



July 12, 2022

Oregon Transportation Commission  
c/o Oregon Highway Plan Manager  
OHPmanager@odot.oregon.gov

Dear Oregon Transportation Commissioners:

Thank you for the opportunity to comment on the proposed amendments to the Goal 6: Tolling and Congestion Pricing included within the Oregon Highway Plan. The Clackamas County Coordinating Committee (C4) includes all jurisdictions of Clackamas County, including the county, cities, Metro, special districts, and more.

Because the I-205 project has been chosen as the first major toll project in the state, we have been engaged several years now on the studies and projects related to tolling, both at the regional and state level. We recognize the proposed amendment to the Oregon Highway Plan is not project specific, but will affect specific projects and how tolling is utilized and how impacts to tolling will be mitigated. The development of toll policies has moved quickly over the last 1-2 years and at various decision tables. Our comments today will reflect both a keen desire to ensure these various processes are working in a clear and coordinated fashion, as well as a need to give this process the appropriate amount of time for due diligence.

**First, the open comment period for jurisdictions to review and provide feedback on a policy that will have generational impacts to Oregonians is much too short. We recommend extending the comment period by no less than 60-days.** C4 and the jurisdictions expecting impacts caused by tolling I-205 first in the region and state have been deeply engaged with ODOT and still find that the proposed amendments do not match what the region has been working toward and does not compliment much of what ODOT has communicated thus far regarding their role in mitigating impacts caused by tolling I-205. If a 45 day comment window is too short for the communities that have been the closest to trying to understand the impacts of tolling, then it merits that communities who are just now becoming aware of these proposed changes – if they are even aware of them – need additional and sufficient time. Important work is being conducted that should be reflected accurately and clearly, such as developing the Low Income Toll Report (which has a parallel comment period) and finalizing the recommendations from the Equitable Mobility Advisory Committee being presented to the Oregon Transportation Commission in July. In addition, the short review period does not provide local governments sufficient time to coordinate with the regional congestion pricing policies being considered by Metro, scheduled for regional discussion at the end of July.

It is with great consternation that we provide these comments so early, recognizing that if we had waited until our next meeting we would have missed the August 1 deadline. As such, our comments

below reflect our initial response to the amendments. Should an extension be granted, we are confident you will receive more robust and helpful feedback from the communities anticipating toll impacts.

**We have significant concerns about how “diversion” is defined with the proposed amendments.**

Safety is the number one concern for us on all of our roadway systems, both the interstates and local roads. Diversion impacting local roads is a significant issue for all of the traveling public. Being prescriptive and limiting the type of traffic that can be considered “diversion” when implementing a tolling project hinders the ability to adequately address the impact that tolling will have on the local street networks.

**Another place where there is unnecessary and concerning detail included within the proposed amendments is within the definition of a “corridor.”** Proposed Policy 6.10 includes guidance that the impact area should be defined as one-mile from the priced facility, and that the corridor should be limited to arterials moving traffic in the same direction. Our experience is that ODOT’s own modeling proves that significant, unexpected impacts can occur outside of the areas as defined by these amendments. For example, tolling I-205 at the Abernethy Bridge will have proven negative impacts on traffic on OR99E in Canby – roughly nine miles away from the toll corridor. The corridor and impact area should be set during the NEPA phase of each project and on a project-by-project level. Having the prescriptive guidance within the Oregon Highway Plan does not provide public benefit and only limits the ability to address impacts from tolling.

**Local input at all stages of the process is essential.** While Policy 6.13 calls out that the Oregon Transportation Commission is the Toll Authority, there needs to be specific action under this policy that elevate the role of local policymakers and stakeholder by creating Regional Toll Policy Committees and acknowledge their role in decision-making for the investments of the toll revenue. Additional actions should be added under this proposed amendment that reflect ODOT’s commitments made when Metro approved the RTP amendment for the I-205 toll project in Spring 2022. These commitments are essential for addressing diversion impacts and mitigation plans, coordinating tolling projects and providing fiscal transparency.

**The language within Goal 6: Tolling and Congestion Pricing should reflect tolling best practices from locations already implementing tolling, as well as build on the agreements and work that have been underway within the Portland Metropolitan area.** Since the Policies and Actions should support implementation in local areas, use the information from the Metro Congestion Pricing report and policies, as well as other documents being created by the I-205 Tolling Project, to inform these amendments. Presently, many of the proposed amendments actually conflict with much of what has produced and worked on for the I-205 Tolling Project. Not only should these policies align, they should clearly communicate how their input is reflected in the amendments.

**Build a policy for Oregonians, not for ODOT.** The proposed amendments create a cookie cutter approach to implementing toll policies across the region and the state, but not all communities are the same – even in the Metro region. Congestion pricing is intended to “encourage” other modes of travel, utilization of other local infrastructure, and reduce carbon emission. And in some areas of the region that might work, but we know well those resource do not exist on the I-205 corridor. Not only would the proposed tolling amendments ignore that, they propose policy glide paths that will allow, dare we say encourage, ODOT to justify leaving behind provable diversion mitigation needs. For example, the Oregon constitution limits how transportation revenue can be used to advance transit projects. No

meaningful transit route currently exists that provides an alternative mode of transportation through the proposed I-205 toll corridor, and per the Oregon constitution no meaningful way exists to fund one. This will not be a concern in other parts of the region where transit infrastructure is more robust, but the proposed amendments here ignore the obvious need and place the burden on the tolled communities – not the tolling agency – to mitigate this.

The implementation of tolling projects on the state highway and interstate system will impact how people travel for generations, and the choices about how the local and state transportation system is used by the residents and businesses in Oregon. Since tolling will be relatively new to residents of the state, it is difficult to model and design a system with minimal impacts. We all need to be working in partnership, not racing through policy development, and acknowledge how our individual transportation facilities support each other.

In closing, we want to reiterate the comments here reflect 30 minutes of discussion upon an initial presentation about the proposed amendments. Recognizing there would be no time for this group to meet again before the proposed comment period ends we felt obliged to comment on what we could initially learn. Extending the comment period will provide jurisdictions with a more reasonable timeline to fully understand the proposed amendment, ask relevant questions that apply to their communities, align the work with regional discussions on tolling, and ultimately provide ODOT with a better product to add to the Oregon Highway Plan.

Thank you for the opportunity to comment.

Sincerely,



Paul Savas, Commissioner  
Clackamas County  
C4 Co-Chair  
R1ACT Vice Chair



Brian Hodson, Mayor  
City of Canby  
C4 Co-Chair  
R1ACT Member

**C4 Membership:** Clackamas County; the Clackamas Cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, Tualatin, West Linn, Wilsonville; Clackamas CPOs, Hamlets, and Special Districts; Ex Officio Members including Metro, MPAC Citizen Port of Portland, Urban and Rural Transit