



January 13, 2022

Oregon Transportation Commission
Oregon Department of Transportation
355 Capitol Street NE, MS11 Salem, OR 97301-3871

RE: Joint Clackamas County Chair and Cities of Clackamas County Letter of Concern re: I-205 Toll Project

Chair Van Brocklin and Commissioners,

We write today as leaders of the communities who will be the most impacted by implementation of the proposed I-205 toll project. We recognize that you are working at the direction of the legislature to develop a toll program for I-205 and I-5, primarily due to the lack of dedicated funds to the project. We also believe that the passage of the IJA creates a unique opportunity to work in partnership with the region to develop a cohesive, coordinated approach with aligned implementation timelines instead of seeking approval for the I-205 Toll Program ahead of the development of the Regional Mobility Pricing Project.

Our jurisdictions support 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. The existing bottleneck on I-205 between Stafford Road and OR 99E results in significant congestion, unnecessary safety issues, and diversion into local communities. Governor Brown and the Oregon Legislature heard these concerns from Oregonians across the state, leading to the legislature prioritizing the I-205 bottleneck project as part of HB 2017.

The current proposal to toll I-205 does not meet the needs or resolve the diversion currently affecting our communities and will likely do more harm to the environment and quality of life in Clackamas County by redistributing traffic and emissions in areas unprepared for it. While we appreciate and support the upcoming construction of Phase 1A of the I-205 Capital Improvements Project, which

includes needed seismic improvements to the Abernethy Bridge, our concerns about the impacts of diversion continue to grow.

We recognize that ODOT will be modeling the system and analyzing the impacts in early 2022, but we are not convinced that the impacts are possible to mitigate due to already existing high volumes of diversion resulting from lack of infrastructure and a complicated geography. Additional diversion threatens the safety of those most vulnerable and the economic potential of our communities.

To be clear, if the toll project creates additional diversion beyond what we are already experiencing today, then it does not accomplish one of the goals that the capital improvements project set out to achieve for Clackamas County, the region, and the state.

We request the OTC and ODOT respond to the following requests and actively work with our communities to resolve the underlying concerns before asking for changes to regional and statewide plans.

First, we request that the OTC provide an explicit commitment that all impacts of tolling, especially diversion, will be mitigated to protect the health of our communities and the economic viability of our region. To advance this commitment, we request that ODOT establish an agreement including a formal structure and process with impacted local jurisdictions that will identify and prioritize mitigation projects, monitor performance, and make ongoing investment decisions. This should occur before we are asked to support currently proposed changes to regional and statewide plans.

As proposed by ODOT, the I-205 Toll Project will toll all lanes in an effort to raise revenue and reduce congestion on the freeway. This proposal will only serve to increase the problem of diversion in local communities, especially if I-205 is tolled ahead of the rest of the region.

We have seen no evidence that the proposed toll project will help to resolve the original diversion that was to be solved with the bottleneck project and no evidence that the toll project will mitigate additional diversion resulting from tolling. The RMMP Summer 2021 Engagement Report highlights that many community members plan on rerouting their trips to avoid tolls. Preliminary modeling data shows widespread diversion impacts that will be difficult, if not impossible, to mitigate. Early analysis projects diversion impacts in the areas of the county with higher percentages of low income, seniors, and Latinx households. Yet, despite this lack of information and concerning early information, our communities are being asked to go along with the I-205 toll project as a sole source of revenue, approve regional and statewide plans, and trust this process will simply work out. This expectation is unacceptable. Trust is not built on faith, but rather transparency, predictability, and dialog.

Second, we ask that the OTC not move forward with tolling or congestion pricing on I-205 prior to full system implementation of regional congestion pricing.

Despite repeated requests and input to ensure that tolling is implemented on the region's highway system at roughly the same time, ODOT's current proposal would toll the I-205 corridor as soon as 2024 while tolling in the rest of the region is slated for 2025 or later, if at all.

The current approach appears piecemeal and it remains unclear how the toll project would be integrated with the broad plan for congestion pricing in the region. Further, it places a unique economic

hardship on our communities – and only our communities – for an uncertain amount of time and, we feel, puts at risk the likelihood of success for a regional toll program.

Finally, we ask that the OTC direct the use of some of the federal infrastructure funds to construct Phase 1A of the I-205 Capital Improvements project to allow the region time to develop a cohesive, coordinated approach to congestion pricing and to allow implementation to occur at the same time.

We applaud and appreciate ODOT's forward thinking in joining us and many other regional partners in submitting a letter to the federal delegation back in June of 2021 (attached) which asserted that federal funding for Phase 1A will allow an opportunity to diversify the funding for the project and prevent the need to toll the project ahead of the development and implementation of a comprehensive regional pricing program.

While we recognize there are many transportation needs across the state, the recent passage of the Infrastructure Investments and Jobs Act (IIJA) provides an estimated \$1.2 billion in new revenue to ODOT and is a timely resource to help pay for the projects of statewide significance identified in HB 2017, including I-205 and Rose Quarter. Additionally, IIJA reauthorizes a variety of nationwide grants that could reduce or even negate the need to toll the I-205 project ahead of congestion pricing. HB 3055 provided flexibility of the penny gas tax created in HB 2017 and expanded ODOT's bonding authority. At a minimum, the flexible penny in combination with the expanded bonding capacity and the federal funding should be utilized to finance construction of these projects which will allow time for the region to develop a coordinated approach to congestion pricing and tolling with comprehensive analysis and aligned implementation timelines.

We look forward to your response to our urgent requests, particularly regarding diversion.

Thank you for your consideration.

Sincerely,



Tootie Smith, Chair
Clackamas County Board of Commissioners



Tammy Stempel, Mayor
City of Gladstone



Rachel Lyles Smith, Mayor
City of Oregon City



Tom Ellis, Mayor
City of Happy Valley



Sean Drinkwine, Mayor
City of Estacada



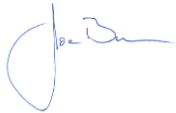
Jules Walters, Mayor
City of West Linn



Frank Bubenik, Mayor
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Mark Gamba, Mayor
City of Milwaukie



Joe Buck, Mayor
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Stan Pulliam, Mayor
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Scott Keyser, Mayor
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Traci Hensley, Council President
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