be amended to codify ODOT's written agreements as a necessary project component.

Pursuant to Section 3.7 Social Resources and Communities (Pg. 3-70), the EA should be amended to assess project impacts and benefits for women.

The EA currently observes the presence of and impacts to several demographics, including adults (age 65+), children (age 18 and under), people experiencing a disability, people with limited English proficiency, and households with no vehicle access. Additional data focuses on people experiencing low incomes and racial and ethnic minority populations. Conspicuously absent, however, is any analysis or consideration unique to women. Readily-available census data suggests that women in Clackamas County have different transportation and employment patterns than men. Accordingly, ODOT should analyze how tolls, and project impacts such as diversion, may disproportionately impact women. Consider, for example, readily accessible census data about women in Clackamas County:

- Women in Clackamas County are more likely to experience poverty ([S1701](#), 2021)
- Women in Clackamas County have, on average, shorter commute times than men ([S0801](#), 2021)
- Women in Clackamas County may be overrepresented during morning and evening peak hours ([B08011](#), 2021)

Expanding the demographic analysis of tolling by gender will help our community understand potential impacts.

The I-205 Toll Project should be elevated into a full Environmental Impact Statement

Given the abundance of concerns, unmitigated and unmitigable impacts, the City requests that FHWA elevate the I-205 Toll Project to an Environmental Impact Statement, allowing our community to better understand project impacts. Further, we request FHWA direction to coordinate the I-205 Toll Project alongside the Regional Mobility Pricing Project for the purposes of comprehensive environmental analysis.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Ellis', is positioned below the word 'Sincerely,'.

Tom Ellis
MAYOR