



Date: September 7, 2021

To: Oregon Transportation Commission

CC: Oregon Governor Kate Brown
Historic Albina Advisory Board, Rose Quarter Freeway Expansion
Portland Commissioner Jo Ann Hardesty
Multnomah County Commissioner Jessica Vega Pederson
Metro Council President Lynn Peterson
PPS Director Julia Brim-Edwards
Oregon Legislature - Joint Committee on Transportation
Megan Channell, Project Director, Rose Quarter Freeway Expansion
Winta Yohannes, Albina Vision Trust

From: Aaron Brown, No More Freeways
Chris Smith, No More Freeways
Joe Cortright, No More Freeways
Allan Rudwick, Co-Chair, Eliot Neighborhood Association
Paxton Rothwell, Sunrise Movement PDX

Subject: **Restorative Justice requires clean air, lowered carbon emissions, following federal NEPA law**

No More Freeways appreciates the efforts of Governor Kate Brown and local leaders to modify the design for the Rose Quarter Freeway Expansion project to center restorative justice by creating a freeway cap that reconnects the Albina neighborhood and provides opportunities for wealth creation in the Black community.

We particularly salute the unflinching advocacy of the Albina Vision Trust and the Historic Albina Advisory Board to create these outcomes for the community and congratulate them on achieving this milestone. Their continued leadership, moral clarity, and commitment to wealth generation and healing what was the largest Black neighborhood in the state of Oregon is commendable and inspiring.

However, the current design and process are still far short of accounting for all the future impacts of this proposed expansion and past freeway harms. The following must be addressed:



- **There is no need to expand the freeway in order to cap it.** An alternative to cap the existing highway should be studied. Maintaining the existing roadway dimensions makes potential caps cheaper to build, healthier for the community, less polluting, and more capable of supporting additional housing and community space. We find it puzzling that ODOT has never given the community the opportunity to consider alternatives to adding additional polluting freeway lanes, especially given that congestion pricing studies by ODOT's own consultants suggest the additional freeway lanes aren't necessary to reduce traffic congestion.
- We decry the ODOT manipulation that prevented the Executive Steering Committee from having a substantive discussion before endorsing the Hybrid 3 approach. Local government partners must have a real and ongoing role in the execution of this project.
- While Hybrid 3 begins to knit the Albina neighborhood back together, it does not address the opportunity to build housing wealth stolen from the Black community via eminent domain when the existing highway was built. ODOT should endow a fund with at least several hundred million dollars to build housing in the Albina neighborhood.
- We are glad to see the inappropriateness of a freeway next to a middle school acknowledged, but students, parents and the school district deserve a firm funding commitment, not “another conversation,” on how to fund the relocation of Harriet Tubman Middle School. The cost should not be borne by another arm of government, but by the agencies, ODOT and FHWA, which created the original, continuing and proposed additional harm.¹
- The air pollution, noise, traffic and other impacts in the cover area and the adjacent community need to be closely studied to ensure that the community benefits envisioned are actually achieved. In particular, the community needs to understand where and how the tunnel will be vented, and how much air pollution the additional lanes of freeway are going to contribute to the neighborhood

¹ There is local and recent precedent for this. The Rocky Butte Jail replacement was funded by the construction of I-205 which displaced the jail.



- The shoulder and lane widths in the project area needs to be ‘right-sized’ (in the words of Speaker Tina Kotek, voting against HB3055).² The Independent Cover Assessment (ICA) suggests that 40 feet of width could be removed while maintaining the lane configuration. Right-sizing the width could save tens or hundreds of millions in construction costs that could instead be funnelled into better caps. The ICA also points out that the 70mph design speed in the 20% design is inappropriate under ODOT’s own design manuals.³

A lower design speed, would, according to the ICA consultant ODOT hired:

“Improve safety outcomes; Simplify cover design to reduce project cost; and Improve community outcomes.”

- ODOT has begun analysis of a “Regional Mobility Pricing Project” (tolling), having published a draft Purpose and Need Statement⁴. This project includes the Rose Quarter segment of I-5. These projects should be studied jointly and as alternatives in a single NEPA process, not in separate “divide and conquer” NEPA processes. Studying congestion pricing before freeway expansion will determine if such a mechanism would confirm what decades of academic literature suggests: the only way to reduce air pollution and recurring traffic congestion is to price roads, not expand them.

ODOT has conceded that the environmental process must be reopened to analyze the Hybrid 3 design. As we have previously testified to this body, as thousands of commenters requested during the EA phase, and as our Federal lawsuit insists, **the correct and complete way to do this is to conduct an Environmental Impact Statement** that looks at a full range of options, including congestion pricing, as mandated in the City of Portland’s Comprehensive Plan. The increased complexity introduced by Hybrid 3 just serves to underscore this need.

While the Hybrid 3 design may address some problems with the project’s original design, it has not been subjected to the careful environmental scrutiny that is required under the National Environmental Policy Act. There are many unanswered questions

² Speaker Tina Kotek’s explanation for her no vote on HB 3055 is available here:
<https://www.oregonlegislature.gov/pcive/HB%203055%20Kotek%206-24-2021.pdf>

³ The full study, conducted by ARUP, is available here:
http://www.albinahighwaycovers.com/wp-content/uploads/2021/08/Appendix-I-Cost-and-Constructability-FINAL_ada.pdf

⁴ ODOT’s Purpose and Need statement for tolling is available here:
https://www.oregon.gov/odot/tolling/Documents/RMPP_Purpose_and_Need_discussion_draft_remediated.pdf



about whether this design would make air quality, transit service, and neighborhood livability worse. Please direct ODOT to pursue an EIS that studies alternatives to freeway expansion, including pricing alternatives and capping the existing roadway.