



Date:

August 29, 2022

To:

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From:

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Subject: I-205 NEPA Re-evaluation

On April 26, 2022, the Metro Council, following JPACT, approved "Ordinance No. 21-1467, For the Purpose of Amending the 2018 Regional Transportation Plan to Include the Preliminary Engineering Phase of the I-205 Toll Project" and "Resolution No. 22- 5234, For the Purpose of Amending the 2021-2026 Metropolitan Improvement Program (MTIP) to Add the Preliminary Engineering Phase for ODOT's I-205 Tolling Project."

Multiple pages of material were presented to JPACT and the Metro Council describing the nature of this proposed Preliminary Engineering Phase. Among the proposed work products is an Environmental Analysis meeting NEPA requirements. Although the "I-205 Toll Project" is planned to provide funding for the "I-205: Stafford Road to OR 213 Improvements Project" it was made clear to JPACT and the Metro Council that the latter project had already met NEPA analysis requirements through a "Documented Categorical Exclusion" issued in December, 2018.¹

However, on May 4, 2022, The Federal Highway Administration, Oregon Division, issued a "Re-Evaluation of the Categorical Exclusion for the I-205: Stafford Road to OR 213 Improvements Project."²

¹ This document is available here:

<https://i205corridor.org/files/Contractor%20Meeting%20Documents/Technical%20Documents/nepa-categorical-exclusion-documentation.pdf>

² This document is available here:

https://www.oregon.gov/odot/tolling/I205%20Files/I-205%20Improvements%20Project%20CE_Reevaluation_050422_signed.pdf



FHWA removed all phases of the "Improvements Project" from the CE, other than the Phase 1a reconstruction of the Abernethy Bridge, and directed that those phases be included in the Environmental Analysis for the I-205 Toll Project.

The FHWA reevaluation states: "The I-205 Toll Project EA will address the environmental effects resulting from tolling, including the environmental effects of the construction of the future phases of the I-205: Stafford Road to OR 213 Improvements Project, which will be funded with toll revenue."

We have attempted to discern from ODOT's web site how the scope of work for the I-205 Toll Project will be altered, from the description previously provided to Metro, in order to meet NEPA standards for analysis of the project components that were removed from the 2018 Categorical Exclusion.

We have not found any relevant material.

Among the material we believe is necessary, is a change in scope of work for the "Alternatives Analysis Evaluation Framework" to include analysis of alternatives to the various construction components in light of the decision to toll I-205.

The public must have an opportunity to constructively engage with all steps of the NEPA process, and provide input. We look forward to an announcement of those opportunities, and pending that, offer our opinion that the following sixteen scenarios need to be considered with regard to the 14 lane-miles of widening, as reasonable alternatives:

- A. No transit service on freeway.
 - a. No tolls, no widening.
 - i. Tolls, no widening, generate revenue for Abernethy Bridge
 - ii. Tolls, no widening, maximize through-put/minimize diversion.
 - b. Tolls, no widening, single managed lane with toll surcharge and/or vehicle occupancy restrictions to assure free-flow/minimize diversion.
 - c. No tolls, widening.
 - i. Tolls, widening, generate revenue for Abernethy Bridge and rest of project
 - ii. Tolls, widening, maximize through-put/minimize diversion.
 - iii. Tolls, widening, single managed lane with toll surcharge and/or vehicle occupancy restrictions to assure free-flow/minimize diversion.



- B. Same scenarios as above, but with express buses operating at 10-minute frequency for most of the day, running from Clackamas Town Center to Beaverton Transit Center via I-205, I-5, and Hwy 217, with stops at Oregon City, Tualatin, Kruse Way, Tigard, Washington Square, and Beaverton, supported by an enhanced feeder network serving all listed stops with frequent service bus and/or rail connections.

The analysis should also consider whether the existing bridges (other than the Abernethy Bridge currently undergoing reconstruction) merit priority for seismic upgrades versus other bridges in Oregon.

Please provide us with any changes to the I-205 Toll Project scope of work and plans for NEPA analysis that reflect the inclusion of future phases of the "I-205: Stafford Road to OR 213 Improvements Project" in the Toll Project Environmental Analysis, or identify where such material may be found, or notify us that such changes have not been made.