

# Tolling Program Public Hearing

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February 28, 2023

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Statewide Policy and Planning

*Note: This hearing is being recorded*



# Agenda

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- Welcome and Opening Remarks
- Introductions
- Overview Presentation
- Reading the Notice
- Process for Participation
- Public Hearing Testimony
- Closing Remarks

Draft Notice Available at  
[https://www.oregon.gov/odot/Planning/Documents/Tolling\\_Notice\\_to\\_DLC\\_D.pdf](https://www.oregon.gov/odot/Planning/Documents/Tolling_Notice_to_DLC_D.pdf)

Submit all comments on this notice to  
[OHPManager@odot.Oregon.gov](mailto:OHPManager@odot.Oregon.gov) by  
March 15, 2023

# Overview

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## Proposed Action

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- Per State Agency Coordination Program Rules, ODOT must make a determination when adding a new program if that program affects land use:
  - ODOT intends to take action declaring the Tolling Program is not a program affecting land use (program list found in OAR 731-015-0035)
  - ODOT has requested DLCD concurrence



# Activities That Significantly Affect Land Use

- Found in OAR 731-015-0035
  - (1) Enlarging an existing transportation facility to increase the level of transportation service provided, relocating an existing transportation facility, or constructing a new transportation facility.
  - (2) Constructing a new accessory facility, enlarging an existing accessory facility, or significantly changing the use of an existing accessory facility.
  - (3) Changing the size of land parcels through the sale of property.
  - (4) Altering land or structures in a way that significantly affects resources or areas protected by the statewide planning goals or acknowledged comprehensive plans. Examples include:
    - (a) Placing or disposing of materials in wetlands, waterways or floodplains;
    - (b) Structurally stabilizing shore lands by placing riprap or by other means;
    - (c) Draining wetlands by ditching or by other means;
    - (d) Demolishing or altering a historic bridge or other historic structure;
    - (e) Removing riparian vegetation.



# Definition Considerations

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- Found in OAR 660-030-0005

## (2) “Rules and Programs Affecting Land Use”:

(a) Are state agency’s rules and programs (hereafter referred to as “land use programs”) which are:

(A) Specifically referenced in the statewide planning goals; or

(B) Reasonably expected to have significant effects on:

(i) Resources, objectives or areas identified in the statewide planning goals; or

(ii) Present or future land uses identified in acknowledged comprehensive plans.



## Definition Considerations (continued)

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(b) Do not include state agency rules and programs, including any specific activities or functions which occur under the rules and programs listed in paragraph (2)(a)(A) of this rule, if:

(A) An applicable statute, constitutional provision or appellate court decision expressly exempts the requirement of compliance with the statewide goals and compatibility with acknowledged comprehensive plans; or

(B) The rule, program, or activity is not reasonably expected to have a significant effect on:

(i) Resources, objectives or areas identified in the statewide goals; or

(ii) Present or future land uses identified in acknowledged comprehensive plans; or

(C) A state agency transfers or acquires ownership or an interest in real property without making any change in the use or area of the property. Action concurrent with or subsequent to a change of ownership that will affect land use or the area of the property is subject to either the statewide goals or applicable city or county land use regulations.

(c) A final determination of whether or not an agency rule or program affects land use will be made by the Commission pursuant to ORS 197.180 and OAR chapter 660, division 30.

# Toll Program Elements

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## Revenue Generation

- Set, monitor, and adjust toll rates for specific location
- Collect toll charges and deposit funds

## Back Room Operations

- Create and monitor Toll Accounts
- Mail invoices and track payments
- Oversee discount/exemption programs

## Enforcement and Monitor

- Oversee enforcement efforts for collections
- Prepare reports of revenue and performance



# What is NOT Part of the Toll Program

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## Construction of Toll Equipment

- Structures necessary for cameras, sensors
- Cameras, sensors
- Signing, etc.

## Construction of Infrastructure

- Any physical construction on a tolled route
- Any physical construction on other routes to address diversion

# What is NOT Part of the Toll Program

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- Potential Toll Project Locations such as I-205, RMPP, IBR
- Specific Project Proposals are considered part of ODOT's Construction Program and will follow those processes
  - Specific Locations must comply with Federal Environmental Processes like NEPA
  - Specific Locations May Affect Land Use per existing SAC

# Rationale to Support Action

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Toll Program is a mechanism to generate revenue

Toll program is a demand management program to help manage congestion

Toll Program monitors and adjusts rates to meet revenue and performance objectives

Toll Program does NOT include any physical construction

# Public Outreach

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## Website

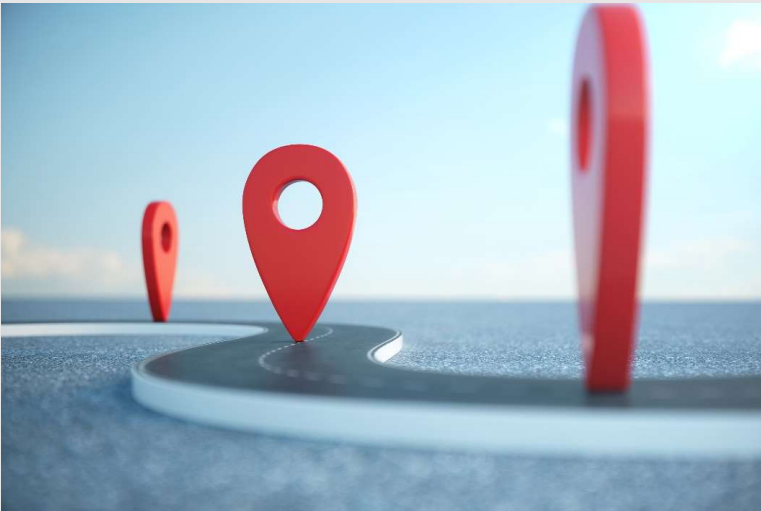
- Draft Cover Letter and Memorandum
- Online comment submission Form
- Presentation / slideshow
- Staff contact information

## Notification

- Per SAC, coordination with DLCDC interested parties
- MPOs, state & federal agencies, ACTs
- Gov Delivery
- Other stakeholders

# Wrap-Up

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- Incorporated feedback while meeting process requirements
- “Notice” outlines factors in decision

## Next Steps

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- Public comment period ends March 15, 2023
- Comments accepted at:

<https://www.oregon.gov/odot/Planning/Pages/tolling-program-hearing.aspx>

# Public Hearing Notice

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Public testimony will begin shortly

## Testimony

*You will be unmuted  
when your name is called*

*We ask that you keep your comments to  
3 minutes or less.*

*Thank you.*



## Testimony

*Please state your name  
and affiliation*

*We ask that you keep your comments to  
3 minutes or less.*

*Thank you.*

# Who to Contact

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I-205 Toll Project Environmental Assessment Public Process (open until April 7, 2023)

<https://www.oregon.gov/odot/tolling/Pages/I-205-Tolling.aspx>