



Date: Thursday, October 17, 2019

To: Joint Policy Advisory Committee on Transportation (JPACT)

CC: Transportation Policy Advisory Committee (TPAC)
Metro Council
Oregon Transportation Commission
Governor Kate Brown

From: No More Freeway Expansions Coalition

Subject: Testimony Regarding Item 5.1 on JPACT 10/17 Agenda - Community Opposition to ODOT's Corridor Bottleneck Operations Study II

The No More Freeway Expansions Coalition is submitting testimony today expressing our explicit opposition to the numerous freeway expansion proposals included in Oregon Department of Transportation's (ODOT's) Corridor Bottleneck Operations Study (CBOS) to be presented at this morning's Joint Policy Advisory Committee on Transportation (JPACT) meeting.

Our coalition welcomes and actively clamors for public investment in transportation infrastructure to alleviate congestion, reduce carbon emissions, improve air quality, tackle regional inequality and provide meaningful transportation options. The freeway expansion proposals ODOT enumerates in this CBOS proposal as worthy of study will do exactly the opposite of all of these important initiatives. Any elected official across the region who cares about improving air quality, reducing carbon emissions, alleviating traffic congestion, or sticking up for effective use of their constituents' tax dollars should join us in questioning ODOT's proposals.

Regional bodies like JPACT exist to help steward collaborative discussions on how resources can be spent to best meet regional goals - documents like the Regional Transportation Plan (RTP) represent our regional leaders collaboratively and deliberately planning for a healthier, sustainable future. What you will hear from ODOT this morning represents a sly power grab from a state agency disinterested in participating in this regional collaboration, hoping that you won't notice that they continue to claim the 21st century problems of climate change, traffic congestion and air pollution can only be solved by their 20th century solution - expensive construction projects to build wider freeways. ODOT's request to use left over State Transportation



Improvement Program (STIP) funding to slyly seed these numerous freeway expansion projects instead of giving that money to the well-documented other local and regional transportation needs is a deliberate attempt on the agency's behalf to circumvent your prerogative as local leaders to collaboratively plan for healthier, more sustainable, and equitable communities in line with agreed-upon regional goals. Simply put, every dollar ODOT proposes to spend on the "auxiliary lanes" proposed on I-5, I-205, I-405, Highway 26, Highway 27 in the CBOS II package is a dollar our region wastes and doesn't instead spend on improving the mobility and livability of our region.

Climate Leaders Don't Widen Freeways

Approximately 40% of Oregon's carbon emissions come from transportation;¹ It's the only sector of Oregon's economy where emissions are rising, and any expert who has studied the issue will confirm: we must reshape our communities to drastically reduce the number of vehicle miles driven to have any chance at hitting our carbon emission reduction targets. No More Freeways has been harping on this for years, even before the IPCC report; Governor Brown joined us this month in acknowledging the need for this change in a letter last month to numerous agency leaders (including the Oregon Transportation Commission's Bob Van Brocklin and ODOT's new director-to-be Kris Strickler):

"One of the most cost effective strategies to reduce greenhouse gas (GHG) emissions from the transportation sector in Oregon is to integrate land use and transportation planning in ways that reduce the frequency and distance that people must drive. Compact, mixed-use cities with plenty of options for walking, cycling, and public transit not only reduce per capita GHG emissions but also provide the most equitable transportation access for every resident."²

¹ Multnomah County's recent report pegged transportation as responsible for 42% of the county's emissions in 2017. The report can be read here: <https://www.portlandoregon.gov/bps/article/742162>

² Governor Kate Brown's Sept 23 letter to the Oregon Transportation Commission, Oregon Department of Transportation, Oregon Department of Energy, Oregon Department of Environmental Quality, and Oregon Department of Land Conservation and Development is available here: https://nomorefreewayspx.files.wordpress.com/2019/10/sts_implementation_ltr_to_agencies_commissio ns-2.pdf



Spending tens or hundreds of millions of dollars to widen freeways across the region, as proposed in this CBOS report, is **directly antithetical** to these initiatives for a healthier, more equitable, more prosperous, and more climate-friendly region. Today's JPACT meeting comes twelve months after the publication of the infamous Intergovernmental Panel on Climate Change (IPCC) report, that warned human civilizations have twelve years to fundamentally reshape our relationship to fossil fuels to stave off a century of catastrophic planetary destruction. Just last month, 20,000 Oregonians attended the Youth Climate Strike; denial is no longer an acceptable climate policy. The silence on behalf of ODOT to reconsider their freeway expansions in light of increasingly dire headlines (Hurricane Dorian? Typhoon Hagibus? PGE cutting off electricity in the Bay Area to mitigate against fire season?) is deafening, and requires intervention and climate advocacy from municipal and regional leadership.

To be unapologetically blunt, it is immoral for elected leaders to ignore this imperative to act on climate, and ODOT's proposal here represents a massive opportunity to demonstrate your values. Current and future generations will suffer due to your acquiescence to slow the expansion of freeways across the region. An average Oregonian born today is expected to be alive in 2100; our only hope of providing them a hospitable planet that can sustain human civilization at that age requires massive disinvestment from fossil fuel infrastructure and a paradigm shift towards investments in transit, biking and walking. If Oregon wants to be a climate leader, we simply cannot afford more freeway expansion.

It's Not Just About the Carbon - Numerous Other Regional Livability Initiatives Require reigning in ODOT's Freeway Expansions

Congestion Relief: It's undeniably true that the combination of comparably low gas prices, a burgeoning economy, and rising housing costs that forced many to flee to housing on the periphery of the region has led to significant traffic congestion across the Portland region. No More Freeways fully acknowledges: traffic sucks, and we need solutions to eliminate gridlock and traffic congestion.

It's with this understanding that we emphatically encourage JPACT voting members to oppose any expansion of freeway road capacity within the Urban Growth Boundary without first implementing congestion pricing to address recurring traffic congestion. Congestion pricing is the only policy initiative that has **ever** demonstrably impacted traffic congestion. Congestion pricing can also raise revenue that can help



fund the retrofitting of our region's transportation system for more public transportation, walking and biking. There are good faith concerns about how to implement the policy equitably, but there are clear policy solutions that would ensure low-income and otherwise vulnerable communities don't bear the brunt of the burden for road pricing.³ Blowing all of our money widening roads that may not need to be widened in the first place is terrible public policy.

Safety: ODOT constantly cries poverty every time pedestrian and bicycle safety organizations demand accountability for ODOT's numerous dangerous arterials across the region. Meanwhile, traffic fatalities in the Portland region and across the state continue to skyrocket despite numerous municipal and statewide initiatives to improve traffic safety.

The money ODOT is proposing to spend on these freeway expansions could instead be spent on retrofitting the ODOT-owned roads across the region, including 82nd Avenue, TV Highway, Lombard and Barbur Boulevard. We understand (and are thrilled that) many of these corridors are currently considered finalists to receive funding in next year's proposed transportation bond. However, the safety needs across the region are vast, and comparably cheap to fix when juxtaposed against the untold billions ODOT is proposing to spend on freeway expansions across the region. The agency had to be sued by Disability Rights Oregon to getting around to building curb cuts and crosswalks to meet ADA standards; there's a massive backlog of accessibility improvements ODOT should be making before widening freeways. We have no doubt that the regional leaders assembled at JPACT this morning could quickly enumerate a long list of safety projects in their communities that would save lives, all of which would be more worthy of investment in a society that wished to prioritize the elimination of traffic fatalities as a policy outcome.

Air Pollution: Every month brings new headlines pointing out the devastating impact that poor air quality has on public health, with low income communities and

³ No More Freeways has submitted testimony about the opportunities to implement congestion pricing with a focus on equity and environmental justice to the state's Value Pricing Advisory Committee (available here: <https://nomorefreewayspx.files.wordpress.com/2018/04/043018-value-pricing-odot-letter-21.pdf>) and to the Oregon Transportation Commission (available here: <https://nomorefreewayspx.files.wordpress.com/2018/07/072018-otc-letter-value-pricing-recommendation-s-1.pdf>)

We also highly recommend UCLA Professor Dr. Michael Manville's research on this issue: <https://medium.com/100-hours/is-congestion-pricing-fair-to-the-poor-62e281924ca3>



communities of color those most likely to live near these toxic, polluting freeways. Within approximately a half mile of these identified freeway expansion include numerous public schools, including Beaverton School District's Sunset High School, Five Oaks Middle School, Whitford Middle School, Ridgewood Elementary School and Bethany Elementary School; Portland Public Schools' West Sylvan Middle School, Lincoln High School, Lent Elementary School and Kelly Elementary School; Tualatin High School and Tigard High School. Due to their smaller, developing lungs, children and young adults are most susceptible to disease from exposure to this air pollution. ODOT's plans almost certainly will lead to higher rates of asthma, diabetes, cancer, heart disease, infant mortality, premature birth, and Alzheimers to those unfortunately enough to live, work, or learn in close proximity to these freeways that, this year, this agency is hoping you'll allow them to expand.

Municipal Leaders Must Join Community Leaders in Questioning ODOT's Assumptions

For JPACT representatives who find our alarmism hyperbolic, we encourage you to become familiar with how the agency conducted itself in response to the community-led opposition to the Rose Quarter Freeway Expansion. If this agency's recent mismanagement of this controversial megaproject is any indication, ODOT is fundamentally disinterested and borderline hostile to Oregonians across the state who request a chance to review whether the agency's plans constitute meaningful action on congestion, carbon reduction, cleaner air or traffic safety. Of note:

- When ODOT released the Environmental Assessment for the Rose Quarter Freeway Expansion back in February 2019, the document was missing numerous integral data sets that would allow us to independently verify their claims about the impact the freeway would have on local air pollution, congestion, and carbon emissions. ODOT only released the data sets after weeks of requests from our community groups.⁴
- Upon receipt of these data, an independent review by credentialed experts showed the agency was deliberately cherry-picking statistics and misleading the public about the potential impact the expansion. Oregon Public Broadcasting reported how the agency skewed their expected traffic projections to justify their

⁴ The March 4th NMF letter requesting ODOT's Environmental Assessment data is available here: <https://nomorefreewayspx.files.wordpress.com/2019/03/030419-nmf-request-for-additional-ea-data.pdf>



\$500 million proposal.⁵ Coverage from the *Portland Mercury* in 2018 also highlighted that ODOT's own hired consultants freely admitted that their proposed freeway expansion will do little for recurring traffic congestion.⁶

- Another community member made a request for separate Rose Quarter datasets and was told the data “didn't exist” - after a month of dogged continued FOIA requests, it was revealed that the data in fact had existed all along, and was only released to the public with six days left in the comment period. These belatedly-released drawings demonstrated a sloppy lack of detail on many of ODOT's proposals, and also provided proof that ODOT proposes to expand the Rose Quarter Freeway over the Eastbank Esplanade.⁷ These drawings helped form a significant part of the public comment submitted by the Audubon Society of Portland, who noted the inadequate detail the EA provided about the freeway's construction impacts to the riparian habitat in the Willamette River.⁸
- Among the public comment received by ODOT for the project was a scathing letter by Metro's planners, who noted that ODOT's central claims that auxiliary lanes didn't constitute a freeway widening were “not objectively true and potentially misleading.”⁹

⁵ *Oregon Public Broadcasting's* March 26, 2019 coverage of ODOT's traffic projections from this past March is available here:

<https://www.opb.org/news/article/odot-used-long-dead-i-5-bridge-replacement-to-plan-rose-quarter-upgrade/>

No More Freeways' technical memorandum submitted to the EA public comment detailing our objections to ODOT's traffic modelling, conducted by Buff Brown, Joseph Cortright, Brian Davis, Jesse Lopez, and Norman Marshall is available here:

https://nomorefreewayspx.files.wordpress.com/2019/04/nmf_technical_memo-1.pdf

⁶ “A New Report Shows Highway Widening Won't Solve Portland's Congestion Woes” *Portland Mercury*
<https://www.portlandmercury.com/news/2018/03/07/19724128/a-new-report-shows-highway-widening-wont-solve-portlands-congestion-woes>

⁷ Community member Iain Mackenzie's detailed chronicle of his efforts to get access to Rose Quarter drawings is available here:

<https://nomorefreewayspx.files.wordpress.com/2019/03/i5-rose-quarter-letter-1-1.pdf>

⁸ Audubon Society of Portland's letter detailing the impact to the Willamette River is available here:

<https://nomorefreewayspx.files.wordpress.com/2019/04/4-1-19-audubon-society-of-portland-comments-on-i-5-rose-quarter-widening-project-environmental-assessment.pdf>

⁹ “This statement is not objectively true and is potentially misleading; auxiliary lanes clearly add capacity, which can be calculated using Highway Capacity Manual procedures and other traffic analysis tools. Further environmental documentation could state the estimated change in link capacity if there is a need to document the scale of the change.”

Metro's full letter can be accessed here on the No More Freeways website:

<https://nomorefreewayspx.files.wordpress.com/2019/04/ea-review-comment-letter-040119.pdf>



- Over 2,200 responses were received by the agency during the public comment period - over 89% in opposition to the project. Letters asking the agency to conduct a full Environmental Impact Statement (EIS) were received from dozens of organizations including Portland Public Schools, State Representative Karin Power, Portland Commissioner Chloe Eudaly, Albina Vision Trust, Neighbors for Clean Air, Business for Better Portland, Portland Audubon Society, Disability Rights Oregon, Oregon League of Conservation Voters, The Street Trust, Oregon Walks, 350 PDX, Eliot Neighborhood Association, Harriet Tubman PTSA members, and Portland's Planning and Sustainability Commission.¹⁰ Despite promising numerous community members in late August that the agency was strongly considering a full EIS, future Director Strickland just last week backed off of these claims on OPB's *Think Out Loud*.¹¹
- ODOT's folly has received national attention. The United States Public Interest Research Group (US PIRG) recently included the Rose Quarter Freeway Expansion in their "Highway Boondoggles" report detailing bad infrastructure projects across the country.¹² The Congress for New Urbanism included I-5 in their "Freeways without Futures" report.¹³ *The New York Times* wrote this past week about the necessity of reevaluation transportation investments in light of the climate crisis.¹⁴

No More Freeways Request: Reject ODOT's CBOS funding. Any additional STIP funding for the region must be deliberated through RTP process.

Any remaining STIP funding to be invested in transportation projects in the region should be decided by regional partners through the Metropolitan Transportation Improvement Program (MTIP) with projects approved through the Regional Transportation Plan (RTP). We all know there is an abundant need for infrastructure that

¹⁰ Letters from these and numerous other organizations critiquing ODOT's Rose Quarter Freeway Expansion submitted for public comment are available here:

<https://nomorefreewayspx.com/publiccomment/>

¹¹ Kris Strickland's interview on Think Out Loud is available here:

<https://www.opb.org/radio/programs/thinkoutloud/segment/nasa-climate-director-native-american-play-od-of-director/>

¹² US PIRG's 2019 report is available here: <https://uspirg.org/reports/usp/highway-boondoggles-5>

¹³ CNU's report is available here: <https://www.cnu.org/highways-boulevards/freeways-without-futures/>

¹⁴ "Transportation is the largest source of planet-warming greenhouse gases in the United States today and the bulk of those emissions come from driving in our cities and suburbs." *The New York Times*.

<https://www.nytimes.com/interactive/2019/10/10/climate/driving-emissions-map.html>



makes our streets safer, encourages students to be able to walk and bike to school, as well as massive necessary investments in public transportation commiserate with the climate crisis at hand.

Don't let ODOT's slick presentation attempting to hide their expansions fool you - this is a power grab by an agency seemingly disinterested in your local jurisdiction's needs, and this agency continues to demonstrate it is incapable of evolving to meet the changing transportation needs of a twenty-first century region. These expansions would never have been prioritized through the Regional Transportation Plan, and they have no business taking our limited transportation funding through this parallel track CBOS process either. We hope that the Oregon Transportation Commission, Governor Brown and the newly appointed Director Strickland will start to take seriously the need to move ODOT towards being more collaborative with regional community partners, more responsive to our overlapping congestion and air pollution crises, and that the agency will no longer propose freeway expansions as a credible solution in a region wishing to demonstrate climate leadership.

No More Freeways implores JPACT leaders to listen to the youth climate leaders clamoring for the adults in the room to start acting like it. We urge you to please use this CBOS proposal as a litmus test as to whether our region's leaders have the capacity to be the climate leaders we need. You are the local elected leaders we need to stand up and seize an opportunity to hold ODOT accountable, and nothing short of current and future generations are counting on your doing so.

- Aaron Brown
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