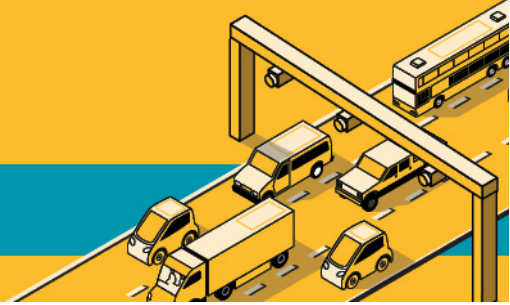


I-205 Toll Project

MEMORANDUM



Date September 1, 2021
To Lucinda Broussard, Carol Snead, and Michael Holthoff (ODOT)
From Emma Johnson, WSP
Subject Cumulative Impacts Methodology Memorandum
CC

INTRODUCTION

This memorandum describes the methods that will be used in the I-205 Toll Project (Project) Environmental Assessment (EA) analysis to evaluate cumulative impacts of the Project alternatives. The analysis and results will be documented in a technical report and summarized in the EA that will be developed to comply with federal guidelines and regulations, including the National Environmental Policy Act (NEPA) and local and state policies, standards, and regulations.

The cumulative impacts analysis will evaluate impacts from the construction, operations, and maintenance of the Project and will identify mitigation measures as needed.

LEGAL REGULATIONS AND STANDARDS

Laws, Plans, Policies, Regulations, and Guidance

The following is a list of federal laws, policies, and guidance documents that guide or inform the assessment of cumulative impacts:

- Oregon Department of Transportation (ODOT) Environmental Impact Statement (EIS) Annotated Template, Chapter 4: Cumulative Impacts (ODOT 2010)
- Federal Highway Administration (FHWA) NEPA-implementing regulations, Environmental Impact and Related Procedures (23 CFR Part 771)
- American Association of State Highway and Transportation Officials (AASHTO) Practitioner's Handbook: Assessing Indirect Effects and Cumulative Impacts Under NEPA (AASHTO 2016)

- Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500–1508)¹
- CEQ, Guidance on the Consideration of Past Actions in Cumulative Effects Analysis (CEQ 2005)
- CEQ, Considering Cumulative Effects Under the National Environmental Policy Act (CEQ 1997)

Additional guidance on cumulative impact analysis is provided in the Environmental Review Toolkit website maintained by FHWA.

AREA OF POTENTIAL IMPACT

An API is a geographic boundary within which impacts to the human and natural environment could occur with the project alternatives. A cumulative impact is “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.”² Because the cumulative impacts analysis is based on the Project’s incremental impacts to individual resources, the cumulative impacts assessment will use the APIs identified for individual resource topics. For example, when evaluating cumulative impacts to environmental justice populations, the Project will consider the API as established in the Environmental Justice Methodology Memo.

DESCRIBING THE AFFECTED ENVIRONMENT

Published Sources and Databases

Data used in the 2018 Documented Categorical Exclusion (DCE) prepared for the I-205 Improvements Project will be reviewed to confirm its relevancy and applicability to this study.

Existing Resource Conditions

“Existing conditions” refers to the overall conditions, stability, or vitality of a particular resource, as well as any trends that be may be affecting it (ODOT 2010). The description of the existing conditions of each resource will rely on the environmental baseline conditions documented in the Project’s EA sections and supporting technical reports.

Historical Context

The purpose of the historical context is to provide a general understanding of how a resource got to its existing conditions, including identification of past activities that have influenced the

¹ On July 15, 2020, the CEQ issued its final rule modifying the implementing procedures of NEPA. The new regulations apply to NEPA actions initiated after September 14, 2020 and are not anticipated to apply to this project. Furthermore, the FHWA’s implementing regulations are not promulgated and the current FHWA environmental impact regulations continue to include cumulative effects. While the CEQ removed the separate definitions for indirect and cumulative effects, case law and legal precedents remain in effect until legal challenges make their way through the courts.

² 40 CFR 1508.7

resource (ODOT 2010). The understanding and description of the historical context of the area will rely on the following resources:

- U.S. Census Bureau data
- Historical maps
- Aerial photographs
- Historic information available online (e.g., websites for the cities, counties, states, and local chambers of commerce)
- Municipal planning documents

Present and Future Actions

Under CEQ guidance, the present and future actions considered in a cumulative impact analysis should be (1) similar to the proposed action, and (2) have some influence on the resources affected by the proposed action (CEQ 1997). Proximity to the proposed action is not the sole deciding factor for inclusion as a project may be physically close without any overlap in impacts.

The list of present and future actions will include the following types of projects for consideration in the analysis: major (regional-scale) transportation, development, utility infrastructure, and environmental enhancement projects recently constructed, under development, or scheduled for construction, as well as the planned projects that are reasonably likely to be constructed. The following future actions are examples of the types of foreseeable projects that may be included in the cumulative impacts analysis:

- I-205 Improvements Project
- I-5 Rose Quarter Improvement Project
- Interstate Bridge Replacement Program

Some projects, such as the Regional Mobility Pricing Project (tolling on I-5 and the rest of I-205), may not be able to be incorporated into the traffic model, but can be considered qualitatively in the cumulative impacts analysis.

A preliminary list of present and future actions will be developed through review of Oregon Metro's 2018 Regional Transportation Plan database and planning documents available online (i.e., local agencies' capital improvement plans, master plans, and other adopted planning documents) and prior discussions with partner agencies. The Project team will seek input from partner agencies in the project area to solicit input on the list of present and future actions. The Project team will also coordinate with the Interstate Bridge Replacement Program in the development of the list of present and future actions.

Potential sources of information (planning documents and/or agency contacts) to developing the list of present and future actions include, but are not limited to the following:

- ODOT
- Washington State Department of Transportation
- Metro Planning and Development
- Southwest Washington Regional Transportation Commission
- Clackamas County Planning and Zoning Division
- Washington County Department of Land Use and Transportation
- Multnomah County Land Use Planning Division
- Yamhill County Department of Planning and Development
- Columbia County Planning Division
- Clark County Community Planning Department
- Skamania County Planning Division
- Marion County Planning Division
- City of Oregon City Planning Division
- City of West Linn Planning Division

Field Surveys or Testing

No surveys or testing would be conducted for the cumulative impacts analysis. The analysis will build upon the direct and indirect impacts identified for individual resources in the Draft EA and supporting technical reports, which may rely on the results of field surveys or testing for those resources.

IMPACT ASSESSMENT METHODS

The analysis will address the potential for the Project, in combination with other present and reasonably foreseeable actions, to contribute to long-term and/or short-term cumulative impacts. The ODOT EIS Template (ODOT 2010) presents an eight-step process that will be used to develop and write the Project's cumulative impacts analysis. The eight steps are as follows:

1. Identify the resources that may have cumulative effects to consider in the analysis.
2. Define the geographic and temporal API for each affected resource.
3. Describe the current health and historical context for each affected resource, including recent growth trends and projections.
4. Identify direct and indirect impacts that may contribute to a cumulative impact.
5. Identify other current and reasonably foreseeable actions that may affect resources.
6. Assess potential cumulative effects to each resource; determine timing, magnitude and significance and note any differences in the Project's contribution between alternatives.
7. Document the results.
8. Assess and discuss potential mitigation measures for all adverse impacts.

The cumulative impacts analysis will draw upon the direct and indirect impacts and benefits identified for different populations in the environmental justice and social/communities

technical reports to consider how the project could contribute to cumulative impacts or benefits for the different populations identified in the Equity Framework.³

Given the nature of the Project and the very limited physical construction impacts anticipated from tolling, it is anticipated that the cumulative impacts assessment will primarily focus on those resources that are most likely to experience direct and indirect impacts as a result of changes in traffic patterns.

Where feasible, the cumulative impacts analysis will be quantitative, such as acres of wetlands filled. Qualitative analyses will be presented where quantitative data are not available and to provide a comprehensive understanding of the resource and how it would be affected.

Examples of potential short-term cumulative impacts include:

- High levels of particulate emissions, reducing regional air quality or causing localized areas of reduced air quality caused by excavation from the construction of multiple projects
- High levels of localized traffic congestion caused by traffic detours from construction of multiple projects

Examples of potential long-term cumulative impacts include:

- Loss of wetlands and riparian habitat caused by multiple projects
- Changes in land use patterns due to increased or decreased traffic on certain roads caused by multiple projects
- High levels of localized traffic congestion caused by cumulative impacts of changes in traffic patterns from multiple projects

MITIGATION APPROACH

It is anticipated that the Project will avoid and/or mitigate any and all significant impacts, which will be documented in other technical reports and the environmental assessment. Because adverse impacts would be minimal or non-existent, it is anticipated that direct and indirect impacts from the Project would be minimal after incorporation of mitigation, and thus would have only a minimal (or no) contribution to cumulative impacts. For this reason, it is unlikely that ODOT would need to identify additional mitigation for cumulative impacts. This assumption will be evaluated and verified during technical analysis.

The cumulative impacts technical report would summarize any impacts and identified mitigation from technical analyses.

³ The Oregon Toll Program's Equity Framework is available here:

https://www.oregon.gov/odot/tolling/Documents/Toll_Projects_Equity_Framework_with_AppendixA.pdf

PERFORMANCE MEASURES

Because cumulative impacts are the incremental impacts of the action when added to other actions (past, present, and reasonably foreseeable), the cumulative impacts analysis will rely on the performance measures identified for other environmental disciplines.

REFERENCES

- American Association of State Highway and Transportation Officials (AASHTO). 2016. Practitioner's Handbook: Assessing Indirect Effects and Cumulative Impacts Under NEPA.
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