

Memorandum -- *DRAFT*

Date	February 21, 2023
To	Kris Strickler, ODOT Director and RTAC Committee Chair
From	David Kim, RTAC Facilitator
Subject	Memo 1: RTAC feedback on reducing the implementation gap

As described in the draft charter, the Regional Toll Advisory Committee’s role is to advise in developing toll projects being planned for the Portland metropolitan area. The Committee’s work centers on providing feedback and recommendations to you, as the ODOT Director, on an ongoing basis consistent with the project development schedule.

This memorandum summarizes the committee’s deliberations and discussion related one of five key questions:

What opportunities exist to accelerate the schedule for delivery of the Regional Mobility Pricing Project to reduce the implementation gap between RMPP and the I-205 Toll Project?

1 Information considered

This key question was identified for the RTAC’s consideration during discussions in early 2022 between ODOT, the Joint Policy Advisory Committee on Transportation (JPACT) and Metro Council to adopt an amendment to the Regional Transportation Plan to add the I-205 Toll Project. There was a recognition among the parties of the need for regional commitment and partnership to both accelerate the RMPP schedule and fully integrate I-205 Tolling with the Regional Mobility Pricing Project. Among the underlying concerns and opportunities is the need to manage diversion from I-205 to I-5 and create a regional toll system to manage congestion.

At the December 5, 2022, and January 23, 2023, meetings, the RTAC discussed potential strategies and opportunities for project integration and RMPP acceleration. The following information was considered.

2017 Legislative Direction: In 2017, ODOT was directed via a budget note to use toll revenue to fund planned improvements on I-205 between Stafford Road and Abernethy Bridge.

2021 Legislative Direction and Construction Schedule: In 2021, state law was changed to provide financing flexibility to initiate construction on I-205 improvements at the Abernethy Bridge with the understanding that toll revenue could be used to pay back interim financing, pending completion of the National Environmental Policy Act process and establishment of a toll program. ODOT has researched additional funding options and determined that Phase II of the improvements will not occur without toll revenue as no additional revenue sources have been secured. Currently, the I-205 tolling timeframe is not as flexible as RMPP because it is directly tied to construction of creating an earthquake ready corridor. Integration of the two toll projects can occur with RMPP schedule acceleration opportunities.

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Critical Path Milestones: Two critical path milestones exist for RMPP to move the project ahead:

- *RMPP environmental decision under the National Environmental Policy Act:* The current schedule has a draft Environmental Assessment available for stakeholder review and comment in fall 2023 and an updated EA and final environmental decision in summer 2024.
- *Final Cooperative Agreement between US Dept of Transportation and ODOT:* An agreement under the Value Pricing Pilot Program is needed before RMPP may move ahead. Currently, it is slated for completion in quarter 4 of 2024. ODOT has previously planned up to a year to develop this agreement after completion of the NEPA process. More recently, ODOT has learned the Cooperative Agreement can be developed in parallel with the NEPA document.

2 Committee feedback

The Committee discussed the following strategies for reducing the implementation gap and did not disagree with the ideas identified:

Complete Regional Mobility Pricing Project environmental analysis (NEPA) on schedule and with regional support.

NEPA analyses can become delayed for a variety of reasons. With regional partnership and collaboration during the environmental review, including development of any associated monitoring and mitigation plans, the process will remain on schedule. Work has already occurred to engage partners early on the Purpose and Need Statement and Proposed Action. Additionally, the RMPP environmental process needs to:

- include other toll projects in the analysis,
- analyze the effects of rerouting between the I-205 and I-5 corridors, and
- intentionally implement equitable engagement activities to receive input as the project is designed.

Seek concurrent U.S. Department of Transportation approval of cooperative agreement with NEPA process.

ODOT should take advantage of the opportunity to reduce the implementation schedule by pursuing concurrent development and approval of the cooperative agreement with completion of the NEPA process. The goal would be to receive approval of the agreement close to quarter 2 of 2024. In addition, ODOT should seek regional partner agencies' active support for the draft agreement to increase visibility of the need for timely USDOT approval.

Create policy alignment to support on-schedule approval of toll projects and funding in the Regional Transportation Plan and Metropolitan Transportation Improvement Plan

Large transportation projects must be included in the Regional Transportation Plan. Currently, neither the RMPP nor the construction phase of the I-205 Toll Project are the RTP and both toll projects require additional approvals for funding as part of the Metropolitan Transportation Improvement Plan. Similar to

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NEPA collaboration and support of the cooperative agreement, regional agency partners can assist ODOT to create policy alignment through the 2023 RTP and future MTIP approval, both anticipated in November 2023. ODOT and JPACT agencies should work in partnership in 2023 with the toll project implementation schedule at the forefront.

Earlier this year, the Oregon Transportation Commission adopted an amendment to the toll policies in the Oregon Transportation Plan that reflect feedback from regional agency partners with a goal of state and regional policy alignment.

Support investigation of alternate revenue sources to fund the I-205 Improvements Project before Regional Mobility Pricing Project comes online. Tolling on I-205 needs to begin to maintain the construction schedule and provide travel and safety benefits to the traveling public. Some members of the committee encourage seeking additional funding for a portion of the I-205 construction, with the hope that the start of pre-completion tolling of I-205 could be delayed. ODOT and agency partners should continue their ongoing efforts to secure additional funding so that RMPP and I-205 tolling could start at roughly similar times and ensure that all mitigation commitments are funded.

Attachments:

Oregon Toll Program schedule, dated Jan. 20, 2023