

Meeting Summary

Subject	Regional Toll Advisory Committee Meeting #8
Date and Time	June 26, 2023 / 9:00-11:30 a.m.
Location	Hybrid: Billy Frank Jr. Conference Center at Ecotrust and online via Zoom

Attendee	Organization / Role	Attendance
Committee Members		
Rory Bialostosky	City of West Linn	In person
Frank Bubenik	City of Tualatin	In person
Shannon Carney (alternate for Mingus Mapps)	City of Portland	In person
Shawn Donaghy	C-TRAN (Washington business)	Virtual
Denise Harvey	Confederated Tribes of Grand Ronde	Virtual
Nafisa Fai	Washington County	In person
Adam Fiss (alternate for Matt Ransom)	SW Washington Regional Transportation Council	In person
Carley Francis	Washington State Dept. of Transportation	In person
Sarah Iannarone	The Street Trust	In person
Jana Jarvis	Oregon Trucking Association	In person
Anne McEnerney-Ogle	City of Vancouver	In person
Willy Myers	Columbia Pacific Building Trades Council	In person
James Paulson	EMAC Liaison	In person
Lynn Peterson	Metro	In person
Dean Reynolds	Cowlitz Indian Tribe	Virtual
Curtis Robinhold	Port of Portland	In person
Sara Ryan (alternate for Susheela Jayapal)	Multnomah County	In person
Paul Savas	Clackamas County	In person
JC Vannatta	TriMet	In person
Kasi Woityla	Virginia Garcia Memorial Health Center	In person
Keith Lynch	FHWA (ex officio)	In person
Kris Strickler	ODOT Director, Chair	In person
Brendan Finn	ODOT, Urban Mobility Office (ex officio)	In person
Della Mosier	ODOT, Urban Mobility Office (ex officio)	In person
Project Team		
Mandy Putney	ODOT, Presenter	In person
David Kim	Facilitator	In person
Kirsten Beale	Committee coordinator	In person
Anne Pressentin	Facilitation support	In person
Jodi Mescher	Notetaker	In person
Nick Fazio	Zoom host	Virtual
Logan Cullums	Zoom support	In person

Attendee	Organization / Role	Attendance
<i>Committee member regrets: Mingus Mapps, Susheela Jayapal, Jon Isaacs</i>		

1 Welcome and Opening Remarks

David Kim, facilitator, welcomed the meeting attendees and talked through meeting logistics. David reminded the audience that this is a public meeting and a hybrid meeting.

Director Strickler reviewed key themes that ODOT heard from the RTAC listening session meeting in May, including; equity must be a priority, it is time to put hard work on the table and focus on tangible commitments and projects, ODOT should listen and respond directly and clarify decision processes, and ODOT should discuss what toll revenue is available and how it can be used. Director Strickler noted that a portion of the agenda was reconfigured in response to requests from RTAC members to address specific questions. In reviewing the added agenda items, Director Strickler acknowledged that there is tension between the needs in the region and the revenue available to address those needs.

The workplan of RTAC will need to change for the region to be successful and to meet the Governor's direction. Director Strickler stated that the RTAC workplan will be extended beyond 2023 to continue the ongoing analysis for the I-205 Toll Project, RMPP, and the RTP.

Director Strickler discussed the connection between RTAC, the Oregon Transportation Commission (OTC), and the Special Subcommittee. Director Strickler advised that if RTAC members wish to submit comments to the OTC as a group, they should designate one or two members to represent the views of the committee. He said that he is willing to facilitate a dialogue with the OTC and reminded RTAC members that ODOT does not set the agenda for the OTC.

Director Strickler reminded RTAC members that the Governor requested a finance by to be submitted by July 1. ODOT has been working to reflect the Urban Mobility Strategy (UMS) in the finance plan. Delaying tolling until 2026, cost increases associated with the projects, and scope changes to improve transportation access will have financial impacts. As a result, the project needs to be conservative with toll revenue projections because those financial changes will impact the short-term borrowing capacity. The OTC will be considering the finance plan on June 28 before it is delivered to the Governor. The projected total cost of UMS projects is between 3.7 and 4.3 billion dollars. Funding sources allocated to UMS come from federal and state resources that were invested in early design phases, \$30 million that were allocated under HB 2017, and future toll revenue. With the delay in toll collection, the project has \$1.1 billion dedicated funds. The Level 2 analysis for the I-205 Toll Project projects \$385 million in available revenue from tolling the Abernethy Bridge and \$300 million from tolling the Tualatin River Bridge. Director Strickler encouraged RTAC members to review the finance plan and make a comment at the OTC meeting on June 28th.

Director Strickler stated that ODOT plans to run different tolling scenarios in recognition that a single scenario has created a polarizing conversation. There is an ongoing tension between keeping the toll rates low enough to limit the burden on users and having it create the congestion management, revenue generation, and greenhouse gas reductions intended for the project. Director Strickler asked the senior leadership teams to discuss and analyze what those different tolling scenarios can be.

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- Commissioner Savas and Jana Jarvis asked if the \$385 million for the Abernethy Bridge was an annual projection or over the lifetime of the project. Commissioner Savas also asked for clarification on which portion of the project \$385 million would be generated from.
 - Director Strickler responded that \$385 million is the amount of available project proceeds (cash value) over 30 years. If the project tolls the Abernethy Bridge, there will be \$385 million available in project funds. If the project tolls the Tualatin River bridges, there will be an additional \$300 million in project funds. Director Strickler said that ODOT's financial plan indicates the third lane on I-205 will be delayed due to lack of funding.
- Mayor Bialostosky asked how the project calculated the amount of available revenue without rate assumptions being determined for the I-205 Toll Project.
 - The revenue estimate uses the base rate from the draft Environmental Assessment (EA); the actual toll rates have not been set yet.
- President Peterson asked if the region could rely on congestion pricing and not have a toll. She suggested alternative solutions: (1) implement the I-205 Toll Project and the Regional Mobility Pricing Project (RMPP), (2) implement RMPP on all lanes without the I-205 toll, (3) implement RMPP on two lanes without the I-205 toll, or (4) implement RMPP on one lane and no I-205 toll. President Peterson said that Metro Council is open to considering other options to move the project and the region forward.
- Jana Jarvis asked if the GHG reductions consider the volume or the flow of traffic. She also asked if an improved traffic flow would contribute to lower GHGs.
 - Director Strickler responded that the GHG reduction calculations consider both the volume and the flow of traffic. There needs to be a balance between improving flow and volume of traffic because if the transportation system flows better but it serves a higher amount of traffic, it wouldn't necessarily contribute to GHG reductions.
- Commissioner Savas commented that the scenarios are looking at two interstates and ignores Hwy 217, Hwy 26, and I-8, and if those systems were included in the analysis, it would change the revenue. He also said that the project should consider an express lane system.
- Director Strickler asked senior staff to work with agencies around the table to talk about different tolling scenarios brought forth by President Peterson. However, if the team finds that alternative scenario would not extend the third lane on I-205, that will impact what the project can consider. Director Strickler stated that there may be some impacts if projects aren't implemented at the same time.

2 Advancing Equity for the Oregon Toll Program

Mandy Putney, ODOT, discussed ODOT's progress on advancing equity for the Oregon Toll Program. Mandy reminded RTAC that the process of applying an equity framework to the Toll Program began in 2019 after the VPFA laid out that success was dependent on attending to issues of inequity, diversion, and lack of travel options.

Mandy reviewed the process that the I-205 Toll Project used in the equity analysis to determine whether Equity Framework Communities (EFCs) would experience a change in accessibility or travel time to social resources. The analysis found that the alternative with tolling would result in the same or greater accessibility to social resources for households in the area of interest when compared to the alternative without tolling. An analysis of 16 representative scenarios to estimate potential travel time impacts to EFCs and the general population found that trips using the I-205 corridor had shorter travel times with tolling compared to the alternative without tolling. The work done with EMAC has directly shaped the environmental assessment and allowed the project to evaluate impacts to communities through a more holistic and equitable lens. By engaging with these communities early on and on a continuous basis, their input has directly shaped the planning process and environmental review. Continued engagement will ensure the equitable distribution of benefits which are shared across all demographics. Mandy also reviewed the planned equity methodology for RMPP which will be based on the I-205 methods.

Mandy discussed the multi-step process used to create the Low-Income Toll Report and shared that EMAC and STRAC will consider options for the Low-Income Toll Report in July 2023. The low-income toll program will be available on the first day of tolling and there will be multiple payment options.

ODOT is seeking partnerships with CBOs to reduce access to barriers. ODOT adopted a policy in 2021 that provides ODOT staff with tools to incentivize participation and reduce barriers.

Key themes heard from EFCs include that EFCs rely on the interstate system, the concerns of EFCs are not significantly different from the general population and remain consistent over time, EFCs are more likely to prioritize "minimizing impact of tolls to people with low incomes" and "provide alternative non-tolled driving routes", there is a desire to keep tolls as low as possible, transit is not viewed as a viable alternative to driving, skepticism that tolling could reduce congestion, and there is a concern that EFC voices won't matter in decision-making.

Mandy reviewed EMAC's recommended actions to the OTC. ODOT and EMAC will be holding a joint accountability workshop on July 10. ODOT will be looking for opportunities to collaborate meaningfully with EMAC to ensure that equity remains central to Toll Program implementation and beyond.

Brendan Finn, ODOT, shared a feedback form for RTAC members to fill out to provide input on ODOT's work to advance equity and the possible nexus projects. The form will also be made available electronically via Google Docs to provide additional feedback.

Discussion question: What additional ideas do you have to achieve process equity in toll program development? Based on your experience in making choices that center equity, what are lessons learned that can be brought to this process?

- Commissioner Savas said that actual impacts to EFCs will be greater than what ODOT estimated because the draft EA does not adequately focus on impacts to the off-facility systems.
- President Peterson commented that an equity lens needs to be applied to multiple areas of the project. As it stands today, the transportation system isn't working to provide access to opportunity because there is only one way across the Willamette River. President Peterson noted that equity is not a part of the selection criteria for the nexus projects. She suggested a further conversation about how to include equity in the selection criteria, as well as how to determine which projects should be included in the conversation because there are projects not included in the RTP that may need further consideration. President Peterson said that programmatically it is easy to see equity being considered, but she was not confident that systematically tolling would achieve equity.
 - Mandy responded that the analysis needs to rely on what has already been documented and planned because of NEPA limitations. She added that even if a project isn't included in NEPA, it can still move forward at a regional level.
 - Director Strickler reiterated that NEPA has constraints related to how the analysis is performed. He acknowledged that there are toll-related impacts and there are existing access-related gaps in the system that need to be funded.
 - President Peterson said that the analysis looks at how to reduce the toll to provide better accessibility but there might be projects that improve accessibility even more.
 - Director Strickler responded that there is tension because there might be a project that provides an opportunity for someone to never get on the highway, but there is a question of how to pay for that project. He agreed that ODOT has been focused on the policy and programmatic framework of establishing an equity-based toll project, but there are other project improvements throughout the region that could also provide some benefit.
- Shannon Carney commented that the finding that transit isn't viewed as a viable option for EFCs displays a need for a coordinated investment beyond the main line transportation system. She added that a key concern is recognizing the cost burden for residents across the region. Shannon commented that it was interesting that the concerns heard from EFCs are consistent with other communities in the region and asked if there are areas where EFCs had different concerns than the rest of the population.
 - James Paulson, EMAC liaison, responded that EFCs are typically concerned that they can't afford additional costs, so a key concern is keeping the toll rates low. James shared that communities in Gresham have expressed a challenge of getting people to viable jobs because there isn't viable access to transit. James summarized that EFCs are more focused on real challenges than looking at the overall regional project.

- Jana Jarvis said that the concept of tolling introduced in HB 2017 was a straight-forward recognition of the need to generate revenue to off-set project costs. However, with conversations are equity, it seems that the project has lost focus on decisions made in 2017 that have not yet been completed. Jana said that with more users paying into the system, the overall cost for each user will be lower, and as more exemptions and discounts are available, the costs will rise for all users. She expressed frustration because Oregon has always had a transportation system based on user-fees but now discussions are creating a system dependent on income-levels.
- Commissioner Fai shared that she appreciates that ODOT recognized the connection to public health in applying an equity framework. Commissioner Fai commented that the existing conditions of the transportation system have barriers to equity and suggested creating an adaptation plan for EFCs because there are some barriers in the existing systems that can't be addressed.
- Mayor Bialostosky commented that the project also needs to consider location equity for communities surrounding the location of tolls.
- Commissioner Savas shared that the tolling system in Atlanta, Georgia does not have diversion because it uses an express lane model; he suggested Oregon consider an express lane scenario. He said that Oregon's tolling program is creating problems they don't need to create.

3 Nexus Projects

Brendan Finn, ODOT, acknowledged that ODOT has heard requests to start the conversation about the nexus projects. He reviewed the working definition for nexus projects as well as the possible selection criteria to screen nexus projects. Brendan highlighted the process to develop and implement the nexus project list in relation to developing PTS projects. The PTS and nexus project processes will likely converge at the October 30th RTAC meeting to review both project lists and determine next steps.

Discussion question: What feedback do you have on the “nexus” definition? What should we consider to advance the draft selection criteria? What does it mean to center equity in RTAC’s nexus project conversation? What feedback do you have on the proposed process?

- JC Vannatta noted that there are now three “buckets” of projects; mitigation, PTS projects, and nexus projects. He asked if there will even be enough money to fund the mitigation projects before funding PTS and nexus projects.
 - Brendan responded that the NEPA process will identify mitigation projects to satisfy regulatory requirements. ODOT recognizes that is not enough and is looking at other efforts. Mitigation projects will be included in the project costs, but funding for projects beyond mitigation will require a future conversation with the legislature.
- Commissioner Savas commented that jurisdictional TSPs do not recognize tolling and therefore the draft RTP is already outdated because it doesn't consider the impacts from tolling. He said that the tolling scenario needs to be defined first because that data will be needed to determine

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what projects are needed. Commissioner Savas said that the project list needs to be paused and re-set to allow time to complete it comprehensively.

- Shawn Donaghy commented that some of the projects will be funded through revenue generated from tolling, but other projects will fall on the local jurisdictions or the County to resolve those issues. He agreed that the project list needs to be paused to assess what the potential outcomes of the projects are and identify where additional revenue will be needed for mitigation.
- President Peterson said that the financial plan needs to be married with the project list. There are three types of projects, and they need to be distinguished as they are put on the table: (1) projects based on the existing needs, (2) projects to mitigate opening day tolling impacts, and (3) projects to mitigate long-term impacts as congestion increases over time. President Peterson said that projects for the existing needs should be a priority. She added that there needs to be a project list of the existing and opening day impacts. Tolling and RMPP are paying for I-205 lane expansion over 30 years. In the meantime, there is MTIP money, transportation package, and future RMPP revenue. President Peterson suggested that long-term impacts and future RMPP revenue should be married. She said the project should create a framework that helps to make decisions as quickly as possible without leaving anybody out.
- Mayor Bialostosky commented that the NEPA process is supposed to mitigate all projects, but the nexus project list admits that the project does not mitigate all impacts. He said that the projects included in jurisdictional TSPs that could be nexus projects may cost \$500 to \$700 million, but there won't be that level of funding available. Mayor Bialostosky added that he would appreciate a discussion about revenue sharing. He also said that there is not enough data available for decision-making and the EA shows that the modeling does not match up to revenue projections.
- Denise Harvey expressed concern that Tribes have been discussed along with other equity concerns. She said that as sovereign nations, Tribes should be treated separately and not considered in the EFC category. Denise added that the toll roads will be in the homeland of the Grand Ronde Tribe, so that needs to be considered. She shared that she has experience with toll roads in California and doesn't believe that they are effective for providing congestion relief.
 - Brendan responded that Denise's point was well taken. ODOT engages with Tribes through government-to-government relations, which is a separate process.
- Mayor McEnergy-Ogle commented that there are limitations to funding capital project mitigations in Clark County.
 - Brendan responded that will be a topic to consider and have more discussion about.
- Keith Lynch, FHWA, commented that NEPA has a limited scope. There are communities in the toll corridor that are Environmental Justice communities and that is a focus of equity for NEPA. FHWA is working with ODOT to establish strategies to mitigate adverse impacts and meet federal requirements. However, if there is diversion, NEPA does not necessarily require that to be corrected; it will be up to ODOT to address diversion. Once mitigation projects are in the NEPA document, they become requirements of the project and must be considered in the project costs.

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- Commissioner Savas commented that jurisdictions are not ready to put together a sophisticated list of nexus projects and projects would be based on assumptions rather than calculations due to time constraints. He said that it is alarming that there is not enough funding to expand the third lane on I-205 because that indicates there will also not be funding available to implement mitigation projects for the opening day of toll implementation.
 - Director Strickler responded that he understands the anxiety and the frustration. He added that the project shouldn't speculate because previous speculation has caused anxiety around the table. He clarified that ODOT staff conversations have been data-based. Director Strickler said that the project list is necessary to determine in order to understand what the target is.
- Shannon Carney said that she appreciates the definition of nexus projects is broad enough to include many projects. She also commented that there is a need to have more discussion about finances and revenue sharing.
- Sara Ryan commented that there is a lack of clarity around how to prioritize funding for projects. She added that there should be more focus on seeing local jurisdictions as partners and expressed a desire to discuss revenue sharing.
- President Peterson said that the most important thing is to get out projects that create a better transportation system. The second important thing is to use those project as case studies to understand what is attributable to tolling and what is attributable to the existing system. President Peterson noted that there are a lot of staff working on these projects and they should be empowered as a team for implementation. She said that it is time to start with the list of projects and case studies and move the project forward.
- JC Vannatta asked when the project will know the cost of mitigation projects.
 - Mitigation costs for the I-205 Toll Project are included in the EA; mitigation projects and costs have not been determined for RMPP and will likely be shared in Fall 2023.
- Sarah Iannarone said that there are a lot of people that have been doing this work and there are already working definitions and frameworks the project can modify and use (e.g. EMAC's equity framework). She commented that timing is important to adapt, and she noted that the project can pivot quickly if needed. There needs to be intensified coordination across decision-making bodies because shared decisions will move the project forward quicker. The project needs to have feedback and adapt along the way with real-time evaluations to ensure it is implemented equitably.

4 Public Comment

Two people provided public comment online:

- John McCabe, a resident in the Stafford area, noted that there has been a lot of discussion about equity, but the project also needs to consider that West Linn residents will be paying 256% more than the rest of Oregon residents. John also brought this up with FHWA to tell the agency that West Linn residents are being burdened more than anyone else. John said that there is a fear that tolling will go ahead because OTC shared a gantry will be installed in 2025. He also said he heard that electric cars are the need for revenue in the state, but electric vehicles are less than 2% of all cars in Oregon so that can't be the problem. John said that people are more willing to vote for a gas tax increase and they want to see something done. He commented that diversion is not working in the area and expressed concern that OTC's claim that this would be paid for by grants would not be enough.
- John Ley emphasized a point by Commissioner Savas that the project is creating problems that don't need to be created. Additionally, President Peterson said that the project needs to know what problems are attributable to tolling and what are attributable to other issues. John said that 100% of the traffic diversion will be caused by tolling, not any other aspect of the Abernathy project. If the project eliminates tolling on all lanes, diversion will be eliminated. John shared that in 2018, the Value Pricing Committee was given eight tolling alternatives to consider, and only one option created the most favorable result to build a new lane in each direction and only toll that lane. He said that the project needs to pivot back and reconsider that option. He asked what would happen if IP4 is adopted by the citizens and the poet does not receive \$1.1 billion in revenue.

5 Project Updates

James Paulson shared an update from EMAC and how EMAC is using the extended timeline to get more feedback and understanding. There will be a joint ODOT-EMAC accountability workshop in July to discuss a framework for an ongoing accountability structure. James shared that EMAC has been working quantify the progress on activities and actions that have been implemented.

Commissioner Fai shared an update on the STRAC. The committee has finished discussions on enrollment, payment, enforcement, and data privacy. They will be moving to part two discussions that will include low-income program operations, process for rate setting and adjustments, discounts, exemptions, and rates by vehicle type. Commissioner Fai suggested that the draft rules be shared with RTAC members to review.

Mandy Putney shared an update on RMPP and next steps. The project team is developing options that build on the Proposed Action shared during the winter 2022-23 public comment period. In July 2023, options and draft performance criteria will be shared with partner agency staff and RTAC. In September 2023, information about toll rate assumptions and performance based on modeling will be shared. The next step will be to identify options for the NEPA process.

- Commissioner Savas asked why the price of gas in Oregon has gone up so much compared to the rest of the county. He expressed concern that safety and climate issues will not be achieved without transit, and yet transit is not seen as a viable alternative. Commissioner Savas asked if any of the gas tax is available, and commented there is a need to address the transit funding gap.
 - Director Strickler agreed that there is a transit funding issue. There is limited funding and a lot of need, which is becoming more pronounced in the transportation space. He noted that the funding issue is not unique to ODOT, and other jurisdictions also have funding gaps. Director Strickler said that ODOT wants to be part of the solution. The transportation needs spread across the entire state; it needs to be more than one mode, more than one option, and needs to be focused on making a better transportation system. Director Strickler said that he welcomes the conversation and acknowledges the tension between revenue and project needs.
- Mayor McEnergy-Ogle recognized and celebrated the approval of funding for the interstate bridge.

6 Next Steps and Close Out

David recognized that this is a new format for RTAC meetings to focus on conversation over presentation and said that format will continue for future meetings. He reminded RTAC members to fill out the meeting evaluations to provide input on how to improve future meetings.

The next RTAC meeting will be on Monday, July 24th.

7 Action Items

The project team heard requests for additional information during the meeting. Action items for the team are:

- Senior staff will discuss and analyze additional tolling scenarios, per Director Strickler's direction.
- Share examples of concerns that EFCs had that differ from the general population.
- Distribute [draft Toll Rules](#) from STRAC to RTAC members.

8 Written Public Comment

For public comments sent before the meeting, see attached.

9 Meeting Evaluation

Two members submitted a paper meeting evaluation. One member submitted an online meeting evaluation.

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	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Question 1: I clearly understood the agenda, the meeting objectives, and knew what the group was trying to accomplish during this meeting.	0	0	0	2	1
Question 2: Members had a chance to speak and contribute to items under consideration.	0	0	0	1	2
Question 3: The meeting was well facilitated.	0	0	0	2	1
Question 4: There were adequate options for public comment.	0	0	0	1	2

Comments received from members:

- **Commenter 1:** Great meeting! David is a strong facilitator!
- **Commenter 2:** Thank you for addressing Commissioner Mapps' concerns so directly and clearly during the June RTAC meeting. We appreciated the time the agency took to demonstrate that it is listening to regional stakeholders.