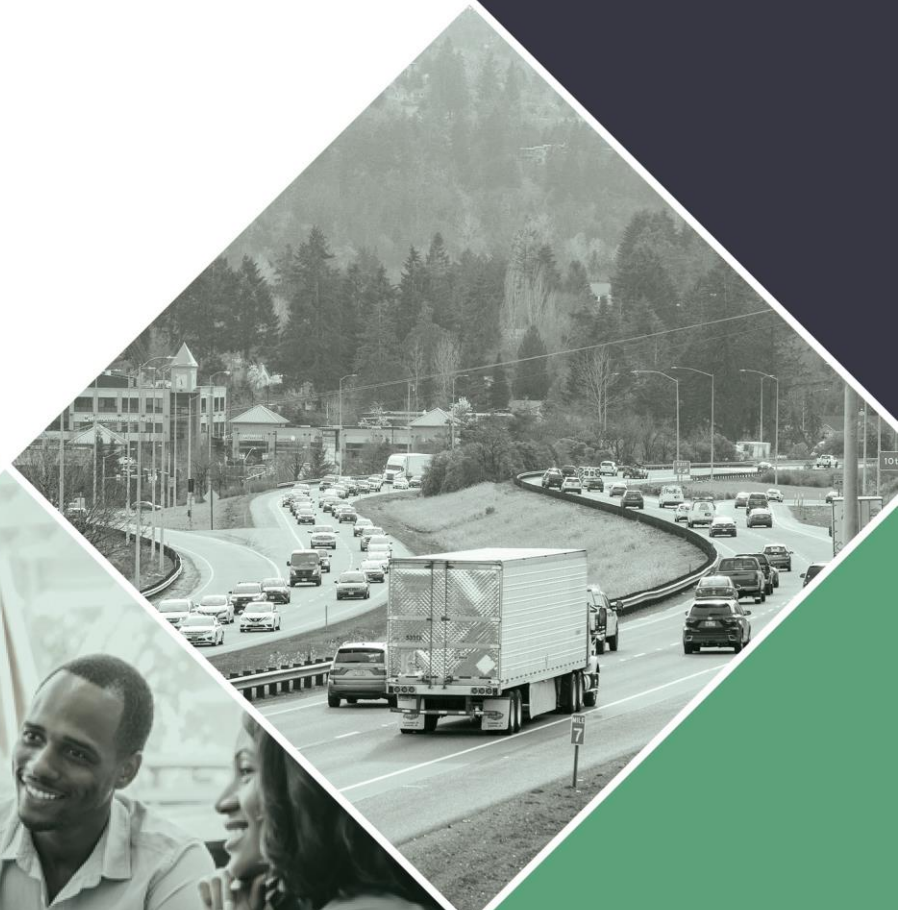


I-205 Toll Project

# Responses to Frequently Received Comments on the 2023 Environmental Assessment

November 2023



**Urban Mobility**  
STRATEGY



**Oregon**  
Department  
of Transportation

# Responses to Frequently Received Comments on the 2023 Environmental Assessment

November 2023

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**Acronyms and Abbreviations**

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

# 1 Introduction

In February 2023, the Oregon Department of Transportation (ODOT) and the Federal Highway Administration (FHWA) issued an Environmental Assessment for the I-205 Toll Project (Project) for public comment in accordance with the National Environmental Policy Act (NEPA). The Project proposed variable-rate tolls<sup>1</sup> on the Abernethy Bridge and Tualatin River Bridges to raise revenue for construction of planned improvements to I-205 and to manage congestion. The 2023 Environmental Assessment evaluated the effects of tolling and the toll-funded I-205 improvements on the human and natural environments.

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

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

## 1.1 2023 Environmental Assessment Public Comment Period

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

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

## 1.2 Comment Processing and Coding

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

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

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**Table 1. Count of Environmental Assessment Comments by Topic**

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

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

## 2 Responses to Frequently Received Comments

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

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

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

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

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

- Greater than 10% volume increase
- Greater than 100 vehicles increase total
- Volume-to-capacity ratio<sup>3</sup> is greater than 0.7 in the Build Alternative model

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

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

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



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

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

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

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

**Next Steps:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Next Steps:**

ODOT and FHWA will analyze potential effects of the Revised Build Alternative on environmental justice populations<sup>5</sup> and equity framework communities<sup>6</sup> in the Supplemental Environmental Assessment. Based on public comments and availability of new data since the 2023 Environmental Assessment, ODOT will use more recent U.S. Census data to reflect potential changes in the Project area. The Supplemental Environmental Assessment will report on effects of the Revised Build Alternative to low-income populations related to household transportation costs, travel times, access to social resources and activity centers, safety, and other factors previously studied in the 2023 Environmental Assessment. The Supplemental Environmental Assessment will also identify strategies to avoid, minimize, or mitigate

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Regulations<sup>7</sup> for Environmental Assessments, and ODOT's approved NEPA Public Involvement Procedures,<sup>8</sup> specify that comments must be submitted during a 30-day availability period unless FHWA determines, for good cause, that a different period is warranted. These time limits support FHWA and ODOT's responsibility to facilitate a timely and efficient decision-making process. On February 21, 2023, ODOT and FHWA released the I-205 Toll Project Environmental Assessment for a 45-day review and public comment period. The initial 45-day public comment period exceeded the standard 30-day availability period required in accordance with 23 Code of Federal Regulations (CFR) 771.119(f), in recognition of high interest in the proposed action and to ensure that ample time was available to review the Environmental Assessment for Oregon's first tolling project.

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<sup>7</sup> 23 CFR 771.119(f)

<sup>8</sup> Available at: [https://www.oregon.gov/ODOT/GeoEnvironmental/Docs\\_NEPA/NEPA\\_PI\\_Procedures\\_FHWA.pdf](https://www.oregon.gov/ODOT/GeoEnvironmental/Docs_NEPA/NEPA_PI_Procedures_FHWA.pdf)

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

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

**Next Steps:**

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

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

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

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

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

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

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

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

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

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

The rationale for this NEPA classification was:

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



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

**Next Steps:**

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

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

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

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

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

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

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

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

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

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

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

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

#### **Next Steps:**

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

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

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

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

**Next Steps:**

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

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

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

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

**Next Steps:**

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

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

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

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

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

The 2023 Environmental Assessment also identified the annual energy consumption and greenhouse gas emissions<sup>12</sup> associated with the construction and future operation of the Build and No Build Alternatives. Using a carbon estimator tool from FHWA,<sup>13</sup> the Project team modeled greenhouse gas emissions and energy consumption from construction equipment and from vehicle delays during Project construction. The Project team also modeled energy use and greenhouse gas emissions associated with roadway maintenance and the operations of vehicles on the roadway network.

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

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

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

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

<sup>12</sup> Measured in metric tons of carbon dioxide equivalent.

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

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

**Next Steps:**

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

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

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

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

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

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

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

**Next Steps:**

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

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

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

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

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

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

**Next Steps:**

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

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

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

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

ODOT will draft the initial monitoring framework with proposed performance measures based on requirements from Policy 6.16 in the Oregon Highway Plan Policy Amendment to Goal 6: Tolling and Congestion Pricing<sup>15</sup> and the Equity and Mobility Advisory Committee's [July 2022 recommendations](#) to the Oregon Transportation Commission. Topic areas for performance measures could include mobility (such as traffic volume, travel speed, and transit ridership), equity, air quality, greenhouse gas emissions, operating and maintenance costs, and revenue generation. Some of these performance measures are required by federal law and state policy, while others reflect ODOT's commitment to advancing equity through the Toll Program. The monitoring plan will be developed in partnership with local jurisdictions and more information will be shared with the public as the plan develops.

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

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

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

#### **Next Steps:**

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

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<sup>15</sup> ODOT. 2023. *Oregon Highway Plan Policy Amendment, Goal 6: Tolling and Congestion Pricing*. [https://www.oregon.gov/odot/tolling/Documents/OHP\\_Goal\\_6\\_Policy.pdf](https://www.oregon.gov/odot/tolling/Documents/OHP_Goal_6_Policy.pdf). January 2023.

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

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

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

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

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

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

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

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

**Next Steps:**

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

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

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



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

**Next Steps:**

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