



**Date:** March 30, 2021

**To:** Secretary Pete Buttigieg

**CC:** DOT Inspector General  
Oregon Transportation Commission  
Joint Committee on Transportation, Oregon Legislature  
Portland Mayor Ted Wheeler  
Portland Transportation Commissioner Jo Ann Hardesty  
Multnomah County Commissioner Jessica Vega Pederson  
Metro Council President Lynn Peterson

**From:** Joe Cortright, No More Freeways

**Subject: I-5 Rose Quarter “Finding of No Significant Environmental Impact”  
based on false and misleading Environmental Assessment**

I’m writing on behalf of the community group No More Freeways in Portland Oregon to urge you to take immediate action to address serious environmental and social justice issues raised by a proposed federal highway project in our community. We’re pleased that in your tenure as Secretary of Transportation clearly declared your intent to move federal policy in a different direction, away from the failed policies of the past. As you’ve noted, too often freeways have divided urban communities, especially affecting people of color. Our organization has been inspired to hear your calls about the importance of “Building Back Better” and using transportation investments and policies to right previous wrongs.

This is one such opportunity.

We believe that the Oregon Department of Transportation’s proposed Interstate 5 freeway expansion into the backyard of Portland’s historic Harriet Tubman Middle School - which already has some of the worst air pollution in the state - represents the sort of backwards thinking we all hope to leave behind in the previous century. Your administration has the opportunity to stand up for our community-led effort for restorative justice and accountability in transportation investments by rescinding ODOT “Finding of No Significant Impact” for the Rose Quarter Freeway Expansion.



You have inherited this decision from the previous administration, a decision that embodies the full breadth of these policy failings. Just as you did with the proposed I-45 freeway expansion project in Houston, we urge you to call a “time-out” to take a closer look at ODOT’s proposal. As a former Mayor, you would no doubt be shocked to learn that the state transportation department and FHWA are proceeding with this freeway widening even after the City of Portland has officially withdrawn from the project and explicitly stated its opposition to the proposal.

On October 30, 2020, the Federal Highway Administration (FHWA) approved a “Finding of No Significant Environmental Impact,” for a proposed widening of the Interstate 5 Freeway at the Rose Quarter in Portland, Oregon (Key Number 19071; digitally signed by Philip A Ditzler, Division Administrator).

That finding was based on false, misleading and incomplete information assembled by the Oregon Department of Transportation (ODOT) on behalf of FHWA. The ODOT-prepared Environmental Assessment that serves as the basis for this finding, is predicated on the assumption that the freeway widening project will add only two “auxiliary” lanes to the existing four-lane section of Interstate 5. Newly revealed documents, not contained in the 2019 Environmental Assessment, show that ODOT and FHWA are actually proposing to build a 160-foot wide roadway through the Rose Quarter, more than sufficient to accommodate a ten-lane freeway with full urban shoulders.

Despite multiple requests from the public, both in the environmental review process and subsequently, ODOT, acting on behalf of the FHWA, intentionally hid that information from the public and either lied or misled the public in its answers to direct questions about that basic fact. A chronology of these requests and of the false and misleading information provided by ODOT, as well as three previously unreleased documents showing the actual width of the proposed project are attached in a letter to the Oregon Transportation Commission.

The existence of these newly revealed plans, each replete with dimensions, shows that the illustration included in the February 15, 2019 Environmental Assessment was intentionally misleading, showing just 126 feet of a proposed roadway width, and omitting an additional 34 feet of roadway (for a total width of 160 feet). Rather than including actual plans, with actual measurements, ODOT chose to create a separate carefully edited and incomplete illustration. This reveals their intent to hide the actual width of the project.



It makes a mockery of public engagement and “transparency” when, under repeated questioning, ODOT instead chose to conceal and mislead about this very fundamental aspect of this project. Why would ODOT actively hide the actual physical dimensions of the roadway they are proposing? Why, only after years of questioning are we finally finding out how wide a freeway ODOT wants to build? The answer is clear: While they are claiming that this project is merely a minor adjustment of on- and off-ramps, it is actually a massive expansion of the freeway. Their plan is plainly to engineer a 160-foot roadway, and then when the project is opened, to simply re-stripe this much wider space for eight or ten lanes of travel.

I believe that these false statements and misrepresentations made by the Oregon Department of Transportation as part of the Environmental Assessment and its public response to comments is contrary to the intent, if not the letter, of 18 US Code 1020, which specifically prohibits knowingly making false representations about the character of work to be performed on highway projects, including the submission of plans and maps, submitted for approval to the Secretary of Transportation.

The fact that ODOT staff have produced diagrams which falsely represent the width and cross section of the roadway to be constructed as part of the I-5 Rose Quarter Freeway widening project, and have misrepresented the size (“quantity”) of this Project.

In addition to being contrary to 18 USC 1010, these misrepresentations make a mockery of ODOT’s and FHWA’s obligations to comply with the National Environmental Policy Act. The actual dimensions and traffic capacity of this proposed project are central to the public interest in understanding the effects of this project on the environment, the neighborhood and regional transportation. The department has pinned all of its claims about the modesty or insignificance of this project’s social and environmental impacts on the transparently false claim that it is no more than six lanes wide. An eight- or ten-lane freeway would create vastly more traffic, air pollution and carbon emissions; ODOT has not modeled or revealed the impacts of this.

This much larger freeway will significantly deteriorate the local environment, with more emissions, more local street traffic and significant impacts on the health, safety and livability of the project area.



As Secretary of Transportation, you should direct the Federal Highway Administration to rescind the October 30, 2020 “Finding of No Significant Environmental Impact” for the I-5 Rose Quarter Freeway project, and direct that FHWA and ODOT undertake to complete a full and fair Environmental Impact Statement as required under the National Environmental Policy Act.

This full Environmental Impact Statement should:

- (1) present a complete analysis and justification of the selected 160 foot roadway width and assess alternative, smaller widths;
- (2) model traffic, air pollution, greenhouse gas, noise and other neighborhood impacts of 8 and 10 lane roadways;
- (3) model traffic flows using actual 2015 data as a baseline, rather than fictitious numbers that assume the Columbia River Crossing was built in 2015;
- (4) explicitly include the effects of induced demand as documented in the academic literature and the National Center for Sustainable Transportation induced travel calculator;
- (5) specifically include the analysis of improved transit and active transportation as an alternative for reducing social and environmental impacts and strengthening the community.

We are grateful for your time and attention to this matter, and eager for any opportunity to collaborate with your office on our campaign to stop this disastrous, polluting, proposed freeway expansion in our community.

Very truly yours,

Joseph Cortright, on behalf of  
No More Freeways

**Attachment:**

Joseph Cortright’s March 17, 2021 Letter to Oregon Transportation Commission