



# **PUBLIC REVIEW DRAFT 2023 REGIONAL TRANSPORTATION PLAN Public Comment Report Appendices**

September 6, 2023

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# Online Survey Public Comment Report

Summary of the 2023 Regional  
Transportation Plan engagement survey #4:  
Public comment

September 2023



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**Project website:** [oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)

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Appendices are available on the [Regional Transportation Plan webpage](#).

## PURPOSE AND BACKGROUND

### Purpose

This report summarizes the results of the fourth online public survey for the 2023 Regional Transportation Plan (RTP). This survey collected public comment on the Public Review Draft 2023 RTP during the 45-day public comment period, from July 10 through August 25th, 2023. The survey was one of several avenues through which people could provide comments and feedback. The survey was designed to provide high level information about the 2023 RTP and Public Review Draft High Capacity Transit (HCT) Strategy and collect feedback in a way that did not require participants to read technical documents.

The feedback received through the public comment period builds on the input received through public engagement over the course of the RTP update. Public comment, including the input collected through the survey, was shared with staff and decision-makers as they refined the Public Review Draft 2023 RTP and HCT Strategy for adoption in November 2023.

### Background

The RTP is the state and federally required long-range transportation plan for the Portland metropolitan area. The plan sets regional transportation policy that guides local and regional planning and investment decisions to meet the transportation needs of the people who live, work and travel in greater Portland – today and in the future.



Find out more about the 2023 RTP at [oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)

Metro is the regional government responsible for regional land use and transportation planning under state law and the federally designated metropolitan planning organization (MPO) for the Portland metropolitan area. As the federally designated MPO, Metro coordinates updates to the Regional Transportation Plan every five years.

Under federal law, the next update is due by Dec. 6, 2023, when the current plan expires. Providing continued compliance with federal planning regulations, ensures continued federal transportation funding eligibility for projects and programs in the region.

Since Fall 2021, Metro has been working with local, regional, and state agencies, Tribes and the public to update the region's shared transportation vision and investment strategy for the next two decades. The 2023 RTP identifies current and future transportation needs, priority investments recommended by transportation agencies to meet those needs and funding the region expects to have available through 2045.

## Survey promotion

The online survey was available from July 10 through August 25<sup>th</sup>, 2023. The survey was promoted through Metro’s news webpage, social media platforms, Metro stakeholder lists including the transportation interested parties list, the Transportation Policy Alternatives Committee (TPAC), Metropolitan Technical Advisory Committee (MTAC), and Joint Policy Advisory Committee on Transportation (JPACT) interested parties list. The survey was shared with community-based organizations and offices of public involvement at city and county agencies throughout the region.

## Survey overview

The survey was comprised of five sections that each included an overview of a topic in the RTP and questions inviting feedback on that topic. The survey did not require responses to any questions, so participants engaged in the topics they were most interested in. The survey sections included the following:

1. An **introduction** outlining the 2023 Regional Transportation Plan with an invitation for survey participants to leave feedback and specific comments on the draft plan.
2. A section about **priority transportation investments** that asked survey participants to indicate how well the mix of investments in the draft project list match their priorities for transportation in greater Portland.
3. A section about the **High Capacity Transit Strategy** that provided an overview of high capacity transit vision with a map illustrating the priority high capacity transit investments identified in the strategy. Participants were asked to rate how well they think these priorities will improve travel in the greater Portland region on a scale of one to five. Survey participants were also asked to indicate which other corridors identified for high capacity transit investments are most important to them and their communities and comment on anything that cities, counties, Metro, transit providers, and the state should consider while implementing the high capacity transit policies.
4. A section focused on the new and updated policies in the 2023 RTP, including **pricing policies and mobility policies**. Survey participants were asked to indicate whether the policies are moving the region’s transportation system in the right direction and if there is anything that cities, counties, Metro, transit providers, and the state should consider while implementing these policies.
5. A section focused on implementing the plan and **moving forward together** asked survey participants to share feedback on their vision for the future of transportation and what is most important for the region to work on in the next five years. Participants were asked to share ideas, indicate which resources they reviewed, and share whether the resources were helpful.

6. The final section asked participants to share optional **demographic information** in order to help Metro determine if participants reflect the region's diverse communities and broad range of experiences.

### **Next steps**

Input from this survey will be shared with transportation agency staff and regional decision makers as they work together to refine the public review draft 2023 RTP and HCT Strategy for adoption in November 2023.

## SUMMARY OF SURVEY RESULTS

### Overview of survey respondents

There were 663 survey participants. Of the participants, 45% completed the survey and 55% completed part of the survey. Survey respondents were asked to select the county where they live. This question was optional and 283 survey participants responded. This summary includes results cross-tabulated by county.

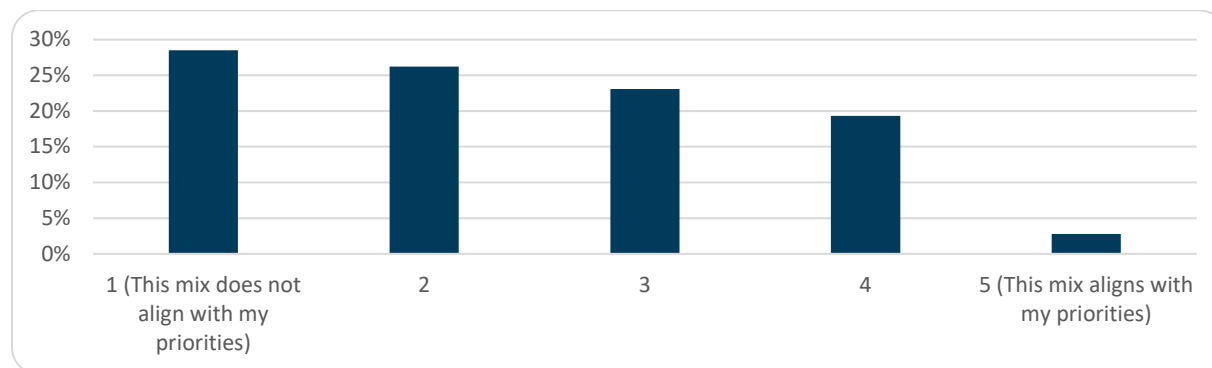
Table 1: Survey participation by county

Value	Percent	Count
Clackamas	12.4%	35
Washington	16.6%	47
Multnomah	68.6%	194
Clark <sup>1</sup>	0.7%	2
Other - Write In	1.8%	5
Totals		283

### Survey Section 1: Transportation Investments

Participants were asked to rank how well the mix of investments in the draft project list match their priorities on a rating system of one to five. A score of one indicated that the mix did not align with the participant's priorities, while a score of five indicated it did align with the participant's priorities. There were 389 survey participants who answered this question. The most frequent response was a score of one (28.5% of participants), and the majority of respondents selected a one or two, **indicating most survey respondents felt that the mix of investments in the 2023 RTP does not match their priorities**. A full breakdown of the scoring scale is shown in Figure 1.

Figure 1: On a scale of 1 to 5, how well does the mix of investment in the draft project list match your priorities? (all responses)



<sup>1</sup> The survey received two responses from Clark County. These responses are included in the figures that reflect "all responses" but were not included in the figures that show by county comparisons due to the small sample size.

There are notable differences between how respondents from the different counties responded. Multnomah county residents were the largest group that responded to this question, with 192 participants. The majority of Multnomah County residents stated that the mix of investments did not align with their priorities: 32.3 % of participants selected one, and 28.6% selected two.

In contrast, 34.3% of Clackamas County participants selected four, indicating that Clackamas County survey participants were more likely to agree that the mix of investments aligned with their priorities. Among Washington County residents, the most frequently selected response was three (27.6% of Washington County respondents). The number of participants from Clackamas and Washington Counties was smaller than those from Multnomah County. For a full breakdown of responses by county, see Figure 2 and Table 2.

Figure 2: On a scale of 1 to 5, how well does the mix of investment in the draft project list match your priorities? (By County)

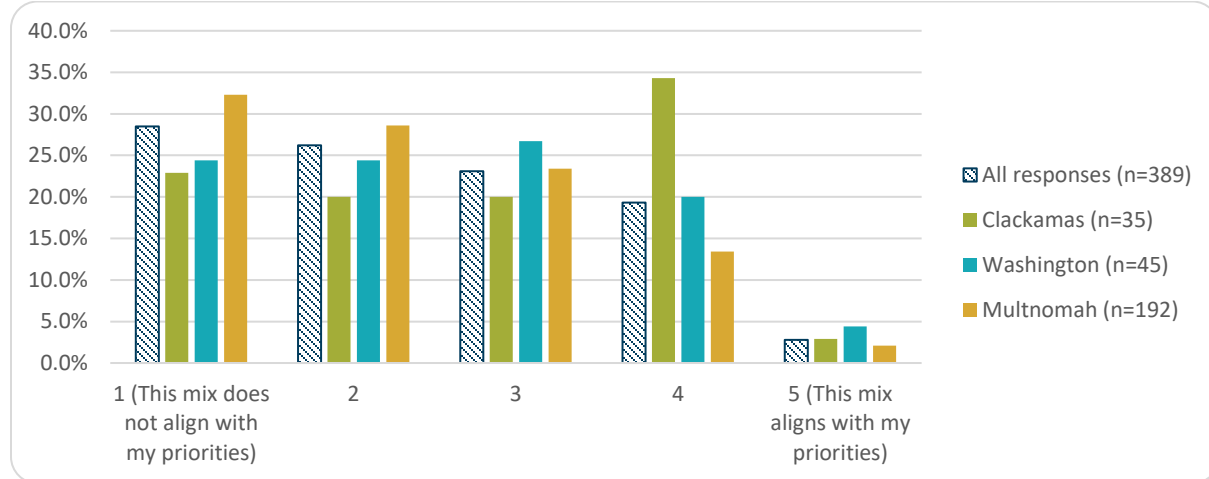


Table 2: On a scale of 1 to 5, how well does the mix of investment in the draft project list match your priorities? (By county)

		Does not align with priorities				Aligns with priorities	
		1	2	3	4	5	Total (n)
<b>All responses</b>	#	111	102	90	75	11	389
	%	28.5%	26.2%	23.1%	19.3%	2.8%	
<b>Clackamas</b>	#	8	7	7	12	1	35
	%	22.9%	20%	20%	34.3%	2.9%	
<b>Washington</b>	#	11	11	12	9	2	45
	%	24.4%	24.4%	26.7%	20%	4.4%	
<b>Multnomah</b>	#	62	55	45	26	4	192
	%	32.3%	28.6%	23.4%	13.5%	2.1%	
<b>Clark</b>	#	1				1	2
	%	50%				50%	
<b>Other (Write in)</b>		#	2	3			5

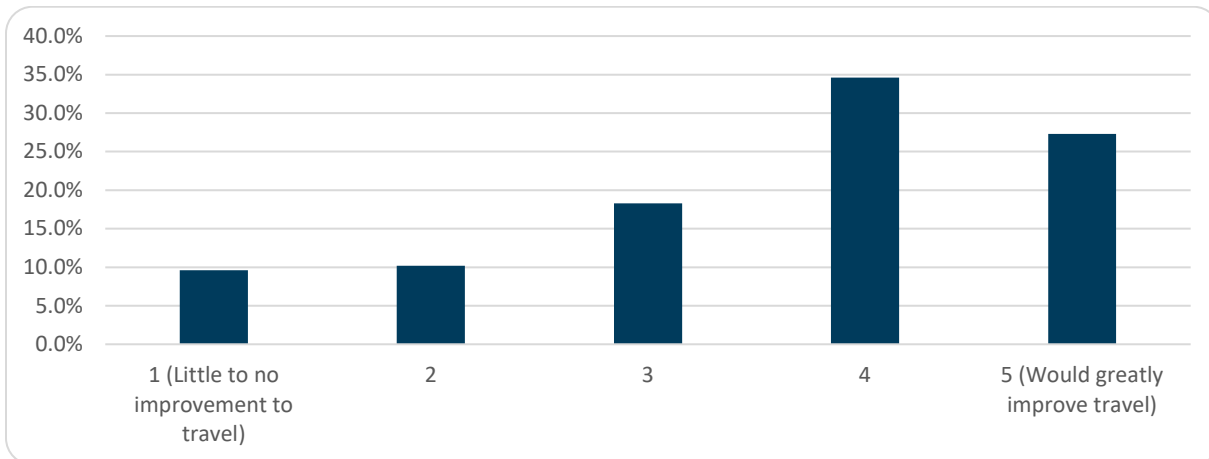
	Does not align with priorities				Aligns with priorities	
	1	2	3	4	5	Total (n)
%	40%	60%				

Survey participants were invited to share their feedback on the priorities for transportation investments in an open-ended question and 321 survey participants provided comments about the transportation investments. Comments are included in Appendix B, Table 13, available on the project webpage.

## Survey Section 2: High Capacity Transit Strategy

Participants were asked how well they think the investment priorities in the High Capacity Transit Strategy will improve travel in the greater Portland area. A response of one indicated that the participant believed the mix will make little to no improvement, while a response of five indicated that they felt the investments will greatly improve travel in the region. In total, 344 participants responded to this question. The most frequent response was four (34.6%) and the second most frequent response was five (27.3%), **indicating that most survey participants felt that the high capacity transit priorities will improve travel throughout the region.** The median score for this question was four. A full breakdown of the scoring scale is shown in Figure 3.

Figure 3: On a scale of 1 to 5, how well do you think the priorities for high capacity transit will improve travel in the greater Portland region? (all responses)



There were 188 respondents who indicated they live in Multnomah County, and most of those respondents ranked this question at a four (35.1%) or five (31.9%). In general, Washington and Clackamas County sentiments were similar to those of Multnomah County, with the majority of responses scoring three, four, or five. However, there was notably higher proportion of Washington (15.2%) and Clackamas County (15.2%) participants than Multnomah County participants who selected a one. See Figure 4 and Table 3 for the full county by county breakdown.

Figure 4: On a scale of 1 to 5, how well do you think the priorities for high capacity transit will improve travel in the greater Portland region? (By county)

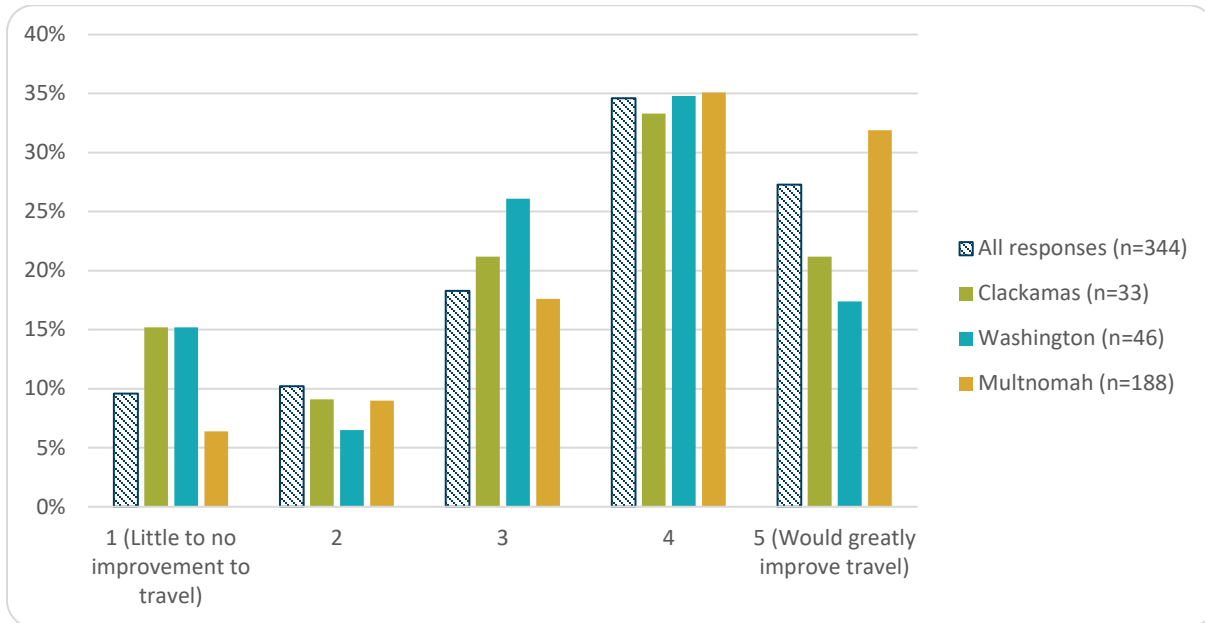


Table 3: On a scale of 1 to 5, how well do you think the priorities for high capacity transit will improve travel in the greater Portland region? (By county)

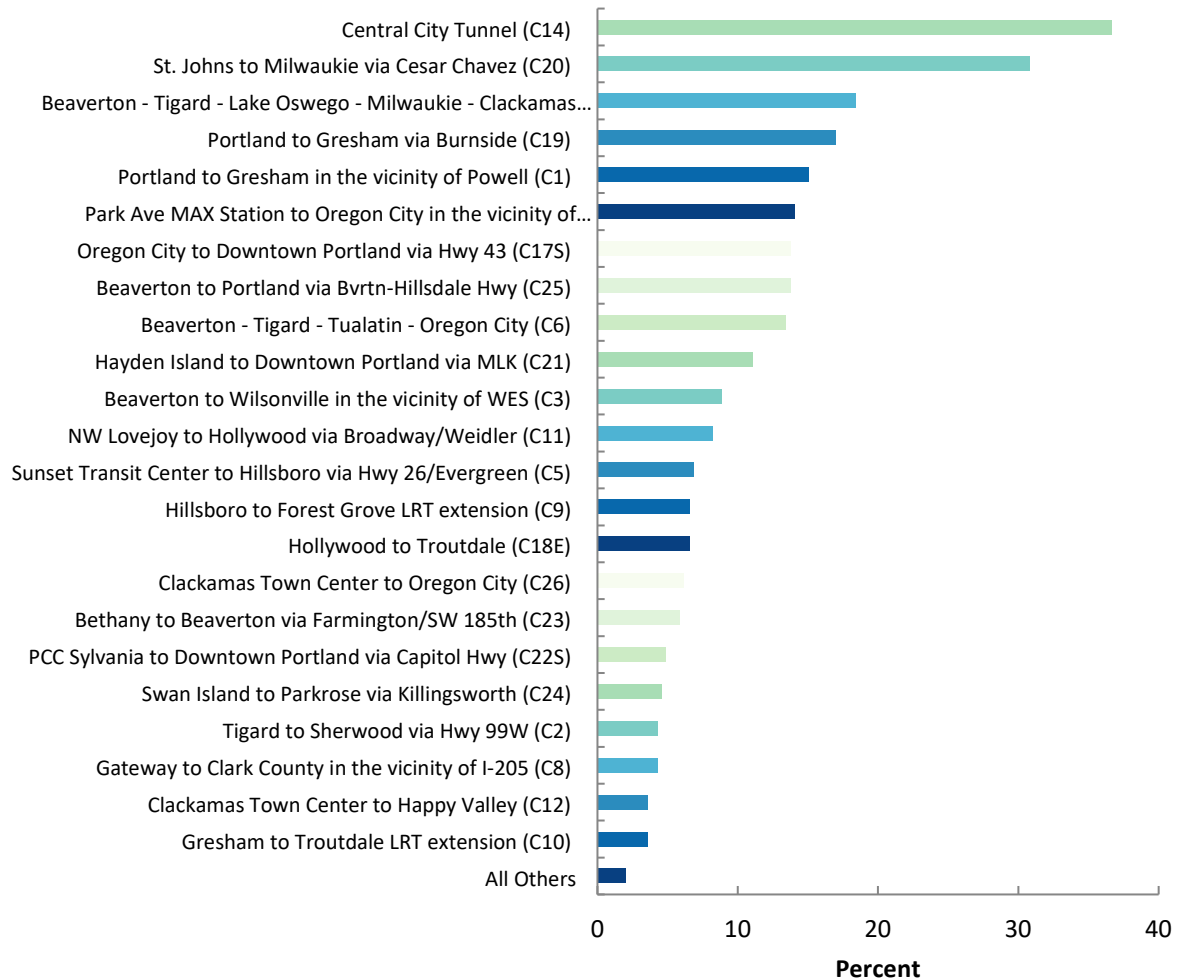
		Little to no improvement to travel				Greatly improve travel	Total
		1	2	3	4	5	
<b>All responses</b>	#	33	35	63	119	94	<b>344</b>
	%	9.6%	10.2%	18.3%	34.6%	27.3%	
<b>Clackamas</b>	#	5	3	7	11	7	<b>33</b>
	%	15.2%	9.1%	21.2%	33.3%	21.2%	
<b>Washington</b>	#	7	3	12	16	8	<b>46</b>
	%	15.2%	6.5%	26.1%	34.8%	17.4%	
<b>Multnomah</b>	#	12	17	33	66	60	<b>188</b>
	%	6.4%	9%	17.6%	35.1%	31.9%	
<b>Clark</b>	#	1			1		<b>2</b>
	%	50%			50%		
<b>Other (Write in)</b>	#	1		1	1	2	<b>5</b>
	%	20%		20%	20%	40%	

Participants were invited to share their thoughts about what decision-makers should consider while the High Capacity Transit Strategy is implemented. A complete list of comments is included in Appendix B, available on the project webpage.

The survey provided information about the priority corridors in the High Capacity Transit Strategy, noting that tier 1 high capacity transit projects have been identified locally and regionally as priorities and are in various stages of implementation. As such, the survey asked participants to consider the corridors identified in tiers 2-4 for and indicate which of those corridors are most important? Participants could select up to three corridors. The corridors most frequently selected by participants as priorities were:

- Central City Tunnel (36.7% of all participants)
- St. Johns to Milwaukie via Cesar Chavez (30.8% of all participants)
- Beaverton – Tigard – Lake Oswego – Milwaukie – Clackamas Town Center (18.4%)

Figure 5: Of the other corridors identified for high capacity transit investments, what corridors are most important to you and your community? (Select up to three)



The top three high capacity transit corridors selected varied slightly between counties, but generally participants across counties prioritized the same corridors. Most notably, Washington County's highest rated corridor was Beaverton - Tigard - Tualatin - Oregon City (40.5%) and Clackamas County's second highest rated corridor was Park Ave MAX Station to Oregon City in the vicinity of McLoughlin (41.9%).

Table 4: Of the other corridors identified for high capacity transit investments, what corridors are most important to you and your community? (Top 5, responses by county)

	All participants		Clackamas County		Washington County		Multnomah County	
	Projects	%	Project	%	Project	%	Project	%
1	Central City Tunnel (C14)	36.7	Beaverton - Tigard - Lake Oswego - Milwaukie - Clackamas Town Center (C4)	51.6	Beaverton - Tigard - Tualatin - Oregon City (C6)	40.5	St. Johns to Milwaukie via Cesar Chavez (C20)	40.7
2	St. Johns to Milwaukie via Cesar Chavez (C20)	30.8	Park Ave MAX Station to Oregon City in the vicinity of McLoughlin (C27)	41.9	Beaverton - Tigard - Lake Oswego - Milwaukie - Clackamas Town Center (C4)	38.1	Central City Tunnel (C14)	40.7
3	Beaverton - Tigard - Lake Oswego - Milwaukie - Clackamas Town Center (C4)	18.4	Oregon City to Downtown Portland via Hwy 43 (C17S)	41.9	Central City Tunnel (C14)	38.1	Portland to Gresham via Burnside (C19)	25
4	Portland to Gresham via Burnside (C19)	17	Clackamas Town Center to Oregon City (C26)	35.5	Beaverton to Wilsonville in the vicinity of WES (C3)	26.2	Portland to Gresham in the vicinity of Powell (C1)	19.2
5	Portland to Gresham in the vicinity of Powell (C1)	15.1	Clackamas Town Center to Happy Valley (C12)	22.6	Beaverton to Portland via Bvrtm-Hillsdale Hwy (C25)	26.2	Hayden Island to Downtown Portland via MLK (C21)	15.1

Survey participants were asked to comment on whether there is anything that cities, counties, Metro, transit providers, and the state should consider while implementing the policies included in the High Capacity Transit Strategy. Comments are included in Appendix B, Table 14, available on the project webpage.

### Survey Section 3: Guiding Policies

The Regional Transportation Plan includes policies that guide decisions and actions in pursuit of vision and goals. Chapter three of the 2023 Regional Transportation Plan includes three new and updated policies: **mobility policies**, **pricing policies**, and **high capacity transit policies**. Survey participants were asked if there is anything that cities, counties, Metro, transit providers, and the state should consider as the policies are being implemented. A complete list of comments is included in Appendix B, available on the project webpage.

Survey participants were asked on a scale of one to five, how well the pricing policies will guide the region's transportation system in the right direction. A selection of one indicated that the participant believed the pricing policies will guide the region's transportation system in the wrong direction, while a selection of five indicated that the policies will guide the region in the right direction. **Most respondents selected four or five, indicating that overall participants believed the pricing policies would guide the region's transportation system in the right direction.** It is notable that the respondents who indicated they disagree with the policy, felt strongly, with more than twice the number of people selecting one than selecting 2. The median score for this question was three. A full breakdown of the responses is shown in Figure 6 for all responses, and Figure 7 and Table 5 for responses by county.

Figure 6: On a scale of 1 to 5, how well do you think the pricing policies guide the region's transportation system in the right direction? (all responses)

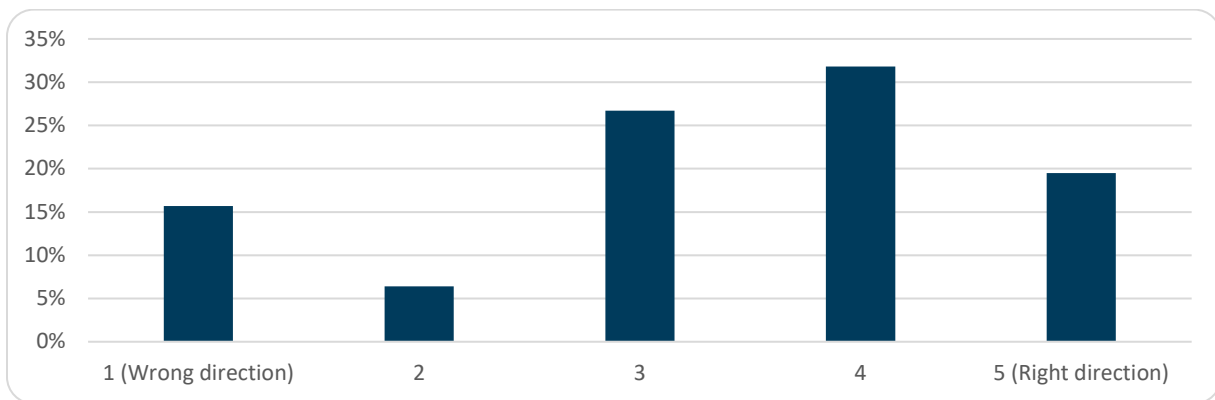


Figure 7: On a scale of 1 to 5, how well do you think the pricing policies guide the region's transportation system in the right direction? (By county)

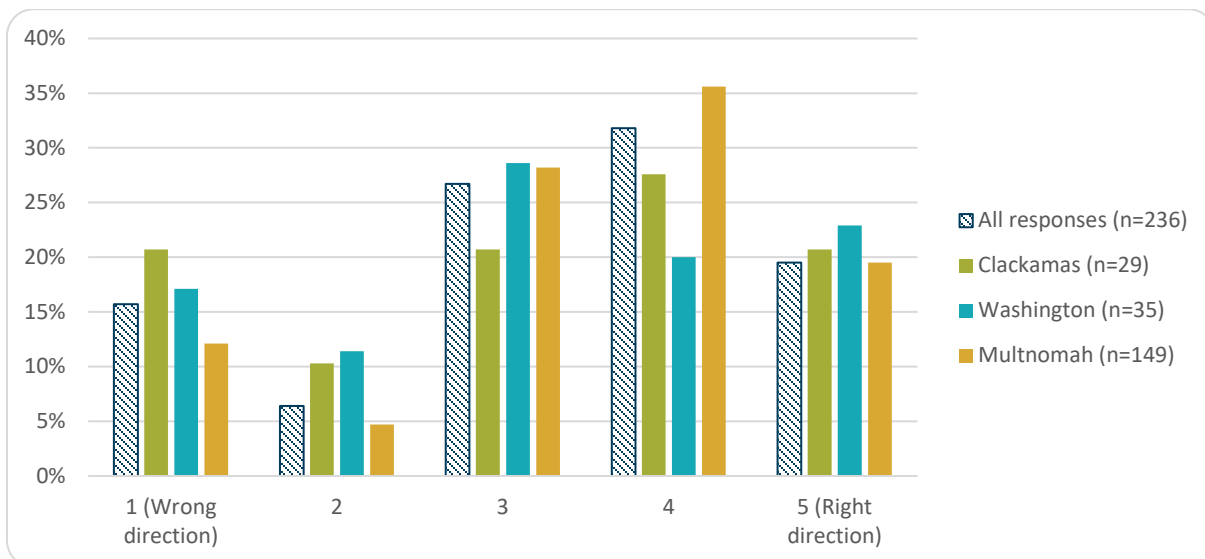


Table 5: On a scale of 1 to 5, how well do you think the pricing policies guide the region's transportation system in the right direction? (By county)

		Wrong direction			Right direction		
		1	2	3	4	5	Total
<b>All responses</b>	#	37	15	63	75	46	<b>236</b>
	%	15.7%	6.4%	26.7%	31.8%	19.5%	
<b>Clackamas</b>	#	6	3	6	8	6	<b>29</b>
	%	20.7%	10.3%	20.7%	27.6%	20.7%	
<b>Washington</b>	#	6	4	10	7	8	<b>35</b>
	%	17.1%	11.4%	28.6%	20%	22.9%	
<b>Multnomah</b>	#	18	7	42	53	29	<b>149</b>
	%	12.1%	4.7%	28.2%	35.6%	19.5%	
<b>Clark</b>	#	1			1		<b>2</b>
	%	50%			50%		
<b>Other (Write in)</b>	#	2		1			<b>3</b>
	%	66.7%		33.3%			

Survey participants were asked on a scale of one to five, how well the mobility policies will guide the region's transportation system in the right direction. A selection of one indicated that the participant believed the mobility policies will guide the region's transportation system in the wrong direction, while a selection of five indicated that it will guide it in the right direction. **Most respondents selected four or five indicating that the mobility policies would guide the region's transportation system in the right direction.** The median score for this section was four. A full breakdown of the scoring scale is shown in Figure 8 for all responses, and Figure 9 and Table 6 for responses by county.

Figure 8: On a scale of 1 to 5, how well do you think the mobility policies guide the region's transportation system in the right direction? (all responses)

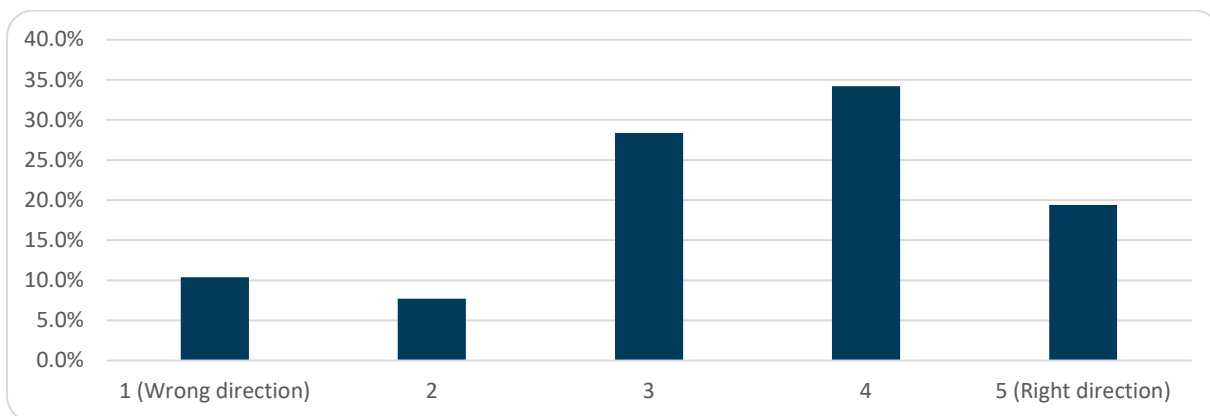


Figure 9: On a scale of 1 to 5, how well do you think the mobility policies guide the region's transportation system in the right direction? (by county)

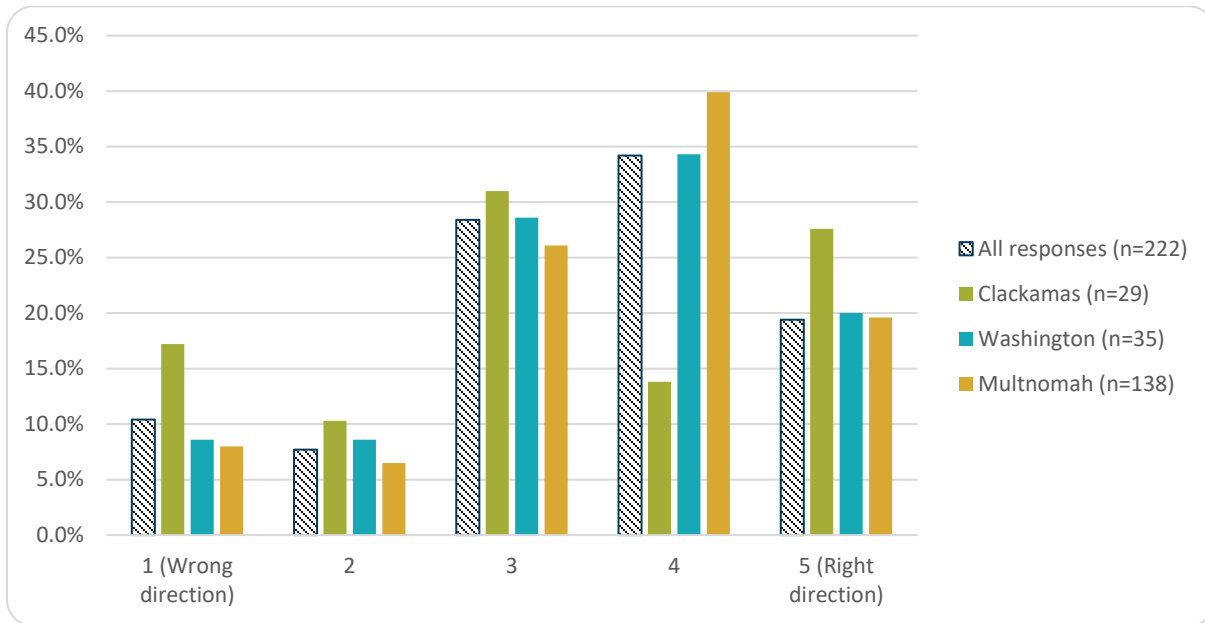


Table 6: On a scale of 1 to 5, how well do you think the mobility policies guide the region's transportation system in the right direction? (by county)

		Wrong direction				Right direction	
		1	2	3	4	5	Total
<b>All responses</b>	#	23	17	63	76	43	<b>222</b>
	%	10.4%	7.7%	28.4%	34.2%	19.4%	
<b>Clackamas</b>	#	5	3	9	4	8	<b>29</b>
	%	17.2%	10.3%	31%	13.8%	27.6%	
<b>Washington</b>	#	3	3	10	12	7	<b>35</b>
	%	8.6%	8.6%	28.6%	34.3%	20%	
<b>Multnomah</b>	#	11	9	36	55	27	<b>138</b>
	%	8%	6.5%	26.1%	39.9%	19.6%	
<b>Clark</b>	#			1		1	<b>2</b>
	%			50%		50%	
<b>Other (Write in)</b>	#	1	1	1			<b>3</b>
	%	33.3%	33.3%	33.3%			

Survey participants were asked if there is anything missing from the mobility policies. The question received 84 responses. A list of all open-ended comment responses to the pricing and mobility policies can be found in Appendix B, available on the project webpage.

## Survey Section 4: Moving Forward Together

Survey participants were asked to share their thoughts in response to two open-ended prompts. Among the hundreds of comments provided, transit, safety and active transportation were the most frequently mentioned topics. For each prompt, the top ten mostly frequently mentioned topics are listed below. Following is a more detailed analysis of those comments and selection of quotes to illustrate the diversity ideas related to each topic.

**Prompt 1: Share one big idea for improving the greater Portland region's transportation system over the next five years.** Responses to this question included the following top 10 themes:

- Transit service and infrastructure (112 comments)
- Active Transportation (60 comments)
- Safety (36 comments)
- Connectivity (30 comments)
- High Capacity Transit (24 comments)
- Climate Change (19 comments)
- Funding (17 comments)
- Freeways (15 comments)
- Choice (14 comments)
- Time (13 comments)

**Prompt 2: If you could tell decision-makers one thing about transportation in greater Portland, what would you want them to know?** Responses to this question included the following top 10 themes:

- Transit service and infrastructure (74 comments)
- Safety (68 comments)
- Active transportation (54 comments)
- Reducing single occupancy vehicle (35 comments)
- Climate change (35 comments)
- Funding (22 comments)
- Land use (19 comments)
- Transportation mode choice (19 comments)
- Time (17 comments)
- Equity (14 comments)

There were 242 responses to the prompt: **Share one big idea for improving the greater Portland region's transportation system over the next five years.** All comments were read and analyzed for their thematic sentiments. The themes are listed below along with the number of comments that mentioned each theme, a brief discussion describing some of the sentiments within each theme and several direct quotes from survey respondents. A full list of comments can be found in Appendix B, available on the project webpage.

**Transit service and infrastructure** was mentioned by 112 survey participants. Most often, participants expressed a desire to see investments in transit frequency, longer operating hours, fewer transfers across the system, and overall improvements to network connectivity. Other participants cited the need for better transit infrastructure including expansion of transit priority lanes, transit stop improvements like better lighting, trash cans, or seating.

*"Pedestrian and bicycle safety should be the greatest priorities. There is too much emphasis on moving vehicles, while pedestrian deaths are increasing."*

*"More express services (that skip stops) along existing lines (both rail and bus)."*

*"Increased frequency across all public modes of transportation and minimum connection times."*

*"Be radical in prioritizing non-drive along modes! Transit, walking, and biking should be the easiest, most efficient, and most attractive options. We need radical investment to shift away from the discouraging trend that is having significant impacts on quality of life in the region."*

**Active Transportation** was mentioned by 60 participants. Commenters frequently mentioned a need to shift mode choice to biking and walking, prioritize project implementation and funding for active transportation infrastructure and craft policies to better address the needs and safety of active transportation users. Several participants also acknowledged the connection between investing in active transportation and addressing climate change.

*"Getting rid of all roadway expansions, increasing access to sidewalks and bike lanes and putting some type of local tolling in place to properly price access to the public right of way so these projects can be implemented more quickly."*

*"We need to adjust the entire transportation system to provide for greater reliance on active transportation, remote work, online shopping, and safer public transit."*

*"Keep pushing bikes, walking, and transit"*

*"Be radical in prioritizing non-drive along modes! Transit, walking, and biking should be the easiest, most efficient, and most attractive options. We need radical investment to shift away from the discouraging trend that is having significant impacts on quality of life in the region."*

**Safety** was a frequently mentioned theme with 36 comments including safety. Mentions of safety concerns included both personal safety and traffic safety concerns. Several survey respondents mentioned a lack of perceived safety on transit as the primary reason for not using that mode. Many commenters raised concerns about the safety of biking and walking on existing infrastructure. Homelessness around transit stops and mixed-use trails was often cited as a barrier for using those modes. Several comments expressed a need to prioritize safety for vulnerable road users, in underserved communities, and for historically marginalized groups.

*“Safety! I want to feel safe in any and all modes of transportation, and I do not.”*

*“The main reason myself and many others I know don't use transit in Portland is because of safety concerns, and discomfort with so many homeless people sleeping or hanging out at the stations and on transit.”*

*“Pedestrian and bicycle safety should be the greatest priorities. There is too much emphasis on moving vehicles, while pedestrian deaths are increasing.”*

*“Think of pedestrians, transit users, and cyclists first. What would make them safer and their travel more convenient? That it the way to incentivize climate-friendly, safer behaviors.”*

**Connectivity** was mentioned by 30 participants. This included comments about increasing intra-regional connections and quick and convenient access to daily destinations between neighborhoods and suburbs. Commenters also expressed a need for connectivity between modes and desire to have better mode choice.

*“connecting the cities that need it. Bigger corridors. I 5 Marquam to I5 Interstate. Make it so.”*

*“Increase transit to the burbs, including Vancouver, to reduce congestion and remove the need to commute by car for suburbanites.”*

*“Portland's great regional transportation system could benefit immensely from a commuter train - one that goes further than a max line, to cities such as Forest Grove, Canby, Wilsonville and other regional cities. This would help cut down on freeway traffic and increase access to Portland from surrounding cities.”*

**High Capacity Transit** was mentioned by participants in 24 comments. These commenters were frequently advocating for the full build out of the MAX light rail system, expansion of commuter trains, or additional rail service to underserved or unserved locations throughout the region. Many commenters suggested that these projects would need to have fast travel times, frequent service, and be easy to use to be successful. Additionally, several comments suggested that High Capacity Transit was an essential component of great urban environments.

*"We need more funding spent on developing efficient high capacity transit and safe/dedicated bicycle facilities."*

*"High speed rail -- look at cities all over the world with excellent surface rail and tram options"*

*"High capacity transit needs to support multi modal transit so that biking the last mile or taking an e-scooter the last mile is easier when leaving home and getting close enough to the final destination."*

*"More spending towards HTC and biking/pedestrian infrastructure. Put Portland back on the map as a truly bike-friendly city!"*

**Climate Change** was a frequently mentioned in 19 comments. Often, this theme came up in comments that were also mentioning a need to prioritize a particular mode of transportation like transit, biking, and walking. Some participants suggested that certain modes or projects should be defunded, deprioritized, or banned due to their contribution to climate change. Some commenters suggested that the singular focus of transportation policy and investment should be the projected impact to the climate.

*"Investing as much as possible in transit to address safety, climate change, equity and affordability in transportation."*

*"Stop cutting mature trees. It takes a long time to replace them and we do not have the time: climate change is here. It is a crisis, and is getting worse. Transportation projects must all be considered with preservation of trees as a high priority."*

*"Declare a regional climate emergency. Stop work on ALL automobile system capital projects, including the IBR, Rose Quarter, 217, and Clackamas County projects. Redirect all of these funds towards building out safe, complete, connected walking, bicycling, and transit systems that serve more than 95% of the region's residents with a sidewalk in front of their house, a separated bicycle facility within 1/4 mile, and a high frequency transit station within 1 mile. These must be completely connected, with no gaps in the system -- just like the road system. There's no place in the region you cannot get to with a car. There should be, by 2030, no place in the region you feel unsafe walking, bicycling, or taking transit to, because the network is so complete and built in a way that separates automobiles from pedestrians and bicycles in a way that even a five year old would be safe using the facility. All the facilities."*

**Funding** was mentioned in 17 comments. Several commenters discussed funding mechanisms to implement transportation policy or influence mode choice. Other commenters suggested an increase or decrease of funding for specific project elements such as transit frequency or safety and enforcement.

*"Increasing the cost of driving and using the proceeds to directly fund improvements in our region with a focus on walking, biking, and transit."*

*"Increase operations funding to run buses more frequently. The secret sauce to Canadian metro's far higher ridership is much more frequent bus service, as well as faster regional scale transit service."*

*"Re-prioritize investments in transit, biking, and walking."*

*"Please look to get new pricing policies implemented as the HIGHEST priority. None of our goals and changes to our network are possible without the funding to do it."*

The topic of **freeways** was mentioned in 15 comments. Many participants expressed a desire to see freeways either defunded and/or deprioritized, while other commenters advocated for more freeways and prioritizing roads for cars and drivers. Several comments also addressed the need to prioritize maintenance of existing freeways and bridges over building new infrastructure. Some commenters offered solutions to better manage existing congestion on major freeways.

*"Reduce funding on freeways and increase funding on urban infrastructure"*

*"Would love to see the highways eventually routed around the city rather than through."*

*"Stop putting most of the dollars into new highways. We can't maintain what we have now. Invest in maintenance plus transit plus walking/biking."*

*"Expand the freeways, especially I-5!!! A major freeway should not be two lanes in the city core!"*

*"Make one I5 lane going to Vancouver flex lanes. Lanes direct traffic to Portland in morning and change direction to direct traffic out of Portland for evening commute"*

*"End the war on cars and align increases in motor vehicle infrastructure capacity with increases in regional population growth coupled with requiring adequate off-street parking with new residential development."*

**Choice** was mentioned in 14 comments. Many commenters identified the need for transportation choice. Commenters also shared an understanding about how transportation choice can be influenced by many factors like perception, encouragement, convenience, and cost.

*"Allowing Portlanders to choose what type of transportation they would like to take vs. forcing them to take politicians ideas."*

*"It has to be a balance of carrots and sticks - an imbalance will lead people to dig heels in. For example: congestion pricing paired with greater-than-every-10-minute buses during rush hour; increased parking fees paired with subsidies for bikes and e-bikes (not just Niketown, but personal bikes); incentives for people who bus or bike to sports arenas paired with taxes added to the cost of parking; Assessing "rideshare" oversight to*

*increase what that costs and how it is used, paired with better infrastructure for getting sick and disabled people to and from doctor's appointments, etc."*

**Time** was a common sentiment among survey participants with 13 comments, with many comments about freeway bottle necks, congestion, and reducing travel time on transit.

*"Identify and alleviate bottlenecks at busy intersections, etc. to keep traffic moving smoothly."*

*"Improve congestion and commute times for all modes of transportation. Improve safety on trains and buses and address drug use issues n public transit."*

*"Implement system-wide bus stop consolidation / bus stop balancing to improve bus speeds and reduce transit delay."*

The topic of **tolling or road pricing** came up in 11 comments. Many participants supported tolling to manage demand or increase regional transportation funding. Commenters also mentioned the need to implement tolling equitably and mitigate the negative impacts that it could have on low-income community members. Other commenters were opposed to the introduction of tolling in the region.

*"Congestion pricing in the greater Portland region, if equitably implemented, could manage roadway demand; by funneling generated revenue into safety enhancements and alternative transportation options, we could reduce the region's reliance on single-occupancy vehicles. reduce the amount we need to spend on highways, and meet our climate action targets at the same time."*

*"Implement tolls and mileage charges that actually account for the currently unpaid external costs of driving to our climate and health, etc. These charges will be be hard to afford for many families. So there should then be substantial INCOME-BASED rebates. Let's make it economically and practically preferable to take transit, walk or bike for more trips."*

*"Focus on centrally-planned, high capacity regional transit projects. You can toll the \*\*\*\*\* out of us, but you have to have something to show for it."*

*"High speed left lane use, even if it requires a fee. More highway patrol to keep slow traffic out of the left lane. High speed trains. NO toll roads. That severely impacts low income workers."*

**Land Use** was mentioned in 11 comments. Some commenters indirectly referred to the topic of land use by describing the way that space is currently used or how they felt space should be used. Other commenters also referred more directly to the connection between land-use policy and transportation demand, citing the need for more housing or density to shift the balance of mode choice.

*“expanding public services, not implementing tolls, working with businesses to maintain work from home, and working with communities outside of the greater Portland area to move their businesses to spaces less congested”*

*“increased density in desirable single family neighborhoods that are already transit oriented.”*

*“Upzone the whole city to allow “missing middle” housing, especially within a quarter mile of transit corridors.”*

*“One big idea I have is a Downtown Portland central city transit center with affordable housing at the end of the Transit Mall. This can greatly improve transfers to other bus lines with comfortable and safe shelter from the elements. And better layover facility for bus operators.”*

**Fares** was mentioned by survey participants in 11 comments. Many of the comments about transit fares urge policies to implement free or reduced transit fares for all transit users.

*“Push for free public transit and expanding accessibility and efficiency as well as electrifying public transit.”*

*“Make public transit free for all!”*

*“Make public transit FREE and become the true national leader in transportation.”*

**Accessibility** was mentioned as a concern in nine comments. Many of the comments that mentioned accessibility were referring specifically about accessibility on transit for individuals who were not able to drive, mentioning long wait time, lack of access, or not enough wheelchair accessible vehicles to and from necessary destinations.

*“Investing money into the wheelchair accessible vehicles available to provide trips. People who live in outlying areas such as Tualatin, Hillsboro, outer Gresham etc. have a very hard time getting a ride. Taxis don't want to drive that far outside of Portland. And buses are not easy for everyone to use and are often already full making people in wheelchairs wait for the next bus. We need to help companies purchase /maintain and operate these vehicles. We need more electric wheelchair vans and subsidies that allow taxi and other companies buy them.”*

*“ More reliable transportation for folks with disabilities. Not having to wait for a two hour range of times.”*

Commenters mentioned **reducing single occupancy vehicle** trips eight times. Many of them shared that they wanted regional policy to deprioritize or disincentivize these types of trips.

*“make it harder to choose transportation by single-occupancy vehicle because the other options are so clearly better”*

*“Stop thinking of single car driving all over, & make it feasible to get around. The present system excludes my travel by any public transport, because of the complex routes of buses to Max.”*

*“Get individuals out of their cars and into mass transit. Make mass transit faster and easier than a personal vehicle.”*

Prompt 2: survey participants were asked to **share one thing they would like to share with decision-makers about transportation in greater Portland**. This section received 250 open-ended comment responses. All of these comments were read and analyzed for their top thematic sentiments. The themes are listed below with along with reference to the number of comments that mentioned each theme, a brief discussion describing some of the sentiments within themes and several direct quotes from survey respondents. A full list of comments can be found in Appendix B, available on the project webpage.

**Transit service and infrastructure** was mentioned in 74 comments. Safety or the perception of safety while taking transit was a frequently mentioned concern. Many comments referenced this as a barrier to using transit more regularly.

*“I am a single disabled parent with a young child, and every time we take public transportation there is some incident that makes us feel unsafe. Help us feel safe in our city again make Portland the city that everyone used to love. Fix our safety concerns.”*

*“Our public transit first needs to be CLEAN and SAFE before higher income riders will switch from using a car to using public transit regularly.”*

*“The perception of transit needs to be that it's as easy to ride and as safe to ride as a personal vehicle in order to get enough to ride transit to reach your goals.”*

*“A focus on safety is the most important thing that we need to bring people back to public transit. I was an every-day rider but no longer feel safe on the train post-covid.”*

Participants frequently brought up the topic of **Safety**, it was mentioned in 68 comments. Many participants expressed concern for their own physical safety while using roads or concern for vulnerable road users, especially in East Portland.

*“It's scary. Dangerous drivers are not held accountable for their actions. Dangerous people surround public transit with no security to keep people in check. Some bicycle routes are still a little sketchy. People want to feel safe.”*

*“I've gone from not having a drivers license and riding my bike virtually everywhere for almost 10 years to feeling like I had to get my license at 41 years old and now taking most of my trips by car. I feel less and less safe on the roads on my bike, particularly in East Portland, where I live, and I'm sick of relying on infrastructure that is spotty, incomplete, poorly maintained, and that doesn't take me directly where I want to go.”*

*“The roads have to get safer. More transit, bike, peds only infrastructure.”*

*"My greatest fear as a daily biker is dying because a speeding or distracted or angry driver hits me"*

*"I am very concerned about how fast cars are traveling. I am very concerned about the increasing weight, and therefore momentum, of cars. I know this isn't your area, but if you can pass this along I would appreciate it. I am also very concerned about air quality."*

**Active transportation** was mentioned often by 54 survey participants, many advocating for more infrastructure to support the use of these modes and more investment and funding for these modes. Other comments mentioned the connection between safety and spending for active transportation projects. Some comments mentioned additional benefits of active transportation such as quality of life, affordability, and sustainability.

*"Focus on alternatives for all the citizens (and visitors) that prefer public transportation, biking & walking."*

*"you can save money, reduce greenhouse gas emissions, increase affordable transportation, improve quality of life, make roads safer, and make our cities quieter and greener by pricing driving and investing funds in transit, walking and bicycling."*

*"Less car infrastructure. More bike, bus, train infrastructure."*

*"Go all in on transit/walking/biking infrastructure."*

*"Too many people are dying. Reconstructing our existing road network for safe speeds and safe crossings should be top priority in our transportation spending, not only in our rhetoric."*

**Reducing single occupancy vehicle** use suggested in 35 comments. Many survey participants mentioned a need to reduce SOV trips and auto dependency due to safety and sustainability concerns.

*"The emphasis on vehicle throughput has to end. Our roads are too dangerous and our auto-oriented transportation system has no future. We have to start planning with this reality as our guiding principle."*

*"SOV dependence is regressive and unsustainable. Transitioning off fossil fuel modes and revenue is how we will achieve economic prosperity and sustainability."*

Participants mentioned the topic of **climate change** 35 times in their feedback. Many participants wanted elected officials to understand the urgency and importance of climate change and the impact that transportation policy could have on the region's climate future.

*"Greater Portland has the opportunity to be one the forefront of addressing climate change by decisions to increase the equitability, reliability, and frequency of active and public transit options. But we need to act now, this is a climate emergency."*

*"We are in a climate and affordability crisis. All modes that help alleviate these issues (walking/biking/transit) should be receiving our support and investment."*

*"The time to be bold is now. Today is the day to meet the challenges of the future. The region is already experiencing heat wave after heat wave after fire season after fire season. We will never see returns on investments in roads built for cars. We have to stop acting like that's not the truth of this moment in history."*

**Funding** was a frequently mentioned topic that was mentioned in 22 comments. Many of these comments mentioned using funding to prioritize projects based on policy goals like reduced motor vehicle dependence or increased walking and biking. Others mentioned the need to develop new funding sources. Some comments mentioned the need to allocate funding equitably to communities that are underfunded, like East Portland.

*"Focus attention on funding quick-build projects that look to reallocate the resources and space that already exist, so that more people can take transit, bike, and/or walk to some of the places they need to go. Fund programs that help incentivize using the infrastructure and generally figure out how to make streets in our region desirable places to be outside of a vehicle."*

*"There is almost no situation in which we can overinvest in transit, walking, and biking. What would do we have in 20 years where we look back and say, 'I wish we would have spent less on transit/walking/biking.'? I can think of endless scenarios where the opposite is true, where we look back in 5, 10, 20 years, and lament how we should have done more. Now is the time for action."*

*"East County Portland and other marginalized areas continue to need more investments in transportation options."*

*"Invest now in reliable mass transit and reap the benefits in the near future -- look at how many cities who have! Look outside the United States!"*

*"Seek new funding sources, don't give up, continue revising proposals until voters say yes."*

*"It is hard to allocate funding towards a future that does not yet exist, but is imminent. Cars are not sustainable and we need investments to be made with this consideration front of mind."*

**Land use** was mentioned by participants in 19 comments. Participants mentioned the connection between land use policies and how those policies impact the transportation system.

*"Transportation is largely a result of our land use. Investments in transportation are only successful if they are coordinated effectively with density, mixing of uses, mixing of types of businesses, mixing of different housing types."*

*“Let's once again become a world leader in transportation and land use innovation.”*

The topic of **transportation mode choice** came up frequently with 19 mentions. Many commenters expressed a desire to have more choices that would allow them to move through the region quickly and efficiently. Some comments mentioned the impact that perceived safety has on their mode choice. Other comments mentioned that travel time was a primary factor in mode choice and that preference wasn't the real concern for most people.

*“Provide more transit options to cross the region quickly”*

*“A lot more people would be multi-modal if they understood its benefits and felt safe using alternative modes of transportation.”*

*“People don't actually care about driving - they just want to get where they are going to as fast as possible. They will use whatever transit mode lets them do this.”*

*“I want us to be the transit capital of the United States where Portlanders are more likely to take a bus or train instead of driving from point A to point B.”*

*“We need to drastically reduce the number of private vehicles being used”*

**Time** was mentioned by 17 survey participants. Many mentioned time in relation to how they make their own transportation choices. Others addressed the need for frequency and reliable travel times for new and existing transit routes.

*“I would love to use more public transportation and get out of my car but, in almost all cases, the time/value proposition isn't there. As an anecdotal example, from my home in NE Portland I can be at the airport (where I work) in 15 minutes. With Trimet it would take 1 hr 18 minutes for the 8 mile journey. That will never incentivize me to take public transit. Look to Zurich, Switzerland as a model. Frequency, low connection times and reliability make public transit a viable and thriving alternative to the car.”*

*“Focusing on 'reliable' timing for all users, including those who drive on freeways underscores the basic function people use to determine which mode they will take. If freeways are available and reliable, people will still choose to drive as it is by and large: the fastest way to get around. I hope we can seriously look at how we can seriously revise freeway use around the region, and/or utilize closing lanes and exits to destinations that people can and should access via transit. I hope METRO reviews ways we can make freeways reliable for freight, transit, and emergency services only, and not drive-alone trips with tools other than congestion pricing, cordon pricing, etc.”*

*“12 or 15 minute wait times are not fast transit. 5 minutes or less is fast transit everywhere else in the world and that needs to be our baseline.”*

*“It should be faster to get to the airport without a car. Bus shuttles? We can do better!”*

**Equity** was a frequently mentioned theme with 14 participants mentioning this topic. Some of the comments related to equity were about prioritizing the needs of marginalized community members and underserved populations. Other equity related comments were specifically focused on geographic equity in locations that have unmet transportation infrastructure and service needs.

*“You must first consider the needs of the most marginalized and work outward from there. If you solve for vulnerable populations, you lift everyone.”*

*“I advocate for people with disabilities. I hear all the time that they can't get to church, can't get to the grocery store and can't go out with friends because transportation is unreliable or won't serve the areas they live in. This problem is only going to get worse. We need to be investing in services for people who use wheelchairs/mobility devices.”*

*“East County Portland and other marginalized areas continue to need more investments in transportation options.”*

*“I've gone from not having a drivers license and riding my bike virtually everywhere for almost 10 years to feeling like I had to get my license at 41 years old and now taking most of my trips by car. I feel less and less safe on the roads on my bike, particularly in East Portland, where I live, and I'm sick of relying on infrastructure that is spotty, incomplete, poorly maintained, and that doesn't take me directly where I want to go.”*

The desire to see better **connectivity** and concerns about a lack of connectivity across the region was mentioned by 12 survey participants. Some comments mentioned the need for better connections in specific locations or between specific destinations. Others mentioned a desire to see a more developed high capacity transit network to connect cities and suburban locations.

*“So far they've done a terrible job in East Portland. It's clear they have no real understanding of what it's like to live here and what the barriers are to get people in East Portland to adopt multi-modal forms of transportation. Which are mainly the long distances they have to travel to do even the simplest things because there is a lack of jobs, a lack of basic amenities like grocery stores and community assets”*

*“Old model of centralized transit hub focused on rush-hour travel in downtown Portland is dead.”*

*“Provide more transit options to cross the region quickly”*

*“We need to begin developing efficient public rail or other transit options between cities and high volume destination points within the region and state to reduce VMTs and emissions.”*

The topic of **governance** came up in 11 comments. Some commenters expressed skepticism or distrust in the government's ability or interests in meeting the needs of the public. Other comments mentioned the presence of divisive politics as a barrier to achieving policy goals or making change. Other comments expressed a desire to see more leadership and political will from their elected officials.

*"The input of the majority of citizens will be ignored."*

*"You have consistently failed the citizenry. Try listening to people outside your weird political echo chamber."*

*"We need true regional partnerships and leadership. Things today are too divisive and anti-car."*

*"Get out on the system (not in a car) and see it for yourself. Electeds and their appointed staff need to be walking, biking, and taking transit to really understand the issues that are facing people who already rely on those modes, and figure out what will bring more people out of their cars and into more sustainable transportation options."*

*"In my circles, Portland has long had a reputation for having transit- and bike/ped-friendly design. However, I think that is much truer for the urban core than the more outlying areas, even within city limits. I'm often surprised to see how much the urban form (such as around 82nd Ave to the east) resemble any other auto-oriented city in the country, and how sidewalks end abruptly and bike lanes are nowhere to be found. I hope the city builds on its reputation in the urban core and extends that vision throughout the entire city and into the metro region. I think the RTP approach and vision are absolutely on track. We will just need the funding and political will to implement them."*

Expanding or maintaining **driving lanes for single occupancy vehicles** was mentioned by eight participants. Some expressed frustration over the perception that reallocation of road space from cars to other modes causes congestion or that drivers fund the roads. Others mentioned lack of safety or lack of education around biking and transit keeps them driving instead of other modes.

*"Get the rocks out of your heads. We already have wasted tons of money on bike lanes that are seldom if ever used. People in my area steal cars if they want a ride - they don't ride bikes or take buses. That's the reality yet the officials keep creating useless bike lanes that make it hard for cars to travel."*

*"Stop making it difficult to drive in Portland. Annoying people out of their cars isn't a practical strategy."*

*"Start listening to taxpaying motorists and establish financial accountability from alternative mode users."*

Survey participants were asked to select resources (if any) participants reviewed. The most reviewed resource was the interactive map of projects in the 2023 Regional Transportation Plan (78.8%) closely followed by the 2023 Regional Transportation Plan Executive Summary. The least reviewed resource was the Public Review Draft High Capacity Transit Strategy (31.3%). About 50% of respondents reviewed the remaining three resources. A full breakdown of the selections can be found in figure 13. Participants were asked to rank how helpful each of the resources were on a scale from not helpful or informative to very helpful and informative. The most helpful resource was the interactive map and the least helpful resource was the 2023 RTP Executive Summary. A majority of respondents rated the resources as neutral. Figure 14 showcases how helpful survey participants found each resource.

## Survey Section 5: Demographics

The survey asked participants to share more about themselves through optional demographic questions to determine whether the respondents reflect the region's diverse communities and broad range of experiences.

Metro recognizes that there is typically an opt-in bias that occurs with online engagement opportunities like this one. This often results in an over-representation of people who have the time, comfort, and access to participate. This skews participation toward higher-income people who speak English and have a level of trust in government.

### Zip code

The survey asked participants to share their zip code. The question gathered 276 responses. People from 64 different zip codes participated in the online tool.

*Table 7: Participant Zip Codes*

# of participant responses	Zip Codes
22	97202
21	97214
20	97206
13	97215, 97232
10	97203, 97217, 97223
9	97222
8	97219, 97211

7	97213, 97239
6	97045, 97201, 97212, 97221, 97225
5	97006,
4	97003, 97005, 97209, 97216,
3	97086, 97210, 97224, 97229, 97233
2	97034, 97035, 97062, 97116, 97123, 97218, 97220, 97230, 97267,
1	97004, 97007, 97009, 97013, 97015, 97024, 97027, 97030, 97031, 97060, 97063, 97068, 97070, 97078, 97089, 97124, 97132, 97140, 97228, 97231, 97236, 97301, 97321, 97335, 98660, 98683

## County

The survey asked participants to share the county they live in. The question gathered 283 responses.

68.6% of survey participants indicated they live in Multnomah County. Washington County was the second most selected option indicated by 16.6% of respondents and 12.4% of respondents indicated that they live in Clackamas County.

## Racial or ethnic identity

The survey asked participants to share their racial or ethnic identity. The question gathered 294 responses.

Compared to the metropolitan Portland area demographic averages, according to the 2020 Census, the survey overrepresents respondents who identify as White, and underrepresents other respondents who identify as people of color (American or Indian/Native American or Alaska Native; Asian or Asian American; Black or African American; Hispanic, Latino or Spanish origin) and Other.

Table 8: Racial or ethnic identity

Racial or Ethnic Identity	Survey respondents	Metropolitan Portland area
American or Indian/Native American or Alaska Native	1.5%	3.4%
Asian or Asian American	4.8%	11.3%
Black or African American	2.2%	5.3%

<b>Hispanic, Latino or Spanish origin</b>	4%	13.8%
<b>Pacific Islander</b>	0%	<i>Data not available</i>
<b>White</b>	75.7%	66.0%
<b>Race/ethnicity not listed</b>	3.3%	<i>Data not available</i>
<b>Prefer not to answer</b>	16.5%	<i>Data not available</i>

## Annual household income

The survey asked participants to share their annual household income. The question gathered 272 responses. The largest percentage (20.6%) of responses came from participants who didn't know or preferred not to answer. The second highest percentage of responses (18.8%) came from participants with a household income of \$100,000 or more. The lowest percentage (1.8%) of responses came from those with a household income of less than \$10,000.

Table 9: Annual household income

<b>Annual Household Income</b>	<b>Survey Respondents</b>	
	% of respondents	# of respondents
<b>Less than \$10,000</b>	1.8%	5
<b>\$10,000 to \$19,999</b>	4.8%	13
<b>\$20,000 to \$29,999</b>	2.9%	8
<b>\$30,000 to \$39,999</b>	2.6%	7
<b>\$40,000 to \$49,999</b>	4.0%	11
<b>\$50,000 to \$74,999</b>	12.9%	35
<b>\$75,000 to \$99,000</b>	13.6%	37
<b>\$100,000 to \$149,999</b>	18.8%	51
<b>\$150,000 or more</b>	18%	49
<b><i>Don't know/Prefer not to answer</i></b>	20.6%	56

## Household Size

The survey asked participants to share how many people live in their household. The question gathered 258 responses. The largest percentage of responses (44.2%) came from participants with two people living in their household. The lowest percentage of responses (.8%) came from participants with **seven** people living in their household.

Table 10: Household size

Number of people on the household	Survey Respondents	
	% of respondents	# of respondents
1	24.8%	64
2	44.2%	114
3	12.4%	32
4	12%	31
5	4.7%	12
6	1.2%	3
7	.8%	2
<b>Total</b>		<b>258</b>

## Gender

The survey asked participants to share their gender. The question gathered 276 responses.

Roughly 50% of the people who responded to this question self-reported as men. 35% as women, and the remaining 15% self-reported as non-binary or chose not to respond to the survey. Compared to the metropolitan Portland area demographic averages in the 2020 Census, the spread of survey respondents represents a similar distribution of genders. It is worth noting that the census data does not include response data from non-binary or genderqueer individuals, which could explain the difference.

Table 11: Gender

Gender categories	Survey respondents	Metropolitan Portland area
<b>A gender not listed here</b>	.4%	<i>Data not available</i>
<b>Man</b>	48.9%	49.48%
<b>Non-binary, Genderqueer or Third Gender</b>	2.9%	<i>Data not available</i>
<b>Prefer not to respond</b>	12.7%	<i>Data not available</i>
<b>Woman</b>	35.1%	50.52%

## Disability

The survey asked participants to share if they identify as a person with a disability (including but not limited to vision, hearing, speech, mobility, cognitive, and invisible disabilities). The question gathered 271 responses.

Most survey participants responded that they do not identify as a person with a disability (69.4%) followed by those who do identify as a person with a disability (19.2%) and those who opted not to respond (11.4%)

Metropolitan Portland area demographic averages, according to the 2020 Census, were not readily available for people who identify as a person with a disability.

## Age

The survey participants were asked to share their age. The question gathered 274 responses.

A vast majority of respondents were between the ages of 25 and 74 Compared to the metropolitan Portland area demographic averages, according to the 2020 Census, the spread of survey respondents underrepresents people ages 24 and under and overrepresents people between 35 and 74.

Table 12: Age

Age categories	Survey respondents	Metropolitan Portland area
<b>Under 18</b>	.4%	20.60%
<b>18-24</b>	6.2%	7.93%
<b>25-34</b>	20.8%	16.49%
<b>35-44</b>	25.2%	15.44%
<b>45-54</b>	14.2%	13.22%
<b>55-64</b>	9.5%	11.98%
<b>65-74</b>	10.9%	8.86%
<b>75 and older</b>	4%	5.48%
<b>Prefer not to answer</b>	8.8%	<i>Data not available</i>

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

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September 2023



**PUBLIC REVIEW DRAFT**  
**2023 REGIONAL TRANSPORTATION PLAN**  
**Email Public Comments**

July 10 – August 25, 2023

[oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)

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**From:** Greg and Susan Aldrich <[REDACTED]>  
**Sent:** Friday, August 25, 2023 7:57 AM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]2023 RTP public comment

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Greetings,

I tried to use your online survey several times, but it never worked. So I'm submitting a few comments here.

1 - I couldn't find anything in the draft plan to address high speed light rail. The current MAX system works well where there is a dedicated ROW. The east-west lines fail miserably between Goose Hollow and the east end of the Lloyd District. It takes an incredibly long time to cross downtown which greatly reduces its viability in providing quick service across the metro area. Also, the Steel Bridge connection is very problematic. It often is the cause of delays and it will most likely fail in a major earthquake. This is not how our system should be developed. Also, most residents don't work or live downtown, so a better crosstown system is needed. Yes a subway under downtown will be expensive. But it offers the best long term solution for an effective and speedy system. Without speed, the ability to encourage drivers to take transit remains unsuccessful.

2 - I find the lack of any carpool system short sided. The plan acknowledges that most folks need to drive and new highway corridors are not proposed. Adding carpool options makes for more efficient use of the existing freeway ROWs. The existing NB I-5 carpool lane is an terrible example of how to implement one. Having the carpool lane end just before the mergers around Hayden Island is crazy. What incentive is there to encourage carpool? If the carpool lane were extended to the state line or WA 14, it would provide relief to the existing bottleneck. This might actually encourage formation of carpools and enhance usage. The other issue is that the carpool hours of usage (3-6pm) do not reflect actual congestion periods, which have extended to more than the 3 hours currently used.

In addition, if the region is truly serious about more fully utilizing the existing freeway system, it should strongly consider converting the third lane on the 6-lane freeways to either carpool only lanes (won't be very popular) or carpool/toll lanes like I-405 in the Seattle area (likely more acceptable), where the lane is free for carpools.

3 - Bicycle & Pedestrian Safety - I applaud the efforts to increase bicycle and pedestrian safety. However, all actions don't need to be physical improvements. Vehicles are required to stop for

pedestrians in marked and unmarked crosswalks. Clearly signalized intersections require peds to wait for the appropriate signal; nevertheless, vehicles still need to stop. Unfortunately, there are virtually no PSAs or regular reminders for motorists. Yes, the requirements are spelled out in the driver's manual but when was the last time most folks looked at one? Given that driver's licenses can now be renewed endlessly without any testing, how are drivers going to remember? Finally, enforcement of the 'not stopping for peds' is almost non-existent. Even when a few pedestrian crosswalk 'sting' enforcement operations took place, I'm not aware that they ever did enforcement at unmarked crosswalks. Now you have a better understanding of why ped accidents and death are increasing; it's not just bigger cars.

What can be done that should be included in the RTP:

- PSAs and other reminders about stopping for peds in both marked and unmarked crosswalks
- Real enforcement for motorists not stopping when legally required
- Encourage Oregon DOT/DMV to require driver's license testing for every license renewal. The testing should include questions about peds/bicycles/motorcycles as well as all the new driving laws passed in recent years.

There may be a tendency to think such funds shouldn't be allocated in the RTP. This doesn't make sense since the public announcements and enforcement activities represent operational funding, just like for road maintenance and public transit. Operational activities to minimize accidents and deaths are important enough to be funded. It part of the regional commitment to Vision Zero.

4 - I-5 / Boone's Ferry Bridge - This bridge is another critical link in our regional and highway network. Upgrading it for seismic needs is necessary. In addition, the RTP should figure out a way to minimize the accident bottleneck that occurs on and near the bridge all too frequently. How many times a year is I-5 closed in one direction often for hours? This is not acceptable. The RTP should consider adding two more lanes that are physically separated from the NB and SB lanes. That way, when there is an incident that causes a closure in the regular travel lanes, traffic can be rerouted into these 'extra' lanes. During regular times, these new lanes could be used for extra capacity according to traffic needs. This would be similar to the I-5 express lanes in Seattle.

5 - 99W/I-5 Connector - the information found in the draft RTP doesn't seem to include a complete connection from the current terminus of OR 18 at OR 219 in Newberg. Any planning for a connector to I-5 must start at OR 219. Since the ODOT has been developing the new portions of OR 18 as a limited access highway, it makes logical sense to make the connection to I-5 also limited access. Just ending OR 18 north of Newberg at OR 99W makes little sense. OR 99W is already rapidly developing in the Sherwood area and traffic volumes are increasing. This development will likely continue in Clackamas, Washington and Yamhill Counties, making a high quality connection very critical long before 2045. Please think of the 99W/I-5 Connector as a full continuation of the new OR 18, which already being developed to limited access highway standards

I hope these comments represent some useful thoughts and recommendations for the draft RTP. I appreciate the opportunity to comment. Also, many thanks for all the effort Metro and the region have put into developing this new RTP. Should you have any questions about my comments, please do contact me.

Sincerely,

Greg Aldrich  
Portland, Oregon

August 9, 2023

## 2023 Draft Regional Transportation Plan Comment

The Brooklyn neighborhood is the forgotten child of the Portland Metro area. It is literally an island cut off from the Portland mainland by past transportation projects. Highway 26 forms a northern border; Holgate boulevard the southern. Freight rail and MAX tracks slice through the east, and McLoughlin Boulevard carves away our river access and waterfront park on the west side.

The 2023 Draft Transportation Plan continues this abuse and neglect of our neighborhood. It continues to prioritize the throughput of motor vehicles and freight over safety and other forms of mobility. What is proposed for the Powell corridor, Holgate Boulevard, and McLoughlin Boulevard is woefully insufficient for the needs of pedestrians, cyclists, and the disabled who live in the neighborhood. It falls far short in correcting past injustices to this area.

Project #10307 -Holgate Boulevard from McLoughlin to 92nd Street.

This project aims for walking and biking improvement, with enhanced pedestrian crossings, bus stop improvements, lighting, bike network improvements, and also signal upgrades and street paving improvements. All this is covered under a \$5.5 million budget? That is insanity. The budget will cover one of those above items, not all of them or even a part of several of them. The budget needs to be 10 times that amount to make any meaningful difference on Holgate.

Project #10259 and #12229 -Inner Powell Corridor

ODOT and local jurisdictions are co-operating here for safety improvements including pedestrian and bike crossings, signals, median islands with trees, and intersection redesign. The budget is more realistic, at > \$69 million. What is not included is significant: speed cameras. Most fatalities are linked to high speed. The state has loosened laws restricting enforcement by speed cameras. They work! Why are they not included in this plan?

We also need mass transportation upgrades with a dedicated bus lane from the Ross Island Bridge to Cesar Chavez. We need to move people out of their individual cars onto mass transit. This will only happen when mass transit is faster and more efficient than an individual vehicle. A dedicated high-capacity bus lane and a single lane for other traffic in each direction on Powell Boulevard is conceivable. Foster Road has greatly benefited from slower speeds and a single traffic lane in each direction; as will Powell Boulevard.

Project #12095- McLoughlin Boulevard

McLoughlin Boulevard is an "orphan" urban arterial highway governed by ODOT which doesn't function as intended. This project intends to correct some of the neglected functions of this corridor, aside from the throughput of vehicles. It is not intended to add capacity, but to enhance safety and operations. The budget of \$349 million sounds impressive, but is too small to have a real impact on an area stretching from Oregon City to Downtown Portland. Pedestrian crossings, sidewalks, and bike lanes are mentioned, along with speed feedback. Feedback is

marginally effective. Enforcement will get real safety results, better than feedback would. Speed and redlight cameras are needed here.

McLoughlin Boulevard is a huge burden on the Brooklyn neighborhood. It chokes us with vehicle emissions and fine particles, it bathes us in a constant flow of noise, and it cuts us off from our waterfront park and forces residents to leave the neighborhood to access the river. This project could partially right this chronic injustice by supplying access to the river. The 99E section from Bush Street to the Ross Island Bridge is supported on slender columns of century old concrete that will not withstand a significant earthquake. A stretch of roadway beginning roughly at Bush Street extending north to the bridge must be rebuilt before it collapses into the river in a quake. This is an opportunity to reconnect Brooklyn to the riverfront via a tunnel at Bush Street, a much more cost effective and reliable method than an overpass and poorly maintained elevator. Bush street is below the grade of McLoughlin, and aligns directly with the Brooklyn Waterfront Park, making this solution opportune.

Sound-walls are a neglected safety feature that ought to be included in this project for the Brooklyn residential area abutting McLoughlin. A sound wall will significantly reduce ambient neighborhood sound levels. This is a known health benefit and overall stress reducer. Additionally sound walls will reduce pedestrian access to cross McLoughlin outside of designated crosswalks. There have been several fatalities in this area. The homeless are particularly at risk. Sound-walls should extend along the east side of McLoughlin from Holgate north to Franklin Street for safety and livability.

Thank you for the opportunity to comment on the Draft Regional Transportation Plan. Unfortunately, it continues to spend excessively on the throughput of vehicles, and underinvests in active transportation and safety. The Brooklyn neighborhood is neglected and abused by underinvestment once again. River access has been promised since the 1930s, and it is nowhere to be found in this plan. Milwaukie Avenue is badly in need of total redesign, but it is receiving cheap cosmetic patches. Powell Boulevard safety takes a back seat to commuter traffic. Inner Holgate remains dominated by freight traffic, and safety proposals are inadequate. In this document Brooklyn remains an island isolated in a sea of transportation projects.

Stephen Bachhuber

[REDACTED]

Portland, OR 97202

[REDACTED]

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**From:** Caleb Winter <[REDACTED]>  
**Sent:** Friday, August 25, 2023 1:52 PM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Cc:** Ted Leybold <[REDACTED]>  
**Subject:** RTP Comment - update TSMO System Map

Dear RTP Friends,

On behalf of TransPort and the regional TSMO Program, please update Chapter 3, Figure 3-38 (page 3-156) with the arterials, streets and transit routes shown in yellow on the attached map. The yellow routes represent additional needs for actively managing the transportation system with local and regional technologies.

Additions to the system map were suggested at several stakeholder workshops held in May and June 2023:

- Washington County and cities  
John Fasana, Susie Serres, Mike McCarthy, Tina Nguyen
- ODOT  
Kate Freitag, Mike Burkart, Katie Bell, Scott Turnoy
- Clackamas County, cities and Wilsonville SMART  
Carl Olson, Dwight Brashear, Eric Loomis, Will Farley, Zach Weigel
- Multnomah County, Portland and Gresham  
Jim Gelhar, Rick Buen, Alison Tanaka, Bikram Raghubansh
- Transit and mobility services with TriMet

A.J. O'Connor, Grant O'Connell

They were discussed at the July 12, 2023 TPAC Workshop and at TransPort, Aug. 9, 2023

TransPort received the attachment this week and did not reply with any adjustments.

Please let me know if this is System Map is accepted as an update. If so, I can assist with a GIS file.

Thanks,

-caleb

**Caleb Winter** (*he/him/his*)

Program manager | Transportation System Management and Operations

Metro | [www.oregonmetro.gov/tsmo](http://www.oregonmetro.gov/tsmo)

600 NE Grand Ave. | Portland, OR 97232

**From:** [REDACTED]  
**To:** [Trans System Accounts](#) [REDACTED]  
**Subject:** [External sender]Re: Proposed Updates to the Regional Transportation Plan  
**Date:** Thursday, August 24, 2023 11:02:11 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Greetings,

I'm writing to express my serious concerns with the proposed updates to the Regional Transportation Plan as currently written. First, I am most concerned about the safety of our streets, particularly for pedestrians. In July of this year there was a stretch where I believe 8 Portlanders were killed in traffic accidents in 7 days - my family and I were close with one of them - and the city is on track to obliterate last year's record for traffic deaths. From [cities](#) like [Hoboken, NJ](#) (just outside of NYC), we know that it is not impossible for mid-sized to large cities to enact a \*real\* Vision Zero plan in which there are actually, exactly, zero traffic deaths. The RTP represents a golden opportunity for those of us who haven't yet perished in traffic accidents to make our streets **completely** safe for all our citizens regardless of mode of transportation; to outline how this region will prioritize investments in traffic safety over additional road capacity and freeways; and to ensure that ODOT prioritizes investing in orphan highways instead of freeway expansions.

I am also seriously concerned that the RTP does not adequately address the region's climate-related needs. For one, it radically underestimates the amount of carbon pollution that will come from driving without transformative changes to our transportation system; we this document to adopt more aggressive plans to reduce driving and invest in the most cost-effective initiatives to reduce carbon emissions – walkable communities and abundant public transit. Metro also needs to be an unambiguous champion of more equitable congestion pricing policy. Likewise, the RTP should direct money away from ODOT's freeway expansions and toward community street initiatives. Neighborhood Greenways, like my neighborhood's Center Street, should begin implementing traffic calming measures that highly discourage and eventually prohibit car use.

Finally, we need this document to address the urgent public health and safety issue of worsening air pollution. Whether it's from now annual wildfire smoke - a direct result of years of unregulated fossil fuel-based infrastructure expansion, both federally and locally - or exhaust from motor vehicle emissions - it is imperiling all of us, and particularly the most vulnerable among us. The RTP should champion any and all measures that would improve Portland's air quality, whether directly or indirectly. This goes for indoor air too - an investment in purifying indoor air on our public transit system would go a long way toward increasing ridership, especially as the Covid pandemic continues unabated and contributes to continued death and disability for the foreseeable future.

I say all of this with the utmost sincerity and urgency. I will continue to pay close attention to the development of this document.

Chris Chaplin  
SE Portland

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**From:** [REDACTED] <[REDACTED]>  
**Sent:** Friday, August 25, 2023 5:00 PM  
**To:** 'Erik Molander' <[REDACTED]>; Jones, Francesca  
<[REDACTED]>  
**Cc:** 'Gary Kunz' <[REDACTED]>; [REDACTED]  
[REDACTED]  
**Subject:** RE: Marine Drive @ East Columbia conversation



The City's email systems have identified this email as potentially suspicious.  
Please click responsibly and be cautious if asked to provide sensitive information.

Francesca,  
Attached please find my comments on the 2023 Regional Transportation Plan.  
Thanks for the opportunity to be involved.

Amy Cooney  
1625 NE Marine Drive  
East Columbia Neighnorhood

-----Original Message-----

From: Erik Molander  
Sent: Wednesday,  
To: Amy Cooney ; [REDACTED]  
Cc: Gary Kunz ; [REDACTED] Walter  
Valenta  
Subject: Re: Marine Drive @ East Columbia conversation

Hi Amy,

You have until August 25th to submit comments on the 2023 Regional Transportation Plan. I know this is really short notice.

Here is the link to the Project Map  
<https://experience.arcgis.com/experience/12a882cad23045f0963c8aefa2014e19>

If you click on the button next to 33rd and NE Marine Drive you can find the project detail for the traffic signal.

Cheers,

Erik Molander

Erik Molander [REDACTED] (c) [REDACTED] On 8/23/23 2:23 PM, Amy Cooney wrote:  
> Hi all,  
> I remember Francesca at PBOT is a good contact for information re: Marine Drive between 33rd and Bridgeton Road in reference to speed, safety, and access to bikers/hikers.  
>  
> I would like to continue the conversation now because the speed camera has been removed near 33rd and the neighborhood associations are not aware of updated plans for a stoplight there. Traffic has become increasingly worse over the past 6 months since the speed camera was removed and increased truck traffic with Amazon distribution center. The section between Bridgeton and 33 is the last of the 40 mile loop to be solved because of its narrow width between the golf club and residential neighborhood. This is the only true residential section along the entire Marine drive.  
>  
> I would like to discuss the possibility of a solution for all non

## Appendix B: Email Public Comments

residential traffic including trucks moving west in Marine to take a mandatory left o to 33rd and use Lombard to access the truck stop and/or Columbia to access the highway. A similar solution works for traffic moving west on N Rosa Parks taking a mandatory right onto Willamette. Conversely traffic that moves east on Willamette takes a left onto Rosa Parks. This allows the neighborhood beyond Rosa Parks, along Willamette boulevards and bluff to be safe for bikers/hikers and slow traffic. I bring this up because of the scenic and residential neighborhoods of both areas.

>  
> We are available to meet and further discuss whenever PBOT can host us.  
>  
> Thank you,  
> Amy Cooney  
>  
> 1625 Marine Drive  
> East Colimbia Neighborhood

NE MARINE DRIVE BETWEEN BRIDGETON ROAD AND NE 33RD



Narrow roadway in this area has prevented 40 mile loop improvements. Large trucks and speeding cars are detrimental to bike/hike trail and residential driveways causing a high crash corridor.

**Long term solution:**  
Roundabout at 33rd and NE Marine similar to one on NE 13th near NE Gertz preventing large truck passage west on Marine Dr.  
Designed to allow car traffic at a reduced speed and to lead trucks to nearby, better suited, industrial highways Columbia and Lombard for services and highway access. Optional traffic light designed for frequent backups at this area.

IN LIGHT OF COSTLY AND LONG TERM (2031) Plan for NE 33rd Light or Roundabout

**\*\*Short term/Less Expensive/Neighborhood approved solutions for NE MARINE DR include:\*\***

- 20 mph speed limit, implemented immediately
- Multiple speed bumps, currently on NE 13th Ave
- Shared Roadway with Bike/Hike path, increases driver awareness

# The climate fraud in Metro's Regional Transportation Plan

By Joe Cortright : 16-21 minutes : 8/17/2023

DOI: <https://doi.org/10.3334/ORNLDAAAC/1735>

*Metro's Regional Transportation Plan rationalizes spending billions on freeway expansion by publishing false estimates and projections of greenhouse gas emissions*

*Transportation is the number one source of greenhouse gases in Portland. For nearly a decade, our regional government, Metro, has said it is planning to meet a state law calling for reducing greenhouse gas emissions 75 percent by 2050.*

*But the latest Metro Regional Transportation Plan (RTP) has simply stopped counting actual greenhouse gas emissions from transportation.*

*Inventories compiled by the state, the city of Portland and the federal government all show the region's transportation emissions are going up, not down as called for in our plan.*

*In place of actual data, Metro and other agencies are substituting fictitious estimates from models; these estimates incorrectly assume that we are driving smaller cars and fewer trucks and SUVs, and rapidly replacing older cars. None of those assumptions are true.*

*As a result greenhouse gases are going up; our plans are failing, and Metro's Regional Transportation Plan, the blueprint for spending billions over the next several decades will only make our climate problems worse*

This may be our last, best chance to do something to reduce greenhouse gas emissions from the largest and fastest growing source of such pollution in the state and region. Metro's federally required Regional Transportation Plan is supposed to reconcile our transportation investments with our social and environmental goals. Instead the draft RTP simply lies to the public about worsening greenhouse gas emissions, the failure of current efforts, and the inadequate and counterproductive aspects of the proposed RTP.

Portland and Oregon leaders proudly celebrate our acknowledgement of the gravity of the climate crisis and our oft-professed commitment to reduce greenhouse gas emissions. For the mass and social media, there's soaring rhetoric.

In the bureaucratic backrooms though, it's pollution as usual. No where is this more clear than when it comes to roadbuilding. Oregon is embarking on the largest and most expensive highway expansion effort in 50 years, proposing to spend more than **\$10 billion** in the Portland area on **highways**. All of those billion dollar plus highway expansion projects are contained in Metro's proposed 2023 Regional Transportation Plan.

This, in spite of the fact that transportation is the largest and fastest growing source of greenhouse gases are higher now that they were in 1990, and every one of the state, regional and local plans to reduce transportation greenhouse gases is clearly failing.

State and regional transportation plans fail to acknowledge the grim reality of increase transportation greenhouse gases (GHGs). Instead, they conceal the fact that our transportation emissions are increasing by ignoring actual inventory data, and instead, reporting fictional results obtained from their own models, and instead make rosy and unsupportable assumptions about future technology, market trends and policy. In essence, these plans pretend that transportation GHGs are already decreasing, and will decrease even more dramatically in the future.

By steadfastly ignoring increasing emissions, Metro and the State of Oregon have simply ignored pledges made in their original climate planning to regularly measure progress, not in terms of checklists, but in terms of actual, measured reductions in greenhouse gas emissions.

## **Transportation and Climate: Plans ignore reality**

It's been a decade since Metro's first Climate Smart Plan in 2014, which promised to put the region on track to meet state greenhouse gas reduction goal—reducing emissions 75 percent from 1990 levels by 2050.

Since then, the urgency the of the climate crisis has grown manifestly worse, locally epitomized by weeks of suffocating smoke from climate-caused fires; record 116 degree heat that killed dozens (and likely more), and steadily warming oceans and melting glaciers and icecaps.

The clock is ticking; we've used up a quarter of the time we have to achieve our 2050 goal. Now would be a good time to consider whether what we're doing is working. This question is especially salient given Metro's consideration of the 2023 Regional Transportation Plan, which will spell out the course of transportation investment for the next five years (and following decades). Since transportation is the largest source of greenhouse gases in the city, region and state, this transportation will be crucial to achieving our goals.

All evidence shows that **Metro's "Climate Smart Plan" has failed completely to reduce greenhouse gases**. Every independent inventory of transportation GHGs shows that emissions have increased since the plan was adopted. The region already emits more transportation GHGs than it did in 1990; and the authoritative DARTE database found that regional transportation emissions are up 20 percent in the past five years. And bafflingly, Metro's RTP climate monitoring doesn't even bother to report on emission trends.

Instead, the plan relies on its own optimistic modeling of future trends. The problem here is that the plan itself is founded on wildly unrealistic and already disproven assumptions about the rapid adoption of cleaner vehicles. State and local transportation officials confidently predicted a decade ago that we'd rapidly replace older, larger, dirtier vehicles with cleaner newer ones. In fact, the opposite has happened: The average age of vehicles in Oregon is now up to 14 years, and heavier, dirtier trucks and SUVs make up nearly 80 percent of new vehicles old. We're no where near on track to achieve our greenhouse gas reduction goals.

But the plan assumes, falsely, that the average age of cars is about six years, and that two-thirds of vehicles are smaller, cleaner passenger cars. It uses these assumptions to predict that greenhouse gas emissions will fall rapidly. And even though reality has shown these assumptions to be wrong, modelers have doubled down on them, and now assume, for example, that cars will be replaced even faster than they thought a decade ago, even as the fleet gets older and older.

## **We're failing to achieve our goal: Transportation GHGs are increasing**

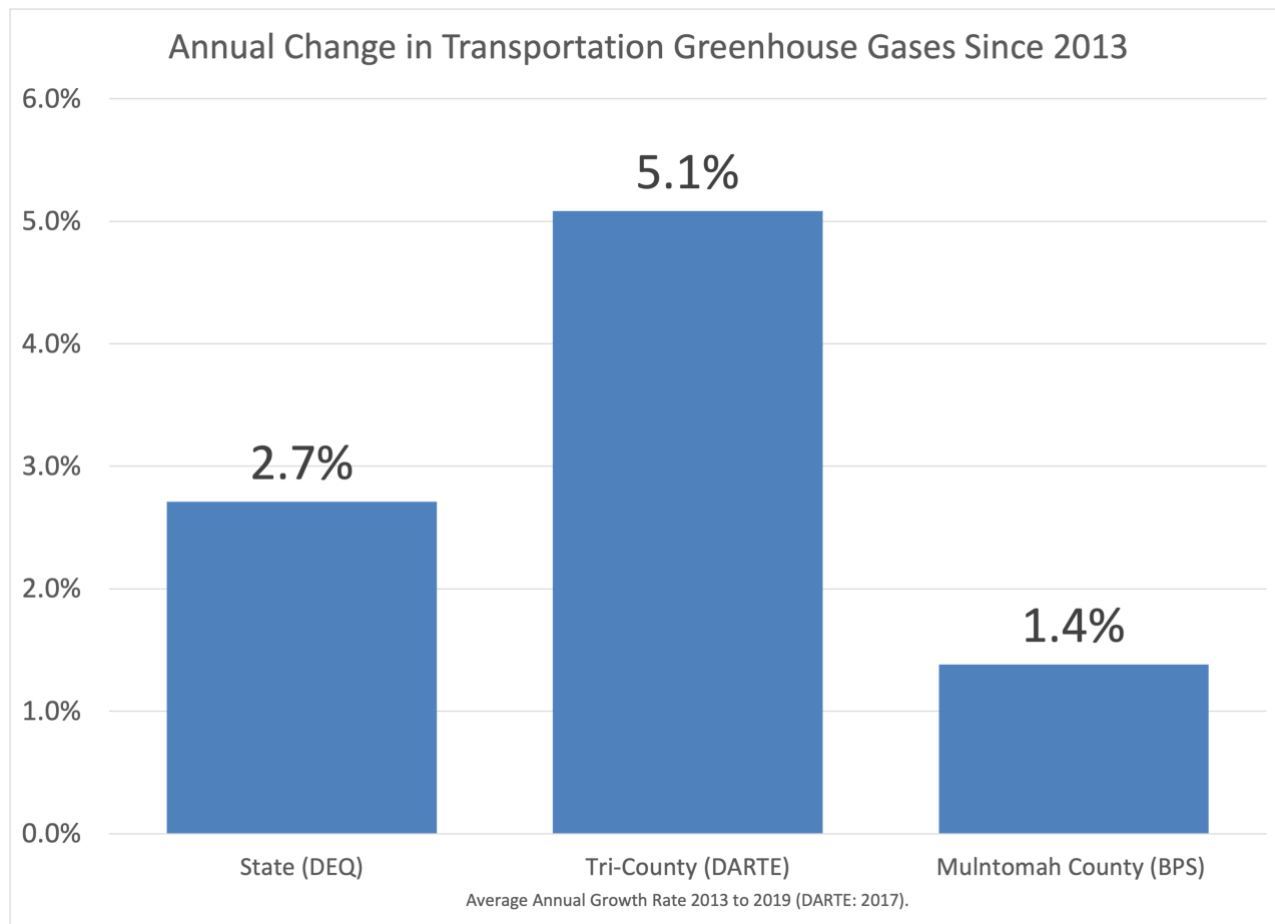
Transportation emissions are the largest source of greenhouse gas emissions in Portland and in Oregon. Transportation emissions account for 41 percent of greenhouse gas emissions in Multnomah County, and 32 percent of emissions statewide.

It's good to have ambitious plans. But ultimately, those plans have to work in the real world. Locally, we have three different real world estimates of transportation greenhouse gases: The federally sponsored DARTE database, a geographically detailed nationwide estimate of greenhouse gases broken down to 1 kilometer squares cover the entire nation, the Department of Environmental Quality's annual statewide estimates of Oregon greenhouse gas emissions by source (residential, commercial, industrial, electricity generation and transportation), and Multnomah County's annual accounting of local greenhouse gas emissions. Every one of these estimates shows we are failing to reduce transportation greenhouse gases.

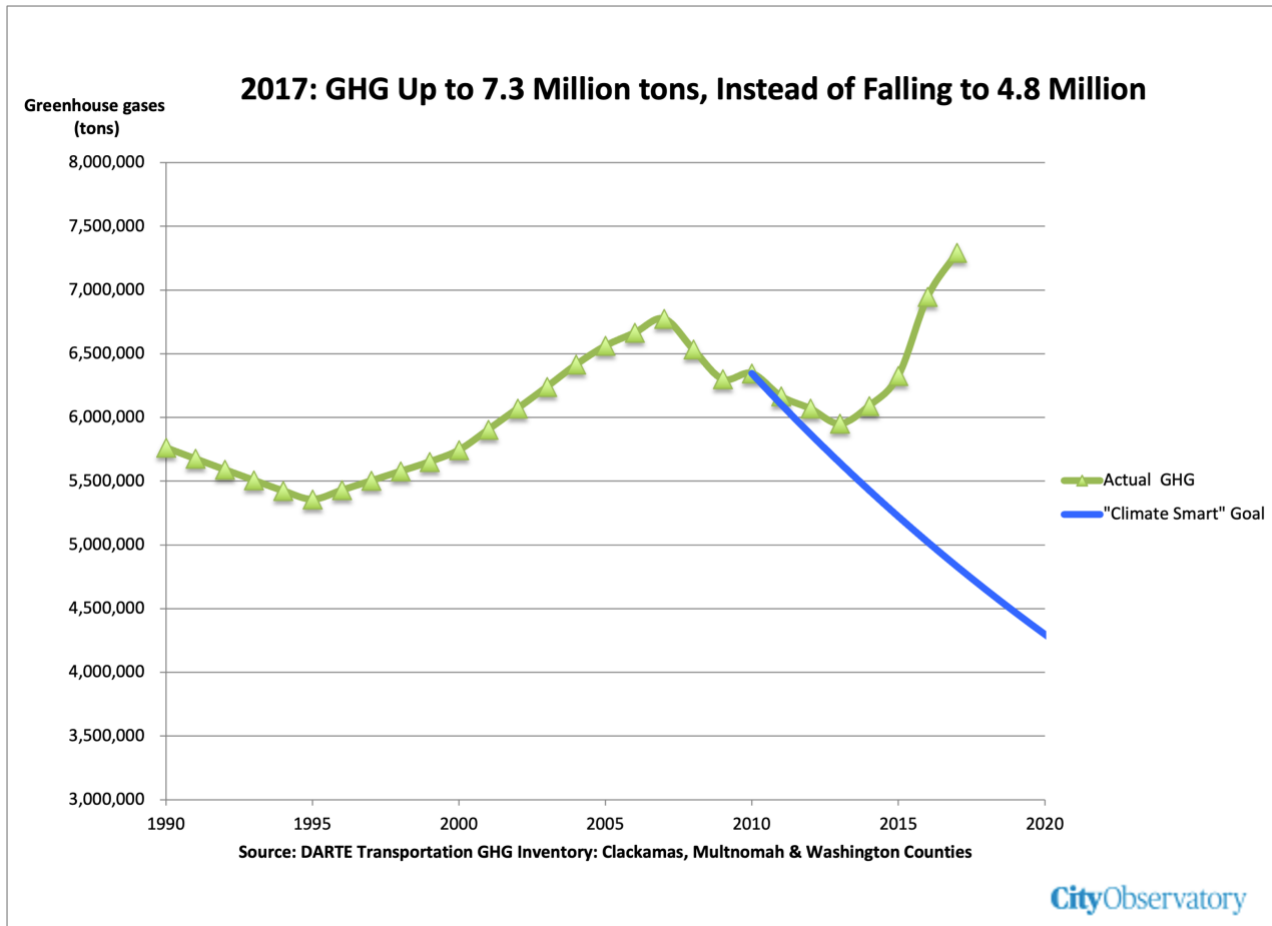
When it comes to transportation, we're not making any progress in reducing our greenhouse gas emissions; in fact, greenhouse gas emissions are higher than in 1990 in **Multnomah County** (up 3 percent), the **Portland Metro area** (up 27 percent) and **statewide** (19 percent). We're going in the wrong direction.

### State, regional and local climate plans are failing

And since we adopted city, regional and state plans to reduce transportation emissions (the Portland Climate Action Plan in 2015, the Metro Climate Smart Strategy in 2014, and the State Transportation Strategy in 2013), transportation emissions have increased, not decreased. From 2013 (the year before these climate plans took effect through 2019 (the last full year prior to the pandemic), greenhouse gas emissions from transportation have risen.



Oregon transportation GHG emissions are up 2.7 percent per year since 2013, Portland regional emissions are up 4.9 percent per year and Multnomah County emissions are up 1.4 percent year. Transportation emissions are going up when our plans call for them to be going down. The result is a yawning and unacknowledged gap between our plans and reality. The DARTE data show the region going rapidly in the wrong direction.



All of the available independent inventory data for the state, city and region make it clear that our transportation emission reduction plans are failing in monumental fashion to achieve their goals.

### Climate plans haven't been adjusted to reflect reality

Increased transportation greenhouse gases should be triggering stronger efforts to fight climate change. Metro committed to monitor the progress and implementation of its Climate Smart Strategy, and to take additional measures as needed. This commitment appears in the Climate Smart Plan and is reiterated in the latest draft of the 2023 Regional Transportation Plan. (RTP 2023 Draft, Appendix J, page 21)

If future assessments find the region is deviating significantly from the Climate Smart Strategy performance monitoring targets, then Metro will work with local, regional and state partners to consider the revision or replacement of policies and actions to ensure the region remains on track with meeting adopted targets for reducing greenhouse gas emissions.

In addition, Metro staff will monitor future changes to fleet and technology assumptions in collaboration with DLCD, DOE, DEQ and ODOT and continue to improve emissions analysis methods, data and tools through its air quality and climate change program.

### **Metro's RTP fails to report increasing transportation greenhouse gas emissions**

Despite these commitments, **Metro's RTP does not accurately report on regional greenhouse gas emission trends.** It does not acknowledge that, contrary to the 2014 CSS and the 2018 RTP, transportation greenhouse gas emissions are increasing, not decreasing. The 2023 RTP contains no graph or time series information on transportation greenhouse gases in Portland; it contains only a single reference to the per capita level of greenhouse gas emissions in 2023 and 2045; both of these figures are obtained from Metro's model, not from actual inventories of greenhouse gas emissions prepared by independent agencies.

<i>10. Demonstrate leadership on climate change</i>			
a. Region-wide annual tons per capita greenhouse gas emissions (MTCO <sub>2</sub> e) from household light-duty vehicles within the Target Rule area	Not evaluated	2.3	0.36
b. Region-wide annual tons per capita greenhouse gas emissions (MTCO <sub>2</sub> e) from all vehicles within the Target Rule area	Not evaluated	TBD	

We are “deviating significantly” from our earlier projections and plans, but we haven’t acknowledged it, and therefore, aren’t proposing to change our plan.

### **The RTP substitutes inaccurate models for actual data**

**ODOT, Metro, and LCDC are substituting flawed and biased models for actual data about carbon emissions.** Transportation greenhouse gas emissions are increasing, yet all these agencies pretend, based on inaccurate models, that they’re making progress toward reducing greenhouse gases. The actual data show that vehicles on the road today (and tomorrow) are vastly older and dirtier than assumed in the models these agencies use to falsely portray their climate progress.

Both the LCDC rules and the Metro RTP are based on flawed modeling of greenhouse gas levels. The modeling makes a series of incorrect and unsupported assumptions about vehicle fuel efficiency and emissions reduction technology. As a result, the modeling significantly understates the actual level of greenhouse gases

produced by transportation, and overstates the current and future reductions in greenhouse gases due to greater efficiency.

The 2022 LCDC “Climate Friendly and Equitable Communities” Rule relies on 2016 modeling prepared by former ODOT employee Brian Gregor. These figures have not been updated, despite a legal requirement that they do so.

For the current RTP, Metro claims to have done new modeling with its “Vision Eval” model. That modeling assumes that average vehicle ages fall to less than seven years, and that passenger cars make up more than 70 percent of household vehicles.

Both Gregor’s and Metro’s climate modeling assumes we will quickly replace the existing fleet of large, dirty fossil fueled vehicles, with newer, smaller, more efficient vehicles powered by electricity and/or clean fuels. The modeling asserted that the amount of carbon pollution generated by each mile of vehicle traveled would be 80 percent less than it is today. Unfortunately, we’re nowhere close to being on this trend.

The key assumptions are average vehicle age and mix of trucks/SUVs Metro and LCDC rely on projections of these emissions that have already been proven wrong. Metro and LCDC assumed, critically and incorrectly, that the vehicle fleet would turnover more rapidly (dirty, older cars would be replaced more frequently by newer, cleaner ones) and that consumer preferences would shift from larger, dirtier trucks and SUVs to smaller and cleaner passenger vehicles. Not only are both of these assumptions wrong, exactly the opposite has happened over the past decade: the average age of automobiles has increased significantly, and the share of light trucks and SUVs has grown to almost 80 percent of new car sales. The following RTP table summarizes Metro’s assumptions:

	Household:		Commercial Service:
	2010	54.5% passenger car 45.5% light truck	68.3% light truck 32.7% automobile
Fleet mix			
Calculated from the following VE inputs:	2020	Household: 58% passenger car 42% light truck	Commercial Service: 55% light truck 45% automobile
azone_lttrk_hh_prop: Proportion of household vehicles that are light trucks by Azone and specified model year.	2030	Household: 63% passenger car 37% light truck	Commercial Service: 41% light truck 59% automobile
	2035	Household: 66% passenger car 34% light truck	Commercial service: 35% light truck 65% automobile
region_comsvc_lttrk_prop: Proportion of commercial service vehicles that are light trucks throughout the model region by model year.	2040	Household: 69% passenger car 31% light truck	Commercial Service: 35% light truck 65% automobile
	2045	Household: 72% passenger car 28% light truck	Commercial Service: 35% light truck 65% automobile
Average vehicle age (Age distributions available upon request)	2010		8.1 years light-duty vehicle
	2020		7.7 years light-duty vehicle
	2030		7.1 years light-duty vehicle
	2035		6.8 years light-duty vehicle
Calculated from VE Outputs: Vehicle, "Age"	2040		6.6 years light-duty vehicle
	2045		6.3 years light-duty vehicle

Metro's assumptions are simply wrong: **the average car on the road today is vastly dirtier than assumed in Metro and LCDC modeling.** In essence, the climate modeling assumes that the typical car in today's fleet is a relatively clean six-year-old Honda Civic, that emits about 257 grams per mile. In reality, the typical vehicle in today's fleet is a twelve-year-old quarter-ton pickup truck, that emits about twice as much greenhouse gases—555 grams per mile.

*2023 Model assumption: Typical car is a 2017 Honda Civic; 2023 Reality: Typical vehicle is a 2010 Ford F-150.*

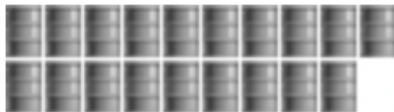
**2010 Ford F150 Pickup  
4WD****Gasoline Vehicle**

4.6 L, 8 cyl, Automatic 6-spd

MSRP: \$26,430 - \$46,740

**2017 Honda Civic 4Dr****Gasoline Vehicle**2.0 L, 4 cyl, Automatic (variable  
gear ratios)

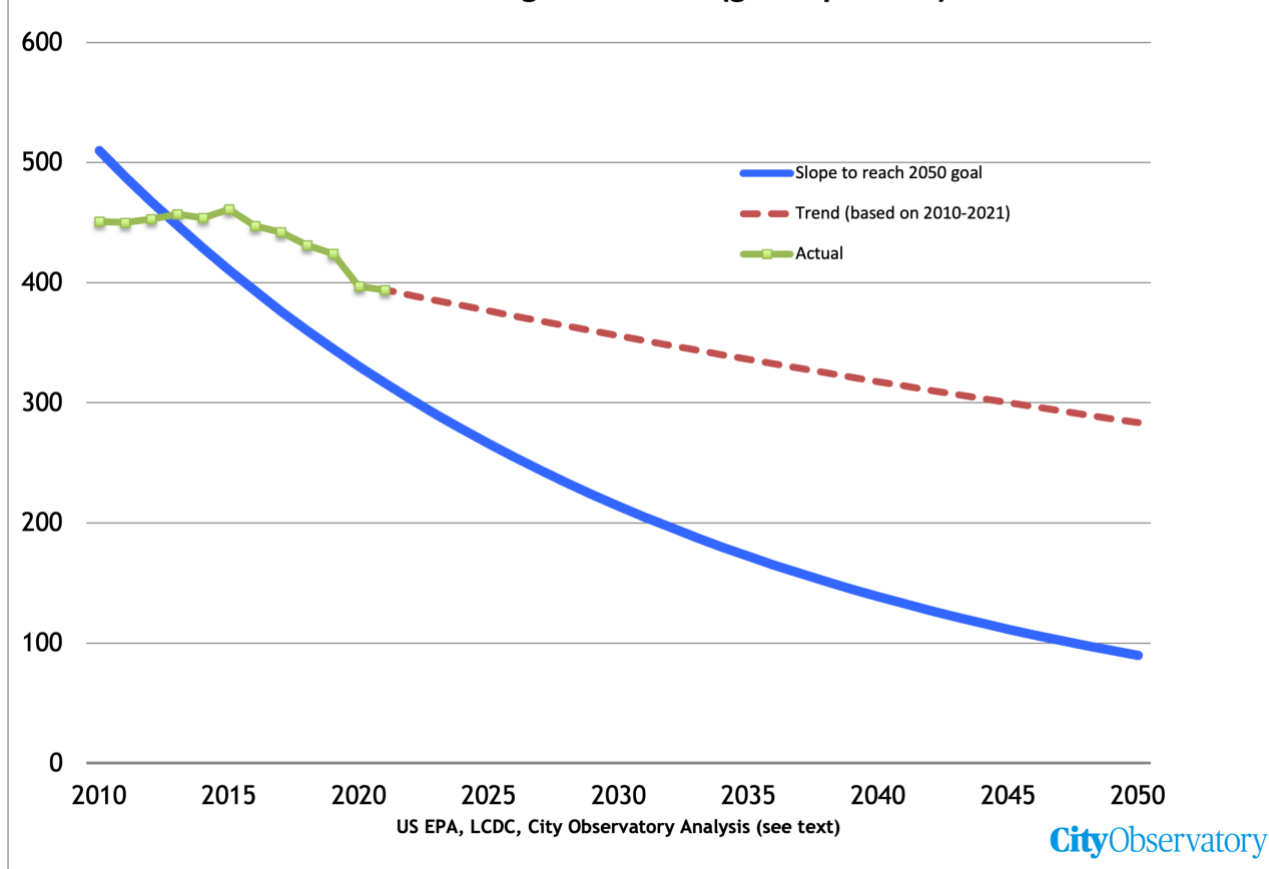
MSRP: \$18,740 - \$26,600

**Energy Impact Score** **REGULAR GASOLINE****18.6 barrels****REGULAR GASOLINE****8.8 barrels****Greenhouse Gas Emissions** **REGULAR GASOLINE****555 grams per mile****REGULAR GASOLINE****257 grams per mile**

These two mistakes in the Metro/LCDC modeling lead them to understate greenhouse gas emissions from the current fleet by 50 percent.

And these errors also affect future years. The growing longevity of the vehicle fleet means that the future fleet will be less efficient (and much dirtier) than assumed in Metro's modeling. If the average age of vehicles stabilizes at the current 12 years, the median vehicle in 2035 will be a 2023 model year vehicle (eighty percent of which were larger, more polluting SUVs). Fleet turnover will happen much more slowly, and emission rates will decline more slowly still.

Metro and LCDC projections assume that average emissions of GHGs will fall from about 450 grams per mile to about 100 grams per mile in 2045. In reality, GHG emissions per mile are falling far more slowly. In 2021, the average vehicle emitted about 390 grams per mile rather than the roughly 300 grams per mile assumed in Metro and state climate modeling.

**Greenhouse gas emissions (grams per mile)****The RTP should be based on actual, honest data about greenhouse as emissions**

The first step is to accurately report our progress—actually backsliding—in terms of reducing transportation GHGs. Instead of reporting claims based on models with false and now discredited assumptions, it needs to show that actual GHG emissions are rising, and present a clear case showing why this has happened. It's been because we're keeping cars longer, buying bigger, dirtier vehicles, driving more, and not improving fuel efficiency as fast as excessively optimistic assumptions made a decade ago. We have to "mark to market" our forecasts: replace decade old guesses about what our transportation emissions would be with actual data on what we've really accomplished.

Once we've done that, we'll see that we need to do much more, and do it far more quickly than we thought. It's been nine years since Metro adopted its Climate Smart Strategy in 2014. Those nine years represent fully one-fourth of the time available to get the region on track to meet its goal of reducing greenhouse gases by 75 percent by 2050. During those nine years, regional transportation greenhouse gas emissions have actually risen (by more than 20 percent, according to the DARTE inventory). That means we have a bigger task, and a shorter period of time to accomplish it. This simply isn't reflected in the Regional Transportation Plan, in state land use regulations, or the Oregon Department of Transportation's "State Transportation Strategy (STS).

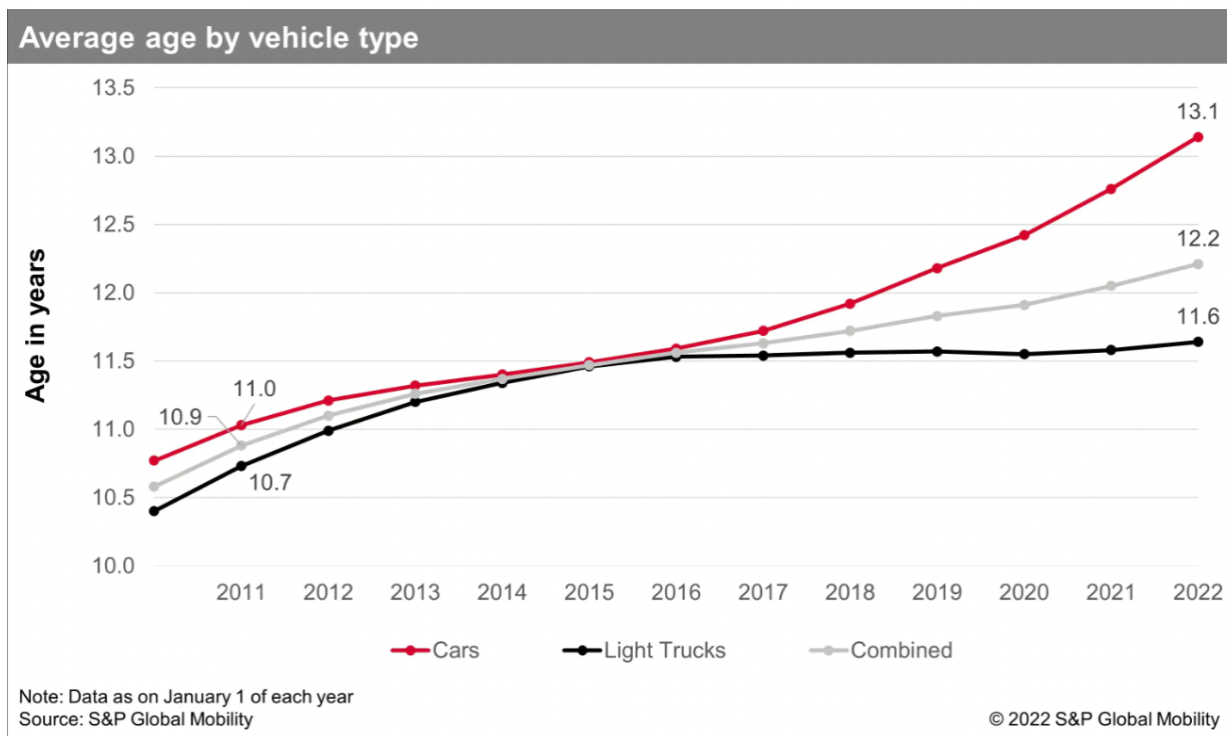
**Appendix: Vehicles are older, larger and dirtier than assumed in Metro climate models**

The strategy assumes trends in vehicle type, fuel efficiency and fleet replacement that are the opposite of what we've experienced. All of these errors lead to understating GHG emissions.

## REALITY: Average Vehicle Age is Increasing

Slower fleet turnover means that the vehicles on the road are on average, older and dirtier. State modeling assumes that older vehicles are being replaced quickly; with the average age of a vehicle being 6 or 7 years. In reality, the average vehicle is more than 12 years old. The Oregon Department of Transportation reports that the average age of vehicles in Oregon is higher than the national average (14 years) and is increasing. The climate modeling is wildly off: the fleet is getting older, and the models assumed it would be getting younger.

The slow rate of fleet replacement is a particularly large problem for the modeling. With an average age of 12 years, the median vehicle in 2035 will be a 2023 model. Those vehicles average about 330 grams per mile. That's about 80 percent higher than the 180 grams per mile that state modeling assumes for the fleet in 2035. The increasingly long life of vehicles locks in a high carbon emission rate.

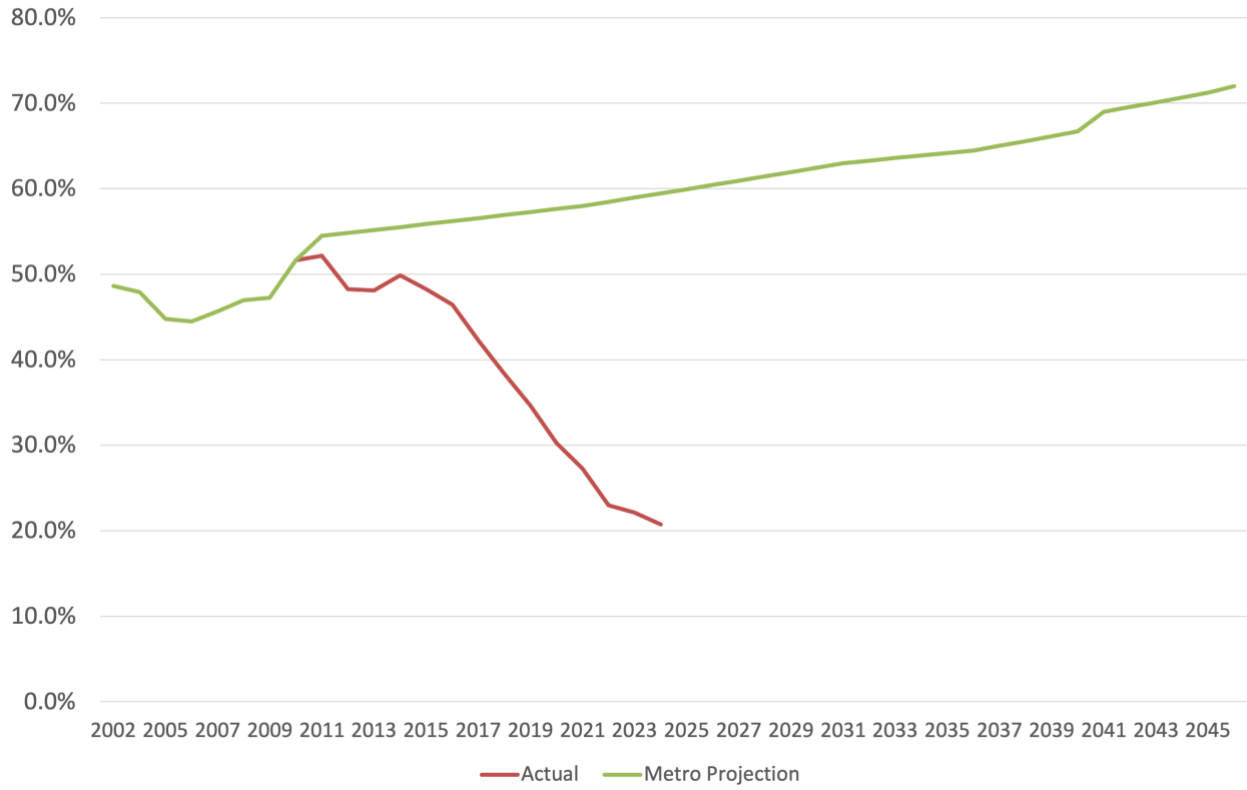


The average age of vehicles on the road has increased to more than 12 years according to [IHS Automotive](#).

## REALITY: Trucks and SUVs make up nearly 80 percent of new car sales.

Fewer passenger cars, more light trucks and sport utility vehicles. State modeling assumed that the share of trucks and SUVs would decline steadily, and that 60 percent or more of all private vehicles would be passenger cars, which use less fuel and emit less greenhouse gases. In reality, nearly 80 percent of new vehicles sold today are light trucks and sport utility vehicles. The climate modeling is off by a factor of three, with passenger cars accounting for 20% of the fleet, not 60 percent.

Appendix B: Email Public Comments  
 Passenger cars make up only 20% of new vehicle sales, not the 60-70 percent assumed in  
 Metro Climate Modeling; SUVs and Light Trucks Make up Almost 80 percent of new vehicles



# Metro's Climate-Denying Regional Transportation Plan

By Joe Cortright : 19-24 minutes : 8/23/2023

*Portland Metro's Regional Transportation Plan (RTP) does nothing to prioritize projects and expenditures that reduce greenhouse gases*

*Metro falsely asserts that because its overall plan will be on a path to reduce GHGs (it won't), it can simply ignore the greenhouse gas emissions of spending billions to widen freeways*

*The RTP's climate policies don't apply to individual project selection; projects are prioritized on whether they reduce vehicle delay—a failed metric it uses to rationalize capacity expansions that simply induce additional travel and pollution*

*The RTP environmental analysis falsely assume that ODOT will impose aggressive state charges on car travel, including carbon taxes, a mileage fee and congestion fees than have not been implemented, and may never be, to reduce VMT*

*The RTP's traffic modeling fails to incorporate the effect of expected pricing on the need for additional capacity. Modeling done by ODOT shows that pricing would eliminate the need for capacity expansion, saving billions, and reducing greenhouse gases.*

Transportation is the largest and fastest growing source of greenhouse gases in the Portland Area; every one of the state, regional and local plans to reduce transportation greenhouse gases is clearly failing. The proposed 2023 Regional Transportation Plan could be a vital tool for prioritizing actions to reduce transportation GHGs. It isn't. It's a vehicle for justifying a multi-billion dollar wish list of road projects, and pretending that someone else will solve the climate problem. The plan does nothing to use climate criteria to prioritize spending decisions, and instead, gives a pass to expensive road expansion projects that will encourage more driving and higher levels of greenhouse gases.



Climate denying transportation plans: Golfing at Armageddon

State and regional transportation plans fail to acknowledge the grim reality of increase transportation greenhouse gases (GHGs). As we've documented at [City Observatory](#) Metro (and others) have concealed the fact that transportation emissions are increasing by ignoring actual inventory data, and instead, reporting fictional results obtained from their own models, that ignore actual emissions information, and instead make rosy and unsupportable assumptions about future technology, market trends and policy. In essence, these plans pretend that transportation GHGs are already decreasing, and will decrease even more dramatically in the future.

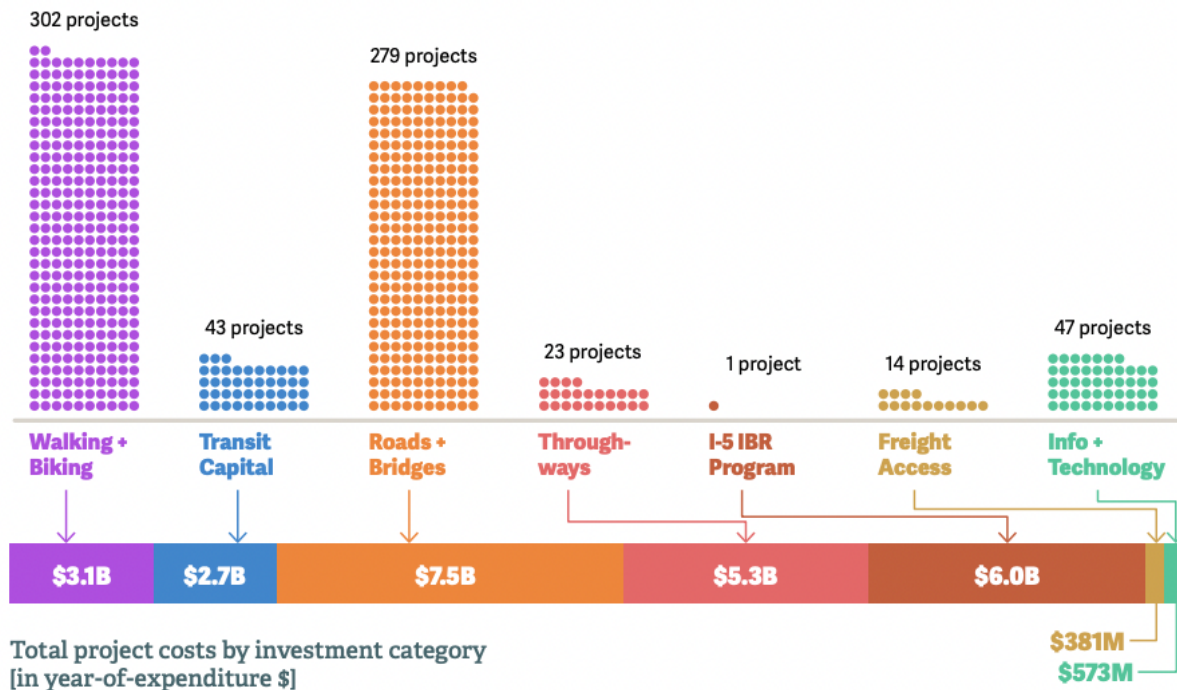
### **RTP Priority: Billions for highway construction and expansion**

The Regional Transportation Plan is an official, federally required planning document that spells out how the region will invest in transportation over the next two decades. This is exactly the time when scientists tell us we must take decisive action to reduce greenhouse gas emissions. But the largest projects—and the bulk of the expenditures—in the RTP are highway construction and widening that will facilitate more car travel, and [increase greenhouse gas emissions](#).

The RTP [document](#) tries to downplay the emphasis on road building with a misleading graphic that shows dots for each project. The massive Interstate Bridge Replacement is one tiny dot, the huge Rose Quarter widening one tiny dot, the I-205 Abernethy one tiny dot—even though these represent more than \$10 billion in capital spending.

## Number and cost of RTP capital projects by investment category

Approximately half of the capital projects (by number)—and 22% of capital spending—support walking, biking and transit.



The fine print text acknowledges that this is mostly a few big highway projects, but even then substantially understates their true costs. The Executive Summary fine print says:

... the “big three” projects—the I-5 Interstate Bridge Replacement Program, the I-5 Rose Quarter Project, and the I-205 Widening and Toll Project—each cost more than \$1B.

In fact, the estimated price tag for the IBR is as much as \$7.5 billion, the Rose Quarter project has ballooned to \$1.9 billion. . The RTP neither reflects the current cost estimates of these projects, nor the likely costs of further cost overruns, which are endemic on major ODOT highway projects.

The RTP spends bulk of its capital on projects that add capacity to freeways—even though a decade old Metro climate plan conceded that these have “low” impact on reducing GHGs. And in fact, all of the available science on induced demand shows that added capacity increases driving, and increases emissions.

### Climate Smart Strategy | Low potential carbon reduction impact\*



#### Street and Highway Capacity (Investment)

- New lane miles (e.g., general purpose lanes, auxiliary lanes)

Source: *Understanding Our Land Use and Transportation Choices Phase 1 Findings* (January 2012), Metro.

How can Metro square spending billions on highway widening with the climate crisis? As we pointed out earlier, Metro has ignore the actual inventory data showing increasing transportation greenhouse gas emissions, and

substituted its own demonstrably wrong emission modeling to assert we're on track to reduce greenhouse gas emissions.

Then the policies in the RTP use this umbrella assertion that “this is fine” to simply ignore the greenhouse gas emission effects of individual projects. The result is a “drive and pollute as usual” approach to the region’s transportation spending plans and policies. The bureaucrats assert that because their models show that the overall plan will (based on wildly wrong assumptions) make progress toward the 2050 state goal, that there is essentially no need to rank or prioritize investments based on whether they increase or decrease greenhouse gas emissions. Meeting the greenhouse gas reduction goal is a criteria applied only (and falsely) to the **overall regional plan**, and **not to any specific projects**.

This umbrella claim that the RTP as a whole RTP meets the state climate goals, is spelled out in policy:

**Vehicle miles traveled (VMT)/capita will be a controlling measure in both system planning and plan amendments to ensure that the planned transportation system and changes to the system support reduced VMT/capita by providing travel options** that are complete and connected and that changes to land use reduce the overall need to drive from a regional perspective and are supportive of travel options.

- For system planning, the **final planned system must support** OAR 660 Division 44 (Metropolitan Greenhouse Gas (GHG) Emissions Reduction rule) and OAR 660 Division 12 VMT reduction targets.
- For plan amendments, VMT/capita will be used to determine whether the proposed plan amendment has a significant impact on regional VMT/capita that needs to be mitigated or not.

System completeness and **travel speed reliability on throughways** are secondary measures that **will be used to identify needs and inform the development** of the planned system.

“Controlling measure” sounds imposing, but this is deceptive. In effect, the VMT reduction goals apply **only to the overall plan**, and to amendments to the plan. Projects included in the plan are given a pass on whether they increase or decrease VMT (and greenhouse gas emissions). While VMT is labeled as “a controlling measure” and travel speed is described as a “secondary measure,” the language of the RTP conceals the fact that the secondary measure really determines the priority for spending. The RTP prioritizes project spending based on travel speed, not reducing VMT or greenhouse gases.

**The RTP doesn’t prioritize spending money on projects that reduce VMT.** The RTP contains only a requirement that plan *amendments* that increase per capita VMT have to be “mitigated.” That’s problematic for a couple of reasons. First: several huge freeway widening projects are included in the plan itself, and aren’t amendments, so they won’t be mitigated at all. Second, Metro claims that its models can’t actually detect whether projects—even very large ones, like the IBR or Rose Quarter Freeway widening—increase VMT. Third, ODOT ([falsely](#)) claims that highway expansions don’t increase VMT. Metro has not adopted any objective third party method for assessing per capita VMT effects of projects—like the CalTrans adopted induced travel calculator. ODOT’s own technical manual simply [denies the existence of induced travel and bars its inclusion in ODOT modeling](#)). Finally, the policy doesn’t limit or ban plan amendments that increase per

capita GHG emissions—it only requires that increases be mitigated. (The RTP fails to say where the mitigation will come from, especially if the region is actively implementing other ways to reduce VMT).

## RTP travel speed standards prioritize projects to increase capacity

What the RTP does do, however, is create a rigid standard prioritizing travel speeds on throughways and arterials. Throughways need to provide no less than 35MPH at least 20 hours per day; other “signaled” arterials must provide at least 20MPH no fewer than 20 hours per day. These speed standards do apply to the prioritization of project spending. While they are labeled as “secondary” these are in fact the “controlling” metrics for project selection and prioritization.

Measure	Application	Targets and Thresholds	
Throughway Travel Speed (Reliability)	System Planning (d)	RTP Motor Vehicle Designation	Thresholds (f)
		Throughways with controlled-access (e) I-205 I-84 I-5 OR 217 US 26 (west of I-405) I-405 OR 213 from Beavercreek Road to I-205 OR 212-Sunrise Expressway	Average speed not below 35 mph for more than 4 hours per day
		Throughways with traffic signals – Non-Expressways (e) OR 99W west of Sherwood OR 99E Portland to OR 212 OR 99E from south of Oregon City OR 213 south of Beavercreek Rd US 30 OR 47 OR 224 OR 212 US 26 south of OR 212	<u>Threshold</u> Average speed not below 20 mph for more than 4 hours per day

Again, in contrast, the climate standards, calling for a reduction in VMT effectively only apply to the overall plan, not segments thereof, and only have to “support” possible VMT reductions, not actually result in them.

In sum, individual investments, even ones as large as the multi-billion dollar widenings of I-5 at the Rose Quarter and the Interstate Bridge **are effectively exempt from any climate analysis**. Climate simply doesn’t matter for setting regional spending priorities. The only thing that matters under the terms of the Regional Transportation Plan (RTP) is whether investments speed traffic. The RTP sets a goal of making sure that area

“throughways” travel at no less than 35 MPH 20 hours per day, and that area arterials travel at no less than 20 miles per hour for 20 hours per day.

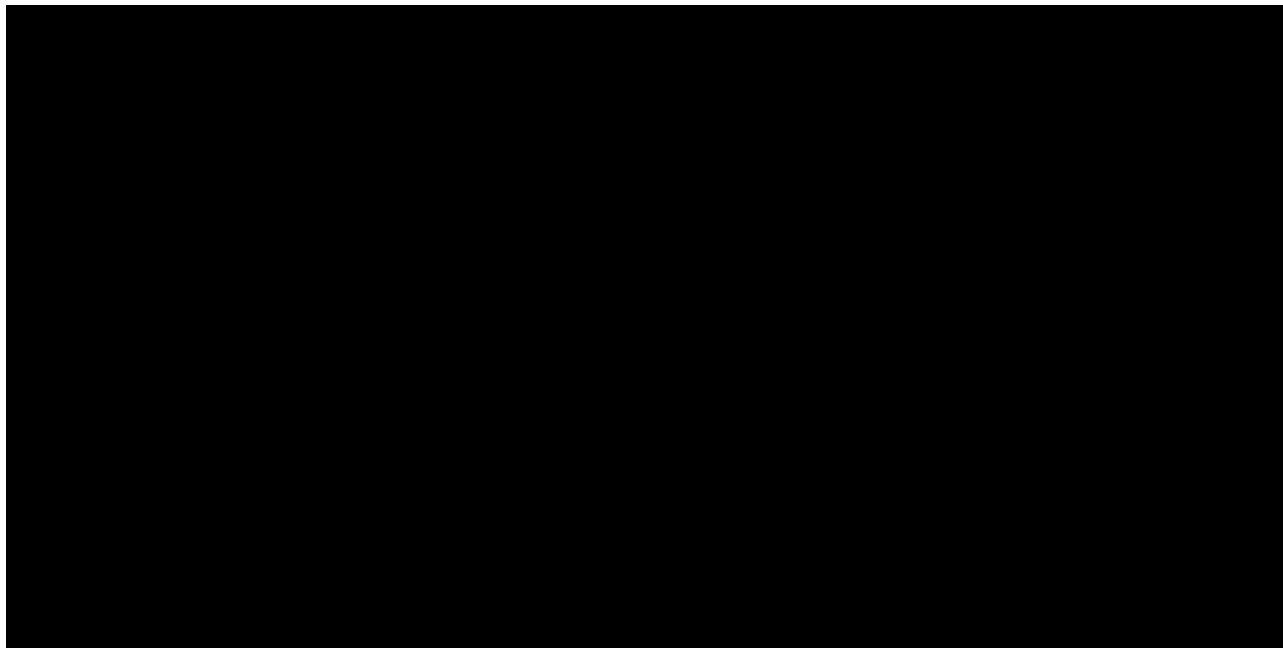
Projects that speed traffic on highways have been proven to increase travel—a widely documented scientific finding called “**induced travel**” which means that wider roadways generate more vehicle miles of travel and more pollution.

The Metro RTP criteria give no additional weight or priority to projects that reduce transportation greenhouse gas emissions. Speed, not greenhouse gases or safety, drives the distribution of resources under the plan.

### **RTP climate compliance depends on imaginary, unadopted policies**

A key climate question is whether the region will reduce VMT. The RTP contains little, if any information, on which of its investments will reduce VMT. It makes a sweeping and general claim that providing transit (and other alternatives) “create the conditions” that could reduce VMT; but lower VMT has to come from reflecting back to drivers the true costs associated with their decisions. When it comes to such actual financial incentives, the bottom line is that Metro assumes that as yet unadopted, and highly speculative state policies, not anything in the RTP, will reduce VMT.

The RTP counts on reduced driving as a result of ODOT and other state policies to make driving more expensive. There’s an old economist joke, about how to solve the problem of opening canned food when one has no means to do so; the economists waves the problem away, saying “Assume we have a can-opener.” Metro assumes that ODOT will produce a can opener in the form of a plethora of new fees on driving, including an unspecified carbon tax, a per mile fee of 6 to 10 cents per mile on all driving in the state, as well as a 9 to 17 cent per mile congestion fee for using throughways (limited access roads in Portland), plus tolls to finance the Interstate Bridge and I-205 bridges. The RTP climate analysis assumes that the state will enact *all* these fees, and this will reduce driving and carbon emissions.



In effect, the RTP is overwhelmingly dependent on the purely hypothetical actions of others to achieve climate goals: It depends on state and federal fuel economy, vehicle emissions and fuel policies to reduce emissions

per mile driven, and depends on state imposed taxes and fees to reduce vehicle miles traveled.

If the state doesn't take these actions—and while they would be smart policy, there is no guarantee it will do so—then the hoped for (and modeled) changes in VMT and greenhouse gases simply won't occur. But there's nothing in the plan to pick up the slack, and meanwhile these dubious assumptions will have rationalized spending billions of dollars of irreplaceable public capital on projects that increase driving (just as the climate crisis grows worse).

## Failure to include pricing in transportation demand modeling and project evaluation

There's a profound contradiction in the RTP's treatment of road pricing. When it comes to climate strategy, and funding adequacy, the RTP assumes that pricing is a done deal. When it comes to modeling traffic demand, and especially the need for added capacity, it simply ignores the effects of pricing.

The work that has been done on pricing shows that if the state implements any of the proposed pricing mechanisms (Regional Mobility Pricing or RMPP; tolling on the I-205 Abernethy Bridge or the Interstate Bridge), the region will **not** need to build any new capacity. A particularly stark analysis was prepared by ODOT consultants showing that highway pricing (the RMPP) alone—and leaving the Rose Quarter in its current configuration—**would be more effective in reducing traffic delays, congestion, VMT and greenhouse gases** than spending \$1.9 billion widening this 1.5 mile stretch of roadway. Yet Metro has refused to examine the greenhouse gas implications of these project alternatives, and won't even apply such tools to project evaluation.

The **strategy** assumes that the state and region institute a stringent per mile pricing of freeways and arterials for purposes of estimating climate compliance, but the **transportation modeling** used to justify new project and capacity assumes that the roads are unpriced.

New revenue mechanisms in the STS include a road user charge that levies per-mile fees on drivers, carbon taxes, and additional road pricing beyond what is currently included in the 2023 RTP. **These changes are not reflected in the RTP** because they are not yet adopted in state policies or regulations, but the climate analysis for the RTP is allowed to include them because these state-led pricing actions are identified in STS and were assumed when the state set the region's climate targets.

(Emphasis added).

The net effect of including the effects of as-yet-unadopted pricing for climate analysis, but not including it in travel demand analysis for capacity expansion projects, is to create a falsely optimistic picture of climate progress, and a falsely exaggerated picture of the need for additional capacity.

## The Cop-Out: We're following state rules

Metro's RTP asserts that "this is fine" for climate because they are following LCDC rules for their land use plan which are designed to address climate change. LCDC has adopted a "Climate Friendly and Equitable Communities" (CFEC) rule that requires Metro to plan to reduce VMT. The key problem is that the CFEC rule is based on the same flawed ODOT analysis as the Metro RTP: making wildly unsupportable assumptions about the rapid adoption of clean vehicles.

Complying with the LCDC rule **doesn't put the region on track** to reduce driving or transportation greenhouse gases, and doesn't demonstrate how we will comply with the legally adopted state goal to reduce greenhouse gases to 25 percent of 1990 levels by 2050:

**468A.205 Policy; greenhouse gas emissions reduction goals.** (1) The Legislative Assembly declares that it is the policy of this state to reduce greenhouse gas emissions in Oregon pursuant to the following greenhouse gas emissions reduction goals:

. . . (c) By 2050, achieve greenhouse gas levels that are at least 75 percent below 1990 levels.

Instead, Metro asserts that its RTP conforms to LCDC regulations governing land use plans. The RTP makes no mention of ORS 468A.205.

Both the LCDC rules and the Metro RTP are based on **badly flawed modeling** of greenhouse gas levels. The modeling makes a series of incorrect and unsupported assumptions about vehicle fuel efficiency and emissions reduction technology. As a result, the modeling wildly understates the actual level of greenhouse gases produced by transportation, and wildly overstates the current and future reductions in greenhouse gases due to greater efficiency.

The 2022 LCDC "Climate Friendly and Equitable Communities" Rule relies on 2016 modeling prepared by former ODOT employee **Brian Gregor**. These figures have not been updated, despite a legal requirement that they do so.

Metro claims to have done additional modeling with its "Vision Eval" model. That modeling assumes that average vehicle ages fall to less than seven years, and that passenger cars make up more than 70 percent of household vehicles. As we've **demonstrated** both these assumptions are not only wrong, market trends are moving in the **opposite** direction of Metro's forecast: cars are getting older and larger, not smaller and newer (and cleaner) as assumed.

Metro is counting on improved vehicles and fuels for more than 90 percent of greenhouse gas emission reductions. Appendix J of the RTP projects that the plan (which relies on pricing which is still speculative) will result in an 88 percent reduction in transportation GHG, with 81 percent reduction from fuels and vehicles, and 7 percent reduction from reduced VMT. That means that 92 percent (81/88) of the reduction in greenhouse gases comes from policies other than those in Metro's RTP.

These heroic and wildly exaggerated assumptions about improved vehicle fuel efficiency enable Metro to plan for only an extremely modest reduction in VMT.

## The RTP is climate denial

Metro leaders talk a good game about climate. They point to their nearly ten-year old Climate Smart Strategy. They acknowledge the reality of climate change, and the general need to reduce greenhouse gases. They've listened to national experts who point out the problems with traditional planning approaches.

In spite of all this, the RTP remains what it has always been, a highway-centric spending wish list. All this version does, is add on an additional layer of rationalization to insist that the region continue building roads on the **elaborate and plainly false assumptions** that cars will become vastly cleaner, and ODOT will aggressively

price roads and carbon. The plan is still replete with billions of dollars of spending to increase highway capacity, including the \$7.5 billion Interstate Bridge Replacement Project and the Rose Quarter. These highway expansions facilitate continued car dependence and increased greenhouse gas emissions.

Like Metro's so-called Climate Smart Strategy, the climate provisions in the RTP are at best an afterthought, and a performative fig-leaf, meant to provide rhetorical cover to a vast investment strategy that is fundamentally at odds with reducing greenhouse gas emissions.

Metro has [promised to update its "Climate Smart Strategy"](#) from 2014, but in fact it hasn't.

The 2023 Regional Transportation Plan will include an update to the [Climate Smart Strategy](#) and will set policies to help meet the greenhouse gas emissions reduction targets mandated by the state. The first step will be preparing a policy brief on the implementation of key elements of the Climate Smart Strategy. The policy brief will assess whether key actions in the Climate Smart Strategy are being implemented.

Clicking on the "climate smart strategy" [link](#) and it takes you to a nine-year old document that hasn't been updated. This is what still appears on the Metro website.

Home

# Climate Smart Strategy

The Climate Smart Strategy is a set of policies, strategies and near-term actions to guide how the region moves forward to integrate reducing greenhouse gas emissions with ongoing efforts to create the future we want for our region.



## Climate Smart Strategy

Last published

May 29, 2015

[Download pdf](#)

20.88 MB

Metro's real climate strategy is ["Don't look up."](#)

**Metro's RTP needs to examine the travel impacts of tolling and new capacity expansion**

Metro claims that its travel modeling can't really discern the effects of tolling on regional travel patterns, and instead of specific quantitative outputs it simply offers a series of descriptive, generalized statements—"qualitative findings"—about the impact of tolling.

The large-scale, aggregate nature of Metro's travel model makes it challenging to detail the regional impacts of any single project, even one as potentially significant as tolling. Instead of attempting to isolate the impacts of tolling, Metro staff identified several qualitative findings about tolling's impacts based on the modeling results for the constrained RTP scenario and on Metro's experience supporting tolling analyses in the region

System Analysis Public Review Draft 2023 Regional Transportation Plan I July 10, 2023(Chapter 7, p. 7-7-28).

It is, in fact, possible and proven to estimate the effect of new highway capacity on travel patterns and greenhouse gas emission.sIn contrast, California and CalTrans have developed and created tools specifically to analyze the carbon impacts of individual projects: [The Induced Travel Calculator](#). This calculator has been adapted to Oregon by the Rocky Mountain Institute. Metro could use this calculator to estimate the carbon associated with highway expansion projects. But ODOT, in a bit of science-denial, the Oregon Department of Transportation has specifically banned the used of induced travel analysis in state highway modeling.

**From:** [REDACTED]  
**To:** [Trans System Accounts](#)  
**Cc:** [REDACTED]  
**Subject:** [External sender]Revise the regional transportation plan to address our community's stated goals  
**Date:** Friday, August 25, 2023 11:11:20 AM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Dear Metro Councilors and RTP public comment team,

Thank you for your work in detailing so many of the needed investments our communities need to move forward sustainably in the coming decades. I have reviewed the Regional Transportation Plan materials and want to provide the feedback that much more work and revision is needed to align the RTP with our regional goals of leading the fight against climate change, promoting equity for all our community members, and ensuring the safety of people getting around in their daily life.

We are planning to fail. We are planning to expand highways, provide double left and right turn lanes, and add 3rd turning lanes, while discussing a paltry vision to provide a 'high capacity transit' network that will only marginally improve access for nondrivers. We are planning to continue the status quo of fostering a built environment where getting around without a car is technically possible, but often practically inconvenient, disparaging, and dangerous.

To meet the challenge of climate change, provide thriving communities where people with disabilities and people of all ages can affordably live fulfilling lives, and reverse the disastrous trend of increased violence against pedestrians, we need to remap our communities and our actions, taking on a transformational investment in fostering places people want to move in and want to stay in together. Our built environment is in so many ways actively hostile to our ability to communally belong to this region, and creating a place where we belong will require rebuilding.

I understand the difficulty of imagining those changes, but I also understand the reality that so many of our community members face today. When a nondriver gets invited to a party they can't get to by transit (or bike if they're able)... they don't go. They have fewer supermarkets, doctors, vets, schools, parks, and other opportunities to choose from. We choose that for them, and often from a position of privilege, having the ability ourselves to drive and having made our own choices that make that now seemingly necessary, even though we know others didn't have the option to choose that necessity to drive in the first place. If you drive, I encourage you to participate in the [week without driving this October](#), and start your thinking about transportation access from that experience.

We need a regional transportation plan that plans for thriving, sustainable, equitable, and safe communities where everyone is included. We need a plan for removing highways, covering others, shrinking roads to double and triple the width of sidewalks, adding bus and bike lanes,

buses on nearly every road, sidewalks on every road and then some, and of course the land use policies to complement those changes. We need a plan that lives up to our values and aims for success. We can write that plan and we can give everyone the opportunity to choose their own ways to get around. But we need to make that choice first.

Please choose to lead us forward. Please revise and revision the RTP to align with our community's stated goals. Best,

--

Thomas Sherlock Craig  
Portland, OR



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**From:** ANDREA D AMICO [REDACTED]  
**Sent:** Sunday, July 16, 2023 5:41 PM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]Washington Co. Ordinance 882

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Good Day,

My name is Andrea D'Amico and I live in Washington Co and am a member of the Stop 882 Alliance.

I was reviewing the 2023 Regional Transportation plan and had a couple questions.

Ordinance 882 is currently in front of Washington Co and with plans to vote on it Oct 24<sup>th</sup> 2023.

The Ordinance would extend Tile Flat road from Scholls Ferry to Roy Rogers thru UGB and non UGB land.

I don't see any plans of this on the RTP, but I do see

RTP 12184 Tile Flat road north interim 3 lanes,

RTP 11915 Scholls Ferry 5 lanes

both for 2030

and

RTP 12182 Grabhorn road intersection improvements

RTP 11919 Tile Flat road south interim 3 lanes

both for 2045

Do any of these projects work with the expansion of Tile Flat road. Ordinance 882?

And if so is there a traffic study supporting the expansion of Tile Flat to be tied into these projects???

Thank you very much for your time and please let me know when you have a chance

Regards  
Andrea D'Amico

## We need to have TriMet & the Greater Portland-Metro, Re-Envision its Methods of Providing Transit/Transport.

Appendix B: Email Public Comments

TriMet must revise its Methods of Providing Transit/Transport. TriMet Transit Ridership has fallen 57% when compared to the same month preceding the COVID Pandemic. But that does not tell the whole story of where this loss in TriMet Transit Rider comes from. Ridership has been falling on MAX Light Rail Transit for the last decade, but in the Pandemic, it is close to 15% of what it was pre Pandemic. Commuters within the marketplace has stepped away from MAX Light Rail Transit. TriMet says, “it will take several years to recover,” but will it, and it points too, that it is time to “Revise its Methods of Providing Transit/Transport.”

Virtual Offices have permanently changed how the business community does their work, and significant numbers of businesses are permanently reducing their office footprints providing needed cost saving. What we are witnessing is that considerable number of businesses with a substantial number of their employees are re-examining the need for these selected employees, to where they do not have to work in a central workplace. As a result of these decisions that have been made across the business community, along with relocating many of these businesses out of Downtown Portland,, have resulted in massive reductions in commuters and incidents of travel generated.

Greater Portland Transit Agency, “TriMet” and their Board of Directors must face the realities of the wants, needs, and desires of the “Marketplace.”

At the same time TriMet is losing transit ridership, the number of vehicles using our roads, highways, and bridges has been increasing in record levels for the last decade. This increase in “Incidents of Travel/Trip Generation” on our roads, highways, and bridges, has put ODOT and the Oregon Legislature into a quandary of how best to address the needs of the Marketplace.

Over the last three (3) decades, transportation prioritizations in ODOT Region One, have resulted in TriMet’s Transit Agency receiving comparatively more investment priority than have, that of addressing the needs of adequately funding roads, highways, and bridge infrastructure. This has resulted in a capacity deficits with greater congestion, time lost, decreased productivity, effects how we live and work. When we examine the incidents of travel generated the statistically, TriMet Transit Agency provides services to less than one (1) percent of the area population that they serve. Ninety, nine (99) percent of the greater population does not choose TriMet Transit Agency’s

options for their mode of travel.

The massive increase in the incidents of travel and vehicle miles driven has resulted in a need to re-examine options and opportunities and how best to address those needs. Walking and biking as mode of travel are statistically satisfying more incident of travel generated, than the options of TriMet Transit Agency, in ODOT Region One.

At the same time TriMet is losing transit ridership, the number of vehicles using our roads, highways, and bridges has been increasing in record levels for the last decade. This increase in “Incidents of Travel/Trip Generation” on our roads, highways, and bridges, has not received the needed investments even when funding has been available.

What are these dynamics that have changed in the “Marketplace” and as we go into the future, how should transportation planners prioritize future funding. The inherent issue of public transit is that it has had problems getting people to where they need to go, timely and safely. In the pandemic, we witnessed this major shift away from the use of Public Transit, often related to health concerns. During the Pandemic, greater numbers of people began working virtually and the business community subsequently re-examining the need of having expensive downtown office space. Then came the riots, that existed in downtown Portland following the George Floyd incident, and that compounded by safety fears resulted in a greater exodus away from downtown Portland by major employers. Many of these companies setup satellite offices closer to where people live, and that has become a new norm. The physical number of daily commuters that could consider public transit, is now estimated to be half of what it was.

Can public transit become the primary mode of commuting going into the future. The transportation needs of the marketplace changed, and the transportation planners and TriMet Transit Agency must re-examine how best to adjust to these changes. The environment has changed, and a greater part of the population understands this need to switch to electrical vehicles and it is happening faster and faster. Private vehicle miles driven are now shorter and shorter and more random. Commercial activity, however, is on the increase with long hauls and box trucks moving everywhere, at a faster pace. The use of our road’s, highways, and bridges is of greater importance now, more than it has ever been.

This increase in commercial activity along with non commercial vehicles has resulted in increased congestion and delays in product movement within the supply chain, which inflates the cost of all products produced and consumed. With commercial activity, comes greater negative environmental impacts to the environment, as ninety-nine (99) percent of the commercial vehicles in use produce greater levels carbon emissions which in the foreseeable future will be greater than private vehicles. Going place to place now takes longer with a significant increase in operating costs. Gas and diesel vehicles are idling and operating in less than efficient ways creating higher and higher levels of Carbon Emissions.

The Greater Portland-Metro Transportation Planning entities, ODOT's Urban Mobility office, the State Legislature, and The Oregon Transportation Commission have advanced their solutions, and nothing makes sense. They continue to prioritize and invest into TriMet's Light Rail Transit when so few use it. They do not prioritize and invest into roads, highways and bridges and want to institute Congestion Pricing and Management where they increase cost to use the roads, highways, and bridges through Tolling to reduce congestion. There are significant side-effects of tolling of which makes tolling a major deterrent with few positives. The cost of tolling cannot be justified with most families, with what is being proposed, where sixty (60) percent of the population is now living paycheck to paycheck. The working poor and even families with triple digit incomes will not be able to afford and justify paying tolls to go to work and home, to the school or shopping. Foreseeable massive diversion, just to not pay a toll, will result in taking congestion off the major roads, highways and bridges being proposed to be tolled to side-streets, minor arterials, and non-tolled highways reducing safety, and moving congestion to where it makes communities gridlocked. The proposed tolling the I-205 Corridor and the I-205 Abernathy Bridge, do not align themselves with the limited Multi-Mode Options, in Clackamas County. There are only limited workable options for Bike & PED, and Transit Commuting abilities. Only in the denser population areas with frequent Light Rail Transit and Bus services that are close to where people live and work, has there been degree of success in creating workable transit options.

Climate Change has now come to the forefront, and it has become a primary element in all of our decisions we make, associated with short and long-term

Transportation Planning. We must reduce Vehicle Carbon Emissions and with the new technologies, automation, artificial intelligence, and technology improvements in batteries, and other electrical power storage devices. These and future advances will be the key to our survival as a sustainable civilization. It is time to re-envision the Methods we use and deploy in providing transport. There are more and more new capability today or very soon, where vehicles will go farther in with zero emission. We should have new affordable electric Vans/Buses to smooth out the highs and lows of carbon less powered new generation of vehicles. The very expensive old technologies that are not energy efficient or good for the environment need to be twilighted and replaced. We are talking about a lot more than just replacing gas and diesel buses, trucks, and cars. There is a need to re-examine the inefficiencies and costs associated with light rail and commuter rail methods and vehicles that are no-longer affordable to operate.

We did it with our LED light bulbs and streetlights that have created reductions in electrical power usage with an amazing Return on Investment (ROI). Today's Light Rail Transit can now be replaced with new technology that is in-sync with today's lifestyles and what the marketplace demands that consumes far less Electrical Power and dramatically reduces labor costs. We have the technology base that can create a new type of affordable Transport Vehicles, in All-Electric Van's and Mini-Buses.

The Transit Agencies in our Cities need to take a serious look at what Uber and Lyft developed and determine how they can use of this new technology in creating new vehicles that align with it, and the Public Transit Agency's missions. This is where people with their personal mobile device, order out their ride and a Van's or Mini-Buses get dispatched. Those needing transport get a conformation Readable Code sent to their smart devise that they will use when they get on their Van or Mini-Bus.

The pickup and delivery routes are automatically determined, and they could even use the current bus stops at reduced rates. These vehicles could/should be mass-produced in America and fully automated with zero-emission, coming from all-electric design and have a very low cost. We should be able to have significantly more Electric Mini-Buses for the price of one of the old technology Large Buses.

TriMet's MAX Light Rail Transit is an example of old technology with fixed rail

that is very expensive to build/create, and very labor-intensive and costly to operate and maintain. It offers little or NO flexibility in its routes. This and other factors have created the cause and effect that has resulted in Light Rail Transit losing ridership to a level that makes it obsolete and no-longer sustainable.

Analysts suggest that in the future, Hybrid and Virtual Offices will result in a 50% reduction in those who in the past have commuted to Central Offices or Work-spaces. Their needs are now more random, and this has become the new normal. This is not for everyone, but this change is so significant and its effect on MAX Light Rail Transit so great, that it requires this new evaluation. The Uber and Lyft model of service is so nimble, Public Transit Agency must now adapt to the Marketplace.

Uber and Lyft have provided us with a “Proof of Concept” in a more convenient service model, but they still have limitations of the capabilities and with the limited capacity of our roads, highways, and Bridges. They also must deal with independent contractors, and their vehicles of choice. To reach our Carbon Emissions Reductions, we must require that these vehicles used in public transport, in the future are Hybrid or NO-Carbon Emissions in Urban Greater Portland-Metro Geographic Area.

Transit Agencies must embrace this new technology, taking what is good and discarding what is bad and creating a more environmentally correct approach. We now have bus and bike lanes that allow buses to navigate in congestion time frames and those lanes would be perfect for new All-Electric Van's and Mini-Buses in a new transport system, that produces little or NO Carbon Emissions, and gets people where they need to go faster and cheaper.

TriMet must immediately table its proposed \$3.5 Billion Dollar Southwest Corridor MAX Light Rail Transit Line and repurpose those funds for Right of Way Improvements-enhancements, along with new computer technology and software capable of addressing the needs of a new Fleet of All-Electric Vehicles akin to Uber and Lyft. The “Marketplace Demands” a totally automated and more convenient and affordable/cost effective Methods of Providing Transport. We must not lose this opportunity to transform how the Transit Agencies address what the people want, and the environment requires in a time of Climate Change.

**Paul O. Edgar,** Oregon City, [REDACTED]

PS: It appears that there could be 10 Million Dollars per month in the difference between ticket sales revenues and fully encumbered operating costs of TriMet's Operations. TriMet's financial problems are not just in it's high operating cost and very, very low ridership, it is also in it's off-balance sheet retirement obligations of its employees, that are far from being fully funded. TriMet's solution of spending 2.5 Billion Dollars on extending MAX LRT into Vancouver is not justified (examine it's performance link below) in that not enough potential users can be estimated to use this proposed LRT extension on the IBR across into Washington. Vancouver and Clark County residents also do not want to pay the annual operations and maintenance costs of the proposed extension into Vancouver, currently estimated to be 21 Million Dollars and going up.

[TriMet wants \\$21.6 million a year for IBR light rail operations – Accountability.com](https://trimet.org/about/performance.htm)  
<https://trimet.org/about/performance.htm>

**From:** [REDACTED]  
**To:** [Trans System Accounts](#) [REDACTED]  
**Subject:** [External sender]RTP Stop investing in climate suicide  
**Date:** Friday, August 25, 2023 9:00:10 AM

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Dear Metro Council,

To anyone paying attention to the weather reports around the world, increasingly more frequent reports of fire and flood, the melting of the poles, the ever higher sea levels, and accelerating global greenhouse gas emissions, it is quite evident that our laissez-faire capitalist way of doing things has already unleashed misery beyond estimate for the generations to come. [We are about to blow past the 1.5 degree C](#) goal of the Paris Climate Agreement. We can only hope that we have not already triggered tipping points that will take the option of doing something about climate change out of our hands.

This is without a doubt an emergency situation. I hope that your regional transportation will reflect that. Funding for automobile infrastructure should be limited to fixing what is already in place. We definitely should not be building a giant new bridge for cars and trucks. It infuriates me that so-called progressive politicians support such a thing given that the transportation sector is the number one source of carbon emissions in our region. Instead, we should be investing in providing public transit options and making our community safe for walking and biking. The private automobile, including those that are electric, will need to be tolled and taxed out of existence if we are going to adequately address the dire situation in which we find ourselves.

Probably in futility,

[REDACTED]  
503-926-3867  
she/her

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** [External sender]RTP Comments / Edits from CWS  
**Date:** Friday, August 25, 2023 1:57:48 PM

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Good Afternoon Shannon,

I wanted to send two relatively minor comments / edits regarding the RTP. Overall, it's a very well done document and clearly lots of time, effort, and energy went into it! The 2 comments are:

1. Ensuring the need and opportunity to coordinate early with other agencies, especially regarding resources, stormwater, and other utilities, throughout the document. As I mentioned on the call, I think it's in there, but just wanted to underscore.
2. In Appendix F, p63, Clean Water Services is specifically mentioned regarding our standards and guidance. The dates quoted are incorrect and I've corrected below. It might be easier to merely say "latest" or "current" standards and or guidance so as to make it more "active" so to speak.
  - a. Some communities in the region, such as the City of Portland, have formally adopted these practices. Clean Water Services in Washington County, for example, updated their Design and Construction Standards in 2021. Clean Water Services also has developed a Low Impact Development Approaches (LIDA) handbook – last updated in 2019 – to promote and encourage use of low impact development approaches in the Tualatin River Watershed. The handbook is a supplement to the Standards and is to be used in conjunction with them and other applicable regulations.

We look forward to working with Metro, Washington County, Tri-Met, and other in coordinating our infrastructure work both policies and planning. Please let me know if you have any questions or need further information. Thank you for the opportunity to comment and participate in the process!

Chris

**Chris Faulkner, AICP** (he/him) | Water Resources Program Manager  
[Clean Water Services](#) | Systems Planning  
2550 SW Hillsboro Hwy | Hillsboro OR 97123  
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**From:** Lin Felton <[REDACTED]>  
**Sent:** Friday, August 25, 2023 4:27 PM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]METRO RTP - Cross Levee trail - project 11813

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Dear Metro Council and JPACT:

I am a stakeholder on Phase 2 of the Parkrose East Cross Levee Greenway project, an initiative that aligns perfectly with the region's vision for a more connected, greener, and accessible region.

We are heartened by the commitment in the 2023 Draft RTP to improving mobility and enhancing our region's natural landscapes. However, we'd like to address one crucial opportunity for acceleration. **The Parkrose greenway project (Cross Levee Trail project #11813) is currently placed on the 2045 Project List, and we believe that this timeline should be expedited, shifting this transformative project to the 2030 list.**

The Parkrose Greenway is more than just a trail; it's a model project that serves as a catalyst for further development and investment in our area. By connecting the Marine Drive Multi Use Path with Sandy Boulevard, this project could beautifully complement Oregon's \$3.6 billion commitment to the Interstate Bridge Replacement Project linking this major infrastructure investment with the Columbia Corridor (the largest industrial area in Oregon), and the historically disinvested Parkrose area. This small but strategic trail connection would contribute to an integrated, efficient, and sustainable transportation system that serves the region's economic heart, with more than 2,000 businesses and nearly 60,000 employees, as well as a community that could greatly benefit from enhanced connectivity, accessibility, tree canopy, and access to nature.

We believe the dedicated partners currently engaging in a PPP model to raise funds for this project can meet the 2030 timeline if given the opportunity. The Parkrose Greenway project symbolizes a vision for a healthier, more sustainable, and equitable future for our community. Its prioritization would be a testament to the Metro Council's commitment to these ideals.

Thank you for your consideration. We appreciate the Council's dedication to improving our region's transportation landscape and look forward to the possibility of expediting the realization of the Parkrose Greenway project.

Sincerely,

Lin Felton

Argay Terrace Neighborhood Association

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**From:** Jonathan Greenwood <[REDACTED]>

**Sent:** Friday, August 25, 2023 5:41 PM

**To:** Trans System Accounts <transportation@oregonmetro.gov>; [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** [External sender]Regional Transportation Plan

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Hello,

**We need bolder action on climate.** Anyone else sick of this heat wave? 40% of Oregon's carbon emissions come from transportation, and as our letter to Metro details, the RTP wildly underestimates the amount of carbon pollution that will come from driving without transformative changes to our transportation system. If the elected officials around our region are truly the climate leaders that they say they are on the campaign trail, we need them to push the Regional Transportation Plan to adopt more aggressive plans to reduce driving and invest in the most cost-effective initiatives to reduce carbon emissions – walkable communities and abundant public transit. The RTP can also be more bold on pushing for more aggressive regional congestion pricing in line with the Climate Smart Communities program, and direct money away from ODOT's freeway expansions and towards community street initiatives. Metro needs to be an unambiguous champion of more equitable congestion pricing policy.

**Invest in traffic safety.** There's been nothing short of carnage on our streets the past few years. It seems to get worse and worse, despite all the proclamations from elected officials that it's time we did something about our unsafe streets. We need regional elected officials to demand that ODOT prioritize investing in orphan highways instead of freeway expansions. The Regional Transportation Plan is an opportunity to outline how this region will prioritize investments in traffic safety over additional road capacity. freeways.

**Finally.** We need vastly more robust public transit all over the Portland metro area. We need to focus on bike and walking infrastructure, too.

Thank you,  
Jonathan Greenwood

**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]Comments regarding Metro's Region Transportation Plan  
**Date:** Thursday, August 24, 2023 7:22:43 PM  
**Attachments:** [NMF-2023-RTP-Comments.pdf](#)

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As an ER doctor, I see the dangerous impacts of the worsening climate crisis firsthand. Our ERs overflow with patients with asthma and other lung disease suffocating from wildfire smoke. Tropical diseases are working their way northward into our country. Record breaking temperatures are causing heat stroke in normally robust and healthy people, and killing our vulnerable elderly and even children.

As a father of two young children, I lose sleep worrying about the future they'll be forced to live in. Will it be a future of environmental collapse; worsening extreme weather; droughts, floods, and hurricanes that cause crop failure and famine; political unrest and fights over dwindling resources? Or will they live in an environmentally sustainable world? That choice is being made by the actions we take every day.

Our family has invested in solar panels and an electric vehicle. We do the majority of our commuting by bicycle. We avoid beef and other carbon-intensive foods. We make these choices for the future of our children. But the existential threat presented by the climate crisis requires more than the efforts of individual families. It requires the strong, coordinated efforts of all of our governmental agencies. Our country must take historically bold efforts NOW.

You may be facing pressures to do nothing, or to do the least amount, thinking that a minimal effort is a "middle ground" or the "politically safe" thing to do. But in a crisis, choosing anything but the most ambitious and far reaching plan is the unsafe choice. The decisions YOU make right now will decide the future our children live in.

The current Metro Regional Transportation Plan is *insufficient* to address the magnitude of the climate crisis. 40% of Oregon's carbon emissions come from transportation, and the RTP *vastly* underestimates the amount of carbon emissions that will come from driving unless there is transformative change to our transportation's system. The RTP needs to adopt more aggressive plans to **reduce driving** and invest in the most cost-effective initiatives to reduce emissions, namely **walkable communities and abundant public transportation**. The RTP needs to demand **aggressive regional congestion pricing** in line with the Climate Smart Communities program. And it's absolutely imperative that it **directs money away from ODOT's freeway expansion plans**, which will be devastating for the climate, the state's budget, and nearby communities. That money should be put towards community street initiatives instead.

As an ER doctor, I also see the consequences of our dangerous street designs, which heavily prioritize vehicle speed over the health and safety of bicyclists and pedestrians. I see the carnage wrought by American vehicles that are growing larger and larger, and driving at higher rates of speeds because roads are designed to allow it. The death rate is only climbing, and those lucky enough to survive are forever disabled, their lives absolutely devastated. This may seem abstract to people like you who aren't by their bedside as they're wheeled into our ER trauma bay. But it may one day become *very* real, when the victim is your own family member, maybe your children. **But you have the power to prevent this.**

Metro needs to champion public safety, to demand ODOT prioritize investing in orphan highways instead

of freeway expansions, and redesign roads that prioritize safety over speed and ease of driving.

I strongly urge you to adopt the suggestions submitted by forward looking, community focused organizations, such as No More Freeways, The Street Trust, Verde, 1000 Friends of Oregon, and other organizations that are focused on stabilizing the climate emergency and protecting our families. Your children and grandchildren will one day look back on the RTP as either an inditement, evidence of the opportunity you squandered that led to their bleak future. Or they may look back on the RTP as a foundational document that demonstrated your boldness, your bravery, and your wisdom, and pointed the way to a better future they will forever thank you for.

Dr. Christopher Hale

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**From:** DJ Heffernan <[REDACTED]>  
**Sent:** Saturday, August 26, 2023 11:43 AM  
**To:** Trans System Accounts <[REDACTED]>  
**Subject:** [External sender]2023 RTP public comment

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Please prioritize the bike/ped/safety improvement to NE Cornfoot Rd between 82nd Ave and 47th Ave. This is an important bike route for commuters and recreational users that is unsafe given how narrow and chipped up the road surface is and because of its heavy truck use. I recall it is listed in the RTP as a freight mobility project and not as a safety project, is that correct? Regardless, perhaps the Oregon Army Reserves could contribute to the frontage improvements given the length of that road segment that fronts military property? The Army Corps of Engineers may be able to help with design and construction.

--

DJ Heffernan  
[REDACTED]

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**From:** Dyami Valentine <[REDACTED]>

**Sent:** Thursday, August 24, 2023 10:14 PM

**To:** Kim Ellis <[REDACTED]>

**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** Comments on 2023 RTP Update

Hi Kim,

Please add the following comment to my previous email (inadvertently omitted):

- Metro has established a policy on auxiliary lanes that does not align with the Oregon Highway Plan (OHP). As currently drafted aux lanes is defined as added capacity as well as an important tool for improved freeway safety and operations. Staff supports amending the RTP to reflect the OHP definition and specifically striking the definition that an aux lane adds capacity. Furthermore, staff supports carrying forward any major projects with assumed aux lanes from previous RTPs (i.e. Nyberg braided ramps, etc.)

Thanks

**Dyami Valentine** | **Principal Planner**

Washington County Department of Land Use & Transportation

Planning & Development Services | [Long Range Planning](#)

155 N First Avenue, Suite 350 MS14 | Hillsboro, OR 97124

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[REDACTED] | [www.washingtoncountyor.gov/lut](http://www.washingtoncountyor.gov/lut)

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**From:** Dyami Valentine

**Sent:** Thursday, August 24, 2023 6:39 PM

**To:** Kim Ellis, Metro [REDACTED]

**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** Comments on 2023 RTP Update

Hi Kim,

Thank you for the opportunity to comment on the 2023 Regional Transportation Plan (RTP) update. I've appreciated the opportunity to provide comments on the RTP at TPAC and other forums over the last couple of months. You have done a great job coordinating and engaging with regional partners,

elected officials, and community representatives to identify urgent and long-term transportation needs, investments to meet those needs and the funds the region expects to have available through 2045. The policies in the plan and continued collaboration to prioritize investments are critical to advancing the region's transportation mobility, safety, equity, economic and climate goals. Below are few additional and/or reiterated comments for your consideration:

### Chapter 3

- Pricing policy 3.2.5.1 does not include a stated purpose of revenue generation. It should be listed as a purpose consistent with HB 3055 and other legislative directive.
- Our community members consistently say they want connected communities served by complete streets that includes building new roads, bike paths, sidewalks, trails and other infrastructure that allows for safe and efficient travel options and equitable mobility. We need make sure the mobility policies are not inadvertently creating obstacles to building new complete connected communities.

### System performance

- Throughway performance
  - I understand that Metro is still working through the methodology for signalized throughways and I look forward to the analysis.
  - We understand that tolling is assumed in the model. We would like to see a model run without tolling to see tolling's impact on system performance, especially on our throughways, diversion, and inter-relation of safety and other local network performance impacts.

### Chapter 8

- This is an important element of the RTP as it establishes priorities for the next 5-years of planning and project development for the region in advance of the next RTP update in 2028. We appreciate the response to comments received - especially simplifying the chapter. A few notes on the draft:
  - 2040 Refresh Coordination – Recommend a more comprehensive revisit of the 2040 Growth Concept to better reflect our growing communities. 2040 Growth Concept as mapped does not adequately reflect the past 30 years of development and needs a significant refresh. Changing dynamics in growth patterns including the relative importance of regional centers and new urban growth areas is not adequately captured.
  - Mobility corridors are both important but problematic for Washington County as some regionally significant needs are not reflected by any corridor.
    - The descriptions in the draft need to be updated/refined based on current/on-going efforts including:
      - Westside Multi-Modal Study
        - Combined Hillsboro and Washington County staff comments are being submitted separately.
      - Tualatin Valley Highway Transit Project – I understand this is being updated and we will be able to review/edit when available.
    - Based on the throughway mobility performance suggest adding mobility corridor #12 (Beaverton-Tigard) to mobility corridor #3 (Tigard-Wilsonville) as part of future corridor refinement planning. Much of the demand on I-5 comes to/through/from the Beaverton-Tigard area and potential

transportation solutions includes the throughway (OR 217) and transit, SW Corridor and WES in particular.

- Recommend adding a new mobility corridor between Sherwood and Hillsboro. Based on our urban reserves transportation study this part of Washington County is expected to grow significantly over the next 20 years. These new communities need to be served by all modes and require infrastructure of all types, including new roads and bridges.
- It is going to be of growing importance at the regional and local level to assess and address electric vehicle charging infrastructure needs. It would be good to highlight this need more prominently.
- I appreciate the efficient use of standing committees to work through some of the technical and policy issues. However, there are some issues that may have benefitted from more focused technical review, discussion, and feedback. Specifically assumptions around pricing, climate change/GHG and some of the project assessment work. Recommend outlining, perhaps as part of Chapter 8, the process for how you anticipate engaging community and regional partners during the next RTP update.

#### Glossary

- Diversion – is described as movement of trips from one facility to another due to pricing. Recommend adding that diversion is also due to movement of traffic from one facility to another due to congestion on the facility.
- The glossary defines ‘must’ as “when used in the context of actions and policies must means there is a legal obligation or requirement to take the action or enact the policy. Must is often used interchangeably with shall. Also see should.” There are 177 instances of ‘should’, 84 instances of ‘must’, and 27 instances of ‘shall’ in the RTP, many of which are directed at local government transportation system plan and project development requirements/compliance. In some cases (e.g. VMT/capita) the implementation details have not yet been fully thought through and/or worked out. Recommend reframing these compliance-related statements to in a way that suggests the details will be worked out and outlined in the update to the Regional Transportation Functional Plan (RTFP).

Thank you and don’t hesitate to contact me if you have any questions.

#### **Dyami Valentine** | **Principal Planner**

Washington County Department of Land Use & Transportation

Planning & Development Services | [Long Range Planning](#)

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**INFO:** Washington County email address has changed from @co.washington.or.us to @washingtoncountyor.gov. Please update my contact information.

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**From:** Jessy Jacobs <[REDACTED]>  
**Sent:** Saturday, August 26, 2023 8:01 PM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]2023 RTP public comment

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Dear Metro Council and JPACT:

I reside in Argay Terrace and wish to express my support for the Parkrose East Cross Levee Greenway project. Currently, we understand that this project (Cross Levee Trail project #11813) is currently on the 2045 Project List. Why so far off? We in Argay Terrace would like to see this trail become a reality much sooner, at least by 2030, rather than waiting another 15 years!

Personally, I would love to be able to bike and walk/jog with my dog from my home, across Sandy Blvd. and Airport Way (without fearing for my life) before I'm too old to enjoy it! On a slightly less selfish note, residents of our Parkrose, Argay, Wilkes, Russell and surrounding neighborhoods would greatly benefit from safe connectivity to area businesses, tree canopy, and access to the beauty & nature that Portland has to offer.

Thank you for re-considering expediting the date for the Cross-Levee Greenway Project.

Sincerely,  
Jessy Jacobs  
ATNA Board Member & Newsletter Editor

[REDACTED]

---

**From:** Al Johnson <[REDACTED]>  
**Sent:** Friday, August 25, 2023 4:40 PM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]Comments on Draft RTP - Al Johnson, August 25, 2023

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Please accept these comments for the record and put me on the mailing list for all further proceedings at [REDACTED]. Thank you.

These comments are submitted based on my expertise and experience as a retired land use attorney and longtime participant in state and local land use planning. My main concerns are these:

The RTP appears to be siloed in ways that insulate analysis and documentation of compliance with state transportation policy from compliance with state housing policy as expressed in Oregon's Needed Housing statutes, ORS 197.296, et seq., and statewide Housing Goal (LCDC Goal 10). This land use-transportation disconnection reinforces longstanding structural inequities documented in the record and reinforces barriers to federal Fair Housing statutes and implementing

rules requiring Metro and its constituent jurisdictions to Affirmatively Further Fair Housing.

Metro must demonstrate continuing compliance with its own housing and coordination plan policies as well as applicable statewide statutes, goals and rules concurrently with adoption of its RTP update.

Of particular concern on a brief review of the draft RTP and supporting materials:

1. The RTP does not establish standards or requirements concerning quality, adequacy, safety, accessibility or funding with respect to current or future transit facilities used as the basis for its proximity metrics.
2. The RTP and equity analysis ignore the issue of "access to opportunity areas" as that term is used everywhere but in Oregon, where it has inappropriately been newspeaked to mean only urban areas of inopportunity to which, as Metro's own equity analysis recognizes, historically burdened populations have historically been confined by zoning, redlining, real estate and appraisal practices, and federal lending policies. Those areas deserve all the help they can get, and the likelihood of that help should be established with a much higher level of certainty than the help historically promised to Oregon's native peoples in exchange for moving

from their historic homes to the "areas of opportunity" known as "reservations." But remediation of failures to deliver within the pales must be accompanied by removal of the pales themselves.

3. The RTP fails to adequately consider or address the need for and potential impact on GHG and VMT reduction of enabling lower-income people to live, work, shop, study, walk, bike, play, and drive closer to destinations in areas where opportunity has already been concentrated--affordable homeownership, dispersed workplaces, good schools, grocery stores, libraries, safe streets, new sidewalks, clean air, safe water supplies, etc., within Oregon's urban areas, which, after 50 years, should be considered the state's climate-friendly and equitable communities.

See also attached HUD definition of "opportunity areas" and recent article on the racist history of zoning by CFEC member Sarah Adams-Schoen.

LCDC's statewide housing goal requires Metro and its cities to encourage housing in locations and at prices as well as rentals that are affordable to all Oregonians. That means meaningful access to areas of historic exclusion for everyone, not just the rich, and not just the very poor. As a prominent Harvard economist said recently,

More housing is important, but so too is its geographic location. A completely unregulated market could lead to economic segregation: affluent households living where they please and low-income households relegated to leftover land. Economists have identified economic segregation as a key barrier to intergenerational mobility. With economic opportunity as a goal, the region would strive for abundant, well-integrated housing".

Chetty and Hendren, "*The Effects of Neighborhoods on Intergenerational Mobility*," Quarterly Journal of Economics 133, no. 3 (August 2018): 1163-1228, <https://doi.org/10.1093/qje/qjy006>.

Respectfully submitted,

Al Johnson

(Statewide land use, ad law, appellate practice 1974-2010. Wide range of clients, public and private, for-profit and non-profit, residential, commercial, industrial, governmental. Several low-income housing projects approved over neighborhood opposition with help of Oregon's needed housing statutes and statewide housing goal. Housing related volunteer work has continued since retirement, including:

Co-chair, Bend Residential Lands Technical Advisory Committee, during 2014-201 BLI-HNA-UGB update. Member, Steering Committee, Wild Rivers Coast Alliance (focus on workforce housing inside coastal UGBs). Member, DLCD Regional Housing Needs Analysis (OHNA) advisory committee and Housing Capacity work group Alternate, DLCD Climate-Friendly and Equitable Communities rulemaking advisory committee. Served as LCDC hearings official in 1970's. Drafted early LCDC statewide housing goal decisions including *Seaman v Durham* (explaining least cost, regional fair share requirements of Goal 10) and *Kneebone v Ashland* (restricting density reductions). Co-editor of Oregon State Bar Administrative Law handbook. Represented prevailing party in leading cases enforcing Oregon's statewide housing and needed housing statutes, including: *Opus v. Eugene* (requiring cities to account for impacts of site review standards on housing inventories) *Jaqua v. Springfield* (limiting type and scale of nonresidential uses on urban residential lands) *Creswell Court*

v Creswell (prohibiting city from excluding manufactured home parks without coordinating with nearby cities) Homebuilders/Eugene Chamber v Eugene (2002 Eugene code update (requiring cities to account for losses to residential lands inventories from amendments overlaying up to 200,000 density-reducing tree buffers on inventoried 20-year residential land supply)

To: Senator Kayse Jama, Chair, and Members  
Senate Committee on Housing and Development  
From: Al Johnson, retired land use attorney<sup>i</sup>  
Re: House Bill 3151A, April 12, 2023, Public Hearing  
Date: April 11, 2023

Greetings, Chair Jama and Committee Members:

I respectfully urge you to send HB 3151A to the Senate Floor with a do-pass recommendation.

HB 3151A makes several reforms that will go a long way towards making a key affordable housing choice also a secure housing choice for Oregonians across the state. I will focus on the reform that, to my mind, is the most important: allocating up-front costs of permanent improvements to landowners instead of homeowners.

Homeowners in manufactured home parks are also renters. They own their homes but rent the land beneath their homes. Ownership of the home provides apparent affordability, but renting the land too often makes that an illusion: Manufactured home park homeowners are typically locked into a tenancy situation in ways that apartment renters are not. When they move, they have to take the house with them, which is always costly and often impossible. They are captives of the company store and helpless when the current park owner or an outside investor raises rents. The door gets an additional lock when the homeowner has had to pay for permanent improvements and systems development charges, which will be left behind with the owner.

These permanent charges are typically and properly recognized as long-term landowner expenses for financing, property value assessment, and tax purposes. They are typically and properly financed and depreciated over the life of an apartment project, not over the period of an apartment lease. Park tenants should not have to give their landlords--or future tenants--a free ride or pay what amounts to a regressive transfer tax.

Thank you for your continued commitment to helping Oregon achieve, at long last, the objectives of its half-century-old statewide housing goal, which is to encourage affordable homeownership opportunities as well as affordable rentals "for all Oregonians."

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<sup>i</sup> Statewide practice 1974-2010. Wide range of clients, public and private, for-profit and non-profit, residential, commercial, industrial, governmental. Several low-income housing projects approved over neighborhood opposition with help of Oregon's needed housing statutes and statewide housing goal.

Housing related volunteer work has continued since retirement, including:

Co-chair, Bend Residential Lands Technical Advisory Committee, during 2014-201 BLI-HNA-UGB update.

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Alternate, DLCD Climate-Friendly and Equitable Communities rulemaking advisory committee.

Served as LCDC hearings official in 1970's. Drafted early LCDC statewide housing goal decisions including *Seaman v Durham* (explaining least cost, regional fair share requirements of Goal 10) and *Kneebone v Ashland* (restricting density reductions).

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*Jaqua v. Springfield* (limiting type and scale of nonresidential uses on urban residential lands)

*Creswell Court v Creswell* (prohibiting city from excluding manufactured home parks without coordinating with nearby cities)

*Homebuilders/Eugene Chamber v Eugene* (2002 Eugene code update (requiring cities to account for losses to residential lands inventories from amendments overlaying up to 200,000 density-reducing tree buffers on inventoried 20-year residential land supply).

## **Seaman v Durham 1 LCDC 283 (1978)**

### **Opinion of the Oregon Land Conservation and Development Commission, Allen L. Johnson, hearings official**

#### **SUMMARY**

Petitioners challenged an ordinance of respondent, which amended the definition of the City's A-1 Multi-Family Zoning District to reduce the allowable density of residential units from 10 to 5 per acre. The petition alleged violations of goals 2, 3, 10, 13, and 14. Held: The ordinance violated Goal 10 and was therefore invalid. It tightened area restrictions, raised the minimum cost of new housing, and did not promote flexibility in housing types; respondent had not shown by compelling reasons how it had complied with Goal 10 in so doing. 1 LCDC at 283

#### **ISSUES**

**1 Goal 10 - Implementation on Regional Level.**

The guidelines for Goal 10 contemplate the ultimate implementation of the goal to be on a regional level. It refers to the "financial capability" of "Oregon households," strongly suggesting that towns must look beyond their borders in assessing housing needs.

**2 Intent to Decrease Diversity of Housing Types and Prices Violates Goal 10.**

Planning that shows an intent to decrease the diversity of housing types and prices in a city runs directly contrary to the purposes of Goal 10.

**3 Goal 10 - "Least Cost" Doctrine.**

The goal does not forbid a municipality to plan and zone substantial areas for low-density or multiple-family housing. The only requirement is that the planning jurisdiction do its part toward solving the housing needs of the area's residents of all income levels, as far as is reasonably possible given the constraints of land, materials, and similar costs.

#### **From 1 LCDC 283-284:**

#### **NATURE OF PROCEEDINGS**

This is a review proceeding brought by 19 private persons under ORS 197.300(1)(d) to review an ordinance adopted by the City Council of the City of Durham on July 20, 1977, amending the definition of the city's A-1 Multi-Family Zoning District to reduce the allowable density of residential units from 10 to 5 per acre.

Durham's population, according to a recent census update, is about 250 people. The city has no stores or other commercial activities, although a small portion is zoned for professional commercial. It has two small light industrial zones with light industry in them. The remainder of the city is zoned single-family residential with a minimum lot size of 15,000 square feet. Existing multiple family uses consist of two multiplexes, both within the A-1 strip. One has 12 units, the other four. Both conform to the 4,000 square foot per dwelling unit limit imposed by the old A-1 plan text.

# The White Supremacist Structure of American Zoning Law

Sarah J. Adams-Schoen<sup>†</sup>

## INTRODUCTION

When I began this research project in the summer of 2021, those who lived in the predominantly Black<sup>1</sup> neighborhood where I grew up<sup>2</sup>—Portland, Oregon’s Cully neighborhood—experienced a catastrophic and unprecedented heat wave at temperatures as much as 25°F higher than those who lived in Portland’s restrictive, amenity rich single-family neighborhoods.<sup>3</sup> Cully is one of the most racially and ethnically

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<sup>†</sup> © Sarah J. Adams-Schoen, Assistant Professor, University of Oregon School of Law. Please direct correspondence to [saschoen@uoregon.edu](mailto:saschoen@uoregon.edu). The author thanks Thomas Albertson and Michael Romano for their tenacious research assistance; Al Johnson, Victor Flatt, Michael Pappas, Edward J. Sullivan, and participants at University of Oregon Law colloquia and environmental law colloquia for support and helpful comments; the leadership and staff of the *Brooklyn Law Review*, including Mickaela Fouad, Hayley Bork, and Arpi Youssoufian, for their patience, diligence, and insight; Angela Addae for, amongst other things, encouraging me to trace structural racism in zoning law back to race-based slavery; Kasama Star for encouraging me recognize how animus against Asians and Asian Americans shaped American zoning law; and my spouse Le for their commitment to antiracism and innumerable heavy lifts that supported this project.

<sup>1</sup> In this article, I used the term “Black” rather than “African American” in recognition of the broader inclusivity of the term Black. Anthony V. Alfieri & Angela Onwuachi-Willig, *Next-Generation Civil Rights Lawyers: Race and Representation in the Age of Identity Performance*, 122 YALE L.J. 1484, 1558 n.5 (2013) (explaining that “Black” includes Black Americans, permanent residents and other Black noncitizens in the United States, and Black immigrants from the Caribbean and other regions outside Africa). I capitalized “Black” in recognition that the term describes a specific racialized cultural group. See Kimberlé Williams Crenshaw, *Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 HARV. L. REV. 1331, 1332 n.2 (1988) (“Blacks, like Asians [and] Latinos . . . constitute a specific cultural group and, as such, require denotation as a proper noun.”). I also altered quotations to substitute the terms “Black,” “People of Color,” and “Asian,” for pejorative, stereotype reinforcing terms whenever doing so did not change the meaning of the quoted text.

<sup>2</sup> I did not experience this neighborhood as a Person of Color but rather as a white, cisgender queer girl growing up in a family living below the poverty line.

<sup>3</sup> See Sarah Kaplan, *Heat Waves Are Dangerous. Isolation and Inequality Make Them Deadly*, WASH. POST (July 21, 2021, 8:00 AM), <https://www.washingtonpost.com/climate-environment/2021/07/21/heat-wave-death-portland/>; Jackson Voelkel et al., *Assessing Vulnerability to Urban Heat: A Study of Disproportionate Heat Exposure and Access to Refuge by Socio-Demographic Status in Portland, Oregon*, 15 INT’L J. ENV’T RSCH. & PUB. HEALTH 640 (2018).

diverse neighborhoods in Oregon.<sup>4</sup> Despite being home to higher concentrations of families than Portland generally,<sup>5</sup> Cully has fewer paved roads, sidewalks, and recreational spaces,<sup>6</sup> and more polluted land and air.<sup>7</sup>

In Eugene, Oregon, where I currently live, an environmental justice investigation found that 99.9 percent of toxic air emissions occur in just one of the city's zip codes—a zip code that is less white and less restrictively zoned than other residential areas of the city.<sup>8</sup> Residents in this zip code experience higher rates of asthma and other respiratory diseases, absences from school and work,<sup>9</sup> incidents of COVID-19 related hospitalization and death, and are more vulnerable to toxic wildfire smoke.<sup>10</sup>

That these environmental burdens fall more heavily on Portland and Eugene's communities of color is neither a historical accident nor the result merely of market dynamics and individual preferences.<sup>11</sup> Scholars have amassed substantial evidence of the correlation between the notoriously white supremacist nature of federal housing programs of the 1920s to the 1960s—including, for example the Homeowners Loan Corporations' actuarial risk mapping known as "redlining"—and

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<sup>4</sup> RICARDO BAÑUELOS ET AL., PORTLAND STATE UNIV., NOT IN CULLY: ANTI-DISPLACEMENT STRATEGIES FOR THE CULLY NEIGHBORHOOD 1 (2013) [hereinafter NOT IN CULLY BACKGROUND DOCUMENT] (identifying Cully neighborhood as the most diverse neighborhood in the city of Portland and the state of Oregon based on USA Today's 2010 Diversity Index).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 1.

<sup>7</sup> See EARTH JUST., OWENS-BROCKWAY: AN ENVIRONMENTAL JUSTICE PROBLEM IN PORTLAND 3–4, [https://earthjustice.org/wp-content/uploads/2021.09.23\\_portland\\_air\\_pollution.pdf](https://earthjustice.org/wp-content/uploads/2021.09.23_portland_air_pollution.pdf) [https://perma.cc/Q35C-MJ2W] (regarding air pollution); *Six Years Later, Cully Park is Much More Than a Dream*, N.W.W. HEALTH FOUND., <https://www.northwesthealth.org/news/six-years-later-cully-park-is-much-more-than-a-dream> [https://perma.cc/R85G-PXYQ] (regarding "brownfields," or postindustrial, contaminated land).

<sup>8</sup> See ALISON GUZMAN & LISA ARKIN, ENVIRONMENTAL JUSTICE IN WEST EUGENE: FAMILIES, HEALTH AND AIR POLLUTION 2011–2012 16–29 (2013).

<sup>9</sup> *Id.*

<sup>10</sup> Adam Duvernay, *Lane County Residents Warned to Avoid Unhealthy Air by Staying Indoors*, REG.-GUARD (Oct. 15, 2022, 10:52 AM), <https://www.registerguard.com/story/news/2022/10/15/lane-county-residents-unhealthy-air-quality-indoors-wildfire-smoke/69565411007/>; Aimee Green & Mark Friesen, *See Which Oregon ZIP Codes Are Hammered Hardest by Coronavirus During Record Omicron Surge*, OREGONLIVE (last updated Jan. 8, 2022, 8:44 AM), <https://www.oregonlive.com/data/2022/01/see-which-oregon-zip-codes-are-hammered-hardest-by-coronavirus-during-record-omicron-surge.html>.

<sup>11</sup> See generally Jade A. Craig, "Pigs in the Parlor": *The Legacy of Racial Zoning and the Challenge of Affirmatively Furthering Fair Housing in the South*, 40 MISS. COLL. L. REV. 5, 37–47 (2022) (discussing theoretical and empirical evidence refuting notion that individual preference is the primary cause of racialized geographies and resulting environmental racism).

the disparate allocation of environmental burdens to communities of color and very low income communities.<sup>12</sup> These and other scholars also provide ample evidence that a unique feature of American zoning law,<sup>13</sup> a strict residential use taxonomy that privileges “single family” homes over “multifamily” homes, has had the effect of economically and racially segregating US cities.<sup>14</sup> Critical legal geography scholar Elise Boddie’s theory of racialized territoriality identifies laws that enforce geographic separation, including facially neutral zoning laws, as integral to the perpetuation of “racial hierarchy.”<sup>15</sup> Sheryll Cashin and Dorceta Taylor, both of whom have written extensively on race and class segregation in US cities, also identify American zoning law as among the laws and government policies that shaped and perpetuate racialized spatial boundaries.<sup>16</sup> Moreover, a relatively small but compelling body of urban planning and sociology scholarship provides

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<sup>12</sup> See, e.g., Michelle Adams, *Separate and (Un)equal: Housing Choice, Mobility, and Equalization in the Federally Subsidized Housing Program*, 71 TUL. L. REV. 413, 425 (1996); Kristen B. Crossney & David W. Bartelt, *The Legacy of the Home Owners’ Loan Corporation*, 16 HOUS. POL’Y DEBATE 547, 548 (2005); DORCETA E. TAYLOR, TOXIC COMMUNITIES: ENVIRONMENTAL RACISM, INDUSTRIAL POLLUTION, AND RESIDENTIAL MOBILITY (2014); Sheila R. Foster, *Vulnerability, Equality and Environmental Justice: The Potential and Limits of Law*, in THE ROUTLEDGE HANDBOOK OF ENVIRONMENTAL JUSTICE (2017); RICHARD ROTHSTEIN, THE COLOR OF LAW: A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA (2017); Todd M. Michney & LaDale Winling, *New Perspectives on New Deal Housing Policy: Explicating and Mapping HOLC Loans to African Americans*, 46 J. URB. HIST. 150 (2020); Jason Richardson et al., *Redlining and Neighborhood Health*, NAT’L CMTY. REINVESTMENT COAL. (2020), <https://ncrc.org/holc-health/> [<https://perma.cc/369D-VF55>]; BRUCE MITCHELL & JUAN FRANCO, NCRC RESEARCH, HOLC “REDLINING” MAPS: THE PERSISTENT STRUCTURE OF SEGREGATION AND ECONOMIC INEQUALITY, [https://ncrc.org/wp-content/uploads/dlm\\_uploads/2018/02/NCRC-Research-HOLC-10.pdf](https://ncrc.org/wp-content/uploads/dlm_uploads/2018/02/NCRC-Research-HOLC-10.pdf) [<https://perma.cc/3RRU-4UWA>].

<sup>13</sup> Comparative urbanism scholar Sonia Hirt reports that the regulatory preference for the single-family home “is an international rarity, historically and today.” SONIA A. HIRT, ZONED IN THE USA: THE ORIGINS AND IMPLICATIONS OF AMERICAN LAND-USE REGULATION 7 (2014).

<sup>14</sup> See *infra* Part IV; see also, e.g., DOUGLAS S. MASSEY & NANCY A. DENTON, AMERICAN APARTHEID: SEGREGATION AND THE MAKING OF THE UNDERCLASS (1993); Craig Anthony (Tony) Arnold, *Planning Milagros: Environmental Justice and Land Use Regulation*, 76 DENV. U. L. REV. 1 (1998); Rolf Pendall, *Local Land Use Regulation and the Chain of Exclusion*, 66 J. AM. PLAN. ASS’N 125 (2000) (reporting results of a study contending that certain types of zoning have exclusionary effects on Black people and other racial minorities, funneling these communities into high density, urban neighborhoods); RICHARD H. SANDER ET AL., MOVING TOWARD INTEGRATION: THE PAST AND FUTURE OF FAIR HOUSING 1–4, 8–9 (2020).

<sup>15</sup> Elise C. Boddie, *Racial Territoriality*, 58 UCLA L. REV. 401, 420–21 (2010); see also *infra* Part IV.

<sup>16</sup> See, e.g., SHERYLL CASHIN, WHITE SPACE, BLACK HOOD: OPPORTUNITY HOARDING AND SEGREGATION IN THE AGE OF INEQUALITY 5 (2022); TAYLOR, *supra* note 12; see also Sheryll D. Cashin, *Middle-Class Black Suburbs and the State of Integration: A Post-Integrationist Vision for Metropolitan America*, 86 CORNELL L. REV. 729, 769 (2001) (discussing facially neutral zoning laws or “fiscal zoning” as a driver of racial segregation).

compelling evidence that early twentieth century lawyers, planners, and real estate professionals developed American zoning law's residential use taxonomy specifically to entrench a separate and unequal dual housing system.<sup>17</sup>

This residential use taxonomy, which established a hierarchy of residential uses with the detached single-family home at its apex, was the defining feature of American zoning law at its inception and it remains so today.<sup>18</sup> Zoning codes in US municipalities typically include one or more “single-family” district that limits the primary use of each buildable lot within its boundaries to a single, detached dwelling, built on site and occupied by a single “family” or “household unit.”<sup>19</sup> These features distinguish zoning in US cities from zoning elsewhere in the world.<sup>20</sup> The provision of a regulatory preference for the single-family residence has been identified as the primary purpose of zoning in US cities,<sup>21</sup> the source of more controversy than any other aspect of American zoning law,<sup>22</sup> and a key feature of the dual housing system that Cashin so aptly identifies as a system of “American residential caste.”<sup>23</sup>

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<sup>17</sup> See, e.g., Yale Rabin, *Expulsive Zoning: The Inequitable Legacy of Euclid*, in ZONING AND THE AMERICAN DREAM 101, 105 (Charles M. Haar & Jerold S. Kayden eds., 1989); Christopher Silver, *The Racial Origins of Zoning in American Cities*, in URBAN PLANNING AND THE AFRICAN AMERICAN COMMUNITY 23–42 (Manning Thomas, June & Marsha Ritzdorf eds., 1997); MARC WEISS, *THE RISE OF THE COMMUNITY BUILDERS: THE AMERICAN REAL ESTATE INDUSTRY AND URBAN LAND PLANNING* (1987); HIRT, *supra* note 13; JESSICA TROUNSTINE, *SEGREGATION BY DESIGN: LOCAL POLITICS AND INEQUALITY IN AMERICAN CITIES* (2018); see also Michael C. Lens, *Zoning, Land Use, and the Reproduction of Urban Inequality*, 48 ANN. REV. SOCIOLOGY 421, 425 (2022) (arguing for a sociological research agenda on zoning and observing that “[a]partment bans in the form of single-family zoning get more attention in planning history and research”).

<sup>18</sup> See 1 RATHKOPF'S THE LAW OF ZONING AND PLANNING § 10:1 (4th ed.) (recognizing the “primary purpose” of early and current zoning in US cities is “to protect single-family residential use[.] . . . considered to be the best and most important use to which property could be put,” from other incompatible land uses); BABCOCK, *THE ZONING GAME* 6 (1979) (“The primary, if not the exclusive, purpose [of zoning] in the 1920's was to protect the single-family district and that objective is foremost four decades later.”); Burch & Ryals, *Land Use Controls: Requiem for Zoning and Other Musings on the Year 1982*, 15 URB. LAW. 879, 880 (1983) (characterizing the single-family district as “the hallmark of modern American land use control”).

<sup>19</sup> 2 RATHKOPF'S THE LAW OF ZONING AND PLANNING § 23:1 (4th ed.). Many of these ordinances define family to include only persons related by blood, marriage, or adoption. *Id.*

<sup>20</sup> See Sonia Hirt, *Split Apart: How Regulations Designated Populations to Different Parts of the City*, in ONE HUNDRED YEARS OF ZONING AND THE FUTURE OF CITIES 3, 14 (Amnon Lehavei ed., 2018).

<sup>21</sup> See *infra* note 14 (citing sources).

<sup>22</sup> Edward Zeigler, Jr., *The Twilight of Single-Family Zoning*, 3 UCLA J. ENV'T'L L. & POL'Y 161, 163 n.7 (1983); see also, e.g., Christopher Serkin, *Divergence in Land Use Regulations and Property Rights*, 92 S. CAL. L. REV. 1055, 1058 (2019) (labeling single-family districts “zoning's original sin”).

<sup>23</sup> CASHIN, *supra* note 11, at 6.

And yet, examination of the development of this residential use taxonomy is largely missing from analyses of American zoning law's historical development<sup>24</sup>—notwithstanding its ubiquity, controversy, and well-documented exclusionary effects.<sup>25</sup> The origin story of American zoning tends to focus on three key events. The first is New York City's adoption of citywide zoning in 1916, which is often characterized as the first comprehensive zoning adopted in the United States.<sup>26</sup> The second is the Department of Commerce's development of a model state zoning enabling statute, the Standard State Zoning Enabling Act (SZEa), first published in 1923.<sup>27</sup> The third is *Village of Euclid v. Ambler Realty*,<sup>28</sup> the seminal case in which the US Supreme Court approved of comprehensive zoning with separate, exclusively single- and two-family residential districts as a legitimate police power function.<sup>29</sup> Euclid's zoning ordinance is almost universally<sup>30</sup> described as having been patterned on New York City's 1916 Zoning Resolution.<sup>31</sup> But New York City's

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<sup>24</sup> See Allison Shertzer et al., *Race, Ethnicity, and Discriminatory Zoning*, 8 AM. ECON. J.: APPLIED ECONS. 217, 217 (2016) (“[L]ittle is systematically known about the origin and evolution of zoning and its relationship to neighborhood demographics, both in terms of consequences and causes.”); Silver, *supra* note 12, at 22 (observing that insufficient attention has been paid “to important racial zoning initiatives after 1917”); *but see* WEISS, *supra* note 12 (explicating racial motives underlying development of residential use taxonomy by California “community builders”); Richard H. Chused, *Euclid's Historical Imagery*, 51 CASE W. RES. L. REV. 597, 613 (2001) (“Zoning rules, like many of the other moral reforms of the late nineteenth and early twentieth centuries, were designed to significantly reduce the likelihood that middle- and upper-class children would come into contact with poor, immigrant, or black culture.”).

<sup>25</sup> See *infra* notes 18 and 20–22 and accompanying text; *supra* Part IV.

<sup>26</sup> See *infra* Section II.A.

<sup>27</sup> See *infra* Section II.C.

<sup>28</sup> *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926).

<sup>29</sup> See *infra* Section III.A.

<sup>30</sup> Westlaw identifies over four thousand secondary sources that cite *Euclid*, including more than three thousand law review articles. Among these four thousand-plus secondary sources, I could find only two that recognize Euclid's residential use classifications and zones exemplified California's contributions to American zoning law. See Sidney F. Ansbacher et al., *Florida's Downtowns Are Free to Grow Local Broccoli . . . and Chickens (Sometimes)*, 11 FLA. A&M U. L. REV. 1, 29 (2015); Sidney F. Ansbacher & Michael T. Olexa, *Florida Nuisance Law and Urban Agriculture*, 89 FLA. B.J. 28 (2015); see also Sara Zeimer, *Exclusionary Zoning, School Segregation, and Housing Segregation: An Investigation into A Modern Desegregation Case and Solutions to Housing Segregation*, 48 HASTINGS CONST. L.Q. 205, 208 (2020) (not discussing *Euclid*, but tracing the roots of both “modern zoning” and expressly racial zoning to Berkeley and the Bay Area), citing ELI MOORE, NICOLE MONTJOJO & NICOLE MAURI, *RACE ROOTS AND PLACE: A HISTORY OF RACIALLY EXCLUSIONARY HOUSING IN THE SAN FRANCISCO BAY AREA* 29, HAAS INST. FOR A FAIR AND INCLUSIVE SOC'Y (2019). A review of the dozens of books about the *Euclid* case is beyond the scope of this article.

<sup>31</sup> See, e.g., Garrett Power, *The Advent of Zoning*, 4 PLAN. PERSPECTIVES 4–5 (1989) (characterizing Euclid's ordinance as essentially superimposing New York City's Zoning Resolution on the Village). Power is in very good company. See, e.g., FRED BOSSELMAN ET AL., *THE TAKINGS ISSUE: AN ANALYSIS OF THE CONSTITUTIONAL LIMITS OF*

Zoning Resolution followed the German and English models of zoning by recognizing only one category of residential use.<sup>32</sup> This oversight obscures the fact that Euclid's ordinance, like most zoning ordinances adopted after 1916, was an amalgam of New York City's Zoning Resolution and Berkeley, California's zoning ordinance. Adopted a few months before New York City's Zoning Resolution, Berkeley's ordinance featured a single-family district, a single- and two-family district, and an apartment district that provided a spatial buffer zone between single- and two-family districts and commercial and industrial districts<sup>33</sup>—just like the zoning ordinance at issue in *Euclid*.<sup>34</sup>

California's early twentieth century urban reformers devised the concept of a land use district in which only so-called single-family homes were permitted, combined with other cost enhancing regulatory restrictions such as relatively large minimum lot sizes, to use economic class as a proxy for race and thereby “protect” “high class” neighborhoods from “invasion” by People of Color.<sup>35</sup> They structured Berkeley's zoning code and map to maintain the exclusivity of these neighborhoods for white residents through the use of physical buffers between restrictively regulated single-family districts and areas where noxious land uses such as cement plants and rail yards were permitted.<sup>36</sup> In undesirable areas of the city where more People of Color lived, they also allowed smaller, less restrictively regulated single-family residences, duplexes, and multifamily residences as well as land uses that would be akin to nuisances if located in “high class” neighborhoods. This strategy was

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LAND USE CONTROL (1973) (noting that Euclid ordinance was patterned on New York City's Zoning Resolution and was typical of ordinances enacted throughout the period); BABCOCK, *supra* note 18 (same); Genna L. Sinel, *New Density and Shrink-Wrapped Streets: Contextual Zoning Policy in New York City*, 11 NYU J.L. & LIBERTY 510, 514 & 514 n.7 (2017) (suggesting same); Donald J. Smythe, *The Power to Exclude and the Power to Expel*, 66 CLEV. ST. L. REV. 367, 390 (2018) (same).

<sup>32</sup> See Sonia Hirt, *The Rules of Residential Segregation: US Housing Taxonomies and Their Precedents*, 30 PLANNING PERSPECTIVES 367, 375–77 (2015).

<sup>33</sup> See *infra* Section II.B. – C (describing Berkeley's ordinance).

<sup>34</sup> See *infra* Section III.A. (describing Euclid's ordinance). See 1 AM. LAW ZONING § 9:1 (5th ed. May 2023 update) (noting Euclid ordinance was typical of ordinances enacted throughout the period).

<sup>35</sup> See *infra* Section II.B.1; see also Sonia Hirt, *The Rules of Residential Segregation: US Housing Taxonomies and Their Precedents*, 30 PLAN. PERSPECTIVES 367, 377–78 (2015) (identifying earliest adopters of separate residential use classifications as Utica and Syracuse, New York, Minneapolis, Michigan, and Berkeley, California, and earliest adopter of single-family district as Berkeley). This is not to say that the European models and New York City's code were inclusionary; rather, they used other regulatory mechanisms, including, for example height regulations, to exclude apartments and other land uses from neighborhoods consisting predominantly of single-family homes. See *infra* Section II.A.

<sup>36</sup> See *infra* Section II.B.1.

referred to as “overzoning,”<sup>37</sup> but may be more aptly characterized as “expulsive zoning.”<sup>38</sup> This chapter of the origin story of American zoning is almost universally omitted from land use law texts and discussions of racially discriminatory zoning.<sup>39</sup>

Also largely absent from the historical narrative of American zoning law—and the pre-Civil Rights Act of 1964 period generally—is the federal government’s widespread promotion of facially neutral comprehensive zoning as an integral part of its twentieth century agenda to develop and entrench a separate and unequal dual housing system. Scholars, advocacy organizations, and the media have shed considerable light on the Federal Housing Administration and Homeowners Loan Corporation’s use of race based underwriting policies and “whites only” federal programs designed to promote ownership of single-family homes.<sup>40</sup> Much less is known about the federal government’s recognition of facially neutral zoning—featuring Berkeley’s residential use taxonomy—as an essential foundation for the success of these notorious federal programs and its massive multi-agency effort to promote zoning to states and cities throughout the United States for this purpose.<sup>41</sup>

I suggest here that, by incorporating these neglected attributes of American zoning’s origin story into the robust literature examining the racial segregation of US cities, exclusionary zoning, and environmental justice, what will emerge is an understanding that American zoning law is one of the most enduring white supremacist legal devices of the Jim Crow era.<sup>42</sup> These attributes of American zoning law, and the

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<sup>37</sup> See *infra* Section II.B.2.

<sup>38</sup> Rabin, *supra* note 17, at 107107.

<sup>39</sup> See *infra* Sections II.A.–B.

<sup>40</sup> See, e.g., *supra* note 12; see also Roy W. Copeland, *In the Beginning: Origins of African American Real Property Ownership in the United States*, 44 J. BLACK STUD. 646, 647 (2013) (highlighting the role of state legislatures in preventing Black individuals from owning land); Brandi T. Summers, *What Black America Knows About Quarantine*, N.Y. TIMES (May 15, 2020), <https://www.nytimes.com/2020/05/15/opinion/sunday/coronavirus-ahmaud-arbery-race.html> (“The American state has restricted [B]lack people’s mobility at least since the time of slavery. These regulations included convict leasing, Black Codes, loitering laws, redlining, [express] racial zoning, . . . and increased surveillance.”).

<sup>41</sup> See *infra* Section III.B.; but see ROTHSTEIN, *supra* note 12, at 51–52 (discussing racist motivations underlying US Department of Commerce’s promulgation of Standard Zoning Enabling Act).

<sup>42</sup> I use the term “Jim Crow era” to refer to the period from the end of the Civil War to approximately 1954, when the Supreme Court decided *Brown v. Bd. of Ed.*, 347 U.S. 483 (1954), and the term “Jim Crow” to refer to laws enacted and applied to perpetuate racial caste through segregation, including facially race-based laws generally associated with southern resistance to Reconstruction and facially race-neutral, but nevertheless race-based, laws adopted throughout the nation to prevent or slow racial

Supreme Court's equal protection and substantive due process jurisprudence that essentially rubber-stamped its barely veiled white supremacist purposes, drove the racial segregation of most US cities, chronic underinvestment in neighborhoods of color, and overinvestment in predominantly white neighborhoods, resulting in multigenerational harms.<sup>43</sup> Because residential segregation contributes to racial wealth gaps<sup>44</sup> and enables the disparate allocation of environmental and climate-related burdens to communities of color,<sup>45</sup> failing to grapple with the white supremacist organizing logic of American zoning's residential use taxonomy undermines efforts to increase housing justice, environmental justice, and climate justice reforms.<sup>46</sup> The need for these interventions grows more urgent as renters face a tsunami of evictions,<sup>47</sup> rising housing costs continue to outpace income,<sup>48</sup> and cities face increasingly intense and frequent floods, heat waves, droughts, and encroaching wildfires.<sup>49</sup>

This article proceeds in four parts. Parts I and II trace the geographic arc of racial zoning in the United States from its nineteenth century California origins<sup>50</sup> to its rapid proliferation in cities of the Jim Crow South,<sup>51</sup> and back to the American West.<sup>52</sup> In the context of this history, Parts I and II assert that the Supreme Court's response to single-purpose racial zoning of the nineteenth and early twentieth centuries paved the way for Berkeley's adoption of a regulatory mechanism that could overcome the spatial, temporal, and enforcement limitations of racially restrictive covenants and withstand judicial scrutiny

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integration. See Katie R. Eyer, *The New Jim Crow Is the Old Jim Crow*, 128 YALE L. REV. 1002, 1032 (2019) (book review) (noting that explicitly race-based laws represented a fraction of the laws enforcing racial segregation).

<sup>43</sup> See *infra* Part IV.

<sup>44</sup> See Alana Semuels, *Segregation Has Gotten Worse, Not Better, and It's Fueling the Wealth Gap Between Black and White Americans*, TIME (June 19, 2020, 8:53 AM), <https://time.com/5855900/segregation-wealth-gap/> [<https://perma.cc/9XUJ-EHR5>]; SANDER ET AL., *supra* note 14, at 3; see also *infra* Section IV.A.

<sup>45</sup> See TAYLOR, *supra* 16, at 186 (citing studies); see, e.g., Jeremy S. Hoffman et al., *The Effects of Historical Housing Policies on Resident Exposure to Intra-Urban Heat: A Study of 108 US Urban Areas*, 8 CLIMATE 12 (2020); see also *infra* Section IV.A.

<sup>46</sup> See *infra* Section IV.B.

<sup>47</sup> JOINT CTR. FOR HOUS. STUD. HARV. UNIV., THE STATE OF THE NATION'S HOUSING 2022 8–11, 38–39 (2022), [https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard\\_JCHS\\_State\\_Nations\\_Housing\\_2022.pdf](https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_State_Nations_Housing_2022.pdf) [<https://perma.cc/4Q5P-LA6V>].

<sup>48</sup> Ashley Gromis et al., *Estimating Eviction Prevalence Across the United States*, 119 PROC. NAT'L ACAD. SCI. 1, 3 (2022).

<sup>49</sup> Shi-Ling Hsu, *Catastrophic Inequality in a Climate-Changed Future*, in 52 ENV'T L. REP. 10211, 10236 (2022).

<sup>50</sup> See *infra* Section I.A.

<sup>51</sup> See *infra* Section I.B.

<sup>52</sup> See *infra* notes 261–265 and 269–276 and accompanying text; see *infra* Part II.

under the Fourteenth Amendment.<sup>53</sup> Part II concludes with a review of primary historic and secondary sources that suggest facially neutral comprehensive zoning featuring Berkeley's strict residential use taxonomy was integral to the federal executive branch's racial segregation programs.<sup>54</sup>

Part III builds on this interrogation of the federal government's role in the development and proliferation of zoning as a means to racially segregate US cities, beginning with an analysis of the Supreme Court's application of a minimum rationality standard of review in the seminal *Euclid v. Ambler Realty* opinion.<sup>55</sup> In Part III, I argue that *Euclid's* minimum rationality standard greenlit widespread adoption of the barely veiled racial zoning promoted nationally by prominent zoning advocates and white supremacists.<sup>56</sup> This allowed facially neutral zoning to become a lynchpin of the federal government's massive racial segregation campaign<sup>57</sup> and contributed to the current judicial approach to Fourteenth Amendment challenges to zoning and other facially neutral laws that create and enforce racial and ethnic boundaries.<sup>58</sup> This is an approach consistent with the Court's pronouncement in *Barbier v. Connolly* that the Fourteenth Amendment is not "designed to interfere with" the police power.<sup>59</sup>

Part IV begins by reviewing some of the abundant empirical evidence demonstrating that the strict residential use taxonomy and related land use regulations successfully segregated most US cities by race<sup>60</sup> and continue to operate to hoard local amenities like open space and access to public services to whiter neighborhoods while concentrating

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<sup>53</sup> See *infra* Sections I.A.–C. and II.B.

<sup>54</sup> See *infra* Section II.C.

<sup>55</sup> See *infra* Part III.

<sup>56</sup> See *infra* Section III.A.

<sup>57</sup> See *infra* Section III.A.

<sup>58</sup> See *infra* Sections III.B.–C.

<sup>59</sup> *Barbier v. Connolly*, 113 U.S. 27, 31 (1884).

<sup>60</sup> Houston is the only major city in the United States without a zoning ordinance. Although detailed examination of Houston is beyond the scope of this article, the city appears to have established and maintained racial segregation through the adoption of "a collection of mechanisms that serve zoning-type functions," including through public promotion and enforcement of racial deed restrictions in the first half of the nineteenth century followed by facially neutral deed restrictions that contained cost-enhancing attributes similar to regulatory requirements in single-family zones. Edwin Buitelaar, *Zoning, More Than Just a Tool: Explaining Houston's Regulatory Practice*, 17 EUROPEAN PLAN. STUD. 1049, 1049 (2009). The city promotes the use of deed restrictions to protect neighborhood "character" and has a Deed Restriction Enforcement Team and Deed Restriction Hotline to address the issue of piecemeal private enforcement. *About Deed Restrictions*, CITY OF HOUS., [http://www.houstontx.gov/planning/Neighborhood/deed\\_restr.html](http://www.houstontx.gov/planning/Neighborhood/deed_restr.html); see Legal Dep't, *Deed Restrictions*, CITY OF HOUS. (2023), <https://www.houstontx.gov/legal/deed.html> [<https://perma.cc/U8PG-TYYW>].

undesirable and hazardous land uses in or near neighborhoods where more People of Color live—including Portland’s Cully neighborhood and Eugene’s Bethel neighborhood.<sup>61</sup> Finally, Part IV concludes with suggestions for reform.<sup>62</sup>

#### I. JIM CROW ZONING AND ITS WESTERN PRECURSOR

Some of the earliest local zoning laws in the United States were single purpose ordinances adopted to geographically separate white homes and businesses from those owned or occupied by People of Color. Some commentators identify Baltimore, Maryland’s 1911 racial segregation ordinance as the first enactment of racial “zoning” in the United States.<sup>63</sup> While Baltimore’s ordinance does appear to be the earliest example of a municipal racial segregation ordinance designed to satisfy the Supreme Court’s separate but equal test, the earliest racial segregation ordinance appears to have been the Bingham Ordinance,<sup>64</sup> which prohibited Chinese people and people of Chinese descent from living or doing business within the County of San Francisco except in a small district “prescribed for their location.”<sup>65</sup> The Bingham Ordinance was one of many local regulations adopted by cities throughout the American West as part of a widespread and notorious campaign of racial harassment and exclusion.<sup>66</sup> Many of these regulations resembled zoning in that they designated locations within the

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<sup>61</sup> See *infra* Section IV.A.

<sup>62</sup> See *infra* Section IV.B.

<sup>63</sup> Baltimore passed the first iteration of its segregation ordinance in 1910. After a trial court voided this first attempt, Baltimore promptly passed a second and third iteration in April and May 1911, respectively. See *infra* notes 149–153 and accompanying text. The May 1911 ordinance, which served as a template for racial zoning ordinances of the period, was ultimately invalidated by Maryland’s highest court. See *infra* Section I.B.

<sup>64</sup> The Bingham Ordinance is the earliest ordinance that I have found that mandated the geographic separation of homes or businesses based on race or ethnicity. See *infra* notes 73–80 and accompanying text.

<sup>65</sup> *In re Lee Sing*, 43 F. 359, 359–60 (C.C.N.D. Cal. 1890) (quoting the ordinance at issue, Ord. No. 2190). The racial exclusion and segregation ordinances that proliferated in California in the 1880s expressly and implicitly targeted US citizens of Chinese descent and Chinese nationals. Beginning in the 1890s, cities throughout the American West enlarged their discriminatory focus to include people from Japan, the Philippines, Korea, India, and other Asian countries. Erika Lee, *The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882-1924*, 21 J. AM. ETHNIC HIST. 36, 44 (2002); see also *infra* note 219 (discussing cycle of enticement of new immigrant laborers to demonization and expulsion).

<sup>66</sup> See Robert L. Tsai, *Racial Purges*, 118 MICH. L. REV. 1127, 1128, 1132–33 (2020) (discussing judicial knowledge of municipalities’ use of laundry and other local ordinances to purge Chinese people from California).

municipal boundary where certain land users or land uses were permitted or prohibited.<sup>67</sup>

Thirty years later, on the other side of the country, cities of the antebellum South and border states were reacting to the first waves of the Great Migration by devising a legal mechanism to enforce racial segregation that could pass muster under the Supreme Court's separate but equal test<sup>68</sup>—a feat the western exclusion ordinances had not achieved.<sup>69</sup> The new Jim Crow mechanism was quickly adopted by cities throughout the South and southeastern United States.<sup>70</sup>

#### A. *Chinese Exclusion Ordinances of the American West*

San Francisco adopted the Bingham Ordinance in 1880 following California's delegation of police power authority to its consolidated cities and counties.<sup>71</sup> This zoning-like ordinance created a small district, which it designated the "Chinese" district, and prohibited people of Chinese descent from residing or doing business anywhere else in the County of San Francisco.<sup>72</sup> Enforcement of the ordinance would have forcibly displaced a large, established community of first- and second-generation Chinese immigrants, many of whom were US citizens.<sup>73</sup> In declaring the Bingham Ordinance void, a district court found that:

[The ordinance was intended to] forcibly drive out a whole community of twenty-odd thousand people, old and young, male and female, citizens of the United States, born on the soil, and foreigners of the Chinese race, moral and immoral, good, bad, and indifferent, and without respect to circumstances or conditions, from a whole section of the city which they have inhabited, and in which they have carried on all kinds of business appropriate to a city, mercantile, manufacturing, and otherwise, for more than 40 years.<sup>74</sup>

Although San Francisco failed in this attempt to use its police power to racially segregate the county, San Francisco and local governments throughout the American West found they could achieve similar results with facially race neutral

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<sup>67</sup> See *infra* notes 72–78 and accompanying text.

<sup>68</sup> See *infra* Section I.B.

<sup>69</sup> See *infra* notes 72–66 and accompanying text.

<sup>70</sup> See *infra* notes 169–171 and accompanying text.

<sup>71</sup> CAL. CONST. art. XI, § 11 (1879) (providing that "[a]ny county, city, town, or township may make and enforce within its limits all such local, police, sanitary, and other regulations as are not in conflict with general laws").

<sup>72</sup> *In re Lee Sing*, 43 F. 359, 359–61 (C.C.N.D. Cal. 1890).

<sup>73</sup> *Id.* at 361.

<sup>74</sup> *Id.*

ordinances that targeted laundry businesses,<sup>75</sup> the vast majority of which were owned and operated by people of Chinese descent.<sup>76</sup> The laundry regulations took various forms. Some, like the Bingham Ordinance, resembled zoning in that they relegated laundry businesses to a prescribed district<sup>77</sup>—which, in the case of Stockton, California, consisted entirely of unbuildable marshlands.<sup>78</sup> Others regulated the days and hours of operation of laundry businesses, required permits for their establishment and continued operation, or imposed special taxes on the businesses.<sup>79</sup> Violation of the laundry ordinances, like violation of the Bingham Ordinance and other residential segregation ordinances of the American West, was a crime punishable by a fine, imprisonment, or both.<sup>80</sup>

Most courts had little difficulty concluding that the facially neutral laundry ordinances did not run afoul of any state or federal constitutional guarantees<sup>81</sup>—notwithstanding their obvious racially discriminatory purpose.<sup>82</sup> In *Barbier v. Connolly* and *Soon Hing v. Crowley*, the Supreme Court validated a judicial approach to the Fourteenth Amendment that rendered irrelevant evidence that a facially neutral police power

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<sup>75</sup> See David E. Bernstein, *Lochner, Parity, and the Chinese Laundry Cases*, 41 WM. & MARY L. REV. 211, 231 (1999).

<sup>76</sup> Joan S. Wang, *Race, Gender, and Laundry Work: The Roles of Chinese Laundrymen and American Women in the United States, 1850-1950*, 24 J. AM. ETHNIC HIST. 58, 61 (2004); see generally PAUL SIU ET AL., *THE CHINESE LAUNDRYMAN: A STUDY OF SOCIAL ISOLATION* (J. Tchen ed., 1987) (discussing the lives and work of Chinese laundry workers in America); BETH LEW-WILLIAMS, *THE CHINESE MUST GO: VIOLENCE, EXCLUSION, AND THE MAKING OF THE ALIEN IN AMERICA* (2018); Paul Ong, *An Ethnic Trade: The Chinese Laundries in Early California*, 8 J. ETHNIC STUD. 95 (1981). In the early twentieth century, Los Angeles employed the same technique to harass and expel US citizens of Japanese descent and Japanese nationals from its borders. See *infra* Section II.B.

<sup>77</sup> See, e.g., *In re Hang Kie*, 69 Cal. 149–50 (1886) (City of Modesto ordinance that prohibited operation of laundry in city except within small district); *In re Sam Kee*, 31 F. 680 (9th Cir. 1887) (City of Napa ordinance substantively similar to Modesto ordinance); *In re Hong Wah*, 82 F. 623, 624 (N.D. Cal. 1897) (City of San Mateo ordinance substantively similar to Modesto ordinance).

<sup>78</sup> *In re Tie Loy* (The Stockton Laundry Case), 26 F. 611 (C.C.D. Cal. 1886) (City of Stockton ordinance substantively similar to Modesto ordinance).

<sup>79</sup> See, e.g., *Case of Yick Wo*, 68 Cal. 294 (1885), *overruled by* *Yick Wo v. Hopkins*, 118 U.S. 356 (1886); *Ex parte Moynier*, 65 Cal. 33, 34–35 (1884) (San Francisco order No. 1,719, approved June 25, 1883, prohibited operation of public laundries between ten o'clock in the evening and six o'clock in the morning as well as on Sundays and required certificates from the health officer board of fire wardens); see generally Bernstein, *supra* note 75, at 231–68 (classifying anti-Chinese laundry laws of the American West as licensing legislation, maximum hours laws, zoning ordinances, and taxation).

<sup>80</sup> See, e.g., ordinances at issue in cases cited in *supra* notes 75 and 77–79.

<sup>81</sup> See, e.g., *Barbier v. Connolly*, 113 U.S. 27, 34 (1884); *Soon Hing v. Crowley*, 113 U.S. 703, 711 (1885); *Ex parte Moynier*, 65 Cal. 33, 36 (1884) (holding ordinance regulating hours of operation and requiring certificates from health officer board and fire warden valid under police power).

<sup>82</sup> *Id.*

ordinance had a racially discriminatory purpose. Both cases involved ordinances adopted by San Francisco County that imposed licensing and inspection procedures on laundry businesses in wooden buildings located within designated areas of the City of San Francisco and prohibited washing and ironing of clothes between ten o'clock at night and six in the morning.<sup>83</sup>

Writing for the Court in both cases, Justice Field dismissed the relevance of a discriminatory legislative motive, opining in *Soon Hing* that “even if the motives of the [County Board of Supervisors] were as alleged, the ordinance would not be thereby changed from a legitimate police regulation, unless in its enforcement it is made to operate only against the class mentioned.”<sup>84</sup> In other words, whether or not the government’s intended purpose was to exclude and oppress on the basis of race, the ordinances were valid police power regulations because they applied on their face to all laundry businesses, and the prohibition against nighttime operation of laundries in certain areas of the city bore a reasonable relationship to reducing the risk of fire and disease associated with operating open flame laundries in wooden structures.<sup>85</sup> Having narrowed the frame to nullify evidence of the laws’ racially discriminatory purpose, the Court concluded in both cases that the ordinances satisfied constitutional muster because they were generally applicable and met the low bar of being rationally related to public health, safety, or morals.

As many US law students learn, the Supreme Court revisited the constitutionality of a San Francisco County laundry ordinance two years later in *Yick Wo v. Hopkins*.<sup>86</sup> The petitioners, Yick Wo and Wo Lee, were Chinese nationals fined and imprisoned for operating laundries without a valid permit.<sup>87</sup> Both operated their laundry businesses for many years,<sup>88</sup> but, when their permits expired, the county denied their renewal applications notwithstanding that water and fire inspectors certified both businesses as sanitary and safe.<sup>89</sup> The government admitted the county denied the renewal permits of two hundred

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<sup>83</sup> *Barbier*, 113 U.S. at 30; *Soon Hing*, 113 U.S. at 707–08.

<sup>84</sup> *Soon Hing*, 113 U.S. at 711.

<sup>85</sup> *Id.* at 711 (holding that ordinance was valid exercise of police power); *Barbier*, 113 U.S. at 30, 32 (same).

<sup>86</sup> *Yick Wo v. Hopkins*, 118 U.S. 356, 366 (1886).

<sup>87</sup> *Id.* at 357–58.

<sup>88</sup> Wo Lee had operated his business for twenty-five years and Yick Wo had operated his for twenty-two years. Brief for Defendant and Respondent, *Yick Wo*, 118 U.S. 356 (Nos. 1280 & 1281), 1885 WL 18153, at \*1.

<sup>89</sup> *Yick Wo*, 118 U.S. at 358.

other Chinese launderers while granting renewal permits for all but one white launderer.<sup>90</sup>

Distinguishing *Barbier* and *Soon Hing*, the *Yick Wo* Court found evidence of the county's racially discriminatory purpose relevant to the petitioners' equal protection claims. Unlike the ordinances at issue in *Barbier* and *Soon Hing*, which regulated hours of operation,<sup>91</sup> the ordinance at issue in *Yick Wo* conditioned permit issuance on the consent of the County Board of Supervisors and placed no limits on the Board's authority to withhold consent.<sup>92</sup> Because *Yick Wo* and *Wo Lee* both obtained the necessary health and safety certificates and the record contained no evidence of a reason for the disparate enforcement of the ordinance "except hostility to the race and nationality to which the petitioners belong[ed]," the Court concluded that the denial of the petitioners' permits constituted unlawful discrimination in violation of the Equal Protection Clause of the Fourteenth Amendment.<sup>93</sup>

But the Court did not frame the *Yick Wo* holding in terms of a right to be free from racially discriminatory state action.<sup>94</sup> The bulk of the opinion is dedicated to the Court's disapproval of the ordinance's attempt to delegate to a municipal board unlimited authority to grant or deny a license to carry on a business—a feature that the Court noted renders any ordinance facially invalid,<sup>95</sup> presumably in violation of the Due Process Clause prohibition against arbitrary governmental restrictions on private property.<sup>96</sup> But, after roundly condemning the ordinance as arbitrary, the Court concluded that, even if the ordinance were "fair on its face, and impartial in appearance,"<sup>97</sup> the record revealed only one basis for the board's denial of *Yick Wo* and *Wo Lee*'s licenses: racial animus.<sup>98</sup> Thus, as applied to

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<sup>90</sup> *Id.* at 359.

<sup>91</sup> *Id.* at 367 (discussing *Barbier v. Connolly*, 113 U.S. 27 (1884), and *Soon Hing v. Crowley*, 113 U.S. 703 (1885)).

<sup>92</sup> *Id.* at 366–67.

<sup>93</sup> *Id.* at 374.

<sup>94</sup> See Gabriel Chin, *Unexplainable on Grounds of Race: Doubts About Yick Wo*, 2008 U. ILL. L. REV. 1359, 1386–87 (2008); Thomas W. Joo, *Yick Wo Re-Visited: Nonblack Nonwhites and Fourteenth Amendment History*, 2008 U. ILL. L. REV. 1427, 1433 (2008).

<sup>95</sup> See *Yick Wo*, 118 U.S. at 372–73.

<sup>96</sup> SANDER ET AL., *supra* note 14, at 25. Although the opinion condemns a hypothetical ordinance on apparent due process grounds, the Court did not expressly invalidate the ordinance on due process grounds. See Joo, *supra* note 94, at 1433 (making similar argument); Richard S. Kay, *The Equal Protection Clause in the Supreme Court 1873-1903*, 29 BUFF. L. REV. 667, 694 (1980) (arguing that *Yick Wo* rested primarily on facial invalidity analysis and secondarily on discriminatory enforcement).

<sup>97</sup> *Yick Wo*, 118 U.S. at 373–74.

<sup>98</sup> *Id.* at 374.

Yick Wo and Wo Lee, the ordinance violated the equal protection guarantees of the Fourteenth Amendment.<sup>99</sup>

In this way, *Yick Wo* left open the possibility that a facially valid police power regulation could be enforced against one class for valid police power reasons. Moreover, *Yick Wo* left intact *Barbier* and *Soon Hing*'s conclusions that evidence of racially discriminatory intent is essentially irrelevant to the validity of police power legislation that is facially race neutral and rationally related to the public welfare. Indeed, well into the twentieth century, courts relied on *Barbier* and *Soon Hing* for the proposition that the motives for legislative action lay beyond judicial review<sup>100</sup>—a principle that continued to constrain judicial review of facially neutral laws that create and enforce racial and ethnic boundaries even after the Court recognized the legal relevance of racially discriminatory motive.<sup>101</sup>

Moreover, *Yick Wo* reinforced the judicial fiction underlying the Court's racist intent-blind approach in *Barbier* and *Soon Hing*. Unlike in those cases, the Court noted, in the case of Yick Wo and Wo Lee, that it did not need to guess how a municipal board might exercise its discretion because the record showed that the board denied the permits solely on the basis of race and not on the basis of safety or sanitation concerns.<sup>102</sup> The implicit suggestion that the Court could do no more than speculate how the ordinances in *Barbier* and *Soon Hing* would be enforced ignored overwhelming evidence to the contrary.

The facts within the Justices' cognizance amply demonstrated that the police power justifications for the laundry

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<sup>99</sup> *Id.* 118 U.S. at 373–74.

<sup>100</sup> *See, e.g., Ex parte Fiske*, 13 P. 310, 311–12 (Cal. 1887) (concluding that *Yick Wo* did not abrogate *Soon Hing*); *Ex parte San Chung*, 105 P. 609, 611 (Cal. Ct. App. 1909) (rejecting constitutional challenge to anti-Chinese laundry ordinance and relying on *Barbier* for proposition that court “must judge of the purpose of the ordinance by what appears upon its face”); *Williams v. Arkansas*, 217 U.S. 79, 90 (1910) (relying on and quoting *Barbier* for the proposition that “[i]t is settled that legislation which, ‘in carrying out a public purpose, is limited in its application, if within the sphere of its operation it affects alike all persons similarly situated, is not within the Amendment’”) (citation omitted); *Douglas v. City Council of Greenville*, 75 S.E. 687, 688 (S.C. 1912) (citing *Soon Hing* for the proposition that the court “cannot inquire into the motives which induce legislative action”); *Yee Gee v. City of San Francisco*, 235 F. 757, 762 (N.D. Cal. 1916) (relying on *Soon Hing* to reject discriminatory motive argument regarding San Francisco ordinance regulating hours of operation of laundry business).

<sup>101</sup> *See infra* Section III.C. (tracing the racist-intent blind approach to Fourteenth Amendment challenge in *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926), *Vill. of Belle Terre v. Boraas*, 416 U.S. 1 (1974), and *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252 (1977), to Supreme Court's treatment of anti-Chinese laundry ordinances in *Soon Hing*, *Barbier*, and *Yick Wo*); compare *Lochner v. New York*, 198 U.S. 45, 64 (1905) (finding a maximum-hours law applicable to bakers was not rationally related to the public welfare and was passed for “other motives”).

<sup>102</sup> *Yick Wo*, 118 U.S. at 373–74.

ordinances were mere pretexts for racial discrimination. The lower court in one of the two cases overruled by *Yick Wo* recognized that the purpose of the ordinance was to purge San Francisco of its Chinese residents, writing:

That [the ordinance] does mean prohibition, as to the Chinese, it seems to us must be apparent to every citizen of San Francisco who has been here long enough to be familiar with the course of an active and aggressive branch of public opinion and of public notorious events.<sup>103</sup> Can a court be blind to what must be necessarily known to every intelligent person in the state?<sup>104</sup>

Judge Sawyer's observation that "every intelligent person in the state" knew the purpose of the laundry ordinances was to exclude Chinese people is consistent with the historic record.<sup>105</sup> Contemporaneous newspaper articles clearly depict the laws and their enforcement as mechanisms to harass and ultimately expel Chinese people from San Francisco.<sup>106</sup> Governments at all levels in California passed laws that expressly and implicitly targeted citizens and residents of Chinese descent.<sup>107</sup> These lawmaking bodies not only made no attempt to hide the discriminatory purposes of these laws, but also publicly proclaimed their racial animus.<sup>108</sup>

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<sup>103</sup> *In re Wo Lee*, 26 F. at 475 (C.C.D. Cal. 1886) (citation omitted). "Public notorious events" appears to be a reference to massacres, forced expulsions, and other brutal crimes committed against Chinese people during the period. *See generally* The Honorable Denny Chin & Kathy Hirata Chin, *"Kung Flu": A History of Hostility and Violence Against Asian Americans*, 90 FORDHAM L. REV. 1889, 1896–1908 (2022) (discussing the Los Angeles Massacre of 1871, Rock Springs, Wyoming Massacre of 1885, the forcible expulsion of Chinese residents from Eureka, California in 1885, and from Seattle, Washington Territory in 1886). Chin and Chin further observed that "[t]here were many incidents of mob violence in the latter part of the nineteenth century . . . [when] anti-Asian American sentiment permeated many areas of civic life—from the populace to the legislatures to the court system." *Id.* at 1896; *see also* Greg Nokes, *Chinese Massacre at Deep Creek*, OR. ENCYCLOPEDIA (Mar. 23, 2022), [https://www.oregonencyclopedia.org/articles/chinese\\_massacre\\_at\\_deep\\_creek/#.YwlrxC2B1-U](https://www.oregonencyclopedia.org/articles/chinese_massacre_at_deep_creek/#.YwlrxC2B1-U) [<https://perma.cc/LN35-665C>] (regarding 1887 massacre of thirty Chinese miners in Hells Canyon, Washington Territory).

<sup>104</sup> *Wo Lee*, 26 F. at 475, *rev'd*, *Yick Wo*, 118 U.S. at 374.

<sup>105</sup> *See generally* LEW-WILLIAMS, *supra* note 76; Ong, *supra* note 76.

<sup>106</sup> *See* CHARLES ABRAMS, *FORBIDDEN NEIGHBORS: A STUDY OF PREJUDICE IN HOUSING* 32–35 (1955). Note that, although Abrams went against contemporary mainstream views by fiercely criticizing the social harms of expulsive and segregationist housing policies, he employed dehumanizing and oppressive language throughout his critique.

<sup>107</sup> *See, e.g., infra* note 112 (citing sources discussing state and local laws targeting Chinese labors). National hostility against people of Chinese descent was exemplified by passage of the Chinese Exclusion Act of May 6, 1882, 22 Stat. 58.

<sup>108</sup> For example, an 1885 report of a special committee of the San Francisco Board of Supervisors referred to Chinese people as less worthy than vagrant dogs, characterizing them as "seek[ing] to overrun our country and blast American welfare and progress with their miserable, contaminating presence." REPORT OF THE SPECIAL COMM. OF THE BOARD OF SUPERVISORS OF SAN FRANCISCO ON THE CONDITION OF THE

Justice Stephen Field, who authored the *Barbier* and *Soon Hing* opinions in 1884 and 1885, respectively, was aware of San Francisco's campaign to oppress its Chinese residents and its use of facially neutral regulations for this purpose.<sup>109</sup> While riding circuit in California in the late 1870s and early 1880s,<sup>110</sup> Justice Field acknowledged that the federal district court was "aware of the general feeling—amounting to positive hostility—prevailing in California against the Chinese, which would prevent their further immigration hither, and expel from the state those already here."<sup>111</sup> In the 1879 case *Ho Ah Kow v. Nunan*, Justice Field rejected as pretextual the sanitation purposes of an ordinance that directed the Sheriff to cut the hair of all men confined to the county jail on misdemeanor convictions to "a uniform length of one inch."<sup>112</sup> The Board of Supervisors adopted the forced shearing provisions to target Chinese men living in San Francisco, most of whom kept their hair in a long braid or queue, the loss of which "was a mark of disgrace [that would result in], many Chinese believed, misfortune and suffering after death."<sup>113</sup> In finding that the purpose of the

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CHINESE QUARTER AND THE CHINESE IN SAN FRANCISCO 43 (1885). A state legislative committee produced a report in 1885 that also fanned hatred and bias against Chinese people. *See generally id.*

<sup>109</sup> *Ho Ah Kow v. Nunan*, 12 F. Cas. 252, 253 (C.C.D. Cal. 1879); *In re Quong Woo*, 13 F. 229, 230 (C.C.D. Cal. 1882) (invalidating ordinance that made business license contingent on recommendation of twelve taxpaying citizens from the block where a laundry was proposed).

<sup>110</sup> "Riding circuit" refers to the practice of Supreme Court justices serving on federal circuit court panels pursuant to the Judiciary Act of 1789, which did not provide for separate circuit court judges. Joshua Glick, *On the Road: The Supreme Court and the History of Circuit Riding*, 24 CARDOZO L. REV. 1753, 1757 (2002-2003).

<sup>111</sup> *Ho Ah Kow*, 12 F. Cas. at 256.

<sup>112</sup> *Id.* At 253. *Ho Ah Kow* sued San Francisco Sheriff Nunan after the Sheriff sheared Ho's hair, forcibly removing the long braid, or "queue," Ho wore down his back. Ho had been convicted of violating the state's Cubic Air Law, which was modeled on a San Francisco law that also targeted Chinese people by criminalizing residing in crowded spaces. Chin & Chin, *supra* note 103, at 1891-92. The Cubic Air Law was fueled by the leadership of the Anti-Coolie Association, an organization opposed to the use of Chinese labor, which it portrayed as an existential threat to white workers, a sentiment that politicians seized on to rally support. *Id.* at 1893 (referring to the reelection campaign of the first governor of California, John Bigler, elected in 1851); Frank S. Alexander, *The Housing of America's Families: Control, Exclusion, and Privilege*, 54 EMORY L.J. 1231, 1251 (2005); Joshua S. Yang, *The Anti-Chinese Cubic Air Ordinance*, 99 AM. J. PUB. HEALTH 440 (2009); MAE NGAI, *THE CHINESE QUESTION: THE GOLD RUSHES AND GLOBAL POLITICS* 87 (2021) ("Bigler's success in tarring the Chinese as a 'coolie race' gave California politicians a convenient trope that could be trotted out whenever conditions called for a racial scapegoat."); *see also* Lin Sing v. Washburn, 20 Cal. 534, 535, 579-80 (1862) (invalidating California statute entitled "an act to protect free white labor against competition with Chinese coolie labor, and to discourage the Immigration of the Chinese into the State of California").

<sup>113</sup> Chin & Chin, *supra* note 103, at 1944 n. 156 (quoting *The Tale of a Chinaman*, N.Y. TIMES, July 16, 1879, at 4 ("It is nowhere denied that the so-called 'cubic air ordinance' was enacted for the sole purpose of harrying and disconcerting the gregarious Chinese.")).

ordinance was to increase the severity of punishment for Chinese men by requiring the forcible removal of their queues upon incarceration for even simple misdemeanors.<sup>114</sup> Justice Field wrote an impassioned plea for judicial scrutiny of pretextual police power regulations:

[W]e cannot shut our eyes to matters of public notoriety and general cognizance. When we take our seats on the bench we are not struck with blindness, and forbidden to know as judges what we see as men; and where an ordinance, though general in its terms, only operates upon a special race, sect or class, it being universally understood that it is to be enforced only against that race, sect or class, we may justly conclude that it was the intention of the body adopting it that it should only have such operation, and treat it accordingly.<sup>115</sup>

Justice Field therefore reasoned that, by increasing criminal penalties for Chinese people only, the ordinance denied Ho Ah Kow equal protection of the law and constituted an invalid attempt by the county board to amend the state penal code.<sup>116</sup>

Three years later, Justice Field recognized again the courts' role in scrutinizing pretextual police power justifications<sup>117</sup>—this time, in the context of yet another facially neutral San Francisco laundry ordinance.<sup>118</sup> He wrote that the power to pass laws is “a public trust” that states vest in municipalities, and the validity of those laws hinges on them being “not oppressive nor unequal nor unjust in their operation.”<sup>119</sup> Ordering the release of a Chinese national convicted of violating the ordinance, Justice Field called the assertion that “the business of a laundry—that is, of washing clothes for hire—is against good morals or dangerous to the public safety,” a “miserable pretense,”<sup>120</sup> and “absurd.”<sup>121</sup> Any

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<sup>114</sup> *Ho Ah Kow*, 12 F. Cas. at 254–55.

<sup>115</sup> *Id.* at 253.

<sup>116</sup> *Id.* The Honorable Denny Chin and Kathy Hirata Chin recently described the significance of Ho Ah Kow's lawsuit as follows:

Long before civil rights suits for damages became popular, a Chinese laborer had the audacity to sue a government official . . . for money damages. Moreover, his efforts led to a ruling, some seven years before the U.S. Supreme Court's decision in *Yick Wo v. Hopkins*, that the Equal Protection Clause applied not just to citizens but also to noncitizens, including the Chinese. And, significantly, the Court held also that even a facially neutral ordinance, if unfairly applied, could violate the Constitution.

Chin & Chin, *supra* note 103, at 1916–17 (citations omitted).

<sup>117</sup> *In re Quong Woo*, 13 F. 229 (C.C.D. Cal. 1882).

<sup>118</sup> The ordinance made licenses to operate laundry businesses contingent on the recommendation of twelve taxpaying citizens from the block where a laundry was proposed. *See id.* at 233.

<sup>119</sup> *Id.* at 232.

<sup>120</sup> *Id.* at 233.

<sup>121</sup> *Id.* at 231.

purported health and safety rationale was suspiciously overbroad because the ordinance, among other things, applied to all structures regardless of construction, and was duplicative and unnecessarily intrusive given that county supervisors already had the authority to order the alteration or removal of unsafe structures or business operations.<sup>122</sup>

Ultimately, by reinforcing the racially discriminatory intent-blind approach of *Barbier* and *Soon Hing*, the *Yick Wo* Court greenlit the continued use of facially neutral police power regulations to target racial minorities with impunity. Rather than putting a stop to western municipalities' use of purported police power regulations to harass and expel Asian and Asian American residents, the *Laundry Cases*, including *Yick Wo*, provided a blueprint for crafting segregation ordinances and other police power regulations targeting racial minorities that could withstand constitutional review. Los Angeles and Berkeley, among other cities, followed this blueprint when they adopted some of the first comprehensive zoning ordinances in the United States.<sup>123</sup> Los Angeles's 1909 ordinance, for example, zoned as residential parts of the city containing approximately 110 existing laundries operated by people of Chinese and Japanese descent.<sup>124</sup> The code made continued operation of laundry businesses in residential zones a crime subject to fines and jail time.<sup>125</sup> The twentieth century leaders of the California zoning movement spoke openly about the racially discriminatory purpose of these regulations, saying, for example: "The fight against the Chinese wash-house laid the basis for districting laws in this State,"<sup>126</sup> and "[w]e are ahead of most states in our court decisions, maybe because we have been at . . . [zoning] longer, thanks to the persistent proclivity of '...'[Chinese people] to clean our garments in our midst."<sup>127</sup>

### B. *The Great Migration and the Rise of Jim Crow Zoning*

In the early twentieth century, the population of the urban South boomed as southern cities became industrial

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<sup>122</sup> *Id.*

<sup>123</sup> See *infra* Section II.A. (discussing first wave of comprehensive zoning ordinances in US cities).

<sup>124</sup> HIRT, *supra* note 13, at 14–15.

<sup>125</sup> See NEW YORK HEIGHTS OF BUILDINGS COMM'N REPORT (2013); see also HIRT, *supra* note 13, at 14–15 (discussing same).

<sup>126</sup> Duncan McDuffie, *City Planning in Berkeley*, 4 BERKELEY CIVIC BULL. 106, 115 (Mar. 15, 1916).

<sup>127</sup> Frank V. Cornish, *The Legal Status of Zone Ordinances*, 3 BERKELEY CIVIC BULL. 173, 175 (May 18, 1915) (epithet omitted).

centers and Black families moved from rural areas to cities.<sup>128</sup> By 1910, the Black population in southern urban areas was more than triple what it was during the Civil War.<sup>129</sup> Most of this early wave of Great Migrants moved into predominantly Black urban neighborhoods.<sup>130</sup> But, as housing in Black neighborhoods became increasingly scarce, some Black households moved to homes outside Black neighborhoods.<sup>131</sup>

In May of 1910, William Ashbie Hawkins, a prominent Black attorney and counsel to the Baltimore branch of the National Association for the Advancement of Colored People (NAACP), bought a home in a prestigious white neighborhood in Baltimore, Maryland,<sup>132</sup> which had one of the largest Black urban populations in the United States.<sup>133</sup> One month later, in June of 1910, Hawkins' lessee, George McMechen, also a prominent Black attorney, moved into the home with his wife Anna. Three other Black families soon moved onto the same block.<sup>134</sup>

In Baltimore and elsewhere, white segregationists responded to these and other perceived "invasions"<sup>135</sup> with intimidation, violence, widespread use of racially restrictive deed covenants<sup>136</sup> and other formal and informal private

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<sup>128</sup> SANDER ET AL., *supra* note 14, at 24.

<sup>129</sup> *Id.* at 26.

<sup>130</sup> *Id.* at 24–25; see also Emily Lieb, *The "Baltimore Idea" and the Cities It Built*, 25 S. CULTURES 104, 106–08 (2019) (identifying pre-1910 segregationist strategies related to geographic location of Jim Crow public schools).

<sup>131</sup> SANDER ET AL., *supra* note 14, at 24–25.

<sup>132</sup> *Baltimore's Pursuit of Fair Housing: A Brief History*, MD. CTR. FOR HIST. & CULTURE, <https://www.mdhistory.org/baltimores-pursuit-of-fair-housing-a-brief-history/> [https://perma.cc/B7CV-YC7C]; W. Ashbie Hawkins, MD. STATE ARCHIVES, <https://msa.maryland.gov/megafile/msa/speccol/sc3500/sc3520/012400/012415/html/12415bio.html> [https://perma.cc/X3QK-BAJD]; Lieb, *supra* note 130, at 108.

<sup>133</sup> SANDER ET AL., *supra* note 14, at 27–28 (reporting that Baltimore was the sixth-largest city in the United States and had the fourth-largest Black population, which accounted for approximately 15 percent of Baltimore's residents).

<sup>134</sup> TAYLOR, *supra* note 12, at 156.

<sup>135</sup> *Residents Are Aroused*, BALT. SUN, Sept. 26, 1910, at 4; Lieb, *supra* note 130, at 106–08 (identifying school board proposals to site segregated public schools for Black children in or near white neighborhoods as impetus for Baltimore racial segregation ordinance that was first proposed in 1907); *Along the Color Line*, 1 CRISIS, 1, 6 (Nov. 1910) (discussing proposed segregation ordinance in Baltimore and "invasion" of Black property owners and proposed siting of parks and boulevards in Kansas City, Kansas, to "cut off threatened . . . invasion" by Black people); DAVID DELANEY, RACE, PLACE & THE LAW: 1836–1948 12 (1998). In an address to members of Realtor Exchange of Louisville on November 14, 1914, W.D. Binford proposed that Louisville adopt a racial segregation ordinance like Baltimore's ordinance to stave off the "invasion" of Black "mercenaries" into white neighborhoods. *Id.*

<sup>136</sup> ABRAMS, *supra* note 106, at 26 (discussing use of racially restrictive deed covenants, "gentlemen's understandings to maintain white supremacy and purity in neighborhoods," Ku Klux Klan-based "neighborhood improvement associations," and violence); Carol M. Rose, *Property Law and Inequality: Lessons from Racially Restrictive Covenants*, 117 NW. U. L. REV. 225, 229 (2022) ("Racial covenants had existed in scattered

agreements,<sup>137</sup> and formation of neighborhood associations to enforce those agreements and lobby for segregation laws.<sup>138</sup> Although many of the Baltimore segregationists may not have owned property near the Hawkins' home or elsewhere,<sup>139</sup> they stoked fears that neighborhood integration would decrease the market value of white-owned property while mandatory segregation would "permanently fix the value of real estate" and "remove a large percentage of the risk now involved in investing in Baltimore property."<sup>140</sup> Baltimore segregationists powerfully wielded a "mythology of segregation economics"<sup>141</sup> for more than a decade to prevent public schools for Black children from being sited in or near white neighborhoods.<sup>142</sup> Although at least some of them understood their proposed ordinance would negatively affect the market for homes on white blocks,<sup>143</sup> they nevertheless

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properties in the nineteenth century, but after about 1910, they became increasingly prevalent in cities and suburban areas all across the country."). Restrictive covenants are restrictions on the use of property that are added to the title of the property as part of private property transactions. See *Shelley v. Kraemer*, 334 U.S. 1, 20 (1948) (holding racial covenants, which restrict the race of purchasers or occupants of the property, unenforceable under the Equal Protection Clause of the Fourteenth Amendment).

<sup>137</sup> See SANDER ET AL., *supra* note 14, at 28; ABRAMS, *supra* note 106, at 26 (discussing use of racially restrictive deed covenants, "gentlemen's understandings to maintain white supremacy and purity in neighborhoods," Ku Klux Klan-based "neighborhood improvement associations," and violence); Carol M. Rose, *Property Law and Inequality: Lessons from Racially Restrictive Covenants*, 117 NW. U. L. REV. 225, 229 (2022) ("Racial covenants had existed in scattered properties in the nineteenth century, but after about 1910, they became increasingly prevalent in cities and suburban areas all across the country.").

<sup>138</sup> See Lieb, *supra* note 130, at 108 (discussing neighborhood improvement association formed to support Baltimore segregation ordinance).

<sup>139</sup> See W. Ashbie Hawkins, *A Year of Segregation in Baltimore*, 3 CRISIS 27, 28 (Nov. 1911) (describing proponents of racial segregation ordinance as "obscure personages" and "half-grown and badly raised young men," the majority of whom "didn't own the property they occupied or any other.").

<sup>140</sup> *Residents Are Aroused*, *supra* note 135, at 4. This opinion piece, which was published the day the City Council was scheduled to consider the segregation ordinance, also claimed riots would ensue if the Council failed to adopt the ordinance. *Id.*

<sup>141</sup> Lieb, *supra* note 131, at 110. The segregationists claimed the availability of homes for sale on the same block as the Hawkins house illustrated the dire economic effect of an inevitable "invasion" of white neighborhoods by Black residents. *Residents Are Aroused*, *supra* note 140, at 4. Hawkins observed, however, that extension of cable car lines precipitated the "opening and development of large suburban tracts for residential purposes by the middle class of whites," which "threw great blocks of handsome houses on the market" that "had to be disposed of to anybody, and often on any terms." Hawkins, *supra* note 139, at 27.

<sup>142</sup> Lieb, *supra* note 131, at 106–08.

<sup>143</sup> *Residents Are Aroused*, *supra* note 140, at 4 (suggesting neighborhood residents support the segregation ordinance because they are concerned with neighborhood welfare as opposed to property owners whose interest is purely economic and observing that property owners rent or sell to willing Black buyers when it is in their economic interest to do so); see also Lieb, *supra* note 131, at 111–12 (discussing how the Baltimore segregation ordinance placed downward pressure on the prices of homes on white blocks and upward pressure on the prices of homes on Black and mixed blocks).

capitalized on this mythology to garner political support for the segregation ordinance they had been demanding since 1907.<sup>144</sup>

At the turn of the twentieth century, citywide zoning as a legal means to control the geographic location of land uses did not exist in the United States.<sup>145</sup> But judicial responses to segregationist legal mechanisms—including Jim Crow laws of the Deep South<sup>146</sup> and western efforts to segregate and exclude Asian Americans—provided valuable lessons for those attempting to craft racial segregation ordinances that could withstand court challenges. Key among these lessons were that segregation of the races for the prevention of nuisances and preservation of peace was a legitimate exercise of the police power that could survive an equal protection challenge if members of the regulated racial caste had access to some version of the regulated object—be it a theater, railcar, school, or college.<sup>147</sup>

Equipped with this knowledge,<sup>148</sup> Baltimore reacted to the white outcry against integration by passing an ordinance in December 1910 that prohibited Black people from residing on blocks where more than half of the homes were occupied by white residents, and vice versa, and required developers of new residences to specify in their permit applications the race of the intended occupants.<sup>149</sup> The ordinance subjected violators to a one hundred dollar fine and imprisonment up to a year.<sup>150</sup> After a

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<sup>144</sup> Lieb, *supra* note 131, at 106–08.

<sup>145</sup> In the late nineteenth century, Boston, New York City, Washington, DC, and a few other northeastern and western cities adopted zoning-like ordinances that were limited in scale or purpose. See MASS. GEN. LAWS ch 452, § 1 (1898) (limiting building heights in Boston); N.Y. Laws ch 454, § 1 (1885) (limiting height of residential buildings in New York City); An Act to Regulate Height of Buildings in the District of Columbia, ch. 322, 30 Stat. 922 (1899); see also Hirt, *supra* note 20, at 5.

<sup>146</sup> Rachel D. Godsil, *Race Nuisance: The Politics of Law in the Jim Crow Era*, 105, MICH. L. REV. 505, 539 (2006); C. VANN WOODARD, *THE STRANGE CAREER OF JIM CROW* 100, 101 (1974).

<sup>147</sup> See, e.g., *Plessy v. Ferguson*, 163 U.S. 537 (1896), *abrogated by* *Brown v. Bd. of Ed.*, 347 U.S. 483 (1954); *Berea College v. Kentucky*, 211 U.S. 45 (1908).

<sup>148</sup> See *Residents Are Aroused*, *supra* note 140, at 4 (quoting an attorney stating that the ordinance would survive a court challenge in part because “[t]he extent of legislation under the provisions of police power have [sic] never been definitely defined,” Black residents in white neighborhoods constitute a nuisance, and including a prohibition against white migration into Black neighborhoods will satisfy the Fifteenth Amendment by making the ordinance non-discriminatory).

<sup>149</sup> BALTIMORE, MD., ORD. 610 (Dec. 19, 1910); see also Garrett Power, *Apartheid Baltimore Style: The Residential Segregation Ordinances of 1910-1913*, 42 MD. L. REV. 289 (1983) (discussing historical context of Baltimore segregation ordinances); TAYLOR, *supra* note 12, at 156 (same); Silver, *supra* note 17, at 6 (same); Gretchen Boger, *The Meaning of Neighborhood in the Modern City: Baltimore’s Residential Segregation Ordinances, 1910-1913*, 35 J. URB. HIST. 236 (2009) (same); Brent M. Rubin, Note, *Buchanan v. Warley and the Limits of Substantive Due Process as Antidiscrimination Law*, 92 TEX. L. REV. 477, 516 (2013) (same).

<sup>150</sup> BALTIMORE, MD., ORD. 610 (Dec. 19, 1910).

trial court promptly voided the ordinance “on a technicality,”<sup>151</sup> Baltimore adopted two amended versions in rapid succession.<sup>152</sup> The third iteration of Baltimore’s segregation ordinance, signed into law on May 15, 1911, fixed the technical defect, added an exemption for existing “mixed” blocks, and prohibited the establishment of Black schools and churches on white blocks, and vice versa.<sup>153</sup>

Baltimore’s segregation ordinance, like other Jim Crow laws adopted throughout the period, included race neutral purposes that courts had approved of as falling squarely within the scope of the police power, including, for example, “preserving peace,” “preventing conflict,” and “promoting the general welfare of the city.”<sup>154</sup> Unsurprisingly given the Supreme Court’s embrace of white supremacy, many of the cities adopting racial segregation ordinances made no attempt to hide the white supremacist purposes of the laws, which included the maintenance of “racial purity” and prevention of “the deterioration of property owned and occupied by white people.”<sup>155</sup>

Although these white supremacist purposes were not spelled out on the face of Baltimore’s ordinance, Baltimore Mayor J. Barry Mahool explained that the city adopted the “so-called segregation ordinance” after Black residents “began to have a desire to push up into the neighborhood of the [w]hite resident[s].”<sup>156</sup> Mahool explained that Black people “should be quarantined in isolated slums in order to reduce the incidents of civil disturbance, to prevent the spread of communicable disease into the nearby [w]hite neighborhoods, and to protect property values among the [w]hite majority.”<sup>157</sup> Thus, although the Supreme Court and lower courts routinely characterized as nondiscriminatory Jim Crow laws that imposed reciprocal prohibitions or obligations on People of Color and white people, “every intelligent person”<sup>158</sup> knew the actual purpose of

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<sup>151</sup> Hawkins, *supra* note 139, at 29; *see also Opinion*, 1 CRISIS 1, 13 (Mar. 1911) (quoting newspaper article reporting that court voided the 1910 ordinance for “improper framing”); Power, *supra* note 138, at 303–04 (1983) (suggesting court invalidated ordinance because it violated city charter provision requiring descriptive titles).

<sup>152</sup> BALTIMORE, MD., ORD. 654 (Apr. 7, 1911); BALTIMORE, MD., ORD. 692 (May 15, 1911); *see also* Hawkins, *supra* note 139, at 30 (providing contemporaneous description of the three iterations of the segregation ordinance and their context).

<sup>153</sup> TAYLOR, *supra* note 12, at 157.

<sup>154</sup> *See, e.g.*, BALTIMORE, MD., ORD. 692 (May 15, 1911); *Buchanan v. Warley*, 245 U.S. 60, 73–74 (1917) (describing legislative justification of Louisville ordinance).

<sup>155</sup> *See, e.g.*, *Buchanan v. Warley*, 245 U.S. 60, 73–74 (1917) (describing legislative justification of Louisville ordinance).

<sup>156</sup> TAYLOR, *supra* note 12, at 156.

<sup>157</sup> *Id.* at 157.

<sup>158</sup> I borrow this phrase from Judge Sawyer’s hyperbolic observation in *Wo Lee. In re Wo Lee*, 26 F. 471, 475 (C.C.D. Cal.), *rev’d sub nom.* *Yick Wo v. Hopkins*, 118 U.S. 356 (1886).

Baltimore's Jim Crow zoning was to privilege white people and their property through entrenchment of a racial caste system.

Two years after Baltimore adopted its third iteration of the segregation ordinance, William Ashbie Hawkins, the same prominent Black attorney who had purchased a house in an upper-class white neighborhood, represented John Gurry after he was indicted for residing on a white block in violation of the ordinance.<sup>159</sup> Gurry lost at trial and appealed to the Court of Appeals of Maryland, arguing that the ordinance was in conflict with the city charter and an invalid exercise of the police power.<sup>160</sup> The Court of Appeals of Maryland recognized the basic principles that the exercise of the police power must not be “so arbitrary and oppressive” that it “amount[s] to the invasion of a person’s constitutional rights,”<sup>161</sup> and that it “must not be unreasonable, but must be enacted in good faith, for the promotion of the public good, and not for the oppression or annoyance of a particular class.”<sup>162</sup> But rather than finding the city acted *ultra vires*—that is, beyond the scope of its police power authority—when it enacted an ordinance for the oppression of a particular class, the Maryland court ignored the obvious discriminatory purpose of the ordinance and applied a reasonableness standard that sanctioned the legislated racial oppression. Relying on *Plessy v. Ferguson*, the court found racial segregation consistent with “established usages, customs, and traditions of the people” and “the promotion of their comfort, and the preservation of the public peace and good order.”<sup>163</sup>

Relying on this lax reasonableness standard and the separate but equal doctrine embraced by the Supreme Court in *Plessy* and other cases, the Maryland court suggested that Baltimore's segregation ordinance also passed muster under the Equal Protection Clause.<sup>164</sup> The court reasoned that, because the ordinance imposed identical reciprocal prohibitions on white and Black households, the ordinance was analogous to laws that required separation of the races in railroad cars—laws “uniformly held” to be nondiscriminatory “when the same accommodations were provided for each race.”<sup>165</sup> Although the court recognized the ordinance would not impose equal burdens

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<sup>159</sup> TAYLOR, *supra* note 12, at 158.

<sup>160</sup> State v. Gurry, 88 A. 546, 540 (1913).

<sup>161</sup> *Id.* at 551.

<sup>162</sup> *Id.* (citing *Plessy v. Ferguson*, 163 U.S. 537 (1896), *overruled by* Brown v. Bd. of Ed., 347 U.S. 483 (1954)).

<sup>163</sup> *Plessy*, 163 U.S. at 550.

<sup>164</sup> *Gurry*, 88 A. at 551–52.

<sup>165</sup> *Id.* at 552.

on the races because white people owned “the great bulk of property in Baltimore City,” the only burden the court appeared to appreciate was the one on property owners’ ability to sell or rent their properties—a burden the court observed fell disproportionately on white people and did not factor into its short equal protection analysis.<sup>166</sup>

However, the Maryland Court of Appeals ultimately ruled that the ordinance violated state constitutional guarantees because it could apply retroactively to prohibit existing property owners from moving into their properties. The court therefore concluded that, as broad as the state legislature’s delegation of police powers to cities was, it did not include the right to deprive property owners of vested property rights.<sup>167</sup> Baltimore adopted a fourth iteration of its segregation ordinance in 1913, amended to avoid retroactive application.<sup>168</sup>

Baltimore’s ordinance appears to have served as a template for the Jim Crow zoning that subsequently swept the South and border states. Within six years of Baltimore’s adoption of the first Jim Crow zoning ordinance, more than a dozen US cities enacted similar racial segregation ordinances.<sup>169</sup> The state of Virginia even went so far as to pass a law requiring cities to segregate their residential blocks by race.<sup>170</sup> Scholars have found the rapid adoption by more than a dozen cities of a Baltimore-style racial segregation ordinance notable, both because racial zoning spread more rapidly than other types of Jim Crow legislation and because US cities were not yet familiar with the concept of zoning.<sup>171</sup>

The highest courts of Virginia, Kentucky, and Georgia rejected arguments that racial segregation ordinances unreasonably interfered with vested property rights, finding that the ordinances’ provisions for mixed blocks and prospective-

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<sup>166</sup> *Id.* at 551–52.

<sup>167</sup> *Id.* at 552–53.

<sup>168</sup> BALTIMORE, MD., ORD. 339 (Sept. 25, 1913), *declared void by* Jackson v. State (Md. Ct. App. 1918).

<sup>169</sup> These included Asheville, Greensboro, and Winston, North Carolina; Ashland, Norfolk, Portsmouth, Richmond, and Roanoke, Virginia; Atlanta and Savannah, Georgia; Birmingham, Alabama; Charleston, South Carolina; Dallas, Texas; Jacksonville, Florida; Louisville, Kentucky; Memphis and Nashville, Tennessee; New Orleans, Louisiana; and St. Louis, Missouri. *See* SANDER ET AL., *supra* note 14, at 30–31 (identifying population demographics of numerous cities with segregation ordinances); *see also* State v. Darnell, 81 S.E. 338 (N.C. 1914) (regarding Winston segregation ordinance); Silver, *supra* note 17, at 22 (discussing segregation ordinances adopted in Portsmouth and Roanoke, Virginia, and elsewhere); TAYLOR, *supra* note 12, at 168–69 (discussing New Orleans segregation ordinances of 1912 and 1924).

<sup>170</sup> SANDER ET AL., *supra* note 14, at 31.

<sup>171</sup> *Id.* at 30.

only application distinguished them from the 1911 iteration of the Baltimore ordinance invalidated in *Gurry*.<sup>172</sup>

### C. Buchanan v. Warley

By 1913, the NAACP recognized that Jim Crow zoning was quickly dominating the South and would soon spread to northern cities.<sup>173</sup> After Louisville adopted a racial segregation ordinance in December 1913, local NAACP leader William Warley organized support and funding for a legal challenge.<sup>174</sup> The fledgling national organization brought the case in Kentucky with the intention that the NAACP would lose in state court, appeal to the Supreme Court, and, with the issue framed primarily in terms of a constraint on property rights, obtain a favorable ruling to stop the spread of racial zoning before it became entrenched.<sup>175</sup>

To frame the issue for a court that embraced racial segregation and was more apt to disapprove of regulations that burdened property rights, the NAACP found a white plaintiff, Charles Buchanan, to sue William Warley, a Black man, for specific performance of a contract to purchase the plaintiff's land.<sup>176</sup> Warley's offer to purchase the land from Buchanan, which Buchanan accepted, included a proviso releasing Warley from performance if state or local law prohibited him from residing at the property.<sup>177</sup> Warley then invoked the proviso in response to Buchanan's request for specific performance, contending that, because he was a Black man and the property was located on a majority white block, the Louisville ordinance prohibited him from occupying a home on Buchanan's lot.<sup>178</sup> Buchanan then countered that, because the ordinance was invalid under the Privileges and Immunities, Equal Protection, and Due Process Clause of the Fourteenth Amendment, Warley did not have a defense to Buchanan's action for specific performance.<sup>179</sup>

The NAACP's gambit worked. Predictably, Buchanan lost in the trial court and the Kentucky Court of Appeals

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<sup>172</sup> *Hopkins v. City of Richmond*, 86 S.E. 139, 144, 148 (Va. 1915); *Harris v. City of Louisville*, 177 S.W. 472, 474 (Ky. 1915), *rev'd sub nom. Buchanan v. Warley*, 245 U.S. 60 (1917); *Harden v. City of Atlanta*, 93 S.E. 401 (Ga. 1917).

<sup>173</sup> SANDER ET AL., *supra* note 14, at 32–33; *see also infra* section I.D. (discussing Northern and Western whites' appetite for Jim Crow zoning).

<sup>174</sup> SANDER ET AL., *supra* note 14, at 33.

<sup>175</sup> *Id.*

<sup>176</sup> *Id.*

<sup>177</sup> *Buchanan v. Warley*, 245 U.S. 60, 69–70 (1917).

<sup>178</sup> *Id.* at 70.

<sup>179</sup> *Id.*

unanimously affirmed in *Harris v. City of Louisville*,<sup>180</sup> an opinion that combined Buchanan's case with that of another NAACP client, Arthur Harris, the first Black person convicted of violating Louisville's segregation ordinance.<sup>181</sup> The *Harris* opinion explicitly embraced white supremacy and eugenics as legitimate public welfare objectives, following the reasoning embraced by many white legal scholars of that period.<sup>182</sup> The state's highest court found that Louisville's racial segregation ordinance was consistent with the public policy of the state, as demonstrated by several Kentucky statutes requiring racial segregation of various public and private spaces.<sup>183</sup> Additionally, because the Louisville ordinance did not prevent preexisting property owners from occupying their properties, the ordinance protected vested property rights, unlike ordinances invalidated by other state courts.<sup>184</sup> Finally, as the vast majority of contemporaneous legal scholars<sup>185</sup> and other state courts did,<sup>186</sup> the *Harris* court analogized city-mandated segregation of residential areas to state-mandated segregation of private schools, which both the Kentucky Court of Appeals and the Supreme Court validated in *Berea College v. Commonwealth*.<sup>187</sup> Having lost in the state courts, Buchanan sought review by the Supreme Court.

Adopting the NAACP's framing of the issue, the Supreme Court described the case as involving "the civil right of a white

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<sup>180</sup> *Harris v. City of Louisville*, 177 S.W. 472, 477 (Ky. Ct. App. 1915), *rev'd sub nom.* *Buchanan v. Warley*, 245 U.S. 60 (1917).

<sup>181</sup> Roger L. Rice, *Residential Segregation by Law, 1910-1917*, 34 J. SO. HIST. 179, 185–86 (1968).

<sup>182</sup> *See, e.g.*, Warren B. Hunting, *The Constitutionality of Race Distinctions and the Baltimore Negro Segregation Ordinance*, 11 COLUM. L. REV. 24, 31–32 (1911); James F. Minor, *Constitutionality of Segregation Ordinances*, 18 VA. L. REG. 561, 572 (1912); T. B. Benson, *Segregation Ordinances*, 1 VA. L. REG., N.S. 330, 330, 354 (1915); G.H.K., *Constitutional Law—Segregation Ordinance*, 63 U. PA. L. REV. 895, 897 (1915); *see also* DAVID E. BERNSTEIN, REHABILITATING LOCHNER: DEFENDING INDIVIDUAL RIGHTS AGAINST PROGRESSIVE REFORM 84 (2011) ("[P]re-Buchanan law review commentary . . . universally argued that residential segregation laws were constitutional."); Justin Driver, *The Significance of the Frontier in American Constitutional Law*, 2011 SUP. CT. REV. 345, 366–67 (2011) (citing *Buchanan*-era law review articles, the vast majority of which argued residential segregation was constitutional).

<sup>183</sup> *Harris*, 177 S.W. at 476–77.

<sup>184</sup> *Id.* at 474–75 (distinguishing *State v. Gurry*, 88 A. 546 (Md. App. Ct. 1913) (ordinance contained no exceptions for existing property owners), and *State v. Darnell*, 81 S.E. 338 (N.C. 1914)). Note that the *Darnell* court held the City of Winston lacked authority to pass the ordinance based on the state's narrow Dillon's Rule interpretation of delegations of police powers. *Darnell*, 81 S.E. at 338–39. The court did not comment on whether the Winston ordinance contained a grandfather clause. *See id.* at 338–40.

<sup>185</sup> *See supra* note 182 and accompanying text.

<sup>186</sup> *See, e.g.*, *Hopkins v. City of Richmond*, 86 S.E. 139, 145 (Va. 1915); *Harris v. City of Louisville*, 177 S.W. 472, 477 (Ky. 1915), *rev'd sub nom.* *Buchanan v. Warley*, 245 U.S. 60 (1917).

<sup>187</sup> *Harris*, 177 S.W. at 477.

man to dispose of his property if he saw fit to do so to a person of color,” and of “a person of color” “to make such disposition to a white person.”<sup>188</sup> The Court recognized the longstanding principles that “dominion over property springing from ownership is not absolute [or] unqualified” and “[t]he disposition . . . of property may be controlled in the exercise of the police power in the interest of the public health, convenience, or welfare.”<sup>189</sup> The Court also reiterated that separation of the races was a legitimate police power objective, and that segregation was compatible with “equal protection of the laws.”<sup>190</sup> As such, the Court reiterated that a state or one of its municipalities could lawfully racially segregate public conveyances<sup>191</sup> and public and private schools,<sup>192</sup> and require private railways to provide “equal but separate” coaches for white passengers and passengers of color.<sup>193</sup>

But the Court parted ways with Kentucky’s highest court and the bulk of contemporary legal commentary as to whether the Louisville ordinance was analogous to the segregation laws it upheld in *Berea College* and *Plessy*. The Court began by rejecting characterization of the Louisville ordinance as a racial segregation ordinance, stating somewhat inexplicably that “[t]he case presented does not deal with an attempt to prohibit the amalgamation of the races.”<sup>194</sup>

The Court then disagreed with the Kentucky court’s assessment of the Louisville ordinance as being no more burdensome on private property rights than Kentucky’s ban on integrated private colleges.<sup>195</sup> Distinguishing the state segregation law it upheld in *Berea College* as merely a permissible limitation on the privilege of state incorporation,<sup>196</sup> the Court found that Louisville’s ordinance, in stark contrast, had the effect of restraining the transfer of private property based solely on the race of the purchaser.<sup>197</sup> Based on this characterization, the Court arguably dodged the equal protection question and instead grounded its decision in the Fourteenth Amendment prohibition on state interference with

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<sup>188</sup> *Buchanan v. Warley*, 245 U.S. 60, 81 (1917).

<sup>189</sup> *Id.* at 74.

<sup>190</sup> *Id.* at 72, 75, 77, 78.

<sup>191</sup> *Id.* at 81.

<sup>192</sup> *Id.* at 79 (citing *Berea College v. Kentucky*, 211 U.S. 45 (1908)).

<sup>193</sup> *Id.* (citing *Plessy v. Ferguson*, 163 U.S. 537 (1896)).

<sup>194</sup> *Id.* at 81.

<sup>195</sup> *Harris v. City of Louisville*, 177 S.W. 472, 476–77 (1915), *rev’d sub nom.* *Buchanan v. Warley*, 245 U.S. 60 (1917); *Buchanan v. Warley*, 245 U.S. 60, 82 (1917).

<sup>196</sup> *Buchanan*, 245 U.S. at 79.

<sup>197</sup> *Id.* at 78–79.

private property rights without due process of law.<sup>198</sup> I say “arguably” here because the Court relied on the text and purpose of the Equal Protection Clause and the Civil Rights Act of 1866, which codified Equal Protection Clause guarantees, to support its conclusion that burdening alienability based solely on the race of the potential occupant of a home burdened the plaintiff’s vested property rights without due process of law.

Had the Court applied the standard of review from *Plessy* to its assessment of whether the ordinance violated Buchanan’s due process rights, the Louisville ordinance likely would have survived review.<sup>199</sup> But, because Louisville’s ordinance substantially burdened a fundamental property right, the Court subjected the ordinance to strict scrutiny, finding that it was both under- and over-inclusive in terms of its objectives of avoiding racial conflict, preventing miscegenation, and preserving property values in white neighborhoods<sup>200</sup>—objectives the Supreme Court reiterated were legitimate police power objectives.<sup>201</sup> Given these infirmities, the Court held that the ordinance’s restraint on alienation based on race alone was not a legitimate exercise of the state’s police power.<sup>202</sup>

#### D. *Northern and Western Whites’ Appetite for Jim Crow Zoning*

The challenge to Louisville’s racial segregation ordinance worked. Although some cities retained their segregation ordinances for decades,<sup>203</sup> and at least six cities adopted segregation ordinances post-*Buchanan*,<sup>204</sup> the Court’s ruling

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<sup>198</sup> *Id.* at 82.

<sup>199</sup> See *Plessy v. Ferguson*, 163 U.S. 537, 500–51 (1896) (concluding racial segregation bore rational relationship to “established usages, customs, and traditions of the people” and “the promotion of their comfort, and the preservation of the public peace and good order”).

<sup>200</sup> *Buchanan*, 245 U.S. at 81–82.

<sup>201</sup> See Justin Driver, *The Significance of the Frontier in American Constitutional Law*, 2011 SUP. CT. REV. 345, 370–71 (2011) (discussing *Buchanan* Court’s “considerable scrutiny” of racial segregationist objectives and citing cases in which same objectives were “rubberstamp[ed]”). But see A. LEON HIGGINBOTHAM, JR., *SHADES OF FREEDOM: RACIAL POLITICS AND PRESUMPTIONS OF THE AMERICAN LEGAL PROCESS* 120–22 (1996) (asserting that courts overturned racial segregation ordinances solely out of concern for white property owners).

<sup>202</sup> *Buchanan*, 245 U.S. at 82.

<sup>203</sup> TAYLOR, *supra* note 12, at 168–82.

<sup>204</sup> *Id.* (discussing post-*Buchanan* racial segregation ordinances adopted in Birmingham, Dallas, Indianapolis, and New Orleans); ROTHSTEIN, *supra* note 12, at 46–48 (discussing post-*Buchanan* racial segregation ordinances adopted in Atlanta, Indianapolis, New Orleans, and Apopka and West Palm Beach, Florida, and use of race-based city planning documents to guide discretionary zoning decisions in other cities).

achieved the NAACP's desired effect of preventing the adoption of express Jim Crow zoning in cities throughout the United States.<sup>205</sup>

Dominant narratives of law and planning scholarship, however, perpetuate a misperception that racial zoning was an aberrant “manifestation of the backward South.”<sup>206</sup> These narratives tend to treat the common political geography of cities that adopted Jim Crow zoning—their location in the antebellum South and border states—as causal while neglecting another significant common feature. Pre-*Buchanan*, every US city with a rapidly growing Black population constituting 15 percent or more of the city's population had some form of Jim Crow zoning, except New Orleans, which adopted Jim Crow zoning in 1921,<sup>207</sup> and Washington, DC, which was controlled by Congress.<sup>208</sup> Historians identify the large scale migration of formerly enslaved Black people from the rural South to southern and border state cities, and its attendant threat to the exclusivity of white neighborhoods, as a catalyst for “efforts to rigidly limit [B]lack residential patterns.”<sup>209</sup>

This response to the migration of Black people was not limited to the Deep South. Christopher Silver and other urban planning scholars report that political elites in northern cities like Chicago and Philadelphia, both with rapidly expanding Black populations, also embraced express racial zoning.<sup>210</sup> In the pre- and post-*Buchanan* period, prominent northern planners and real estate professionals promoted comprehensive zoning and widespread adoption of racially restrictive covenants as means to preserve and develop whites-only neighborhoods.<sup>211</sup> Post-*Buchanan*, New Orleans and other cities hired northern reformers to consult on race-based comprehensive planning and

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<sup>205</sup> SANDER ET AL., *supra* note 14, at 32–33.

<sup>206</sup> Silver, *supra* note 17, at 23 (offering a similar critique).

<sup>207</sup> New Orleans considered Jim Crow zoning pre-*Buchanan* but did not adopt it until 1921 following Louisiana's enactment of a zoning enabling act. Silver, *supra* note 17, at 30.

<sup>208</sup> See SANDER ET AL., *supra* note 14, at 30–31 (reporting on size and proportion of cities' Black populations in 1910).

<sup>209</sup> Taja-Nia Y. Henderson & Jamila Jefferson-Jones, *#livingwhileblack: Blackness as Nuisance*, 69 AM. U. L. REV. 863, 898 n.203 (2020); see also CASHIN, *supra* note 16, at 5; SANDER ET AL., *supra* note 14, at 28.

<sup>210</sup> See Silver, *supra* note 17, at 23; see also Power, *supra* note 138, at 295–96; ARNOLD R. HIRSCH, MAKING THE SECOND GHETTO: RACE AND HOUSING IN CHICAGO, 1940-1960 (1983); JOHN F. BAUMAN, HOUSING, RACE AND RENEWAL: URBAN PLANNING IN PHILADELPHIA, 1920-1974 (1987); ALLEN H. SPEAR, BLACK CHICAGO: THE MAKING OF A GHETTO, 1890-1920 (1967); WILLIAM M. TUTTLE, JR., RACE RIOT: CHICAGO IN THE RED SUMMER OF 1919 (1974).

<sup>211</sup> See *infra* Section II.A.

zoning that could withstand constitutional scrutiny.<sup>212</sup> These northern reformers produced plans, maps, data, and draft ordinances to restrict Black people to certain districts and protect white landowners from, for example, “manufacturing plants and [corner] grocery stores which tend to spring up promiscuously about the city.”<sup>213</sup>

On the national, state, and local scale, racial segregationist government policies and regulations proliferated throughout the United States in the period preceding and following *Buchanan*. Many cities adopted laws and policies that stopped short of restricting alienation on the basis of race but nevertheless forcibly dispossessed and displaced People of Color, including annexations, urban renewal projects, and underinvestment in public infrastructure and public services.<sup>214</sup> Illustrative of this, Charleston, South Carolina, under the guidance of Morris Knowles, a prominent planning consultant from Pittsburgh, adopted the nation’s first ordinance to expressly protect a designated historic district, which at the time was home to “several thousand Black residents.”<sup>215</sup> While the race neutral text of the ordinance appeared to comply with *Buchanan*, the city’s draft general plan, also prepared by Knowles, designated the district as an area that would become a white residential district.<sup>216</sup> New York urban planner and lawyer Robert Whitten promoted a similar strategy for circumventing *Buchanan* in Atlanta, Georgia, which also adopted a zoning ordinance that used the race neutral codes “R1” and “R2” as substitutes for racial designations expressly outlined in the city’s draft comprehensive plan.<sup>217</sup> Although Knowles and Whitten promoted these attempted *Buchanan* workarounds in southern cities, the use of citywide plans and

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<sup>212</sup> See Silver, *supra* note 17, at 28–31 (reporting on Atlanta, Birmingham, Charleston, New Orleans, Roanoke, and Venice, Florida, hiring northern planning consultants to devise legally defensible racial zoning systems).

<sup>213</sup> *Id.* at 29. Birmingham hired Boston landscape architect, Warren Manning, as a planning consultant leading up to adoption of its City Plan of Birmingham in 1919 and racial zoning ordinance in 1925. *Id.*; see also *Monk v. City of Birmingham*, 87 F. Supp. 538, 544 (N.D. Ala. 1949), *aff’d*, 185 F.2d 859 (5th Cir. 1950) (invalidating Birmingham’s 1944 racial segregation ordinance).

<sup>214</sup> See CASHIN, *supra* note 16, at 113, 118–26 (discussing “slum clearance” and disinvestment in public infrastructure and services in Black neighborhoods); TROUNSTINE, *supra* note 17, at 5–7, 98–120 (discussing slum clearance, urban renewal, and disinvestment in Black neighborhoods); TAYLOR, *supra* note 12, at 149 (discussing annexations).

<sup>215</sup> Silver, *supra* note 17, at 34–35.

<sup>216</sup> *Id.*

<sup>217</sup> LEEANN LANDS, *CULTURE OF PROPERTY: RACE, CLASS, AND HOUSING LANDSCAPES IN ATLANTA, 1880-1950*, 145 (2009).

zoning to control perceived “nuisance populations” became an established practice in cities throughout the United States.<sup>218</sup>

The history of the American West likewise suggests that cities there would have adopted express racial zoning but for the *Buchanan* Court striking down Louisville’s ordinance as an unconstitutional exercise of its police power. California cities attempted to adopt express racial zoning targeting Chinese people and people of Chinese descent in the late nineteenth and early twentieth centuries, and western states and cities continued throughout much of the twentieth century to adopt laws designed to harass and expel each successive wave of immigrants initially enticed to fill labor shortages and drive down labor costs.<sup>219</sup>

Moreover, many western cities run by unabashed white supremacists did not need to adopt Baltimore-style racial zoning ordinances because the cities already prohibited People of Color from owning real property in the city or, in some cases, from remaining in the city after sunset.<sup>220</sup> These laws effectively forced communities of color to establish neighborhoods outside municipal boundaries.<sup>221</sup> Eugene, Oregon, for example, prohibited Black people from owning property within the city until 1957, the year Oregon passed its first fair housing law.<sup>222</sup> Other examples of citywide exclusion of People of Color could be found in California, Colorado, Montana, Wyoming, and other western states.<sup>223</sup>

The fictional narrative that equates “racial zoning” with the Jim Crow era residential segregation ordinances adopted by Baltimore, Louisville, and other southern cities<sup>224</sup> renders opaque important events in the development of racial zoning in the United States—events that did not begin in the anti-

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<sup>218</sup> *Id.* at 145.

<sup>219</sup> See ABRAMS, *supra* note 101, at 29–55 (describing cycle of governmental enticement, immigration and migration, white violence, and government-backed exclusion and expulsion, and beginning in 1850 with Chinese laborers, followed by Japanese farm workers, Black laborers from the South, Mexican laborers, and Caribbean laborers).

<sup>220</sup> See Brian J. Connolly, *Promise Unfulfilled? Zoning, Disparate Impact, and Affirmatively Furthering Fair Housing*, 48 URB. LAW. 785, 789–94 (2016) (discussing sundown ordinances and other racially discriminatory land use laws and policies).

<sup>221</sup> *Id.*

<sup>222</sup> See League of Women Voters of Portland, A Study of Awareness of the Oregon Fair Housing Law and a Sampling of Attitudes Toward Integrated Neighborhood Living (May 1961); ORE. REV. STAT. § 659.032, c. 725, § 2 (1957), *repealed by* c. 584, § 4 (1959).

<sup>223</sup> ABRAMS, *supra* note 106, at 52 (reporting that Imperial Valley, California, instructed real estate agents that, to “protect[] property values against depreciation,” “[c]are should be taken not to get people of the African, Mexican, Chinese or other similar races in this quarter” and Valley of the South Platte, Colorado, likewise excluded “Mexicans” from residing in the town).

<sup>224</sup> See *infra* Section I.B.

Reformation South or end in 1917 with the Supreme Court's rejection of Louisville's racial zoning ordinance.<sup>225</sup> The implicit and explicit perpetuation of this fictional narrative contributes to the continued failure to recognize the white supremacist structure of American zoning law.

## II. THE SINGLE-FAMILY–MULTIFAMILY TAXONOMY AS JIM CROW ZONING BY PROXY

Around the time Jim Crow zoning was rapidly proliferating in US cities with proportionally large Black populations, other major US cities were experimenting with a new (to the United States) mechanism for controlling growth and shaping urban development. Some of the earliest proponents of comprehensive planning and zoning in the United States advocated for zoning “as a means of improving the blighted physical environment in which people lived and worked.”<sup>226</sup> Others, like California real estate developer and attorney Charles H. Cheney, claimed—apparently disingenuously<sup>227</sup>—that “one of the prime objects of the recent city planning and zoning regulations” was “[t]o remove the social barriers in cities and to give the poor man, and particularly the foreign-born worker an equal opportunity to live and raise his family.”<sup>228</sup> But by the time Los Angeles, Berkeley, and New York City adopted the first citywide zoning codes in the United States,<sup>229</sup> exclusion of “undesirables” eclipsed the egalitarian interests of some early reformers.<sup>230</sup>

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<sup>225</sup> See *infra* Section I.C. (discussing *Buchanan v. Warley*, 245 U.S. 60 (1917)) and II.A. (discussing pre- and post-*Buchanan* development of facially neutral zoning laws to “protect” white neighborhoods from “invasion,” overcome limitations of racially restrictive covenants, and withstand constitutional scrutiny).

<sup>226</sup> Rabin, *supra* note 17, at 103–05 (discussing reformer and planner Benjamin Marsh); William M. Randle, *Professors, Reformers, Bureaucrats, and Cronies: The Players in Euclid v. Ambler*, in *ZONING AND THE AMERICAN DREAM*, *supra* note 17, at 44–45 (“[T]he concept of an efficient social organization based on an ideal of service was the source of the city planning movement. . . . The original agenda of the planning conferences (to solve the problems of urban congestion and improve living conditions in cities) was ephemeral.”).

<sup>227</sup> Cheney championed racially restrictive covenants and zoning as legal mechanisms to exclude Black and immigrant households from what he referred to as “high class” neighborhoods. See *infra* Sections II.B.1. and 2.

<sup>228</sup> Randle, *supra* note 226, at 42.

<sup>229</sup> Berkeley, Calif., City Ord. No. 452 N.S., Mar. 10, 1916.

<sup>230</sup> Los Angeles adopted a zoning ordinance in 1909 that carved the city into industrial and residential use districts. Laundries and brick kilns, among other uses, were classified as industrial uses and were prohibited in residential districts. M. CHRISTINE BOYER, *DREAMING THE RATIONAL CITY: THE MYTH OF AMERICAN CITY PLANNING* 94 (1983); see also *supra* notes 76, and 123–127 and accompanying text

This is not to say racism, xenophobia, anti-Semitism, and economic elitism became the only motivations driving America's burgeoning zoning movement. Twentieth century urban reformers continued to view comprehensive planning and zoning as integral to addressing significant public health, traffic congestion, overcrowding, and noise problems plaguing cities.<sup>231</sup> Many envisioned comprehensive planning, implemented through a citywide zoning ordinance, as the means to create well-ordered, prosperous, and efficient cities.<sup>232</sup> But the historical record, as well as the text and organization of the zoning codes that emerged from the movement, demonstrates that two primary objectives of American zoning were the insulation of exclusive single-family neighborhoods from intrusion by undesirables and the sequestering of those undesirables either into small ghettos within the city or outside the city's boundaries.<sup>233</sup>

Northeastern urban reformers and the so-called "community builders"<sup>234</sup> of California played prominent roles in the next chapter of racist zoning in the United States. New York

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(discussing racial animus as motivation for zoning areas with Asian-owned laundries exclusively residential); *infra* Sections II.A.–B. (discussing motivations for New York City and Berkeley ordinances); MICHAEL ALLAN WOLF, *THE ZONING OF AMERICA* 83–84, 138–43 (Peter Charles Hoffer et al. eds., 2008) (discussing exclusion of "undesirables," antisemitism, and racism as motivations for zoning).

<sup>231</sup> Michael Allan Wolf, *Zoning Reformed*, 70 U. KAN. L. REV. 171, 179–81 (2021) (discussing emergence of zoning in the context of the 1918 pandemic and major natural disasters); 1 AM. LAW. ZONING § 7:6 (5th ed. Dec. 2022 update); John R. Nolan, *Golden and Its Emanations: The Surprising Origins of Smart Growth*, 23 PACE ENV'TL L. REV. 757, 795–96 (2006); Fred P. Bosselman, *The Commodification of 'Nature's Metropolis': The Historical Context of Illinois' Unique Zoning Standards*, 12 N. ILL. U. L. REV. 527, 555–71 (1992); *see also* U.S. DEPT OF COMMERCE, STANDARD STATE ZONING ENABLING ACT § 3 (2d ed. 1926) [hereinafter SZEAL] (requiring zoning be designed to, among other things, lessen street congestion, provide adequate light and air, prevent overcrowding, conserve the economic value of buildings, and ensure adequate provision of public infrastructure like streets and sewers).

<sup>232</sup> Charles M. Haar & Michael Allan Wolf, *Planning and Law: Shaping the Legal Environment of Land Development and Preservation*, 40 ENV'TL L. REV. 10419, 10420–21 (2010); *see* Eric R. Claeys, *Euclid Lives? The Uneasy Legacy of Progressivism in Zoning*, 73 FORDHAM L. REV. 731, 754–55 (2004) (citing early twentieth century planning documents).

<sup>233</sup> *See* BABCOCK, *supra* note 18, at 3 ("The insulation of the single-family detached dwelling was the primary objective of the early zoning ordinances."); Wolf, *supra* note 231, at 178 ("[P]rotection of the residents in (and values of) single-family housing from less desirable neighbors [was a] prominent . . . factor contributing to the development and popularity of zoning."); *infra* Sections II.A.–C.

<sup>234</sup> "In the hyperbolic lexicon of real estate, a 'community builder' is a developer who not only subdivides a substantial tract of suburban land but also builds and sells the houses on that land." Robert Fishman, *The Rise of the Community Builders: The American Real Estate Industry and Urban Land Planning* by Marc A. Weiss, 94 AM. HIST. REV. 538, 538 (1989) (book review). Although community builders are typically credited with facilitating the post-World War II heyday of residential development, their influence traces back to the development of western cities in the period leading up to and following World War I. *See supra* Section II.B.

City's urban reformers sought to exclude immigrant laborers from the Fifth Avenue shopping district.<sup>235</sup> But, apparently concerned that outright prohibition of manufacturing uses from commercial districts would not withstand judicial review, they used building height regulations to achieve their xenophobic objectives.<sup>236</sup> Berkeley's political elites also used facially neutral zoning regulations to achieve discriminatory objectives, but they were bolder than their New York contemporaries. They crafted a zoning ordinance to "protect" new and existing white neighborhoods from "invasion" by People of Color by establishing a district exclusively for single-family homes and subjecting homes in that district to costly design standards.<sup>237</sup> At the same time, they designed the zoning code and map to concentrate undesirable land uses, including industrial uses, in parts of the city where People of Color lived.<sup>238</sup>

On both coasts, zoning's proponents worked with all levels of government to promote zoning.<sup>239</sup> In 1924, the US Department of Commerce published the first print edition of a model zoning enabling statute that delegated broad police power authority to local governments.<sup>240</sup> Under Herbert Hoover's leadership, Federal Housing Authority staffers travelled the country promoting comprehensive zoning, including the designation of residential zones for exclusively single-family detached homes.<sup>241</sup>

A. *The Well Documented Xenophobic Roots of New York City's 1916 "Zoning Resolution"*

New York City is generally regarded as the first city in the United States to adopt comprehensive zoning.<sup>242</sup> The City's

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<sup>235</sup> See *supra* Section II.A.

<sup>236</sup> *Id.*

<sup>237</sup> Mark A. Weiss, *Urban Land Developers and the Origins of Zoning Laws: The Case of Berkeley*, 3 BERKELEY PLAN. J. 7, 8–11, 16 (1986); see also *supra* Section II.B.1.

<sup>238</sup> See *supra* Section II.B.2.

<sup>239</sup> See *supra* sections II.A.–C.

<sup>240</sup> See *supra* Section II.C.

<sup>241</sup> See *supra* Section II.C.

<sup>242</sup> Kenneth A. Stahl, *The Suburb As A Legal Concept: The Problem of Organization and the Fate of Municipalities in American Law*, 29 CARDOZO L. REV. 1193, 1237 (2008); see, e.g., James Metzenbaum, *The History of Zoning—A Thumbnail Sketch*, 9 W. RES. L. REV. 36, 39 (1957); Norman Marcus, Esq., *New York City Zoning—1961-1991: Turning Back the Clock—but With an Up-to-the-Minute Social Agenda*, 19 FORDHAM URB. L.J. 707, 707 (1992) (referring to NYC's 1916 Zoning Resolution as "the first zoning regulation in the United States"); 3 RATHKOPF'S THE LAW OF ZONING AND PLANNING § 61:3 (4th ed.) (referring to NYC's 1916 Zoning Resolution as "first zoning ordinance in the nation"); City Planning History, NYC PLAN., <https://www.nyc.gov/site/planning/about/city->

1916 Zoning Resolution has been the focus of dozens of scholarly articles. Land use law scholarship since at least 1961 has examined and critiqued the classist and xenophobic values at play in the development and design of the Zoning Resolution, which responded in large measure to a conflict between Fifth Avenue retailers and the garment factories that supplied them.<sup>243</sup> As land use law scholar Patricia Salkin chronicles:

These local merchants had what they believed to be a serious problem—one which affected their welfare, although not so much their health or safety—these merchants were losing business. During the early twentieth century, clothing factories were located as close to [their] main buyers (i.e., merchants) as possible to reduce [transportation] costs . . . . When the factories let out for the day (or during lunch time) factory workers would leave their factory [and enter the streets] . . . . The merchants believed that keeping these factories—and factory workers—so close to the[ir] stores was “distasteful, unaesthetic, and uncondusive to the image that merchants were attempting to foster.” . . . Eventually, in 1907, the Fifth Avenue Association—made up of these merchants—was formed to address the factory problem.<sup>244</sup>

The prospect of comprehensive planning and zoning as a means of controlling land uses also appealed to the Association because the garment manufacturing businesses were outbidding them on Fifth Avenue real estate.<sup>245</sup> Planning and zoning also represented a shift in local power from the political machine that dominated city politics and often sided with the garment industry, to mostly elitist urban reformers who were attentive to the Association’s concerns.<sup>246</sup>

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planning-history.page [https://perma.cc/9TTS-UMCT] (referring to the City’s “adoption of the country’s first Zoning Resolution in 1916”); Donald J. Smythe, *The Power to Exclude and the Power to Expel*, 66 CLEV. ST. L. REV. 367, 388 (2018) (same). *But see* Martha A. Lees, *Preserving Property Values? Preserving Proper Homes? Preserving Privilege?: The Pre- Euclid Debate over Zoning for Exclusively Private Residential Areas, 1916-1926*, 56 U. PITT. L. REV. 367, 371 (1994) (noting difficulty of identifying “first” zoning law and recognizing Los Angeles 1909 ordinance as first code to divide a US municipality into use districts); Jade A. Craig, *“Pigs in the Parlor”: The Legacy of Racial Zoning and the Challenge of Affirmatively Furthering Fair Housing in the South*, 40 MISS. C. L. REV. 5, 23 (2022) (recognizing Los Angeles’s 1909 zoning ordinance as first in the nation to divide city into use districts and positing that New York City’s 1916 ordinance is credited as the first comprehensive zoning ordinance adopted in the United States because it was more comprehensive than Los Angeles’s ordinance).

<sup>243</sup> See, e.g., JANE JACOBS, *THE DEATH AND LIFE OF GREAT AMERICAN CITIES* (1961).

<sup>244</sup> Patricia E. Salkin, *The Quiet Revolution and Federalism: Into the Future*, 45 J. MARSHALL L. REV. 253, 264 (2012) (quoting STANISLAW J. MAKIELSKI, JR., *THE POLITICS OF ZONING: THE NEW YORK EXPERIENCE* 11–12 (1966)).

<sup>245</sup> Power, *supra* note 31, at 3.

<sup>246</sup> *Id.*; see also REPORT OF THE HEIGHTS OF BUILDINGS COMMISSION TO THE COMMITTEE ON THE HEIGHT, SIZE, AND ARRANGEMENT OF BUILDINGS OF THE BOARD OF ESTIMATE AND APPORTIONMENT OF THE CITY OF NEW YORK 220 (1913) [hereinafter

Within five years, the Association was working with the city's new Commission on Building Districts and Restrictions (the Commission) to promote zoning as a means of addressing the "image" problem caused by the presence of immigrant garment workers in luxury shopping areas.<sup>247</sup> The Commission considered establishing separate commercial and manufacturing districts,<sup>248</sup> but feared outright exclusion of manufacturing uses from the commercial district risked invalidation by the courts.<sup>249</sup> Height regulations provided a safer bet. City codes limited building heights since at least the late 1800s,<sup>250</sup> and the Supreme Court had already validated building height restrictions.<sup>251</sup> Thus, in 1913 the Association began working with the newly established Heights of Buildings Commission, which responded to the Association's concerns by recommending that buildings in the Fifth Avenue District be no taller than 125 feet, a limitation that discouraged the construction of garment lofts.<sup>252</sup>

In addition to implementing the Commission's recommended height limitation through the establishment of bulk restrictions, the Zoning Resolution also established use districts and administrative standards.<sup>253</sup> The Zoning Resolution established three cumulative use districts: (1) a residential district, which permitted only residential uses; (2) a business district, which permitted commercial uses and residential uses; and (3) an unrestricted district, which permitted manufacturing uses, commercial uses, residential uses, and any other use not expressly prohibited.<sup>254</sup> This combination of broad use categories with

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REPORT OF THE HEIGHTS OF BUILDINGS COMMISSION] (describing the need for height standards to exclude loft manufacturing businesses "crowded with their hundreds and thousands of garment workers and operators who swarm down upon [Fifth] [A]venue").

<sup>247</sup> Salkin, *supra* note 244, at 264; Jerry Frug, *The Geography of Community*, 48 Stan. L. Rev. 1047, 1082 (1996).

<sup>248</sup> REPORT OF THE HEIGHTS OF BUILDINGS COMMISSION, *supra* note 246, at 270; *see also* Marc A. Weiss, *Skyscraper Zoning: New York's Pioneering Role*, 58 J. AM. PLAN. ASS'N 201, 202 (1992).

<sup>249</sup> Weiss, *supra* note 248, at 202.

<sup>250</sup> *Id.* at 206–07.

<sup>251</sup> *See* Welch v. Swasey, 214 U.S. 91, 107 (1909) (concluding variable height limitations for commercial and residential zones did not take property without justification or violate equal protection guarantees).

<sup>252</sup> REPORT OF THE HEIGHTS OF BUILDINGS COMMISSION, *supra* note 246, at 270; *see also* Weiss, *supra* note 248, at 202; Salkin, *supra* note 244, at 264.

<sup>253</sup> Salkin, *supra* note 244, at 265.

<sup>254</sup> N.Y.C., N.Y., Board of Estimate & Apportionment, Building Zone Resolution (July 25, 1916) §§ 2–5 [hereinafter Building Zone Resolution]; *see also* Salkin, *supra* note 244, at 265. Some city land was also set aside as "undetermined." *Id.*

detailed bulk and area regulations was modeled on codes adopted in German cities beginning in the late nineteenth century.<sup>255</sup>

The city did not adopt separate residential use districts to segregate single-family detached residences from other forms of housing.<sup>256</sup> But the city and its urban reformers nevertheless catered to the anti-immigrant, anti-Black, and anti-poor interests of the city's suburbanites.<sup>257</sup> The Zoning Resolution achieved this through the layering of the residential use district restrictions and the bulk and area district restrictions, which in combination had the effect of excluding apartment buildings and tenements from suburban neighborhoods.<sup>258</sup>

### *B. California's "Community Builders"*

On the other side of the country, political elites in California championed comprehensive zoning as a legally defensible means to ensure geographic separation of economically affluent white people of northern European descent from People of Color and first- and second-generation immigrants from southern and eastern Europe. Initially, the so-called community builders wanted to zone only the "high class" neighborhoods, seeing no need to extend zoning's protection of property values and neighborhood "character" to places where People of Color, recent immigrants, and impoverished whites lived.<sup>259</sup> But they were ultimately persuaded that citywide zoning, akin to the model adopted in late nineteenth century German cities, was more legally palatable and had the advantage of driving People of Color out of high-value land areas and containing them in low-value areas with or adjacent to other undesirable or noxious land uses.<sup>260</sup>

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<sup>255</sup> See Power, *supra* note 31, at 3 (discussing German zoning's influence on Edward M. Bassett, who helped draft New York City's Zoning Resolution and became a lifelong champion of zoning). The record of New York City's first planning process also reveals the influence of German zoning on the city. See, e.g., Frank Backus Williams, *The German Zone Building Regulations, Appendix III*, in REPORT OF THE HEIGHTS OF BUILDINGS COMMISSION, *supra* note 246; see also Frederick C. Howe, *The Municipal Real Estate Policies of German Cities*, in PROCEEDINGS OF THE THIRD NATIONAL CONFERENCE ON CITY PLANNING (1911).

<sup>256</sup> Building Zone Resolution, *supra* note 254, § 2.

<sup>257</sup> E. M. BASSETT, ZONING: THE LAW, ADMINISTRATION AND COURT DECISIONS DURING THE FIRST TWENTY YEARS 24–25 (1974).

<sup>258</sup> *Id.*

<sup>259</sup> See *infra* Section II.B.2.

<sup>260</sup> See *infra* Section II.A.2.

# 1. The Exclusive Single-Family Zone as Response to the Limits of Racially Restrictive Covenants and the Police Power

In the 1910s, prominent community builder Duncan McDuffie was instrumental in the creation of a city planning commission and adoption of a zoning ordinance in Berkeley.<sup>261</sup> McDuffie was president of Northern California's largest real estate brokerage and development corporation and a leader of the Berkeley Realty Board. His company, Mason-McDuffie, developed three major residential subdivisions in Berkeley, each consisting primarily of single-family detached homes encumbered by racially restrictive covenants.<sup>262</sup> In a speech to the Berkeley City Club in 1916, McDuffie extolled the virtues of deed restrictions and zoning: "through the use of proper restrictions . . . it is possible absolutely to determine in advance the development and character of an entire residence district"<sup>263</sup> and avoid "the evils of uncontrolled development."<sup>264</sup> He saw "[t]he adoption of a district or zone system by Berkeley" as necessary to "give property outside of restricted sections . . . the protection now enjoyed by a few districts alone and [to] . . . prevent deterioration" and "assist in stabilizing values."<sup>265</sup>

McDuffie may have been especially keen on the city adopting a legal mechanism that could control land uses outside deed restricted areas because the upscale Claremont neighborhood—a deed restricted Mason-McDuffie subdivision—was bordered on the west by Elmwood Park—an older subdivision with deed restrictions on the verge of expiring—and on the south by a residential area that lacked restrictions.<sup>266</sup> The Civic Art Commission, with McDuffie as its president, ultimately issued a report recommending that the City Council zone the area containing these subdivisions exclusively for single-family residential use, in part because restrictive covenants were "too short" and "in many cases [were] about to

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<sup>261</sup> Marc A. Weiss, *Urban Land Developers and the Origins of Zoning Laws: The Case of Berkeley*, 3 BERKELEY PLAN. J. 7, 12–13 (1986).

<sup>262</sup> *Id.*

<sup>263</sup> Duncan McDuffie, *City Planning in Berkeley*, 4 BERKELEY CIVIC BULL. 1, 106, (Mar. 15, 1916).

<sup>264</sup> *Id.* at 115–16.

<sup>265</sup> *Id.* at 117; *see also* Duncan McDuffie, *A Practical Application of the Zone Ordinance*, 4 BERKELEY CIVIC BULL. 1, 10–17 (July 13, 1916).

<sup>266</sup> Weiss, *supra* note 237, at 16.

expire, thus endangering the values of the neighborhood.”<sup>267</sup> Subsequently, the first zoned district created in Berkeley applied to Elmwood Park and allowed only single-family residential use.<sup>268</sup>

Another key figure in the development of Berkeley’s code, Charles Cheney, also blamed recent immigrants, people of Asian descent, and Black people for “deterioration and great economic loss” in residential districts without zoning restrictions or restrictive covenants.<sup>269</sup> Cheney championed the use of racially restrictive covenants to “protect[]” “high class residence[s].”<sup>270</sup> But Cheney also warned that restrictive covenants alone were insufficient to ensure the exclusivity of existing and new white residential areas.<sup>271</sup> As Cheney’s business partner Frederick Law Olmstead, Jr.,<sup>272</sup> lamented, the private agreements were subject to challenges that they unlawfully restricted alienation; as restraints on alienation of real property, many courts would only enforce covenants of limited duration, while other courts would not enforce them at all, and, absent enforcement by the homeowners themselves, covenants could become obsolete.<sup>273</sup>

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<sup>267</sup> WERNER HEGEMANN, REPORT ON A CITY PLAN FOR THE MUNICIPALITIES OF OAKLAND AND BERKELEY 14, 99, 137–39 (1915), <https://archive.org/details/reportoncityplan00hegerich/page/n3/mode/2up> [<https://perma.cc/L5W5-M7L2>] (proposing minimum lot size and setback restrictions for “high class residence districts” in the east, a system of parks to screen residential districts in east from industrial districts, and separate residential districts for private residences, apartments and tenement houses; promoting city planning, districting, and restrictive covenants to protect single-family residence districts for upper, middle and lower classes from “invasion” by tenements, “which produce crime, prevent the development of a healthy population, and create perverts”); Werner Hegemann worked closely with Baltimore in the period preceding its adoption of racial zoning, as well as with New York City, Philadelphia, Oakland and Berkeley. Frederic C. Howe, *Preface to the Report of Werner Hegemann*, HEGEMANN, REPORT ON A CITY PLAN FOR THE MUNICIPALITIES OF OAKLAND AND BERKELEY.

<sup>268</sup> Weiss, *supra* note 237, at 18.

<sup>269</sup> Lewis P. Hobart & Charles H. Cheney, *Why Bad Housing Costs and Better Housing Pays*, 42 W. ARCHITECT & ENG’R 96, 99–100 (1915) (reprint of a portion of *Better Housing in California*, a report to the Commission of Immigration and Housing of California (1915)).

<sup>270</sup> Charles Henry Cheney, *The Necessity for a Zone Ordinance in Berkeley*, 3 BERKELEY CIVIC BULL. 1, 165 (May 18, 1915).

<sup>271</sup> See ROBERT M. FOGELSON, *BOURGEOIS NIGHTMARES: SUBURBIA, 1870–1930*, 15–18 (2005) (discussing Cheney’s partnership on the development of the Palos Verdes Estate subdivision, which Lewis claimed would bring together “the cream of the manhood and womanhood of the greatest nation . . . , the Caucasian race and the American nation”) (internal quotation marks omitted).

<sup>272</sup> Olmstead’s role in transforming American land use law extended well beyond his business partnership with Cheney. Olmsted was a landscape architect, Harvard professor of landscape architecture, first president of the American City Planning Institute, conservationist, and champion of the establishment of the national parks system. See generally Susan L. Klaus, *All in the Family: The Olmsted Office and the Business of Landscape Architecture*, 16 LANDSCAPE J. 80, 81, 87, 92–94 (1997); Charles E. Beveridge, *Olmsted and Yosemite*, 5 SITES LINES 1, 6–8 (2009).

<sup>273</sup> Frederick Law Olmstead, Jr., *Deed Restrictions that Affect Houses in Planned Neighborhoods*, 88 ARCHITECTURAL REC. 32, 34–35 (1940).

Thus, in addition to promoting the use of racially restrictive covenants and the establishment of homeowners associations to “conscientious[ly]” enforce them,<sup>274</sup> McDuffie, Cheney, and other “community builders” devised and promoted a zoning code that designated areas of the city where each relatively large lot could be developed with only one home, occupied by only one family, and surrounded on all sides by a yard.<sup>275</sup> The idea was that by designating districts where only one, relatively expensive type of residence could be developed on each lot, and where lots had to meet minimum size standards, the cost of housing and land in these districts would make the districts off limits to the vast majority of People of Color. Writing about the deed restrictions of the Palos Verdes Estates subdivision that Cheney designed with Olmstead, Jr., Cheney extolled the use of racially restrictive covenants combined with restrictions on the layout of lots and buildings—that is, restrictions typical of zoning ordinances—as exclusionary devices:

The type of protective restrictions and the high class scheme of layout which we have provided tends to guide and automatically regulate the class of citizens who are settling here. The [deed] restrictions prohibit occupation of land by [Black people and people of Asian descent]. The minimum cost of house restrictions tends to group the people of more or less like income together as far as it is reasonable and advisable to do so.<sup>276</sup>

The first zoning code of Portland, Oregon, is illustrative of this covert form of racially restrictive zoning. Drafted by Cheney and approved by voters in 1924, Portland’s first code included two residential zones: Zone I for single-family dwellings and Zone II for multifamily dwellings. The code designated fifteen “highest quality” neighborhoods as Zone I and the rest as Zone II.<sup>277</sup> Separate zones for single-family and multifamily

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<sup>274</sup> See, e.g., FOGELSON, *supra* note 271, at 17–18 (discussing reason for establishing Palos Verdes Estate Homeowners Association); Jesse Barber, *Berkeley Zoning Has Served For Many Decades to Separate the Poor From the Rich and Whites From People of Color*, BERKELEYSIDE (Mar. 12, 2019, 11:34 AM), <https://www.berkeleyside.org/2019/03/12/berkeley-zoning-has-served-for-many-decades-to-separate-the-poor-from-the-rich-and-whites-from-people-of-color> [https://perma.cc/8EA3-HMWP] (discussing 1912 pamphlet that assured potential buyers that a new residential development in Berkeley was a good investment because, among other things, deed restrictions “make it the ‘cream’ of North Berkeley with ‘No [Asian or Black people]”).

<sup>275</sup> Barber, *supra* note 274, at 4. Charles Henry Cheney, *Districting Progress and Procedure in California*, PROCS. NINTH NAT’L CONFERENCE ON CITY PLAN. 186–87 (1917).

<sup>276</sup> Weiss, *supra* note 227, at 21 n.6 (quoting Robert Fogelson, *The Fragmented Metropolis: Los Angeles, 1850-1930* 324 (1967) (emphasis added)).

<sup>277</sup> CITY OF PORTLAND, BUREAU OF PLAN. & SUSTAINABILITY, HISTORICAL CONTEXT OF RACIST PLANNING: A HISTORY OF HOW PLANNING SEGREGATED PORTLAND 5 (2019), <https://www.portland.gov/bps/documents/historical-context-racist-planning-summary-powerpoint-presentation/download>. [https://perma.cc/U654-ED44]

dwellings were first proposed to the Portland Planning Commission in a “Report on City Planning and Housing Survey” authored by Cheney.<sup>278</sup> The City adopted the zoning designations knowing the Portland Realty Board’s ethical rules prohibited agents from selling property in a white neighborhood—i.e., property in Zone I—to Black people or people of Asian descent.<sup>279</sup> At the time Portland adopted its first zoning code, city officials were unabashed supporters of the Oregon chapter of the Ku Klux Klan.<sup>280</sup> Although Oregon had the largest state KKK chapter west of the Rocky Mountains,<sup>281</sup> the domination of white supremacism in Oregon politics of the 1920s reflected a larger scale post-Reconstruction shift in northern liberal values toward social acceptance of white supremacism.

The influence of the California “community builders” was not limited to the West Coast. Cheney was a frequent presenter at the National Conference on City Planning and a member of the Committee on Zones and Districts of the San Francisco City Planning Section, a subgroup of the highly influential private men’s club, the Commonwealth Club.<sup>282</sup> Committee members consisted “of realtors, builders, architects, engineers, and lawyers.”<sup>283</sup> The same real estate boards that mandated racial segregation through their ethics rules were key players in this and other organizations promoting zoning.<sup>284</sup> The Committee advocated for zoning to prevent “intrusion” into “residence districts” of “undesirable’ uses,” which the Committee characterized as industrial and manufacturing uses and “apartment houses.”<sup>285</sup> The Commonwealth Club documented instances of these “intrusions”<sup>286</sup> and successfully used its study to lobby California to adopt zoning enabling legislation,<sup>287</sup> which

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<sup>278</sup> CHARLES CHENEY, REPORT ON CITY PLANNING AND HOUSING SURVEY (on file with author).

<sup>279</sup> CITY OF PORTLAND, *supra* note 277, at 6.

<sup>280</sup> Historical photographs show Portland officials and dignitaries posing with members of the Ku Klux Klan. 1921 OrHi 54338 (showing Portland Mayor George Baker, US Attorney Lester Humphrey, and Portland Police Chief Leon Jenkins posing with Klan members).

<sup>281</sup> See ABRAMS, *supra* note 106, at 13.

<sup>282</sup> See, e.g., Cheney, *supra* note 275, at 190–92. The Commonwealth Club did not allow women members until 1971. See ONLINE ARCHIVE OF CALIFORNIA, REGISTER OF THE COMMONWEALTH CLUB OF CALIFORNIA RECORDS (1903-2012), *Historical Note* (2009), [https://oac.cdlib.org/findaid/ark:/13030/kt3g5032c1/entire\\_text/](https://oac.cdlib.org/findaid/ark:/13030/kt3g5032c1/entire_text/).

<sup>283</sup> Marc Weiss, *The Real Estate Industry and the Politics of Zoning in San Francisco, 1914–1928*, 3 PLAN. PERSPECTIVES 311, 312 (1988).

<sup>284</sup> *Id.* at 312.

<sup>285</sup> *Id.* at 313.

<sup>286</sup> CITY PLAN. SECTION, COMMONWEALTH CLUB, STUDY OF ZONING OR DISTRICTING (1917) (on file with author).

<sup>287</sup> California Zoning Act of 1917, 1917 Cal. Stat. ch. 734.

was drafted by members of the Club's City Planning Section, including Charles Cheney.<sup>288</sup>

Within five years of New York City and Berkeley's adoption of comprehensive zoning codes in 1916, "roughly twenty states had authorized some or all municipalities to pass comprehensive zoning ordinances."<sup>289</sup> Slowly at first, citywide facially neutral zoning spread to more cities, many of which adopted codes that combined Berkeley's innovative single-family residential zone with the more traditional New York approach to create exclusively single-family zones with detailed bulk and area restrictions.<sup>290</sup> In the vernacular of zoning law, these codes designated single-family residential use "as the principal and primary use[]" in one or more districts.<sup>291</sup> All other land uses were prohibited in the district except "accessory" uses (e.g., garden sheds)<sup>292</sup> and "conditional" uses (e.g., parks).<sup>293</sup>

## 2. Expulsive Zoning and the Entrenchment of Environmental Racism

The new zoning codes also incorporated an oppressive mechanism that the California community builders referred to as "overzoning," a regulatory approach that land use law scholar Yale Rabin has more aptly termed "expulsive zoning."<sup>294</sup> Expulsive zoning regulations permit "the intrusion into Black neighborhoods of disruptive incompatible uses that diminish the quality and undermine the stability of those neighborhoods."<sup>295</sup> Often, it is not apparent from the text of a zoning code whether a municipality's zoning scheme protects white neighborhoods from intense and noxious uses and permits those uses near neighborhoods primarily or disproportionately occupied by

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<sup>288</sup> Weiss, *supra* note 283, at 313.

<sup>289</sup> Salkin, *supra* note 244, at 265 (quoting WOLF, *supra* note 230, at 29 (2008)).

<sup>290</sup> Weiss, *supra* note 237, at 8, 11.

<sup>291</sup> PACE UNIV. SCH. OF L.: LAND USE L. CTR., BEGINNERS GUIDE TO LAND USE 6, <https://law.pace.edu/sites/default/files/LULC/LandUsePrimer.pdf> [<https://perma.cc/AQQ6-FWFB>].

<sup>292</sup> *Id.* at 6–7. Uses that are "accessory" to the principal use are also permitted as-of-right on a lot containing the principle permitted use if they are customarily found in association with the principal use and are subordinate and incidental to the principal use (e.g., a detached garage on residentially-zoned lot that contains a home). *Id.*

<sup>293</sup> "The special use permit is a flexible zoning device which expressly allows a use under specified circumstances. The municipality may impose conditions upon that use." John R. Nolon, *Shattering the Myth of Municipal Impotence: The Authority of Local Government to Create Affordable Housing*, 17 FORDHAM URB. L.J. 383, 392 (1989). Thus a "conditional" or "special use" in a single-family residential district is a use the zoning code has identified as generally harmonious with single-family residential use such as a church or daycare.

<sup>294</sup> Weiss, *supra* note 17, at 101–06; Rabin, *supra* note 226, at 102, 107.

<sup>295</sup> Rabin, *supra* note 226, at 102.

People of Color. This is because zoning law is not limited to textual regulations, but also includes the imposition of those regulations on a map that has the force of law.<sup>296</sup> This feature of zoning law allowed Berkeley city officials to protect existing “high class” neighborhoods and desirable undeveloped areas by zoning them for exclusively single-family use.<sup>297</sup> In existing middle-income residential areas, Berkeley’s code allowed a range of land uses deemed compatible with residential use, including “higher value multifamily apartment buildings, hotels, stores, [and] offices,” and prohibited industrial and other uses deemed incompatible with residential use.<sup>298</sup>

Berkeley and other early adopters of comprehensive zoning did not use zoning to protect the property values or residential character of low-income neighborhoods disproportionately occupied by People of Color and recent immigrants.<sup>299</sup> Initially, influential figures in the California zoning movement rallied against regulating these areas; Cheney initially proposed to zone single-family neighborhoods only, leaving other neighborhoods unregulated.<sup>300</sup> But Berkeley ultimately opted to zone as industrial low-income neighborhoods disproportionately occupied by People of Color to attract higher value industrial land users and “protect” industrial plants from nearby residents’ complaints and nuisance allegations.<sup>301</sup> Consistent with the lack of protection for neighborhoods disproportionately occupied by People of Color, zoning codes and zoning maps also often limited multifamily housing and less restrictively regulated single-family housing to zones that either permitted industrial uses or were adjacent to zones that permitted those uses, a pattern that continues today.<sup>302</sup>

Another way Berkeley and other early adopters of zoning in the United States protected single-family zones from

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<sup>296</sup> 1 AM. L. ZONING § 5:2 (5th ed. Dec. 2022 update).

<sup>297</sup> See Weiss, *supra* note 237, at 11, 22 n.11.

<sup>298</sup> *Id.* at 11. Weiss reports that greater protection for single-family residences extended to middle-income neighborhoods in the 1930s, following the collapse of the 1920s real estate bubble and the creation of the whites only Federal Housing Administration’s mortgage insurance program. *Id.*

<sup>299</sup> Weiss, *supra* note 237, at 9, 11. Urban history scholar Barbara Flint’s study of St. Louis observed a similar pattern there. See *id.* (reporting that St. Louis City Planning Commission found that “multiple-family houses and other uses did not impair the value” of property in neighborhoods consisting of “homes of low value, even though they were single-family homes” (quoting Barbara J. Flint, *Zoning and Residential Segregation: A Social and Physical History 1910–1940* (1977) at 215 (Ph.D. dissertation, Department of History, University of Chicago))).

<sup>300</sup> *Id.* at 9–11.

<sup>301</sup> *Id.* at 11; see also Arnold, *supra* note 14, at 119 (observing same pattern elsewhere).

<sup>302</sup> See Charles Lord & Keaton Norquist, *Cities as Emergent Systems: Race as a Rule in Organized Complexity*, 40 ENV’T L. 551, 557–58 (2010).

undesirable land uses was by creating geographic buffers between the favored zones and areas containing industrial and other undesirable land uses.<sup>303</sup> Buffers included (and continue to include) physical features like thoroughfares, rivers, railroad tracks, and other physical dividing lines.<sup>304</sup> Multifamily zones and less restrictively regulated single-family zones also served (and continue to serve) as buffers between noxious land uses and favored single-family zones.<sup>305</sup> Environmental justice scholar Tony Arnold reported in his extensive 1998 study that “[t]he most frequent type of buffer between single-family residential areas and industrial or commercial areas is medium- or high-density residential uses.”<sup>306</sup> Arnold characterizes this use of buffer zones as “perhaps one of the major reasons why low-income and minority neighborhoods have so much industrial and commercial zoning: the multifamily housing, where many low-income and minority people live, is purposefully placed near the industrial and commercial uses to create a buffer that protects high-income, white, single-family neighborhoods.”<sup>307</sup>

Data also suggests that local governments routinely used and still use discretionary land use decisions to favor whiter single-family neighborhoods and disfavor less restrictively zoned neighborhoods where more People of Color live. Charles Lord and Keaton Norquist’s review of conditional-use decisions in Baltimore found that:

[I]n each decade from 1940 to 2000, the Zoning Board of Appeals and the City Council approved conditional uses such that African-American neighborhoods hosted significantly higher numbers of disamenities than did white neighborhoods . . . [R]ace was the critical causal factor in the siting patterns. Nothing in the zoning code or the decisional records illustrated overt racism in the land-use process in Baltimore over the period from 1940 to 2000.<sup>308</sup>

Lord and Norquist’s findings are consistent with a significant body of research demonstrating that locally undesirable land uses—such as noxious industrial polluters and solid or

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<sup>303</sup> Weiss, *supra* note 237, at 11–12; Arnold, *supra* note 14, at 119.

<sup>304</sup> Emily Badger & Darla Cameron, *How Railroads, Highways and Other Man-Made Lines Racially Divide America’s Cities*, WASH. POST (July 16, 2015, 7:29 AM), <https://www.washingtonpost.com/news/wonk/wp/2015/07/16/how-railroads-highways-and-other-man-made-lines-racially-divide-americas-cities/>.

<sup>305</sup> Arnold, *supra* note 14, at 119; Lord & Norquist, *supra* note 302, at 559.

<sup>306</sup> Arnold, *supra* note 14, at 119.

<sup>307</sup> *Id.*

<sup>308</sup> Lord & Norquist, *supra* note 302, at 554 (footnotes omitted); *see also* Arnold, *supra* note 14, at 114–15 (discussing conditional use permits and environmental racism).

hazardous waste landfills—are disproportionately concentrated in areas inhabited by People of Color.<sup>309</sup>

Ultimately, these various strategies to protect white neighborhoods and white industry dehumanized the People of Color who lived in low-income neighborhoods and provided an effective *Buchanan* workaround.<sup>310</sup> Berkeley's code treated detached single-family residences and denser, less expensive forms of housing as separate land uses. Berkeley, New York City, and other early adopters of zoning essentially deemed denser forms of housing nuisances or near nuisances in high income white neighborhoods. Following the German model, these facially neutral zoning codes segregated cities according to the compatibility of the various urban land uses. But, when it came to housing, rather than approaching the question of land use compatibility by looking to the primary use of various residential structures—i.e., as homes for individuals and families—the compatibility question instead focused on numerous factors that served as a proxy for race, immigration and socioeconomic status. These factors included: the size and shape of buildings and their effect on adjacent properties' access to air or light; how densely the buildings were occupied and resultant noise and traffic;<sup>311</sup> contrasts between pastoral myths<sup>312</sup> and “urban jungle” tropes—tropes that equated denser urban residential areas with proportionally larger Black and Asian populations with disease, filth, immorality, crime, and even pedophilia;<sup>313</sup> and characterizations of apartment dwelling as incompatible with patriotism.<sup>314</sup> In this way, McDuffie, Cheney, and other early proponents of exclusive single-family districts created a facially

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<sup>309</sup> Lord & Norquist, *supra* note 302, at 558 & n.47 (citing more than two dozen studies spanning more than fifty years); *see also* BENJAMIN A. GOLDMAN, NOT JUST PROSPERITY: ACHIEVING SUSTAINABILITY WITH ENVIRONMENTAL JUSTICE 3–19 (1993) (cataloguing empirical studies).

<sup>310</sup> Michael Manville et al., *It's Time to End Single-Family Zoning*, 86 J. AM. PLAN. ASS'N 106, 107 (2020).

<sup>311</sup> Maureen E. Brady, *Turning Neighbors into Nuisances*, 134 HARV. L. REV. 1609, 1667 (2021) (“Old justifications related to fire hazards were repurposed, now related not to shoddy construction, but to density itself: apartments were ‘subject to accidents arising from the carelessness of any one of a great number of people and not apt to be detected by any systematic watchfulness.’ Noise and traffic would be generated not by the clamor of overcrowding, but rather by ‘increased deliveries’ from ‘autos, taxies, milk wagons, coal wagons,’ and so on.” (footnotes omitted)).

<sup>312</sup> *See* RAYMOND WILLIAMS, THE COUNTRY AND THE CITY 43 (1973) (referring to “a myth functioning as a memory” of a simpler time that contrasts the urban as industrial, disordered and unsafe against the rural as residential, ordered and peaceful).

<sup>313</sup> ROBERT FISHMAN, BOURGEOIS UTOPIAS: THE RISE AND FALL OF SUBURBIA xi (1987); *see, e.g.*, Hobart & Cheney, *supra* note 269, at 96–97 (characterizing recent immigrants and their immediate descendants as ignorant, standardless, and immoral).

<sup>314</sup> *See, e.g.*, *City of Jackson v. McPherson*, 138 So. 604, 605 (Miss. 1932) (en banc).

neutral legal mechanism for ensuring racial and economic segregation of the “communities” they were building.

*C. Zoning and the Single-Family–Multifamily Taxonomy  
Integral to Federal Segregation Programs*

Power players from New York City, Ohio, and California worked with states and the federal government to overcome a potential roadblock to the new legal mechanism: the possible invalidation of detailed, citywide restrictions on property usage as *ultra vires*. A decade before Alfred Bettman wrote an amicus brief that many credit with enabling a Lochnerian Supreme Court to embrace zoning in *Euclid v. Ambler Realty*,<sup>315</sup> Bettman was drafting and promoting zoning enabling acts, including Ohio’s 1915 enabling act.<sup>316</sup> Cheney and other community builders influential in California politics helped draft and promote the California Zoning Act of 1917.<sup>317</sup> Bettman and Cheney were both leaders in the National Conference on City Planning, through which they preached the necessity of zoning enabling acts to a national audience of urban reformers and developers.

Around the same time, the new Warren Harding administration began “spread[ing] the idea of locally-controlled zoning throughout the nation.”<sup>318</sup> In 1921, President Harding’s new Secretary of Commerce, Herbert Hoover, created the Division of Building and Housing within the National Bureau of Standards and instructed its new director to consult with experts in the housing field to promote zoning to “protect homeowners from commercial and industrial intrusion[.]”<sup>319</sup> Hoover also created an Advisory Committee on Zoning to draft a model state zoning enabling statute.<sup>320</sup> The nine committee members included Frederick L. Olmsted, Jr., Edward M. Bassett, Alfred Bettman, and Morris Knowles.<sup>321</sup> The committee drafted and the Department of Commerce published the

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<sup>315</sup> See, e.g., Chused, *supra* note 24, at 611 (crediting Bettman’s analogy to nuisance law for Court’s holding); Eric R. Claeys, *Euclid Lives? The Uneasy Legacy of Progressivism in Zoning*, 73 FORDHAM L. REV. 731, 763 (2004) (“In many respects, the Supreme Court’s opinion follows the more incrementalist approach Bettman charted in his amicus brief.”); Brady, *supra* note 311, at 1670 (“Justice Sutherland relied extensively on Bettman’s analogy . . . [to] ‘the common law of nuisances.’” (quoting Vill. of Euclid v. Ambler Realty Co., 272 U.S. 365, 387 (1926))).

<sup>316</sup> Ruth Knack et al., *The Real Story Behind the Standard Planning and Zoning Acts of the 1920s*, LAND USE L., Feb. 1996, at 6.

<sup>317</sup> See *supra* notes 282–288 and accompanying text (discussing Cheney’s role in the passage of the California Zoning Act).

<sup>318</sup> Frug, *supra* note 247, at 1081.

<sup>319</sup> Knack et al., *supra* note 316, at 3.

<sup>320</sup> *Id.*

<sup>321</sup> *Id.* at 4.

Standard State Zoning Enabling Act.<sup>322</sup> After several revisions, the Federal Government Printing Office published the first print edition in May 1924 and a revised print edition in 1926.<sup>323</sup> Concerned that cities were adopting zoning without engaging in sufficient—or any—comprehensive planning, the advisory committee also promulgated a model planning enabling act in 1928, the Standard City Planning Enabling Act.<sup>324</sup>

Bassett and “other drafters of the [SZE] predicted that] the principal focus of” zoning in American cities would be “protecting single-family . . . districts.”<sup>325</sup> To facilitate this, the SZE delegated to municipalities the power to designate use districts “and within such districts . . . regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land.”<sup>326</sup> The SZE also expressly delegated to cities the authority to impose the kinds of standards Cheney and Olmstead suggested could be used to ensure the racial exclusivity of white neighborhoods, including the authority to regulate the percentage of a lot available for development, the minimum size of yards, and the density of the population.<sup>327</sup> The SZE explanatory notes advised that limiting the density of population is “highly desirable”<sup>328</sup> and the model act required zoning codes to be “designed to lessen congestion in the street; . . . to prevent the overcrowding of land; [and] to avoid undue concentration of population.”<sup>329</sup> The notes cautioned that state enabling acts should use the phrase “limiting density of population,” and not “limit[ing] the number of people to the acre[]” because an acreage-based limit “is only *one* method of limiting density of population.”<sup>330</sup> Instead, the notes suggested “[i]t may be more desirable to limit the number of families to the

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<sup>322</sup> *Id.*

<sup>323</sup> U.S. DEP’T OF COMMERCE, A’ STANDARD STATE ZONING ENABLING ACT (1924); U.S. DEP’T OF COMMERCE, A’ STANDARD STATE ZONING ENABLING ACT (1926) [hereinafter SZE]. The Department of Commerce released “several thousand” copies of an earlier version in September 1922. Knack et al., *supra* note 316, at 5.

<sup>324</sup> John R. Nolon, *Comprehensive Land Use Planning: Learning How and Where to Grow*, 13 PACE L. REV. 351, 358, 360–61 (1993) (linking failure of many cities to engage in meaningful planning before adopting a zoning code in part to the Hoover commission’s promulgation of the zoning enabling act years before the planning enabling act and observing that basing a legislatively enacted zoning code on an administratively adopted plan provides some “a degree of immunization” from “short-term political considerations”).

<sup>325</sup> Kenneth A. Stahl, *The Suburb as a Legal Concept: The Problem of Organization and the Fate of Municipalities in American Law*, 29 CARDOZO L. REV. 1193, 1258–59 (2008).

<sup>326</sup> SZE, *supra* note 323, § 2 (internal footnote omitted).

<sup>327</sup> *Id.* § 1.

<sup>328</sup> *Id.* § 1 n.12.

<sup>329</sup> *Id.* § 3.

<sup>330</sup> *Id.* § 5 n.12.

acre or the number of families to a given house, etc . . . . It is believed that, with proper restrictions, this provision will make possible the creation of one-family residence districts.”<sup>331</sup>

By the mid-1920s, more than nineteen out of the forty-eight states that then made up the United States had zoning enabling statutes based on the federal model,<sup>332</sup> and more than five hundred cities had zoning codes.<sup>333</sup> By 1931, every state authorized zoning and more than one thousand cities had zoning codes.<sup>334</sup>

With the collapse of the real estate market in 1929, the federal government began exerting considerable leverage on cities to adopt zoning ordinances that included restrictively regulated single-family residential districts separated from residential areas where People of Color lived by a physical feature or buffer zone.<sup>335</sup> The leverage came in the form of three federal programs created by the Roosevelt administration, aimed at addressing the nation’s housing crisis: the Home Owners’ Loan Corporation (HOLC) established in 1933, the Federal Housing Administration (FHA) established in 1937, and the Veterans Administration (VA) established in 1944.<sup>336</sup> The Federal Home Loan Bank Board established HOLC to help homeowners with delinquent mortgages avoid foreclosure, which HOLC accomplished by allowing homeowners in default to remortgage their properties with a new federally guaranteed mortgage instrument.<sup>337</sup> This instrument had a low fixed rate, allowed for uniform payments spread over fifteen years (as opposed to five years), and allowed homeowners to accrue equity while paying their loans.<sup>338</sup> To qualify for the federally guaranteed mortgage, homes had to meet HOLC creditworthiness standards based on, among other things, whether the home was in a white, restrictively zoned

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<sup>331</sup> *Id.*

<sup>332</sup> EDWARD PINTO, A SHORT HISTORY OF ZONING IN THE UNITED STATES AND AN INTRODUCTION TO LIGHT-TOUCH DENSITY, AEI HOUSING CENTER 4 (2020)

<sup>333</sup> 1 RATHKOPF’S THE LAW OF ZONING AND PLANNING § 1:2 (4th ed.).

<sup>334</sup> *Id.*; see also Sara C. Bronin, *Zoning by a Thousand Cuts*, 50 PEPP. L. REV. 719, 727 (2023) (reporting that all states delegate the power to zone through an enabling act modeled on the SZEa).

<sup>335</sup> See *supra* notes 303–307 and accompanying text (discussing buffer zones as racial segregationist devices).

<sup>336</sup> Charles Lewis Nier III, *The Shadow of Credit: The Historical Origins of Racial Predatory Lending and Its Impact Upon African American Wealth Accumulation*, 11 U. PA. J.L. & SOC. CHANGE 131, 180 (2008).

<sup>337</sup> *Home Owners Loan Corporation (HOLC)*, ENCYCLOPEDIA.COM, <https://www.encyclopedia.com/economics/encyclopedias-almanacs-transcripts-and-maps/home-owners-loan-corporation-holc> [<https://perma.cc/YU66-WGQH>].

<sup>338</sup> *Id.*; KENNETH T. JACKSON, CRABGRASS FRONTIER: THE SUBURBANIZATION OF THE UNITED STATES 196–97 (1985).

neighborhood physically separated from neighborhoods where People of Color lived.<sup>339</sup>

The influence of HOLC's racist standards spread beyond the HOLC program for mortgages in default, ultimately exerting its greatest influence on the underwriting practices of the FHA and VA, both of which insured residential mortgage loans made by private banks.<sup>340</sup> FHA-insured mortgages brought homeownership within reach for millions of Americans by extending the payment period out thirty years, "decreas[ing] . . . down payment[s] to 10 percent," and allowing homeowners to acquire equity while repaying their loans.<sup>341</sup> But, like the HOLC, the FHA embraced its role as protector of white neighborhoods, not only by adopting HOLC underwriting practices,<sup>342</sup> but also by deploying FHA agents to the field to promote planning and zoning.<sup>343</sup> The Director of the Land Planning Division of the FHA, Seward Mott, observed in 1940 that these agents travelled the country giving thousands of presentations on the virtues of planning and zoning.<sup>344</sup>

During the early years of [the FHA] planning program a great amount of educational work was necessary with real-estate developers, builders, and bankers. Subdivision and planning conferences were held *in every important city in the United States*. Illustrated talks were given, demonstrating the advantages of good neighborhood planning. . . . Every year *thousands of individual conferences are held* with subdivision developers.<sup>345</sup>

The FHA did not limit its promotion of zoning to "educational work." Director Mott leveraged the unprecedented buyer-friendly terms of FHA backed mortgages to promote widespread adoption of zoning. In the popular *Architectural Record* trade magazine, Mott warned that, "In some communities no loans are accepted due to lack of zoning or to poor administration of existing zoning ordinances as it is felt that the risk of neighborhood breakdown is too great and the security is not considered sound."<sup>346</sup> Mott's reasoning reflected the HOLC and FHA's racist underwriting practices, albeit in veiled race neutral language:

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<sup>339</sup> See Seward H. Mott, *The Benefits of Controlled Neighborhood Planning*, ARCHITECTURAL REC., Nov. 1940, at 36.

<sup>340</sup> Nier III, *supra* note 336.

<sup>341</sup> *Id.* at 180–81.

<sup>342</sup> *Id.* at 180.

<sup>343</sup> Mott, *supra* note 339, at 36–37.

<sup>344</sup> *See id.*

<sup>345</sup> *Id.* at 36 (emphasis added).

<sup>346</sup> *See id.*

[T]hrough the intelligent use of these various planning techniques [protective covenants and zoning], good residential neighborhoods can be created and . . . in no other way can effective results be secured. The community as a whole benefits from this sort of inclusive and ordered planning because a neighborhood is like a barrel of apples—one bad apple will ruin the whole barrelful.<sup>347</sup>

With respect to the leverage attributable to FHA financing standards, Mott observed in 1940 that “approximately 45 [percent] of all new home construction in the United States [was pursuant to an] FHA finance plan . . . [and] developers [of subdivisions financed through other sources still] ‘find it desirable to have their subdivisions qualified for FHA loans.’”<sup>348</sup>

### III. THE SUPREME COURT AS ENABLER OF JIM CROW ZONING BY PROXY

Although comprehensive zoning was by no means an American invention, the highly preferential regulatory treatment of single-family homes coupled with treatment of multifamily residences as undesirable land uses certainly was.<sup>349</sup> As this uniquely American form of zoning spread throughout US cities in the early twentieth century, many feared the mechanism went too far in restricting private uses of property. The new citywide zoning codes prohibited many landowners from developing their property as intended, created a strict hierarchy of land uses, and dictated the height of structures, the purposes for which structures could be used, the size of yards, and more.<sup>350</sup> Surely the same court that rejected Louisville’s racial segregation ordinance on the grounds that it placed too great a burden on private property rights would find such detailed, citywide restrictions on uses of private property exceeded the implied limits on government.

But, in 1926, the Court blessed the new regulatory mechanism, finding that Ambler Realty failed to prove the Village of Euclid’s zoning ordinance did not substantially advance the public welfare.<sup>351</sup> In validating Euclid’s zoning ordinance as a legitimate exercise of the police power, the Court applied a standard of review that has come to be recognized as

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<sup>347</sup> *Id.*

<sup>348</sup> *Id.*

<sup>349</sup> Comparative urbanism scholar Sonia Hirt’s historical survey of municipal laws mandating socio-spatial segregation provides compelling evidence that legally mandated separation by residence type (closely correlated to economic status and race) was unique to early American zoning law. HIRT, *supra* note 20, at 16–21.

<sup>350</sup> *See supra* Section II.A.

<sup>351</sup> *See infra* Section III.A, III.C.

allowing local governments nearly unfettered discretion to regulate the uses of property within their boundaries.<sup>352</sup> Justice Sutherland's *Euclid* opinion also took pains to articulate a police power justification for single-family zoning, notwithstanding the fact that the validity of single-family zoning was not at issue.<sup>353</sup>

What began as a trickle became a fast-moving current. Spurred by *Euclid*, the SZEA, and FHA staffers, states throughout the nation adopted zoning enabling legislation that mirrored the federal model, and thousands of cities adopted comprehensive zoning codes. Each of these zoning codes restricted large swaths of land to a single, preferred form of housing and relegated multifamily housing and less restrictively regulated single-family housing to districts that included land uses the Supreme Court, zoning proponents, and local officials throughout the country characterized as incompatible with family life.<sup>354</sup>

A. *The Village of Euclid's Robert Whitten-Inspired Code Provides a Test Case for Jim Crow Zoning by Proxy*

When the Village of Euclid incorporated in 1903, it was a bourgeois suburb about twelve miles east of Cleveland.<sup>355</sup> Euclid Avenue, which ran through the Village of Euclid and continued all the way to Cleveland, was hailed "America's most beautiful street."<sup>356</sup> By 1920, however, many of Euclid Avenue's mansions had given way to empty lots, gas stations, funeral parlors, and apartment buildings.<sup>357</sup> Among the residents of Euclid Avenue's many great mansions was James Metzenbaum, a name familiar to many American land use lawyers.<sup>358</sup> Metzenbaum drafted the zoning ordinance that the Village adopted in 1922 and eventually represented the Village before the Supreme Court in

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<sup>352</sup> See *infra* Section III.C.

<sup>353</sup> See *infra* Section III.C.

<sup>354</sup> See *infra* Sections III.A.–III.C; see also *supra* Part II.

<sup>355</sup> Power, *supra* note 31, at 4; *Distance from Cleveland, OH to Euclid, OH, DISTANCE BETWEEN CITIES*, <https://www.distance-cities.com/distance-cleveland-oh-to-euclid-oh> [https://perma.cc/A3YN-8928].

<sup>356</sup> Power, *supra* note 31, at 4.

<sup>357</sup> Laura DeMarco, *Cleveland in the 1920s: Great Progress, Great Change and a Roaring Good Time (Vintage Photos)*, CLEVELAND.COM (Feb. 16, 2020, 5:00 AM), <https://www.cleveland.com/life-and-culture/j66j-2020/02/33b3ee22dc9390/cleveland-in-the-1920s-great-progress-great-change-and-a-roaring-good-time-vintage-photos.html> [https://perma.cc/W79S-8PL6].

<sup>358</sup> Steven Miller, *Comments of a Former Mayor at the Monument Dedication for Euclid v. Ambler Realty*, LAW PROFESSOR BLOGS: LAND USE PROF. BLOG (June 10, 2016), [https://lawprofessors.typepad.com/land\\_use/2016/06/comments-of-a-former-mayor-at-the-monument-dedication-for-euclid-v-ambler-realty-.html](https://lawprofessors.typepad.com/land_use/2016/06/comments-of-a-former-mayor-at-the-monument-dedication-for-euclid-v-ambler-realty-.html) [https://perma.cc/G94G-4KEC].

*Village of Euclid v. Ambler Realty*,<sup>359</sup> the seminal zoning case taught in land use and property law classes throughout the United States.

Euclid's zoning ordinance is often described as having been closely modeled on New York City's 1916 Zoning Resolution.<sup>360</sup> While it is true Euclid's ordinance regulated land uses, structure heights, and structure bulk (i.e., the area of the lot the structure can occupy) with use, height, and area districts,<sup>361</sup> the ordinance more closely resembled the codes of other Cleveland suburbs than it did New York City's Zoning Resolution.<sup>362</sup> Those codes were drafted by the planning consultant and outspoken white supremacist Robert H. Whitten.<sup>363</sup> As World War I wound down and formerly enslaved people began migrating to Cleveland,<sup>364</sup> the city and its surrounding suburbs experienced a housing shortage, pressure from apartment developers,<sup>365</sup> and increased efforts by white segregationists to prevent Black people from moving into white neighborhoods.<sup>366</sup> Several Cleveland suburbs hired Whitten to draft their zoning ordinances.<sup>367</sup> Whitten, who was working for the City of Cleveland as a city planning consultant, was nationally regarded as a zoning expert, in addition to being an advocate for the use of zoning as a means to racially segregate neighborhoods.<sup>368</sup> Today, Whitten may be best known for Atlanta's 1922 plan and zoning ordinance, which, notwithstanding *Buchanan v. Warley*, designated segregated residential areas as "R1 or white," "R2 or [Black]," and "R3 or

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<sup>359</sup> Chused, *supra* note 24, at 603; *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 367–79 (1926).

<sup>360</sup> See *supra* Section II.A.

<sup>361</sup> *Vill. of Euclid*, 272 U.S. at 379–81.

<sup>362</sup> Robert H. Whitten, *Zoning and Living Conditions*, in THIRTEENTH NATIONAL CONFERENCE ON CITY PLANNING 22–23 (1921) (describing his Cleveland Heights plan and ordinance as preserving city as a place of “high class” residence through use of separate districts for single-family homes, two-family homes, and apartments, and limiting amount of land zoned for two-family homes and apartments); Randle, *supra* note 226, at 39; see *infra* note 375 (regarding use of separate residential districts for single-family, two-family, and more than two-family residences combined with bulk and area regulations in other Whitten plans).

<sup>363</sup> See *infra* notes 369–374 and accompanying text.

<sup>364</sup> See Kimberley L. Phillips, “*But It Is a Fine Place to Make Money*”: *Migration and African-American Families in Cleveland, 1915-1929*, 30 J. SOC. HIST. 393, 393 (1996) (reporting that Cleveland was a primary destination for Black migrants between 1910 and 1930).

<sup>365</sup> Randle, *supra* note 226, at 39.

<sup>366</sup> See *id.* at 42 (describing daily incidents of violence and intimidation against Black families who moved to Cleveland Heights, the suburb where the district court judge who presided over *Euclid v. Ambler Realty Co.* lived); TAYLOR, *supra* note 12, at 179 (discussing the Great Migration, housing shortages, and white price gouging and violence in northern cities including Cleveland).

<sup>367</sup> Randle, *supra* note 226, at 39.

<sup>368</sup> *Id.* at 39, 42–43.

undetermined race.”<sup>369</sup> Whitten characterized Black families living in white neighborhoods as “inappropriate [land] uses” that threaten the value of neighborhoods,<sup>370</sup> and claimed racial segregationist zoning was both “a common sense method of dealing with facts as they are”<sup>371</sup> and “essential in the interest of the public peace, order and security.”<sup>372</sup> Like Charles Cheney, Whitten claimed zoning was necessary to “preserve” “high-class” residential areas,<sup>373</sup> prevent “social and civil loss,” “preserve the morale of the neighborhood,” and “protect the homes of people.”<sup>374</sup>

Whitten’s plans did not expressly divide Cleveland, its suburbs, or other northern cities by race. Rather, he incorporated the approach Cheney took in Berkeley’s 1916 code of establishing separate residential districts for single-family and multifamily residences.<sup>375</sup> He overlayed on these use districts various bulk and area district regulations that restricted, among other things, minimum lot size, the percentage of a lot that could be occupied by its primary structure, the number of families per acre, and building height.<sup>376</sup> In this way, Whitten’s plans combined key attributes of Berkeley’s and New York City’s 1916 codes. The combined effect, as applied to his planning maps of Cleveland, East

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<sup>369</sup> CITY OF ATLANTA PLAN. COMM’N, THE ATLANTA ZONE PLAN 10 (1922) [hereinafter ATLANTA ZONE PLAN], <https://hdl.handle.net/2027/osu.32435003851870> [<https://perma.cc/83FX-5XYP>].

<sup>370</sup> *Id.*

<sup>371</sup> Randle, *supra* note 226, at 43 (quoting Robert H. Whitten, *Social Aspect of Zoning*, 48 SURVEY 418–19 (1922)).

<sup>372</sup> ATLANTA ZONE PLAN, *supra* note 369, at 10.

<sup>373</sup> Whitten, *supra* note 362, at 25.

<sup>374</sup> *Id.*

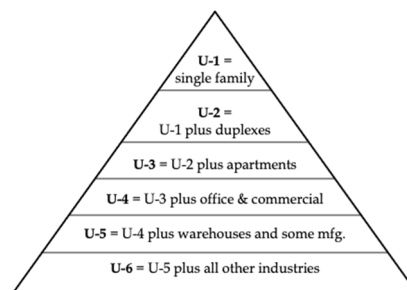
<sup>375</sup> Some of Whitten’s plans created two residential districts, with one district for one- and two-unit dwellings and another for dwellings with three or more units. *See, e.g.*, ATLANTA ZONE PLAN, *supra* note 369, at 10; Robert H. Whitten & Frank R. Walker, THE CLEVELAND ZONE PLAN: REPORT TO THE CITY PLAN COMMISSION OUTLINING A TENTATIVE ZONE PLAN FOR CLEVELAND 10 (1921) [hereinafter CLEVELAND ZONE PLAN]; *Morris v. East Cleveland*, 31 Ohio Dec. 197, 198 (Com. Pl. 1920) (describing East Cleveland zoning ordinance). Others created three separate districts, with one district for one-unit dwellings, one district for two-unit dwellings, and another for dwellings with three or more units. *See, e.g.*, ROBERT H. WHITTEN, WEST HARTFORD ZONING: REPORT TO THE ZONING COMMISSION ON THE ZONING OF WEST HARTFORD 10 (1294) [hereinafter WEST HARTFORD ZONING REPORT]. Regardless, the Whitten plans and planning maps effectively limited most residential land to expensive single-unit dwellings through a combination of separate residential use districts and bulk and area regulations. *See* JACK DOUGHERTY AND CONTRIBUTORS, ON THE LINE: HOW SCHOOLING, HOUSING, AND CIVIL RIGHTS SHAPED HARTFORD AND ITS SUBURBS 97–101 (2022) (comparing West Hartford, Cleveland, and Atlanta plans). For updates to the open-source book *On the Line*, visit [OnTheLine.trincoll.edu](http://OnTheLine.trincoll.edu).

<sup>376</sup> *See, e.g.*, CLEVELAND ZONE PLAN, *supra* note 375, at 11–12 (minimum of five-thousand square feet of land per family in A-1 zones); ATLANTA ZONE PLAN, *supra* note 369, at 12 (same); WEST HARTFORD ZONING REPORT, *supra* note 375, at 10 (minimum of nine-thousand square feet of land per family).

Cleveland, Lakewood, and Cleveland Heights—among other cities<sup>377</sup>—had the intended effect of limiting the vast majority of residential land to single-family homes or, in some cases, single family homes and duplexes, and allowing residences with three or more units in small, often undesirable locations only.<sup>378</sup> As Cheney had done in Berkeley, Whitten also used multifamily and residential districts with less restrictive bulk and area regulations as buffers between single family neighborhoods and undesirable areas.<sup>379</sup>

Metzenbaum, who considered Whitten “a significant influence on his . . . career in Ohio,”<sup>380</sup> incorporated these elements into Euclid’s code.<sup>381</sup> Thus, rather than regulating residential use as a single broad class of land uses, as New York City had done, Euclid’s code contained three separate residential districts, with one solely devoted to detached single-family homes, one that allowed duplexes and single-family homes, and one that allowed both of these residence types as well as residences with three or more units.<sup>382</sup> Euclid’s 1922 zoning map designated these districts “U1 single family,” “U2 two family,” and “U3 apartment house.” As illustrated in Figure 1, Euclid’s zoning code and map created a hierarchy of land uses with U-1 designating areas reserved for single-family homes as the most protected land in the Village, and U-6 designating the least protected land, where industrial uses were permitted in addition to all the uses permitted in U-1 through U-5.<sup>383</sup>

Figure 1: Euclid’s Cumulative Use Districts



<sup>377</sup> See *supra* note 375 and accompanying text; see also Randle, *supra* note 226, at 42 (quoting contemporary source describing Whitten as “perhaps the most influential zoning advisor in the United States”).

<sup>378</sup> See *supra* note 375 (citing and discussing Whitten plans).

<sup>379</sup> See M. NOLAN GRAY, *ARBITRARY LINES: HOW ZONING BROKE THE AMERICAN CITY AND HOW TO FIX IT* 39 (2022).

<sup>380</sup> Randle, *supra* note 226, at 38.

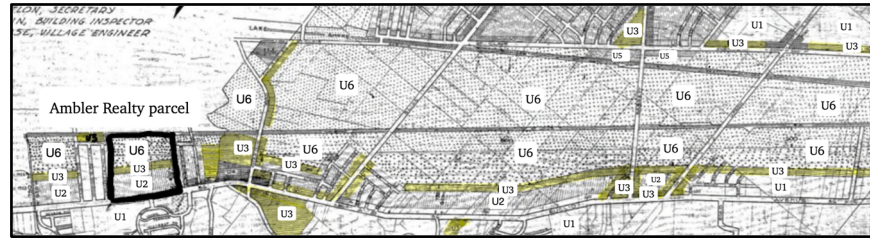
<sup>381</sup> See *infra* Figures 1 and 2 and notes 382–384 and accompanying text.

<sup>382</sup> *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 379–82 (1926).

<sup>383</sup> *Id.* at 379–82.

As illustrated by Figure 2 below, Euclid's zoning map also privileged detached, more restrictively regulated single-family neighborhoods by using the apartment district as a buffer between single-family districts and industrial districts,<sup>384</sup> apparently drawing on the influence of Cheney and Whitten.<sup>385</sup>

Figure 2: Portion of Village of Euclid Zoning Map (1922)<sup>386</sup>



In stark contrast to the process championed by prominent urban reformers, Euclid's ordinance was not premised on city planning principles: "The Village had never taken a foresighted look at its future. Studies had not been undertaken as to the rate of population growth, nor as to the demand for parks and schools. Choices had not been made as to placement and size of new highways and sewer lines."<sup>387</sup> Instead, it appears Metzenbaum essentially superimposed the code from another Cleveland suburb onto the Village map.<sup>388</sup> Even Metzenbaum later admitted that he personally believed the zoning ordinance was arbitrary.<sup>389</sup>

Nearly a decade before Euclid adopted its zoning ordinance, the Ambler Realty Company purchased a parcel, as illustrated in Figures 2 and 3, which consisted of a sixty-eight acre tract of vacant land fronting Euclid Avenue to the south and bounded by the Nickel Plate Railroad to the north.<sup>390</sup> Ambler Realty purchased the then-unregulated tract of land intending

<sup>384</sup> See CITY OF EUCLID, ZONING MAP—EUCLID VILLAGE (1922) [HEREINAFTER 1922 ZONING MAP], <https://irp.cdn-website.com/83d949c5/files/uploaded/1922%20Zoning%20Map.pdf> [<https://perma.cc/S7V3-SGB6>] (showing narrow strips of U3 districts between U6 and U1 districts); Donald J. Smythe, *The Power to Exclude and the Power to Expel*, 66 CLEV. ST. L. REV. 367, 393 n.207 (2018) ("Euclid's 1922 zoning map shows most of the land zoned U3 to allow apartment houses is adjacent to land zoned U6 to allow some of the heaviest types of industrial uses.").

<sup>385</sup> See *supra* notes 303–307 and 379 and accompanying text.

<sup>386</sup> The author modified the image to identify the Ambler Realty parcel and highlight areas zoned U-1, U-2, U-3, and U-6. The source of the image is a copy of Euclid's 1922 Zoning Map on the City of Euclid's website. See 1922 ZONING MAP, *supra* note 384.

<sup>387</sup> Power, *supra* note 31, at 4.

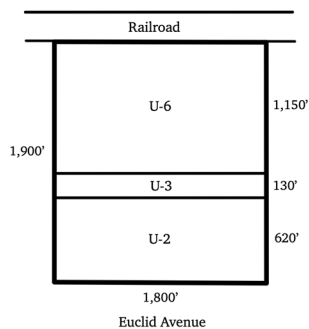
<sup>388</sup> *Id.*

<sup>389</sup> Randle, *supra* note 226, at 48.

<sup>390</sup> Vill. of Euclid v. Ambler Realty Co., 272 U.S. 365, 379 (1926).

to develop it for business and industrial uses.<sup>391</sup> But the new zoning ordinance divided the tract into three slices. The fifteen hundred feet adjacent to the railroad was in the U-6 district, which allowed industrial uses plus uses higher up on the zoning hierarchy.<sup>392</sup> The next 130 feet was in the U-3 district, which allowed commercial uses, hotels, apartment buildings, and the uses permitted in U-1 and U-2 districts.<sup>393</sup> The 620 feet adjacent to Euclid Avenue was in the U-2 district, which meant the only permitted uses were detached single-family homes and duplexes.<sup>394</sup> In this way, the zoning of Ambler's parcel exemplified the use of a narrow U-3 zone as a buffer between more restrictively regulated residential zones and areas zoned for industrial development.<sup>395</sup> Not only did the U-3 Apartment zone buffer the U-2 Two-Family zone from potentially noxious industrial uses, the U-2 zone provided a buffer between the Industrial and Apartment zones to the north and a U-1 zoned area immediately south of Euclid Avenue.

Figure 3: Ambler Realty Tract<sup>396</sup>



Ambler Realty sued the Village, alleging that the zoning ordinance deprived Euclid landowners of their property without due process of law in violation of the Fourteenth Amendment, and was therefore facially void as an invalid exercise of the police power.<sup>397</sup> Ambler Realty argued that, rather than reasonably furthering the public welfare, as the ordinance needed to in

<sup>391</sup> See *id.* at 384.

<sup>392</sup> *Id.* at 381–82.

<sup>393</sup> *Id.* at 382.

<sup>394</sup> *Id.* at 380–82.

<sup>395</sup> All land adjacent to Ambler Realty's parcel on the south was zoned U-1 except a small parcel that consisted of a cemetery and was, accordingly, zoned U-6.

<sup>396</sup> The author based this illustration on a similar illustration in JOHN R. NOLON ET AL., *LAND USE AND SUSTAINABLE DEVELOPMENT LAW: CASES AND MATERIALS* 55 (9th ed. 2017).

<sup>397</sup> *Ambler Realty Co. v. Vill. of Euclid*, 297 F. 307, 310–12 (1924).

order to satisfy the Due Process Clause, the restrictions were both overbearing and arbitrary.<sup>398</sup>

*B. From the Laundry Cases to Euclid and Beyond, the Supreme Court Validates Willful Blindness to Race-Based Spatial Control of Wealth and Power*

The facts looked bad for the Village and for zoning generally. The Supreme Court had announced in the 1887 case *Mugler v. Kansas* that courts have a duty to scrutinize the substantive reasonableness of regulations that interfere with private property rights,<sup>399</sup> as the *Buchanan* Court did when confronted with Louisville's racial zoning ordinance.<sup>400</sup> Police power regulations lacking a "real or substantial" relationship to protection of public health, safety, or welfare exceed the constitutional limits of legislative authority and thereby constrain life, liberty, or property without due process of law.<sup>401</sup>

Moreover, the Court repeatedly grounded the validity of police power regulations limiting uses of private property in the common law of nuisance.<sup>402</sup> But the developmental restrictions on Ambler Realty' and other Euclid landowners' vested property rights appeared to have no justification beyond vague public welfare claims. Unregulated development in the Village had not led to the crowded and unsanitary conditions experienced in the nation's largest urban areas, conditions that contributed to outbreaks of H1N1, cholera, typhoid, and yellow fever.<sup>403</sup> The Village had no clear health or safety basis for prohibiting commercial development on the main thoroughfare; nor could the Village seriously contend that commercial and industrial

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<sup>398</sup> See *id.* at 384–85, 387, 389.

<sup>399</sup> *Mugler v. Kansas*, 123 U.S. 623, 661 (1887) (holding prohibition statute that prohibited a brewery owner from using property for its only profitable purpose did not deprive property owner of property without due process of law); see also Robert A. Williams, Jr., *Euclid's Lochnerian Legacy*, in *ZONING AND THE AMERICAN DREAM*, *supra* note 17, at 281–82.

<sup>400</sup> See *supra* Section I.C.

<sup>401</sup> *Mugler*, 123 U.S. at 661.

<sup>402</sup> See, e.g., *Reinman v. City of Little Rock*, 237 U.S. 171, 176 (1915) ("[I]t is clearly within the police power of the State to regulate the business [livery stables] and to that end to declare that in particular circumstances and in particular localities a livery stable shall be deemed a nuisance in fact and in law, provided this power is not exerted arbitrarily, or with unjust discrimination, so as to infringe upon rights guaranteed by the Fourteenth Amendment."); *Hadacheck v. Sebastian*, 239 U.S. 394, 410–11 (1915) (same with respect to brick manufacturing businesses).

<sup>403</sup> See "Destroyer and Teacher": *Managing the Masses During the 1918-1919 Influenza Pandemic*, 125 PUB. HEALTH REPS. 48, 52 (2010); see *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 395 (1926).

development along a street dotted with gas stations, funeral parlors, industry, and vacant lots constituted a nuisance.<sup>404</sup>

Euclid's thin health and safety justifications appeared especially problematic when contrasted with the significant diminution of property values caused by the ordinance. In 1922, the same year Euclid adopted its zoning ordinance, the Supreme Court reasoned in *Pennsylvania Coal Co. v. Mahon* that a state statute "stretched" the police power "too far" when it limited coal mining to protect surface structures and public infrastructure from subsidence, announcing that "a restriction, though imposed for a public purpose, will not be lawful, unless the restriction is an appropriate means to the public end."<sup>405</sup> The Court found that the Pennsylvania statute had the effect of rendering valueless a coal company's subsurface support estate,<sup>406</sup> which the coal company retained when it sold its surface estate to a private buyer.<sup>407</sup> Thus, notwithstanding the statute's clear public health and safety justifications (preventing homes, businesses, parks, and roads from collapsing into sink holes),<sup>408</sup> the Court concluded that the statute exceeded due process limitations on governmental authority to interfere with private property rights.<sup>409</sup>

Although Euclid's zoning ordinance did not destroy Ambler Realty's entire estate in land, the regulations had the effect of destroying the speculation value of the fifty-four acres of Ambler Realty's property that fell within the new U-2 and U-3 districts, the uncontested estimated value of which decreased from \$10,000 per acre to \$2,500 per acre.<sup>410</sup> As was common in eighteenth and early nineteenth century America, Ambler Realty purchased the property for its speculation value,<sup>411</sup> which in this case was the anticipated increase in the value of the unimproved land as nearby Cincinnati grew.<sup>412</sup> Ambler Realty argued that the ordinance was merely an attempt "to preserve a rural character in portions of the Village which, under the

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<sup>404</sup> See *Vill. of Euclid*, 272 U.S. at 395; see *supra* note 357 and accompanying text.

<sup>405</sup> *Pa. Coal Co. v. Mahon*, 260 U.S. 393, 413, 415, 418 (1922).

<sup>406</sup> Pennsylvania recognizes three distinct estates in land: the surface estate, the subsurface or mineral estate, and subsurface support estate. The coal company had title to the two subsurface estates and Mahon had title to the surface estate. *Id.*

<sup>407</sup> Susan Manges McMichael, *Mahon Revisited: Keystone Bituminous Coal Ass'n v. DeBenedictis*, 480 U.S. 470 (1987), 29 NAT. RES. J. 1067, 1070 (1989).

<sup>408</sup> *Mahon*, at 421–22 (Brandeis, J., dissenting).

<sup>409</sup> *Id.* at 415–16.

<sup>410</sup> *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 384 (1926).

<sup>411</sup> Edward L. Glaeser, *A Nation of Gamblers: Real Estate Speculation and American History 2* (Nat'l Bureau of Econ. Rsch., Working Paper 18825) (2013), [https://www.nber.org/system/files/working\\_papers/w18825/w18825.pdf](https://www.nber.org/system/files/working_papers/w18825/w18825.pdf) [https://perma.cc/T2FT-V6US].

<sup>412</sup> *Vill. of Euclid*, 272 U.S. at 384.

operation of natural economic laws, would be devoted most profitably to industrial undertakings.”<sup>413</sup> Thus, just as Pennsylvania’s statute made “it commercially impracticable to mine certain coal” and had “very nearly the same effect for constitutional purposes as appropriating or destroying” the land,<sup>414</sup> Ambler argued the Euclid ordinance had the effect of appropriating or destroying that which made its property valuable—the ability to develop the land for industrial uses.<sup>415</sup>

Moreover, as Professor Maureen Brady recently noted, not only was *Euclid* “decided in the heyday of the Supreme Court’s ‘Lochner era,’” the opinion “was authored by Justice Sutherland, colloquially known as one of the ‘Four Horsemen’ ‘fanatically devoted to property rights and callously indifferent to the commonwealth.”<sup>416</sup> Just three years before authoring the *Euclid* opinion, Justice Sutherland wrote for the majority in *Adkins v. Children’s Hospital*<sup>417</sup> validating a federal minimum wage statute “in the face of the [substantive due process] guaranties of the Fifth Amendment” would widen the police power “to a great and dangerous degree.”<sup>418</sup> Invoking *Mahon*, Sutherland admonished that “a strong public desire to improve the public condition is not enough to warrant achieving the desire by a shorter cut than the constitutional way of paying for the change.”<sup>419</sup> Nowhere in *Adkins* did the Court ask whether the public welfare justification for the statute was “fairly debatable;” nor did *Adkins* require the aggrieved party to show that the statute bore no substantial relation to the public welfare. Rather, although nominally applying a presumption of validity and rational basis standard of review, Sutherland’s *Adkins* opinion subjected the Washington, DC minimum wage statute to the exacting scrutiny the *Lochner* era Court often applied to public welfare regulations of economic activities.<sup>420</sup> Chief Justice Taft’s majority opinion in *Charles Wolff*

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<sup>413</sup> *Id.* at 371 (argument for appellee); Garrett Power, *Advocates at Cross-Purposes: The Briefs on Behalf of Zoning in the Supreme Court*, 1997 J. SUP. CT. HIST. 79 (1997).

<sup>414</sup> *Pa. Coal Co. v. Mahon*, 260 U.S. 393, 414 (1922).

<sup>415</sup> *See* Power, *supra* note 31, at 4.

<sup>416</sup> Brady, *supra* note 311, at 1670 (citations omitted); *see also* Barry Cushman, Essay, *The Secret Lives of the Four Horsemen*, 83 VA. L. REV. 559, 566 (1997).

<sup>417</sup> *Adkins v. Children’s Hosp.*, 261 U.S. 525 (1923), *overruled by* *W. Coast Hotel Co. v. Parrish*, 300 U.S. 379 (1937).

<sup>418</sup> *Adkins v. Children’s Hosp.*, 261 U.S. 525 (1923), *overruled by* *W. Coast Hotel Co. v. Parrish*, 300 U.S. 379, 560–61 (1937).

<sup>419</sup> *Id.* at 552 (quotation marks and citation omitted).

<sup>420</sup> *See id.* at 544 (“The statute here in question has successfully borne the scrutiny of the legislative branch of the government, which, by enacting it, has affirmed its validity, and that determination must be given great weight. . . . [E]very possible presumption is in favor of the validity of an act of Congress until overcome beyond

*Packing Co.*, which was also issued in the Court's 1923 term, did not even pretend to defer to a state legislature's police power authority when it construed the due process guarantee against arbitrary and unreasonable deprivations of economic rights as placing on the legislature the burden of justifying restraints on contracts: "[Restraints on the freedom of contract] must not be arbitrary or unreasonable. Freedom is the general rule, and restraint the exception. The legislative authority to abridge can be justified only by exceptional circumstances."<sup>421</sup> Given this prelude, it would seem a near certainty that, faced with Euclid's hastily devised zoning ordinance, the decimated speculation value of large tracts of private property, and the lack of a nuisance justification for the restrictions on private property,<sup>422</sup> the Court would invalidate the new citywide (or village wide) land use controls.

But the Supreme Court's approach to state laws prohibiting or requiring racial segregation reveals a Court more concerned with allowing racial segregation than with consistent application of constitutional doctrine.<sup>423</sup> Illustrative of this, in *Hall v. De Cuir*, the Court leaned heavily on indirect burdens on interstate commerce to invalidate a statutory integration requirement applicable to riverboats traveling in Louisiana.<sup>424</sup> Yet, just a few years later, in *Louisville, New Orleans and Texas Railway Co. v. Mississippi*, the Court simply ignored the applicability of a Mississippi statute to interstate carriers to validate a railcar segregation law.<sup>425</sup> In *Hall*, the Court was faced with the question of whether a Louisiana statute implementing the Thirteenth Amendment impermissibly restricted interstate commerce by requiring integration of all riverboats traveling in Louisiana, regardless of their port of origin.<sup>426</sup> Answering in the

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rational doubt."); *id.* at 544–58 (disagreeing with legislative determination of public purpose and subjecting the statute to means-ends review); *see also, e.g.*, *Charles Wolff Packing Co. v. Ct. of Indus. Rels.*, 262 U.S. 522, 544 (1923) (invalidating Kansas compulsory labor arbitration statute).

<sup>421</sup> *Charles Wolff Packing Co.*, 262 U.S. at 534.

<sup>422</sup> Brady, *supra* note 311, at 1671.

<sup>423</sup> See Benno C. Schmidt, Jr., *Principle and Prejudice: The Supreme Court and Race in the Progressive Era. Part 1: The Heyday of Jim Crow*, 82 COLUM. L. REV. 444, 463–65 (1982) (discussing approval of racial segregation as unifying principle that explains contradictory results in *Hall v. De Cuir*, 95 U.S. 485 (1878), and *Louisville, New Orleans & Tex. Ry. Co. v. Mississippi*, 133 U.S. 587 (1890)); Rigel C. Oliveri, *Single-Family Zoning, Intimate Association, and the Right to Choose Household Companions*, 67 FLA. L. REV. 1401, 1447 (2015) ("Restrictive single-family ordinances and the judicial decisions that uphold them, from *Belle Terre* on down, are marked in their lack of analytical rigor. In addition to their reflexive invocation of the police power and their heavy reliance on stereotypes, they are filled with value judgments masquerading as facts.").

<sup>424</sup> *Hall v. De Cuir*, 95 U.S. 485 (1878).

<sup>425</sup> *Louisville, New Orleans & Tex. Ry. Co. v. Mississippi*, 133 U.S. 587 (1890).

<sup>426</sup> *Hall*, 95 U.S. at 488.

affirmative, the Court reasoned that requiring interstate carriers that segregated their riverboats outside Louisiana waters to allow passengers of color to move freely about the riverboats while in Louisiana waters impermissibly burdened interstate commerce.<sup>427</sup> Twelve years later, the Court took up a nearly identical, albeit converse, question of whether a Mississippi statute could require railroad companies traveling within the state to use separate railcars or partitions to racially segregate passengers.<sup>428</sup> Concluding that the statute was a permissible regulation of intrastate commerce, the Court distinguished *Hall* by deferring to the Louisiana Supreme Court's interpretation of the statute as applicable to interstate carriers, although the plaintiff was a Black person travelling entirely intrastate.<sup>429</sup> The Court then observed that the Mississippi statute, which by its terms applied to all railroad companies traveling in the state, was limited in scope to intrastate travel—notwithstanding the obvious interstate nature of all rail travel, the greater burden on interstate companies to providing separate passenger railcars or partitions, and the criminal conviction of an interstate carrier for violating the statute.<sup>430</sup>

In hindsight, the convoluted logic of *Texas Railway* is unsurprising, given the Court's ultra-deference to a state racial segregation law six years later in *Plessy v. Ferguson*.<sup>431</sup> There, in addition to emphasizing the familiar standards applicable to state and local police power legislation—broad legislative discretion and judicial deference to legislative enactments—the Court cabined the role of the judiciary with respect to conflicts between police power legislation and the Fourteenth Amendment.<sup>432</sup> According to the Court, statutory racial classifications met the reasonableness standard applicable to substantive due process challenges when they were enacted “with reference to the established usages, customs and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good

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<sup>427</sup> *Id.* at 488–90.

<sup>428</sup> *Louisville, New Orleans & Tex. Ry. Co.*, 133 U.S. at 590–92.

<sup>429</sup> *Id.* at 591 (“All that we can consider is, whether the State has the power to require that railroad trains within her limits shall have separate accommodations for the two races. That affecting only commerce within the State is no invasion of the powers given to Congress by the commerce clause.”).

<sup>430</sup> *Id.* at 594 (Harlan, J., dissenting).

<sup>431</sup> *Plessy v. Ferguson*, 163 U.S. 537, 550–51 (1896), *abrogated by* *Brown v. Bd. of Ed.*, 347 U.S. 483 (1954).

<sup>432</sup> *Id.* at 550.

order.”<sup>433</sup> To counter the dissent’s suggestion that this deferential standard would allow for too much “mischief,” the Court pointed to the usual requirement that “every exercise of the police power must be reasonable, and extend only to such laws as are enacted in good faith for the promotion of the public good, and not for the annoyance or oppression of a particular class.”<sup>434</sup> But rather than examining whether the law was enacted to oppress a particular class, the *Plessy* Court ignored the obvious racial animus underlying the segregation law. As Justice Harlan complained in the dissent:

Every one knows that the statute in question had its origin in the purpose, not so much to exclude white persons from railroad cars occupied by [Black people], as to exclude [People of Color] from coaches occupied by or assigned to white persons. . . . The thing to accomplish was, under the guise of giving equal accommodation for [white and Black people], to compel the latter to keep to themselves while traveling in railroad passenger coaches. No one would be so wanting in candor as to assert the contrary. . . . What can more certainly arouse race hate, what more certainly create and perpetuate a feeling of distrust between these races, than state enactments, which, in fact, proceed on the ground that [citizens of color] are so inferior and degraded that they cannot be allowed to sit in public coaches occupied by white citizens? That, as all will admit, is the real meaning of such legislation as was enacted in Louisiana.<sup>435</sup>

Of course, *Plessy* was not the first time the Court applied a deferential standard of review to Fourteenth Amendment challenges of police power regulations while ignoring their obvious racially discriminatory purposes.<sup>436</sup> Leaning into the separation of powers norms underlying deference to police power regulations, Justice Field explained in *Barbier v. Connolly* that “neither the [Fourteenth Amendment]—broad and comprehensive as it is—nor any other amendment, was designed to interfere with the power of the State, sometimes termed its police power, to prescribe regulations to promote the health, peace, morals, education, and good order of the people.”<sup>437</sup> On this basis, the Court in *Barbier* in 1884 and *Soon Hing* in 1885 ignored the notorious and well documented governmental campaign that “every intelligent person” knew included the passage of both race-based and facially neutral ordinances deliberately targeting Chinese and Chinese American residents

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<sup>433</sup> *Id.*

<sup>434</sup> *Id.*

<sup>435</sup> *Id.* at 557–60 (Harlan, J., dissenting).

<sup>436</sup> *See, e.g., Barbier v. Connolly*, 113 U.S. 27, 31–32 (1884); *Soon Hing v. Crowley*, 113 U.S. 703, 710–11 (1885); *see also Plessy*, 163 U.S. at 550.

<sup>437</sup> *Barbier*, 113 U.S. at 31 (1884).

of San Francisco.<sup>438</sup> Moreover, the Court in the *Laundry Cases* not only ignored the obvious racial animus underlying the ordinances but also announced that evidence of a racially discriminatory purpose is not enough to demonstrate a regulation is an invalid exercise of the police power “unless in its enforcement [the regulation] is made to operate only against the class mentioned.”<sup>439</sup>

Justice Southerland’s opinion in *Euclid* doubled down on the racial purpose blindness approach of the *Laundry Cases* and *Plessy*, announcing: “If the [facial] validity of the legislative classification for zoning purposes [is] fairly debatable, the legislative judgment must be allowed to control.”<sup>440</sup> The Court acknowledged the general principle that police power regulations “must find their justification in some aspect of the police power, asserted for the public welfare,”<sup>441</sup> but explained that a court could not find a zoning ordinance unconstitutional on its face unless the aggrieved party proves that its “provisions are clearly arbitrary and unreasonable, having no substantial relation to the public health, safety, morals, or general welfare.”<sup>442</sup> Lamenting what amounted to a minimal rationality standard, prominent real estate attorney and housing advocate Arthur Brooks summed up *Euclid*’s permissive approach as follows: “What stands out, in retrospect, is the absence in the [*Euclid*] opinion of any cogent rationale, other than the elusive test of reasonableness, for delimiting the scope of the police power. . . . a power unlimited in theory, [and] impenetrably defended by a near conclusive presumption of validity.”<sup>443</sup>

One might say the chasm between the seminal cases of this era could not be wider. On the one hand, *Euclid*’s fairly debatable standard and, on the other, the “solemn duty” to look behind the pretext of police power regulations announced in *Mugler*<sup>444</sup> and the admonition in *Mahon* that a restriction, “though imposed for a public purpose,” is not lawful “unless the restriction is an appropriate means to the public end.”<sup>445</sup> But the

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<sup>438</sup> *In re Wo Lee*, 26 F. 471, 474–75 (C.C.D. Cal. 1886), *overruled by* *Yick Wo v. Hopkins*, 118 U.S. 356 (1886); *see also supra* notes 100–122 (discussing the Court’s blindness to obvious racially discriminatory purposes of laundry regulations).

<sup>439</sup> *Soon Hing v. Crowley*, 113 U.S. 703, 711 (1885).

<sup>440</sup> *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 388 (1926) (citations omitted).

<sup>441</sup> *Id.* at 387.

<sup>442</sup> *Id.* at 395.

<sup>443</sup> Arthur V.N. Brooks, *The Office File Box—Emanations from the Battlefield*, in *ZONING AND THE AMERICAN DREAM*, *supra* note 17, at 22.

<sup>444</sup> *Mugler v. Kansas*, 123 U.S. 623, 661 (1887).

<sup>445</sup> *Pa. Coal Co. v. Mahon*, 260 U.S. 393, 418 (1922). This chasm was much wider, however, when the restricted fundamental right was noneconomic. *See, e.g.*, *Buck*

chasm has, in fact, widened since the Sutherland Court validated Euclid’s citywide restrictions on the development of apartments. As Justice Sutherland himself observed in *Adkins*, “[a] wrong decision does not end with itself.”<sup>446</sup> Although some courts subject local zoning decisions to intermediate scrutiny consistent with *Euclid*’s nominal requirement that the zoning ordinance bear a “substantial” relation to the public welfare, *Euclid* has come to stand for a minimal rationality standard combined with a strong presumption of validity.<sup>447</sup> Although less than two years after *Euclid* the Supreme Court applied a less deferential standard of review in a Fourteenth Amendment challenge to zoning as applied to a particular landowner’s parcel,<sup>448</sup> state and federal courts tended to apply *Euclid*’s near conclusive presumption of validity and minimum rationality standard to as-applied challenges to zoning.<sup>449</sup> Moreover, many courts extended *Euclid*’s minimum rationality standard to as-applied challenges without regard to whether the zoning action being challenged was legislative or administrative.<sup>450</sup>

Even more concerning when considered within American zoning law’s barely veiled white supremacist skew, are decisions by the lower courts that apply even more deferential standards to as-applied substantive due process claims involving administrative zoning actions.<sup>451</sup> The Third Circuit reasoned that

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v. Bell, 274 U.S. 200, 207 (1927) (upholding against due process and equal protection challenges a state statute that allowed compulsory sterilization of a woman committed to psychiatric institution at the sole discretion of the institution’s superintendent in part because the Court has “seen more than once that the public welfare may call upon the best citizens for their lives” and “[i]t would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices.”).

<sup>446</sup> *Adkins v. Children’s Hosp.*, 261 U.S. 525, 560–61 (1923), *overruled by* *W. Coast Hotel Co. v. Parrish*, 300 U.S. 379 (1937).

<sup>447</sup> See Ashira Pelman Ostrow, *Judicial Review of Local Land Use Decisions: Lessons from RLUIPA*, 31 HARV. J.L. & PUB. POL’Y 717, 730–31 (2008) (concluding that the *Euclid* test, “[i]n practice . . . grants great deference to legislative judgments because the link between the means and the purpose of the legislation is satisfied by any conceivable rational basis, regardless of whether it was the actual basis of the legislative action”).

<sup>448</sup> *Nectow v. City of Cambridge*, 277 U.S. 183 (1928) (holding that the ordinance would be upheld as applicable to the plaintiff’s land “if it tends to promote the health, safety, convenience, and general welfare of the inhabitants”).

<sup>449</sup> See Ostrow, *supra* note 447, at 757–58 (concluding that most state and federal courts have applied *Euclid*’s highly deferential standard to facial and as-applied zoning challenges).

<sup>450</sup> See *id.* at 730–31.

<sup>451</sup> See 1 LAND USE LAW § 2.39 (6th ed. 2022); see, e.g., *UA Theatre Circuit v. Twp. of Warrington*, 316 F.3d 392, 400–02 (3d Cir. 2003) (applying a “shocks the conscience” standard); *Chesterfield Dev. Corp. v. City of Chesterfield*, 963 F.2d 1102, 1104–05 (8th Cir. 1992) (same); *Klen v. City of Loveland*, 661 F.3d 498 (10th Cir. 2011) (same); *EJS Props., LLC v. City of Toledo*, 698 F.3d 845, 851, 862 (6th Cir. 2012) (holding that denial of rezoning because plaintiff refused to give large donation to local retirement fund did not shock the conscience).

a “shocks the conscience” standard, which encompasses “only the most egregious official conduct,”<sup>452</sup> is appropriate because “[l]and-use decisions are matters of local concern and such disputes should not be transformed into substantive due process claims based only on allegations that government officials acted with ‘improper’ motives.”<sup>453</sup> The Eight Circuit, in a case that held allegations that a city arbitrarily applied a zoning ordinance were insufficient to state a substantive due process claim, observed that the court’s “decision would be the same even if the City had knowingly enforced the invalid zoning ordinance in bad faith.”<sup>454</sup> Cataloguing the various approaches the federal circuits take to substantive due process challenges to zoning decisions, the Sixth Circuit concluded both that the circuits are “deeply divided concerning the theories to be employed in federal court cases challenging zoning” and that many circuits are outright hostile to such claims<sup>455</sup>—notwithstanding that “it is well established that the substantive due process right exists” in the zoning context.<sup>456</sup>

C. *From Euclid to Village of Belle Terre and Beyond, the Supreme Court Validates Single-Family Residences as the Apex Land Use*

That one of the Four Horsemen of the *Lochner*-era Court would essentially write a blank check to governmental prohibition of lawful uses of private property to achieve social welfare objectives makes sense, however, when *Euclid* is understood as a test case for barely veiled, facially neutral racial zoning, it is difficult to find true rationale. Ultimately, Sutherland’s opinion concluded that Ambler Realty failed to show that the regulatory separation of land uses lacked a substantial relationship to the public welfare and, therefore, the regulation was not *ultra vires*.<sup>457</sup> In reaching this conclusion, the Court characterized apartment buildings in neighborhoods of single-family homes as akin to “a pig in the parlor instead of the barnyard”<sup>458</sup>—a reference to a centuries’ old line of nuisance

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<sup>452</sup> *UA Theatre Circuit*, 316 F.3d at 400.

<sup>453</sup> *Id.* at 402. The court relied on and quoted *County of Sacramento v. Lewis*, 523 U.S. 833 (1998), in which the Court observed that “the core of the concept” of due process is “protection against arbitrary action” and that “only the most egregious official conduct can be said to be ‘arbitrary in the constitutional sense.’” *Id.* at 845-46 (citation omitted).

<sup>454</sup> *Chesterfield Dev. Corp.*, 963 F.2d at 1104-05.

<sup>455</sup> *Pearson v. City of Grand Blanc*, 961 F.2d 1211, 1214, 1217-19 (6th Cir. 1992).

<sup>456</sup> *Id.* at 1220.

<sup>457</sup> *Euclid*, 272 U.S. at 395.

<sup>458</sup> *Id.* at 388.

cases.<sup>459</sup> The Court’s reasoning resounded in racist tropes that pathologize Black spaces as urban, dirty, crime ridden, and impoverished,<sup>460</sup> tropes that together form a powerful American myth that equates urban slums with Blackness, dehumanizes those who live in cities and multifamily housing, and casts Black families as both separate from, and an existential threat to, the American family. The Court echoed language from Whitten’s Atlanta Zone Plan when it justified prohibition of apartments in U-1 and U-2 zones, which made up the majority of Euclid’s residentially zoned land, referring to apartments as a “threat” and a “mere parasite” that could “destroy” neighborhoods of single-family homes, and deprive children of safety, quiet, and space to play<sup>461</sup>—as if children did not live in apartments.

[In a section of private homes,] very often the apartment house is a mere parasite, constructed in order to take advantage of the open spaces and attractive surroundings created by the residential character of the district. Moreover, the coming of one apartment house is followed by others, interfering by their height and bulk with the free circulation of air and monopolizing the rays of the sun which otherwise would fall upon the smaller homes, and bringing, as their necessary accompaniments, the disturbing noises incident to increased traffic and business, and the occupation, by means of moving and parked automobiles, of larger portions of the streets, thus detracting from their safety and depriving children of the privilege of quiet and open spaces for play, enjoyed by those in more favored localities,—until, finally, the residential character of the neighborhood and its desirability as a place of detached residences are utterly destroyed.<sup>462</sup>

In guiding Justice Sutherland to embrace an analogy to the law of nuisance but not the law itself, attorney and champion of the planning and zoning movement Alfred Bettman understood that nuisance law presented a double-edged sword. On the one hand, the law of nuisance provided a justification for restricting even vested property interests; on the other hand, nuisance law

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<sup>459</sup> See, e.g., *William Aldred’s Case*, 77 Eng. Rep. 816 (K.B. 1610) (holding a pigsty located near a home constitutes a nuisance).

<sup>460</sup> See Bryan Adamson, *Thugs, Crooks, and Rebellious Negroes: Racist and Racialized Media Coverage of Michael Brown and the Ferguson Demonstrations*, 32 HARV. J. RACIAL & ETHNIC JUST. 189 (2016).

<sup>461</sup> *Euclid*, 272 U.S. at 388; ATLANTA ZONE PLAN, *supra* note 369, at 3–6. Whitten’s other plans also used this language to promote comprehensive zoning. See, e.g., CLEVELAND ZONE PLAN, *supra* note 375, at 4–6, 8; WEST HARTFORD ZONING REPORT, *supra* note 375, at 6; see also *Morris v. City of E. Cleveland*, 31 Ohio Dec. 197, 209 (Com. Pl. 1920) (upholding the Whitten-drafted East Cleveland zoning code and reasoning “that it is within the police power of a city to preserve districts against the apartment; that the greater the proportion of private homes in a city, preferably occupied by the owners, the better the city, in health, morals, peace and welfare.”).

<sup>462</sup> *Euclid*, 272 U.S. at 394.

did not provide a basis for protecting single-family homes from apartments.<sup>463</sup> As Professor Maureen Brady explains, progressive reformers and the courts recast multifamily residences as akin to nuisances to justify restricting them under the police power.<sup>464</sup> But Bettman and ultimately Justice Sutherland's loose analogy to nuisance law served to obscure the reality that attempts to classify multifamily residences as nuisances found little support in nuisance doctrine.<sup>465</sup>

Recognizing this, Bettman invited the Court to free zoning from the constraints of nuisance law<sup>466</sup>—an invitation the Court accepted when it approved of Euclid's zoning ordinance despite the fact that “some industries of an innocent character might fall within the proscribed class.”<sup>467</sup> Notwithstanding this break from nuisance law, the Court found that apartment buildings in neighborhoods of “detached residences,” which “in a different environment” may “be not only entirely unobjectionable but highly desirable, come very near to being nuisances.”<sup>468</sup> Thus, the Court concluded that the existential harms the apartment building posed to residential neighborhoods provided “sufficiently cogent [reasons] to preclude us from saying . . . that such provisions are clearly arbitrary and unreasonable, having no substantial relation to the public health, safety, morals, or general welfare.”<sup>469</sup>

By regulating and separating *structures*—single-family dwellings, two-family dwellings, and apartments—the Euclid code dehumanized the people who called the structures home, allowing the Court to avoid labeling the lower income, disproportionately Black individuals and families who lived in apartments “mere parasites” that, in residential neighborhoods, are nearly “nuisances.” The notion of apartments invading and destroying single-family neighborhoods was grounded in the segregationist discourse of the era, which equated apartments with “race suicide.”<sup>470</sup> The theory of race suicide, which numerous Progressives including Theodore Roosevelt espoused, held that the

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<sup>463</sup> Brady, *supra* note 311, at 1671.

<sup>464</sup> *Id.*

<sup>465</sup> *Id.* at 1644.

<sup>466</sup> Commentary, Village of Euclid v. Ambler: *The Bettman Amicus Brief*, 58 PLAN. & ENV'T L. 3, 7 (2006).

<sup>467</sup> Vill. of Euclid v. Ambler Realty Co., 272 U.S. 365, 389 (1926).

<sup>468</sup> *Id.* at 394–95.

<sup>469</sup> *Id.*

<sup>470</sup> State *ex rel.* Morris v. City of East Cleveland, 31 Ohio Dec. 98, 109, 114 (1919), *aff'd on rehearing*, 31 Ohio Dec. 197 (1920) (upholding the Whitten-drafted zoning code that excluded apartments from single-family areas and reasoning that apartments were “chambers of noise and horrors” that they constituted “a national menace” and threatened “race suicide”).

“native” white race was going extinct because wealthier, white families were having fewer children, some white women were having children with immigrants and People of Color, and immigrants and People of Color were having more children.<sup>471</sup> In this context, Justice Sutherland’s observations about apartments conveyed a clear message that protection of white neighborhoods from invasion by immigrants and People of Color was a legitimate objective of the police power and places where immigrants and People of Color lived did not count as neighborhoods with a residential character worthy of protection.<sup>472</sup> This reasoning mirrored points Whitten made in his facially racially segregationist *Atlanta Zone Plan* and points the California “community builders” made when they promoted the single-family residential zone as a tool to protect “high class” neighborhoods from invasion by People of Color while zoning areas where People of Color lived for industrial land uses to protect industrial landowners from nuisance complaints by their residential neighbors.<sup>473</sup> Of course, the Sutherland Court’s embrace of racist tropes to cast protection of single-family neighborhoods from invasion by apartments as within the scope of the police power is not surprising given the Court’s consistent endorsement of racial segregation as a legitimate police power objective.<sup>474</sup>

Almost fifty years passed before the Supreme Court significantly addressed zoning again in the 1974 case *Village of Belle Terre v. Boraas*.<sup>475</sup> There, the Court again relied on the dehumanization of people who could not afford to own single-family detached homes to uphold a zoning law that essentially prohibited low income people from residing anywhere in the municipality.<sup>476</sup> Not only was the entire residential area of the Village zoned solely for single-family detached residences, but the zoning ordinance also narrowly defined “family” as “one or more persons related by blood, adoption, or marriage, or not more than two unrelated persons, living and cooking together as a single housekeeping unit and expressly exclude[ed]” multifamily residences from the definition of “lodging.”<sup>477</sup> As it

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<sup>471</sup> Brady, *supra* note 311, at 1641–42; Jane Kuenz, *American Racial Discourse, 1900-1930: Schuyler’s “Black No More,”* 30 NOVEL: A FORUM ON FICTION 170, 177 (1997).

<sup>472</sup> See Chused, *supra* note 24, at 611–14 (discussing use of racist tropes and code words, or “politely” ugly discourse,” in Alfred Bettman’s amicus brief and Justice Sutherland’s opinion, which drew heavily from Bettman’s brief).

<sup>473</sup> See *supra* text accompanying notes 257–264; *supra* Sections II.A.–B.

<sup>474</sup> See *supra* section III.B. (discussing cases); Chused, *supra* note 24, at 607–09 (discussing *Euclid* within the context of the Supreme Courts’ solidification of Jim Crow and validation of racist immigration quota system).

<sup>475</sup> *Vill. of Belle Terre v. Boraas*, 416 U.S. 1 (1974).

<sup>476</sup> *Id.* at 9.

<sup>477</sup> *Id.* at 1.

had in *Euclid*, the *Belle Terre* Court found that the municipality's zoning law furthered a legitimate public welfare interest. In doing so, the Court expressly invoked a pastoral myth while implicitly invoking racist and classist fears of those who live in apartment buildings. Waxing poetic, Justice Douglas cited *Euclid* for the proposition that "[t]he police power is not confined to elimination of filth, stench, and unhealthy places. It is ample to lay out zones where family values, youth values, and the blessings of quiet seclusion and clean air make the area a sanctuary for people."<sup>478</sup>

Again, the Court applied "a near conclusive presumption of validity" and ignored any racially discriminatory intent to uphold the purported police power restriction on private property, assembly, and privacy rights.<sup>479</sup> In his dissent, Justice Marshall illustrated the disconnect between the Village's definition of "family" and the purported objectives of limiting density and congestion, noting that the definition of family as "related" persons allows "an extended family of a dozen or more . . . in a small bungalow, [while] three elderly and retired persons could not occupy the large manor house next door."<sup>480</sup> By essentially rubber-stamping a law that narrowly defined the class of people who could live in the municipality, the Court found that the presence in a home of people not related by blood, adoption, or marriage was sufficiently incompatible with "family" and "youth values" to justify their exclusion from the municipality.<sup>481</sup> The clear implication was that the American family with a legitimate public welfare interest in enjoying "[a] quiet place where yards are wide, people few, and motor vehicles restricted"<sup>482</sup> expressly and implicitly excluded families living in poverty and families of color, many of which included functional families not related by blood, marriage, or official adoption and, by economic necessity, households that accepted paying lodgers.<sup>483</sup>

Although the Court qualified its holding in *Belle Terre* three years later in *Moore v. City of East Cleveland*, *Moore* left

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<sup>478</sup> *Id.* at 9.

<sup>479</sup> Brooks, *supra* note 443, at 22.

<sup>480</sup> *Vill. of Belle Terre*, 416 U.S. at 19 (Marshall, J., dissenting); see Sara C. Bronin, *Zoning for Families*, 95 IND. L.J. 1, 6 (2020) (noting that local codes typically exclude Justice Marshall's hypothetical family of a dozen or more extended relatives by limiting families to a single "housekeeping" or "household" unit, which generally requires sharing meals and a household budget).

<sup>481</sup> *Vill. of Belle Terre*, 416 U.S. at 1.

<sup>482</sup> *Id.* at 3.

<sup>483</sup> Solangel Maldonado, *Sharing a House but not a Household: Extended Families and Exclusionary Zoning Forty Years After Moore*, 85 FORDHAM L. REV. 2641, 2652–53. Maldonado also reports that "although racial minorities are more likely to live with extended family members, the majority do not."

intact the doctrinally corrupt reasoning of *Belle Terre* that subjected governmental intrusion into intimate associational choices to mere rational basis scrutiny.<sup>484</sup> *Moore* involved a local housing code provision that restricted the number of related individuals who could live together and had the effect of subjecting Inez Moore to criminal sanctions because she lived with her son and two grandchildren who were cousins and not brothers.<sup>485</sup> The Court could not reach a majority in the case; but, the Justice Powell plurality opinion concluded that the housing code implicated the Fourteenth Amendment's substantive due process right to "freedom of personal choice in matters of marriage and family life" and therefore heightened scrutiny applied.<sup>486</sup> As in *Belle Terre*, the restriction on who could cohabitate did little to address legitimate public welfare objectives like preventing overcrowding or traffic congestion,<sup>487</sup> and consequently failed to survive review under the heightened standard.<sup>488</sup> Because *Moore* left *Belle Terre* intact, local governments are left with nearly unfettered discretion to prohibit cohabitation of people unrelated by blood, marriage or adoption; but they may limit cohabitation of related people only when doing so is the least intrusive means to achieve a compelling government interest.

Because the college student plaintiffs in *Belle Terre* were white and Inez Moore's family was Black,<sup>489</sup> some may infer that the divergent outcomes in the cases were animated at least in part by the Court's recognition of the racial animus underlying many restrictions on the residents of single-family housing. Such an assumption, however, is wholly at odds with another 1977 opinion of the Court that held that a nearly entirely white suburb of Chicago's refusal to rezone to allow construction of a federally subsidized multifamily housing project was not racially discriminatory.<sup>490</sup> The plaintiff housing developer in *Village of*

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<sup>484</sup> For a rigorous examination of *Belle Terre* and *Moore*, see Rigel C. Oliveri, *Single-Family Zoning, Intimate Association, and the Right to Choose Household Companions*, 67 FLA. L. REV. 1401 (2015), in which Oliveri asserts that *Moore* only superficially advanced associational rights because it failed to recognize that heightened scrutiny is appropriate when government restricts intimate association by limiting right to choose household companions; see also Maldonado, *supra* note 483; Bronin, *supra* note 480.

<sup>485</sup> *Moore v. City of East Cleveland*, 431 U.S. 494, 498–99 (1977).

<sup>486</sup> *Id.* at 499 (quoting *Cleveland Bd. of Educ. v. LaFleur*, 414 U.S. 632, 639–40 (1974) and citing cases).

<sup>487</sup> *Id.* at 499–500.

<sup>488</sup> *Id.* at 505–06.

<sup>489</sup> See *Boraas v. Vill. of Belle Terre*, 367 F. Supp. 136, 147–48 (E.D.N.Y. 1972); Frederick E. Dashiell, *The Right to Family Life: Moore v. City of East Cleveland*, 6 NAT'L BLACK L.J. 288, 289 (1979).

<sup>490</sup> *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 258 (1977).

*Arlington Heights* had applied to rezone a fifteen-acre parcel from single-family to multiple-family so that it could build 190 units “for low and moderate income tenants.”<sup>491</sup> By denying the rezoning, the Village effectively prevented the development of affordable housing anywhere in the Village, a strategy that contributed to its ability to keep its population nearly entirely white.<sup>492</sup> Reversing the district court, the Seventh Circuit held that the “ultimate effect” of the rezoning denial was racially discriminatory in violation of the Black, low-income plaintiffs’ equal protection rights.<sup>493</sup> But the Supreme Court required evidence of discriminatory intent rather than discriminatory effect as the basis for an equal protection challenge to zoning based on racial discrimination.<sup>494</sup> The Court recognized that significantly fewer People of Color lived in the Village than the surrounding region, the vast majority of the Village was zoned for single-family dwellings, testimony in the record of the rezoning proceeding “might” have revealed racist opposition to the multifamily development, and the Village limited multifamily dwellings to areas that served “primarily . . . as a buffer between single-family development and land uses thought incompatible, such as commercial or manufacturing districts.”<sup>495</sup>

Notwithstanding this direct evidence of discriminatory impact and, in my opinion, clear circumstantial evidence of discriminatory intent, the Court held that the plaintiffs did not meet their burden of showing that the rezoning decision was based in whole or in part on racial discrimination.<sup>496</sup> The Court treated as racially neutral both single-family zoning and the expulsive tactic of using multifamily zones as buffers between whiter neighborhoods and manufacturing and commercial zones deemed incompatible with residential use and family life. Only by ignoring these legal mechanisms’ discriminatory purpose and effect, could the Court find that the Village’s consistent restriction of most of its residential land to single-family dwellings and its consistent application of its buffer policy provided evidence that the rezoning denial was *not*

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<sup>491</sup> *Id.* at 254.

<sup>492</sup> *Id.*

<sup>493</sup> *Metro. Hous. Dev. Corp. v. Vill. of Arlington Heights*, 517 F.2d 409, 414 (7th Cir. 1975).

<sup>494</sup> *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 268 (1977).

<sup>495</sup> *Id.* at 268–70.

<sup>496</sup> *Id.* at 269–71; *see also id.* at 255–56 (recognizing that discriminatory intent need not be the sole motivation to subject the decision to scrutiny under the Equal Protection Clause).

discriminatory, reasoning that the rezoning denial was consistent with these other zoning practices.<sup>497</sup>

The Supreme Court has not ruled on a Fourteenth Amendment challenge to zoning since *Belle Terre*, *Moore* and *Village of Arlington Heights*. Its Nineteenth and Twentieth Century approach to substantive due process and equal protection claims, as well as the lower federal courts' application of even higher levels of deference to zoning decisions, allows nearly all US cities to continue to enforce racial boundaries, hoard wealth to whiter, more restrictively zoned neighborhoods, and concentrate undesirable land uses and poverty in lower income neighborhoods, with little to no constitutional recourse for those who reside there.

#### IV. CONFRONTING THE PERSISTENT LEGACY OF JIM CROW ZONING BY PROXY

In the following Part, I briefly engage with some of the robust literature documenting the extent of segregation in US cities, zoning law's role in segregating US cities by race and ethnicity, and segregation's role in driving poverty and racial subjugation. I then turn to potential reform. I provide a brief evaluation of strategies for amending American zoning law to decrease its contribution to racially oppressive housing patterns and markets. Ultimately, however, I assert that reform must begin in the law school classroom.

##### A. *Facially Race Neutral Zoning Was—and Remains—One of the Most Powerful Racial Segregationist Legal Devices of the Jim Crow Era*

In nearly all US cities, most of the residential land area is zoned for detached residences occupied by a single household unit,<sup>498</sup> which in many cities must be comprised of individuals related by blood, marriage, or adoption.<sup>499</sup> Comparative urbanism scholar Sonia Hirt provides evidence that this strict

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<sup>497</sup> *Id.* at 269–71.

<sup>498</sup> Alexander, *supra* note 112, at 1257 n.137 (“[98] percent of all cities with populations greater than ten thousand, and nearly ninety percent of suburban municipalities with populations larger than five thousand have adopted some form of zoning.”); Amanda C. Micklow & Mildred E. Warner, *Not Your Mother's Suburb: Remaking Communities for a More Diverse Population*, 46 URB. L. 729, 730 (2014) (reporting that “70 [percent] of suburban housing is single-family”).

<sup>499</sup> Bronin, *supra* note 480; Tim Iglesias, *Defining “Family” for Zoning: Contemporary Policy Challenges, Legal Limits and Options*, 37 ZONING & PLAN. L. REPS. 1 (2014).

separation of single-unit housing and multi-unit housing is, although an “international rarity,” so “ubiquitous . . . in the United States”<sup>500</sup> that the defining feature of American zoning law is an “omnipresent district dedicated exclusively to single-family housing.”<sup>501</sup> At the same time, other forms of housing tend to be sequestered to significantly smaller land areas and clustered with or near intense and disfavored land uses that local planning commissions, legislative bodies, and courts still characterize as incompatible with family life.<sup>502</sup>

Scholar-activist Jessica Trounstein’s 2020 study provides empirical evidence of the contribution of facially neutral land use regulations to racial segregation in US cities.<sup>503</sup> In his 2000 study, Rolf Pendall also found that low density residential zoning has a historic and current correlation to racial exclusion.<sup>504</sup> Pendall and Douglas Massey’s 2009 study similarly found that “[a]t any point in time from 1990 to 2000, inter-metropolitan variation in Black-White segregation . . . was strongly predicted by a metropolitan area’s relative openness to housing construction, as embodied in maximum zoning rules—the greater the allowable density, the lower the level of racial segregation.”<sup>505</sup>

Reflecting the anti-Black racism that animated the proliferation of American zoning law’s residential use taxonomy and related regulations, local government law scholar Jerry Frug reported in 1996 that:

African Americans are segregated today in a manner that no other minority in the United States is now or has ever been segregated . . . . Eighty percent of African Americans in major American cities would have to move to produce an evenly integrated metropolitan area. And this “hypersegregation,” to use Massey and Denton’s term, is not simply a central city phenomenon: black suburbs . . . are as segregated as “inner cities.”<sup>506</sup>

Although the percentage of Black people living in highly segregated neighborhoods has decreased since the 1990s,

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<sup>500</sup> HIRT, *supra* note 13, at 7 (parenthetical alteration in original). Hirt also reports that the regulatory preference for the single-family home “is an international rarity, historically and today.” *Id.*

<sup>501</sup> *Id.*

<sup>502</sup> Maldonado, *supra* note 483, at 2647 n.48 (“In many suburbs, African Americans and Latinos are clustered in a few blocks and the rest of the town is white.”).

<sup>503</sup> Jessica Trounstein, *The Geography of Inequality: How Land Use Regulation Produces Segregation*, 114 AM. POL. SCI. REV. 443, 444 (2020); SANDER ET AL., *supra* note 14, at 2–4.

<sup>504</sup> Pendall, *supra* note 14, at 139–40; SANDER ET AL., *supra* note 14, at 2–4 (discussing measures of racial segregation and outcomes in US cities).

<sup>505</sup> Jonathan Rothwell & Douglas S. Massey, *The Effect of Density Zoning on Racial Segregation in U.S. Urban Areas*, 44 URB. AFFS. REV. 779, 801 (2009).

<sup>506</sup> Frug, *supra* note 247, at 1065.

significantly larger proportions of Black people still live in highly segregated neighborhoods.<sup>507</sup>

These and other studies also provide compelling evidence that American zoning law continues to maintain the exclusivity and financial stability of single-family neighborhoods by shifting the enormous costs of undesirable land uses to those who reside in less exclusive, amenity poor neighborhoods.<sup>508</sup> Richard Sander, Yana Kucheva, and Jonathan Zasloff’s interdisciplinary analysis of segregation data found that, “on almost any measure one can pick, outcomes for [Black people] are unambiguously worse—often dramatically worse—in . . . highly segregated areas.”<sup>509</sup> Sander, Kucheva and Zasloff’s study showed significantly larger “black/white gap[s]” in highly segregated urban areas as compared to moderately segregated urban areas in unemployment rates, median income, proximity to jobs, quality of available public services, and “the ‘ultimate’ outcome—death rates.”<sup>510</sup>

At the same time that this dual neighborhood system places many of the costs of undesirable land uses on those who can least afford them, it also places downward pressure on the property values of land in multifamily districts and other less restrictively regulated neighborhoods while placing upward pressure on rental prices—a process that entrenches poverty and facilitates ghettoization, followed by gentrification and displacement.<sup>511</sup> The real income of renters decreases and many homeowners in these less restrictively zoned neighborhoods find themselves underwater on their mortgages.<sup>512</sup> Penalties for violating local building codes or failing to pay rent on time, which in some jurisdictions include criminal sanctions,<sup>513</sup>

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<sup>507</sup> See SANDER ET AL., *supra* note 14, at 3.

<sup>508</sup> TROUNSTINE, *supra* note 17, at 444; Julia Mizutani, Note, *In the Backyard of Segregated Neighborhoods: An Environmental Justice Case Study of Louisiana*, 31 GEO. ENV’T L. REV. 363, 364 (2019) (“The distribution of landfills, incinerators, power plants, toxic waste, and air pollution is highly correlated with the geographic distribution of minorities, especially poor minorities.”).

<sup>509</sup> SANDER ET AL., *supra* note 14, at 3.

<sup>510</sup> *Id.* at 2–4, 335–44 (presenting data and citing studies that support conclusion that higher levels of segregation is a key driver of these and other outcomes).

<sup>511</sup> Rothwell & Massey, *supra* note 505, at 801 (citing studies and concluding “restrictive density zoning produces higher housing prices in White areas and limits opportunities for people with modest incomes to leave segregated areas, a perspective in accordance with a great deal of research showing that zoning increases housing prices”).

<sup>512</sup> *Id.*; Melvin E. Thomas et al., *Separate and Unequal: The Impact of Socioeconomic Status, Segregation, and the Great Recession on Racial Disparities in Housing Values*, 4 SOCIO. RACE & ETHNICITY 233 (2017).

<sup>513</sup> See Donald E. Campbell, *Forty (Plus) years After the Revolution: Observations on the Implied Warranty of Habitability*, 35 U. ARK. L. REV. 793, 801 (2013)

exacerbate the economic squeeze, increasing housing insecurity and leaving residents with even fewer resources to pay for groceries or health care. As property values fall, both racial stereotype based and property tax based justifications for investing fewer public funds in these neighborhoods are reinforced. Local schools receive even less funding, sidewalks and streets receive even less maintenance, and playgrounds are not built or maintained.<sup>514</sup>

This cycle of burden shifting and wealth deprivation compliments the segregationist effect of American residential zoning law by further decreasing the ability of residents in multifamily and less exclusive single-family neighborhoods to amass the capital and credit necessary to move to higher opportunity and higher amenity neighborhoods.<sup>515</sup>

By shifting the enormous costs of undesirable land uses to those who reside in less exclusive neighborhoods, American zoning law also contributes to the financial stability and exclusivity of single-family neighborhoods.<sup>516</sup> This cost shifting increases economic wealth, educational attainment, job prospects, health benefits, and life expectancy for those who benefit from this system<sup>517</sup>—that is, those who can afford to reside in exclusive, amenity rich single-family residential neighborhoods. Many of these individuals also benefit from generational wealth accrued by parents and grandparents' ownership of homes in exclusive, amenity-rich single-family

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(discussing criminal enforcement of building code); Lynn Foster, *The Hands of the State: The Failure to Vacate Statute and Residential Tenants' Rights in Arkansas*, 36 U. ARK. L. REV. 1, 2–8 (2013) (discussing Arkansas's eviction statute that criminalizes failure to pay rent even when leasehold is uninhabitable).

<sup>514</sup> ARAVIND BODDUPALLI & KIM RUEBEN, URBAN-BROOKINGS TAX POL'Y CTR., STATE AND LOCAL GOVERNMENT REVENUES AND RACIAL DISPARITIES (2021), <https://www.urban.org/sites/default/files/publication/103784/state-and-local-government-revenues-and-racial-disparities.pdf> [<https://perma.cc/YAY3-VWD8>]; see also Lionel Foster, "The Black Butterfly": Racial Segregation and Investment Patterns in Baltimore, URB. INST. (Feb. 5, 2019), <https://apps.urban.org/features/baltimore-investment-flows/> [<https://perma.cc/QU75-PNCF>] (reporting that neighborhoods with fewer than 50 percent Black residents "receive nearly four times" more investment than neighborhoods with greater than 85 percent Black residents" and "[l]ow-poverty neighborhoods receive one and a half times the investment of high-poverty neighborhoods").

<sup>515</sup> Thomas et al., *supra* note 512, at 240.

<sup>516</sup> TROUNSTINE, *supra* note 17, at 444; Julia Mizutani, Note, *In the Backyard of Segregated Neighborhoods: An Environmental Justice Case Study of Louisiana*, 31 GEO. ENV'T L. REV. 363, 364 (2019) (citing D.R. Wernette & L.A. Nieves, *Breathing Polluted Air*, 18 EPA J. 16, 16–17 (1992)) ("The distribution of landfills, incinerators, power plants, toxic waste, and air pollution is highly correlated with the geographic distribution of minorities, especially poor minorities.").

<sup>517</sup> See Prottoy A. Akbar et al., *Racial Segregation in Housing Markets and the Erosion of Black Wealth* 4–6 (Nat'l Bureau of Econ. Rsch., Working Paper No. 25805, 2019); Raj Chetty et al., *The Opportunity Atlas: Mapping the Childhood Roots of Social Mobility* 44–45 (Nat'l Bureau of Econ. Rsch., Working Paper No. 25147, 2018).

residential neighborhoods.<sup>518</sup> Family law scholar Solangel Maldonado compellingly describes the self-reinforcing, or as Daria Roithmayr puts it, “locked in,”<sup>519</sup> nature of this feature of American zoning law’s residential use taxonomy, explaining:

The bulk of desirable residential areas in many suburbs are zoned for single-family residences, thereby requiring that two-family residences be clustered into relatively few zones. . . . The clustering of two-family homes increases the likelihood of overcrowding, noise, lack of parking, criminal mischief, and other ills that have been cited as justifications for zoning regulations. Not only is the total area zoned for two-family homes small relative to the areas zoned for single-family homes, but in many towns . . . two-family zoning serves as a buffer between the pristine single-family residential districts and the noise and traffic of the commercial district . . . . The clustering and placement of two-family homes (adjacent to apartment buildings, commercial areas, and congestion) also decreases their value and potential for appreciation.<sup>520</sup>

This and other research provide compelling evidence that harms resulting from continued economic and racial segregation of neighborhoods are pervasive, multigenerational, and existential.<sup>521</sup> Melvin Thomas, Richard Moye, Loren Henderson, and Hayward Derrick Horton argue that their 2017 study and the dozens of research papers cited therein “highlight[] the fact that segregation continues to disadvantage African Americans . . . . [and] also provide[] additional empirical evidence that segregation continues to function as a structural factor that concentrates advantage in the housing market for whites (i.e., white privilege).”<sup>522</sup>

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<sup>518</sup> See *infra* note 521 and accompanying text.

<sup>519</sup> Daria Roithmayr, *Locked in Segregation*, 12 VA. J. SOC. POL’Y & L. 197, 197 (2004). Roithmayr explicates the locked-in nature of segregation but does not attribute segregation to zoning law. *Id.*

<sup>520</sup> Maldonado, *supra* note 483, at 2647–48 (footnotes omitted); see also Vill, of Arlington Heights v. Metro. Hous. Dev. Corp., 429 U.S. 252, 258 (1977) (recognizing areas zoned for multifamily dwellings were “primarily to serve as a buffer between single-family development and land uses thought incompatible, such as commercial or manufacturing districts”).

<sup>521</sup> See Thomas et al., *supra* note 512, at 240 (discussing research and citing studies); Mahzarin R. Banaji et al., *Systemic Racism: Individuals and Interactions, Institutions and Society*, 6 COGNITIVE RSCH.: PRINCIPLES & IMPLICATIONS 1, 8 (2021) (“Because of racial residential segregation and the blocked mobility and spatial concentration of poverty it produces, neighborhoods have become the key nexus for the transmission of Black socioeconomic disadvantage over the life course and across the generations.” (citation omitted)); see generally Robert B. Avery & Michael S. Rendall, *Lifetime Inheritances of Three Generations of Whites and Blacks*, 107 AM. J. SOCIO. 1300 (2002) (analyzing multi-generational effects of racial segregation); THOMAS LAVEIST ET AL., JOINT CTR. FOR POL. & ECON. STUD., SEGREGATED SPACE, RISKY PLACES: THE EFFECTS OF RACIAL SEGREGATION ON HEALTH INEQUALITIES, *Forward* (2002), <https://www.nationalcollaborative.org/wp-content/uploads/2016/02/Segregated-Spaces.pdf> [<https://perma.cc/KW9S-P4BD>] (examining “[t]he effects of place on health and health inequities”).

<sup>522</sup> Thomas et al., *supra* note 512, at 240.

Recognizing that “scholars continue to grapple with the complex reasons why [white people] continue to locate themselves in predominately white areas,” Thomas, Moye, Henderson and Horton find Elijah Anderson and Douglas Massey’s “commonsense answer” compelling: “Segregation persists in the USA because [white people] benefit from it.”<sup>523</sup> I reference the benefits many white people, including myself, enjoy from the burden shifting that American zoning law was designed to facilitate to tee up questions about structural remedies and reform, and not to suggest, as dominant post-1970s paradigms posited,<sup>524</sup> that the primary driver of racial segregation is simply the aggregate of individual white racism or preferences playing out in a neutral marketplace, sometimes characterized as “white flight.” Rather, I urge that Anderson and Massey’s point should be construed to mean that, to the extent white people continue to hold positions of power in government, neighborhood associations, and other institutional bodies that shape the structure of zoning law and how it is applied, the benefits white people receive from the current legal structure pose a significant obstacle to its reform. This is especially so where the facially neutral structure of the law and nearly a century of race-neutral—or, more accurately, racism-blind—commentary renders the racist structure invisible to those who benefit from it.

Moreover, although racial segregation is no longer an express justification for most zoning classifications, government officials, courts, and citizens continue to justify exclusively single-family detached residential zones with the coded narratives devised a century ago to inflame racist fears and render invisible the white supremacist objectives of American zoning law.<sup>525</sup> These narratives substituted residential building forms for people, attached race-based stereotypes to the various building forms, and condoned privileging white spaces and subjugating Black spaces.<sup>526</sup> They equated denser residential forms like apartment buildings to nuisances and “parasites” that, if introduced into single-family neighborhoods would spread, be a harbinger of crime, congestion, and disease,<sup>527</sup> deprive families of quiet, open

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<sup>523</sup> *Id.* (quoting ELIJAH ANDERSON & DOUGLAS MASSEY, *PROBLEM OF THE CENTURY: RACIAL STRATIFICATION IN THE UNITED STATES* 338 (2004)).

<sup>524</sup> SANDER ET AL., *supra* note 14, at 10–11 (discussing pre-2000 dominant paradigms).

<sup>525</sup> *See supra* notes 310–314 and accompanying text.

<sup>526</sup> *See supra* Part III.

<sup>527</sup> *See* *Vill. of Euclid v. Ambler Realty Co.*, 272 U.S. 365, 379–80, 394–95 (1926).; *see also supra* Section II.C. (discussing justifications for residential taxonomy and clustering multifamily residences with or adjacent to noxious land uses).

space, and fresh air, and ultimately destroy the residential character of the neighborhood.<sup>528</sup>

Local officials still use these narratives to reject applications to build multifamily and affordable housing in single-family districts. Single-family neighborhoods are protected as places “where family values, youth values, and the blessings of quiet seclusion and clean air make the area a sanctuary for people.”<sup>529</sup> These narratives are also implicit in local governmental decisions to allow undesirable land uses in denser residential districts—uses that local legislative bodies deem incompatible with single-family residential use.<sup>530</sup>

Ultimately, by segregating, racializing, and ghettoizing areas where People of Color live, and Black individuals and families in particular, American zoning law limits the ability of People of Color “to choose space and to move unimpeded through and across the local spaces of everyday life,” actions that Elise Boddie aptly and powerfully characterizes as “basic components of freedom, social belonging, status, and dignity.”<sup>531</sup> That these outcomes were intended to maintain white wealth and dominance, and have done so effectively for a century, underlies my assertion that facially race neutral comprehensive zoning was one of the most powerful and enduring racial segregationist legal devices of the Jim Crow era.

*B. Equity Principles for Land Use Law Reform and an Urgent Call to Transform Land Use Law Pedagogy*

Although robust assessment of current legal reforms and prescriptions for further reform are beyond the scope of this article—the primary goal of which is to contribute to a long-overdue transformation in how land use law scholarship and teaching sees race and racism. I offer the following land use equity principles here as a resource for land use and housing justice activists and a contribution to a growing anti-racist land use law research agenda.<sup>532</sup>

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<sup>528</sup> See *Euclid*, 272 U.S. at 394–95; see also Section III.C.

<sup>529</sup> *Vill. of Belle Terre v. Boraas*, 416 U.S. 1, 9 (1974).

<sup>530</sup> See Lord & Norquist, *supra* note 302, at 557–58; Sarah J. Adams-Schoen & Edward J. Sullivan, *Middle Housing by Right: Lessons from an Early Adopter*, 37 J. LAND USE & ENV'T L. 189, 224–27 (2022) (examining public comments in residential zoning reform docket); see also *supra* notes 302–313 and accompanying text.

<sup>531</sup> Boddie, *supra* note 15, at 420.

<sup>532</sup> I developed these equity principles through my work on this project, research on local and statewide zoning reforms; consultation on Oregon's statewide zoning reforms and Eugene's code amendments; work with law students and student

(1) Reform of land use law alone, regardless of its robustness, will not be sufficient to address the inequities from a century of structural racism in land use law.

(2) Land use law reform must be grounded in an understanding of the historic and current relationship between land use regulations, racial and economic segregation, the spatial distribution and availability (or lack thereof) of affordable housing, and poverty.

(3) Equity-focused reform will fall short—and increase inequities—absent land use law and planning leadership and public participation that includes communities that have traditionally been excluded from and harmed by land use law processes. More effective, inclusive, and equitable reform processes will recognize the leadership and expertise of existing community coalitions, robust diversity in leadership, public engagement opportunities that are accessible to and respectful of People of Color, renters, single parents, religious minorities, people with disabilities, people living in poverty, and others who have traditionally been excluded—both intentionally and unintentionally—from land use planning and law reform processes.<sup>533</sup>

(4) Land use law reform requires a sustained effort to seek out and eliminate covert regulation of land *users* and the coded narratives that support the subjugation of lower-income communities and communities of color for the benefit of wealthier, whiter communities. This requires express

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fellows in my law school's Sustainable Land Use Program on land use equity and environmental justice; and presentations on this research to academics, students, planners, lawyers, state and local officials, and the public. *See, e.g.*, Adams-Schoen & Sullivan, *supra* note 530, at 189, 195–98 (discussing state and local reforms); Letter from Sustainable Land Use Project to Mayor Lucy Vinis & Eugene City Council (Apr. 11, 2022) (on file with author) (attaching SUSTAINABLE LAND USE PROJECT, MIDDLE HOUSING MISCONCEPTIONS, [https://law.uoregon.edu/files/final\\_slup\\_white\\_paper\\_eugene\\_middle\\_housing.pdf](https://law.uoregon.edu/files/final_slup_white_paper_eugene_middle_housing.pdf) [<https://perma.cc/HFW9-EYC6>]).

<sup>533</sup> *See, e.g.*, NOT IN CULLY: ANTI-DISPLACEMENT STRATEGIES FOR THE CULLY NEIGHBORHOOD (June 2013) (presenting community-led strategies for preventing displacement of low-income Cully residents as investment comes into neighborhood); *see* Ellen Israel, *Struggling to Breathe: A Neighborhood's Fight for Healthier Air*, SCI. STORY, n.d., <https://sciencestory.uoregon.edu/life-in-a-changing-landscape/air/struggling-to-breathe> (reporting on successful and ongoing air quality improvement strategies of local environmental justice nonprofit Beyond Toxics and community organization Active Bethel Community); Adams-Schoen & Sullivan, *supra* note 530, at 227–29 (discussing more inclusive and representative public engagement processes implemented by Eugene during its implementation of Oregon's middle housing law).

recognition that land use decisions—historically and presently—that entrench or increase existing disparities do not protect all families, all residential areas, or the community as a whole. This also requires recognition that unchecked local discretion, subjective standards like neighborhood “character,” and nontransparent discretionary procedures tend to entrench and increase racial and economic disparities.

(5) Dismantling the residential use taxonomy is a necessary step in the elimination of covert regulation of land *users*. A handful of states and local governments have begun to chip away at the single-family monopoly that characterizes most residentially zoned land in US cities.<sup>534</sup> Recognizing the intense pressure local governments face to retain exclusive single-family zoning, Oregon passed a statewide “middle housing” law in 2019 that required cities throughout the state to allow denser housing forms in single-family zoned areas and to amend many other local regulations that contribute to higher housing costs and longer development timelines.<sup>535</sup> The City of Minneapolis also eliminated single-family zoning through implementation of its Minneapolis 2040 Plan, adopted in 2019—although this reform has been stalled by a legal challenge.<sup>536</sup> By the end of 2021, single-family zoning was also essentially eliminated throughout most of California.<sup>537</sup>

(6) Elimination of single-family zoning is no panacea, and absent other reforms may increase inequities. Simply eliminating single-family zoning—that is, allowing other forms of housing in areas currently zoned for single-family—will do little to increase production of housing generally and

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<sup>534</sup> See Sarah J. Adams-Schoen & Edward J. Sullivan, *Reforming Restrictive Residential Zoning: Lessons from an Early Adopter*, 30 J. AFFORDABLE HOUS. & CMTY. DEV. L. 161, 166–67 (2021) (citing and discussing examples).

<sup>535</sup> Adams-Schoen & Sullivan, *supra* note 530, at 195–98. “Middle housing” refers to multi-unit or clustered housing similar in scale to single-family housing, including, for example, duplexes, triplexes, and townhouses. Oregon’s new law defines middle housing as “duplexes[,] triplexes[,] quadplexes[,] cottage clusters[,] and townhouses.” OR. REV. STAT. § 197.758(1)(b) (2023) (lettering omitted).

<sup>536</sup> See *id.* at 167.

<sup>537</sup> See California Dep’t Hous. & Cmty. Dev., SB 9 Fact Sheet: On the Implementation of Senate Bill 9 (Chapter 162, Statutes of 2021) 1 (2022), <https://www.hcd.ca.gov/docs/planning-and-community-development/sb9factsheet.pdf> [<https://perma.cc/22WZ-6WF4>] (explaining that California S.B. 9 requires amendment to zoning codes that will “facilitate[] the creation of up to four housing units in the lot area typically used for one single-family home”).

affordable housing specifically in amenity-rich neighborhoods. Even if other forms of housing were permitted as of right, many other restrictions in zoning codes limit development of smaller units, denser forms of housing, and affordable housing.<sup>538</sup> Additionally, even when residential zoning is comprehensively reformed to eliminate single-family zoning and the myriad land use regulations that limit the ability to develop other forms of housing, large swaths of residentially zoned land in US cities are burdened by restrictive covenants that limit the use of the lots to single-family homes.<sup>539</sup> Land availability and market dynamics also constrain the pace and scope of housing development such that reforms like those in Oregon and California will almost certainly not result in rapid transformation of existing single-family neighborhoods.<sup>540</sup> Moreover, as land use law scholar Steven Miller recently cautioned, elimination of single-family zoning, without other reforms, may disparately burden People of Color because redevelopment of single-family homes is more likely to occur in neighborhoods where more People of Color live than in exclusive, whiter neighborhoods where land values are higher relative to potential market growth.<sup>541</sup> Finally, although I assert that the residential use taxonomy is the clearest manifestation of American zoning law's racist structure, other aspects of American land use law also contribute to barrier maintenance, wealth hoarding to white people, burden shifting to People of Color, and reinforcement

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<sup>538</sup> See DOUGLAS S. MASSEY ET AL., *CLIMBING MT. LAUREL: THE STRUGGLE FOR AFFORDABLE HOUSING AND SOCIAL MOBILITY IN AN AMERICAN SUBURB* 12–13, 19 (2013) (identifying density zoning regulations like minimum lot sizes as exerting strongest effect on housing cost and supply as compared to other regulations and as a powerful determinant of racial segregation); Adams-Schoen & Sullivan, *supra* note 530, at 205–07, 213–17 (analyzing Oregon's effort to eliminate land use regulations that impose unreasonable cost or delay on the production of middle housing, including, for example, regulations that require off-street parking, minimum lot sizes, minimum dwelling sizes, overly restrictive floor-area ratios and other buildable area restrictions, and density maximums); see also Sara C. Bronin, *Zoning by A Thousand Cuts*, 50 PEPP. L. REV. 719, 759–84 (2023) (evaluating empirical study of prevalence and effect of such land use regulations).

<sup>539</sup> See Steven R. Miller, *Prospects for a Unified Approach to Housing Affordability, Housing Equity, and Climate Change*, 46 VT. L. REV. 464, 482 (2022) (reporting that recent study “found that in some regions, such as the Mountain West, upwards of 86 [percent] of new home development was subject to [single-family use] restrictive covenants” and suggesting any state serious about eliminating single-family restrictions would declare these restrictive covenants against public policy and void).

<sup>540</sup> See *id.* at 481–82 (citing and discussing studies).

<sup>541</sup> *Id.* at 482. But see Adams-Schoen & Sullivan, *supra* note 530, at 241–44 (discussing provisions of Oregon reforms to aimed at equitably distributing middle housing throughout existing and new neighborhoods).

of racial caste.<sup>542</sup> Consequently, the racialized geographies of American cities extend beyond residential neighborhoods to business districts and other spaces.<sup>543</sup>

(7) Land use law reform must include transparent and iterative assessment of the reform itself and of local land use decisions implementing the reform, in addition to mechanisms for enforcement. Administrative and legislative land use decisions should engage with data on existing disparities (asking, for example, does the decision increase amenities in an already amenity-rich area or increase surface temperatures in a neighborhood with fewer street trees, open spaces or other amenities?). Environmental and climate justice reforms must engage with and include assessments of potential impacts on housing affordability and segregation.

(8) Land use planning and law scholarship and pedagogy must not continue to approach American zoning law as if it were race neutral or as if zoning law presumptively betters living conditions and land values for communities as a whole. Articles, texts and treatises often describe the advent of zoning in the United States, its early proponents, and the seminal *Euclid v. Ambler Realty* case, as well as the various players in the case, with reverence.<sup>544</sup> California's role in the development of American zoning law is almost universally omitted from scholarship and teaching. Discussions of post-*Buchanan* facially neutral zoning often suggest explicitly or implicitly that racist outcomes are aberrant, driven by personal preferences (de facto and not de jure),<sup>545</sup> or are the result of individual bad actors.<sup>546</sup> Similarly, the adoption of

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<sup>542</sup> See generally *supra* CASHIN, *supra* note 11.

<sup>543</sup> See Angela E. Addae, *The Perils of Urban Redevelopment for Black Business Districts*, 57 TULSA L. REV. 171, 177 (2021) (“As with residential properties, redlining and racially restrictive covenants confined Black organizations to areas designated for Black business occupancy.”).

<sup>544</sup> See WOLF, *supra* note 230, at 176.

<sup>545</sup> See generally ROTHSTEIN, *supra* note 12 (critiquing failure to recognize racial segregation as *de jure*); see, also, e.g., Texas Dep't of Hous. & Cmty. Affs. v. Inclusive Cmty. Project, Inc., 576 U.S. 519, 528–29 (2015) (relying on de jure myth and failing to appreciate facially neutral, but nevertheless race-based zoning law as a key driver of racial segregation).

<sup>546</sup> An example of this is the failure to recognize Robert Whitten as one of the founders of American zoning law, and not simply an aberrant bad actor. *But see* Randle, *supra* note 226, at 42 (quoting contemporaneous source referring to Whitten as “perhaps the most influential zoning advisor in the United States”); WOLF, *supra* note 230, at 28–29, 32; see also ROTHSTEIN, *supra* note 12, at 51–52 (quoting prominent proponent of

state enabling acts mirroring the SZEA and the rapid proliferation of zoning codes in the 1920s and 1930s are often treated as spontaneous occurrences or as driven primarily by innovations in transportation or market dynamics devoid of any racialized context.<sup>547</sup> Zoning scholarship and textbooks tend not to mention the massive and coercive efforts of Herbert Hoover or federal agencies in promoting zoning to state and local governments as part of its campaign to promote white homeownership and maintain racial segregation. These omissions are powerful and, until they are corrected, will continue to undermine legal reform and other efforts to address the pervasive harms from America's dual housing system.

These omissions also make the law school classroom an even more isolating place for those who grew up in the multifamily housing Justice Sutherland labeled a "mere parasite," or in the lower-income neighborhoods zoned adjacent to industrial sites where zoning and other local government decisions place downward pressure on property values. To be true to aspirations to increase the diversity of the legal field, law teaching must recognize that many law students (and their future clients) know from experience that discussions in local government meetings about protecting neighborhoods as places for families clearly do not include their neighborhoods.

## CONCLUSION

American zoning law is characterized by a ubiquitous dualism that creates separate and unequal neighborhoods delimited by race. The early twentieth century segregationists who conceived of single-family zoning as a mechanism to protect so-called high-quality neighborhoods from invasion by People of Color while allowing intense and noxious land uses where People of Color lived succeeded in constructing a legal mechanism that satisfied the Progressive Era Supreme Court's low bar for police power regulations with racial overtones. With significant support from the federal government, they ultimately succeeded in racially segregating American cities and enriching white property owners at the expense of People of Color and very low income white households.

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planning and zoning Alfred Bettman and his colleagues on the National Land Use Planning Committee as explaining that "[p]lanning (i.e., zoning) was necessary . . . to 'maintain the nation and the race'").

<sup>547</sup> *But see* WOLF, *supra* note 230, at 138.

American zoning's nearly ubiquitous and internationally aberrant zoning taxonomy and related regulations continue to achieve their original segregationist purposes. The same zoning regulations that helped create and maintain segregated residential neighborhoods in American cities in the 1910s through the 1960s endure today. City governments throughout the United States continue to disproportionately invest more in the development and maintenance of sidewalks, playgrounds, parks, open spaces, street trees, and other amenities in restrictively zoned, disproportionately white neighborhoods.<sup>548</sup> Areas zoned for multifamily residences continue to exist adjacent to zones that allow high-intensity land uses that local legislative bodies deem incompatible with the needs of families, including liquor stores and bars, and so-called adult uses like strip clubs, industrial polluters, landfills, and wrecking yards.<sup>549</sup>

Figure 4: Modeling of the Potential Emissions from the Owens-Brockway Facility in Portland's Cully Neighborhood



Illustrative of this, the Cully neighborhood where I grew up in the 1980s, shown on the aerial map in Figure 3, provided a “buffer” between rail yards, industrial plants, and a twenty-four acre landfill to the north, and exclusively single-family neighborhoods to the south. Oregon and the City of Portland—even with their robust embrace of zoning reform and elimination of single-family districts<sup>550</sup>—continued until June 2022 to allow an industrial polluter to release high quantities of particulate

<sup>548</sup> Andrew H. Whittemore, *The Experience of Racial and Ethnic Minorities with Zoning in the United States*, 32 J. PLAN. LITERATURE 16, 20–24 (2017).

<sup>549</sup> Shertzer et al., *supra* note 24, at 217, 218–20; Andrew H. Whittemore, *Racial and Class Bias in Zoning: Rezoning Involving Heavy Commercial and Industrial Land Use in Durham (NC), 1945–2014*, 83 J. AM. PLAN. ASS'N 235, 235–38 (2017).

<sup>550</sup> Adams-Schoen & Sullivan, *supra* note 529, at 167–69.

matter, nitrogen oxides, sulfur dioxide, arsenic, and lead into the air, water, and soil of the Cully neighborhood, notwithstanding the many families packed into the neighborhood's densely zoned residential districts.<sup>551</sup>

Across the political spectrum, many who reside in single-family residential districts resist efforts to allow other housing forms such as duplexes, triplexes or apartment buildings in their districts because they believe allowing multifamily residences in their neighborhood will increase traffic, congestion, noise, air pollution, and crime.<sup>552</sup> Some object that eliminating the single-family monopoly by, for example, allowing duplexes and triplexes in all residential zones, would place too great a burden on public schools, streets, and water and sewer infrastructure,<sup>553</sup> or would exacerbate urban environmental problems by increasing the amount of impermeable land and decreasing the number of trees in urban and suburban residential areas.<sup>554</sup> These objections often perpetuate an unspoken and unacknowledged privileging of disproportionately white, restrictively zoned neighborhoods over less restrictively zoned neighborhoods that are home to more People of Color where

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<sup>551</sup> EARTH JUST., *supra* note 7; Press Release, Earth Just., Portland Community Lands Long-Awaited Public Health Victory in Owens-Brockway Case (June 30, 2022), <https://earthjustice.org/news/press/2022/portland-community-lands-long-awaited-public-health-victory-in-owens-brockway-case> [<https://perma.cc/8JE4-TVJQ>].

<sup>552</sup> See, e.g., Notice of Appeal at 3, *In re Appeal by Seattle Coalition for Affordability, Livability, and Equity of City of Seattle Citywide Implementation of Mandatory Housing Affordability (MHA) Final Environmental Impact Statement* (City Hearings Officer Nov. 27, 2017) (arguing that amending zoning code to increase housing density in neighborhoods throughout Seattle will “reduce access to light and air; increase traffic; exacerbate parking problems; reduce tree canopy; and otherwise reduce the livability of Seattle’s neighborhoods[,] [making] . . . Seattle less attractive for development.”); Erica C. Barnett, *Increased Density Riles Homeowners*, SEATTLE MET (Jan. 17, 2014, 5:44 PM), <https://www.seattlemet.com/news-and-city-life/2014/01/petition-highlights-density-fears-january-2014> [<https://perma.cc/B89T-6T7D>]; *Remarks by President Trump on Rolling Back Regulations to Help All Americans*, WHITE HOUSE (July 16, 2020, 5:01 PM), <https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-rolling-back-regulations-help-americans/> [<https://perma.cc/6LWX-L6GE>] (“The Democrats in D.C. . . . want to . . . abolish our beautiful and successful suburbs . . . . They are absolutely determined to eliminate single-family zoning, destroy the value of houses and communities already built, just as they have in Minneapolis and other locations . . . . Your home will go down in value and crime rates will rapidly rise.”).

<sup>553</sup> Gerritt Knaap & Nicholas Finio, *Though Rumors of Its Demise Might Be Exaggerated* . . . , 86 J. AM. PLAN. ASS’N 125, 126 (2020).

<sup>554</sup> See Kevin Le, *Tree Canopy Analysis Shows Tacoma Rezone Critics Exaggerate Concerns*, URBANIST (Jan. 12, 2022), <https://www.theurbanist.org/2022/01/12/tree-canopy-analysis-shows-tacoma-rezone-critics-exaggerate-concerns/> (discussing objections to reform of restrictive single-family zoning); see, e.g., CITY OF EUGENE, OR, MIDDLE HOUS. CODE AMENDS., TESTIMONY BATCH 9 (2021), <https://www.eugene-or.gov/DocumentCenter/View/63924/Batch-9?bidId=> [<https://perma.cc/E435-ZDLT>], (containing dozens of objections to reform of restrictive residential zoning based on concern for urban tree canopy),

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schools and infrastructure are already taxed, surfaces are paved, air is polluted, and the tree canopy, if it exists at all, provides little shade on a 116°F day.

The failure to acknowledge the segregationist design and effect of restrictive residential zoning allows these and other objections to eclipse the urgent need for reform—a need that grows more urgent as cities face increasingly intense and frequent heat waves, droughts, wildfires, and other manifestations of the climate crisis. To the extent American zoning law can be reformed to value the lives of People of Color, courts, commentators, and activists must grapple with the law’s white segregationist and ghettoizing structure.

Although I am not sure whether such reform is possible, I remain cautiously optimistic. Accordingly, I end with the following wise and hopeful words:

Whiteness itself can be redefined—so that it gets equated with taking responsibility and growing up.

None of this will be easy. It will take great effort from many white Americans, individually and collectively, over a period of years. Yet the only alternative is the perpetuation of white-body supremacy and a great deal of dirty pain for all.

—Resmaa Menakem<sup>555</sup>

Do not get lost in a sea of despair. Be hopeful, be optimistic. Our struggle is not the struggle of a day, a week, a month, or a year, it is the struggle of a lifetime.

—John Lewis<sup>556</sup>

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<sup>555</sup> RESMAA MENAKEM, *MY GRANDMOTHER’S HANDS: RACIALIZED TRAUMA AND THE PATHWAY TO MENDING OUR HEARTS AND BODIES* 274 (2017).

<sup>556</sup> Congressman Colin Allred, *Allred Statement on the Passing of Congressman John Lewis*, U.S. CONGRESSMAN ALLRED (July 18, 2022), <https://allred.house.gov/media/press-releases/allred-statement-passing-congressman-john-lewis> [<https://perma.cc/YQ89-W774>].

The city is located in a rapidly growing area of Washington County. It sits between Tigard and Tualatin. Interstate Route 5 (I-5) runs through a "general commercial" area adjoining it to the east. A vicinity map and a more detailed map showing the city's planning zoning designations are attached to this opinion as Exhibits A and B.

The 18 Petitioners own property within the A-1 area. They contend that the density decrease violates several LCDC goals, with special emphasis on the housing goal. The significant issues presented by their petition are (1) whether the Commission's goals require suburban residential cities to provide a variety of housing types, (2) how compliance is to be measured, and (3) whether Durham has complied.

**From 1 LCDC 288-290:**

The Ordinance Violates Goal 10:

The Commission finds, for the reasons set forth in this opinion, that the density reduction should be declared void as in violation of the housing goal and that the matter should be returned to the city for such action, if any, as is consistent with the Commission's determination and this opinion.

This case turns on the meaning and intent of the LCDC Housing Goal. Goal 10 is short and to the point:

**“Goal: To provide for the housing needs of citizens of the state.**

“Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

“Buildable Lands - refers to lands in urban and urbanizable areas that are suitable, available and necessary for residential use.

“Household - refers to one or more persons occupying a single housing unit.”

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The housing guidelines reflect a great concern for variety in shelter costs, for dispersal of low-income housing throughout urban areas, and for affirmative incentives to achieve the goal, if necessary. See Guidelines A(1) and B(2) to B(5). The guidelines also contemplate the ultimate implementation of the goal to be on a regional level. Guideline B(6). Perhaps most important, the goal itself refers to the "financial capability" not of residents of the municipality but of "Oregon households," strongly suggesting that towns must look beyond their borders in assessing housing needs.

The Housing Goal clearly says that municipalities are not going to be able to do what they have done in metropolitan areas in the rest of the country. They are not going to be able to pass the housing buck to their neighbors on the assumption that some other community will open wide its doors and take in the teachers, police, firemen, clerks, secretaries and other ordinary folk who can't afford homes in the towns where they work.

The LCDC, in adopting Goal 10, was doing just what the courts in many urban states have been doing in recent years. The development is examined approvingly and at length in a leading planning law treatise, which introduces the topic with these observations:

“If anything is clear in American planning law, it is that the state courts (and some lower federal courts) have been moving rapidly towards a major reversal in the law on exclusionary zoning directed against lower-income groups. At least in several states, and probably in most states, there is a strong probability that in the near future municipal autonomy to use zoning for such purposes will be sharply reduced ....

“This change . . . is the result of several different factors. First, because of changes in the age structure of the population, this country is moving into a period when there will be heavy pressure for several types of housing, all of which are now prohibited on most of the available vacant land. Two groups in the population are now increasing rapidly - the aged ... and the young married couples.

“In the second place, the recent development of public policy in the other critical areas has cast considerable light on the implications of the exclusionary suburban pattern . . . (For) a decade or two now it has been apparent that, if current trends continue, there is considerable likelihood of a pattern of largely black ( and poor) central cities surrounded by largely white ( and middle class) suburbs - a pattern whose implications appeal to very few thoughtful people.” 3 Williams, **American Land Planning Law** § 66.01 (1975).

Goal 10 speaks of the housing needs of Oregon households, not the housing needs of Durham households. Its meaning is clear: planning for housing must not be parochial. Planning jurisdictions must consider the needs of the relevant region in arriving at a fair allocation of housing types. Goal 10 represents the broader interests of all Oregon households.

In this respect, Goal 10 is consistent with common sense and human nature. Local officials cannot be expected to concern themselves too deeply about the requirements of outsiders, especially when their constituencies have interests that conflict with those of the outsiders. It is only proper for these officials to consider their first responsibility to be their constituents.

It becomes necessary, therefore, to assure that broader interests are represented in planning decisions such as housing, which have significance and impacts extending far beyond municipal borders. In some states, these interests have been found by courts to be protected by state constitutions. See **So Burl Cty NAACP v. Tp of Mt Laurel**, 67 NJ 151, 336 A2d 713, app dism and cert den 423 US 808 (1975); **Appeal of Girsh**, 437 Pa. 237 263 A2d 395 (1970). In others, they are protected by statute. See Mass Gen Laws Ann 40B, Secs. 20-23; Cal Gov't Code Sec 65302c.

Federal programs such as HUD's Housing Opportunity Plan and the 1974 Housing and Community Development Act of 1974 have stimulated numerous local and regional planning bodies to institute "fair-share" plans designed to assure that each town provides its fair share of low-cost housing needed by the region. See Rose, "**Is There a Fair Share Housing Allocation Plan that is Acceptable to Suburban Municipalities?**," 12 Urban Law Annual, reprinted in Rose and Rothman, **After Mount Laurel**, (Center for

Urban Policy Research: 1977) at page 124, n. 3. (For a highly successful metropolitan program in which local government applications for state and federal park, highway, sewer, and other public works grants are ranked and awarded according to the applicant's record in providing its share of the region's low and moderate-income housing, see McFall, "**Fair Share Housing: The Twin Cities Story**," **Planning**, August 1977, at pp. 22- 31.)

In Oregon, Goal 10 and the goals and objectives of regional planning agencies such as CRAG [now Metro] reflect the same regional orientation to the housing problem.

Nothing in the record suggests that Durham, in amending its plan, gave any consideration to low-cost housing needs of its own residents and workers, much less those of the region. The record clearly shows a contrary intent, namely, to decrease the diversity of housing types and prices. Such planning runs directly contrary to the purposes of Goal 10.



Al Johnson

## Housing Perspectives: Designing New Programs to Narrow Racial Homeownership Gaps

1 message

Harvard Joint Center for Housing Studies <jchs@harvard.edu>  
Reply-To: Harvard Joint Center for Housing Studies <jchs@harvard.edu>  
To: [REDACTED]

Wed, Nov 30, 2022 at 8:02 AM



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## DESIGNING NEW PROGRAMS TO NARROW RACIAL HOMEOWNERSHIP GAPS

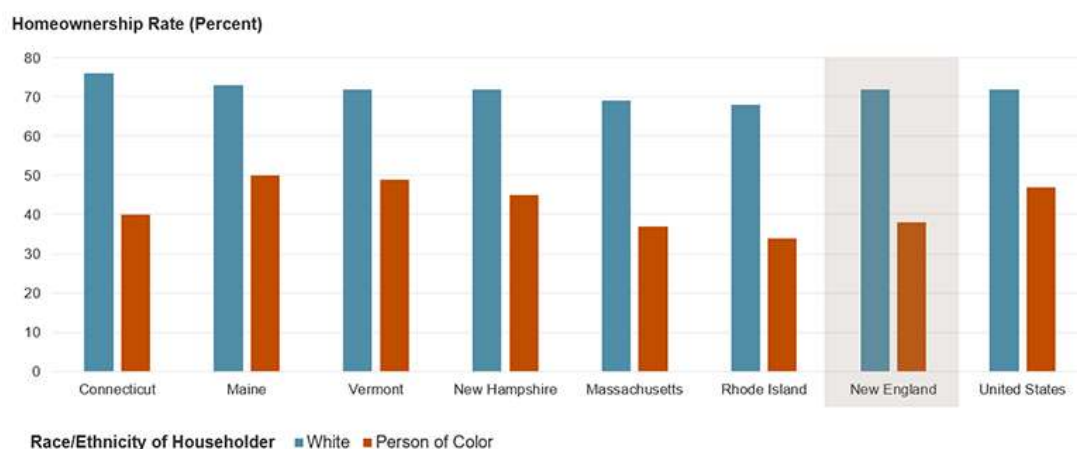


Wednesday, November 30, 2022

In the past two years a growing number of for-profit and non-profit lenders have created special purpose credit programs (SPCPs) that aim to address some of the longstanding policies and practices that have impeded homeownership by Black, Indigenous, and People of Color (BIPOC) households. While these programs have similar goals, a review of initiatives that I carried out as a summer research assistant at the Center found that they often differ in significant ways.

The programs attempt to address large racial and ethnic differences in homeownership rates. Across the US, 47 percent of households headed by people of color owned their home compared to 72 percent of white households, according to Center tabulations of the US Census Bureau's American Community Survey 5-Year estimates for 2015–2019. Racial homeownership gaps are even more pronounced in the six New England states, the geographic focus of my research, which was funded by the Federal Home Loan Bank of Boston. Just 38 percent of households headed by people of color owned their homes in the region compared with 72 percent of white households (**Figure 1**). Furthermore, these gaps are present in all six New England States and are widest for Black and Hispanic households.

## Figure 1: People of Color Are Far Less Likely to Own Their Homes than White Households in New England and the US Overall



Notes: White householders are non-Hispanic white. Households headed by a person of color are Hispanic or someone of any other race(s). Source: JCHS tabulations of US Census Bureau, 2019 American Community Survey 5-Year Estimates.

Several factors have contributed to these differences. Due to a history of exclusion and predatory financial practices along racial lines, [households of color tend to have lower savings and are less likely to benefit from intergenerational transfers of wealth than white households](#). Discrimination has also resulted in [households of color often having lower credit ratings than otherwise similar white households](#). And when potential homeowners of color do secure a mortgage, [they often receive higher interest rates than white borrowers who have the same \(or even less\) income](#).

While the Fair Housing Act has prohibited explicit discrimination in housing since 1968, the passage of the Equal Credit Opportunity Act (ECOA) in 1974 expressly allowed for the creation of credit products that serve “an economically disadvantaged class of persons.” By permitting non-profit and for-profit lenders to extend credit on favorable terms to customers identified by a shared characteristic, ECOA created an opportunity for lenders to specifically address documented disparities in lending. However, until recently, few lenders have tried to use SPCPs to address racial inequities in homeownership.

To better understand the variety of approaches that organizations are taking with their SPCPs, I interviewed 18 practitioners responsible for 12 programs across the country, including five SPCPs. This research revealed several key decision points that entities have to make when creating an SPCP. These include the following:

## Objectives

The SPCPs examined share similar ambitions, though their main objectives often differ. Initiatives like the [Champlain Housing Trust’s Homeownership Equity Program](#) emphasize expanding access to homeownership, especially for BIPOC households, while others, like the [LISC San Diego Black Homebuyers Program](#), prioritize generating wealth in BIPOC communities, using homeownership as a tool toward that end. Another common objective is to create housing stability in BIPOC communities, which programs like the [Chase Homebuyer Grant](#) and [Wells Fargo’s SPCP](#) prioritize. While these objectives often overlap, each program’s priority informs its structure to a large extent.

## Eligibility

One of the primary debates in designing an SPCP is whether it should be place- or people-based. Place-based programs use geography to designate potential customers. For example, the Chase Homebuyer Grant is offered to

anyone buying a primary residence in one of 6,700 majority-Black census tracts. This approach emphasizes supporting existing BIPOC communities. However, critics note that such programs could subsidize homebuyers who are not economically disadvantaged, which could eventually displace lower-income households.

Historically, concerns about violating the Fair Housing Act made many lenders wary of people-based programs that use identifying characteristics, such as race/ethnicity, to determine eligibility. However, [regulators, like the Office of the Comptroller of the Currency \(OCC\), have indicated that SPCPs can use this approach](#), which has led to a growing number of people-based programs. For example, the LISC San Diego Black Homebuyers Program offers a downpayment assistance grant to Black first-time homebuyers in San Diego County who earn less than 120 percent of the area median income.

## **Assistance**

Many SPCPs provide downpayment assistance, either as a low-interest loan or as a grant. However, the amount of assistance varies considerably. At the lower end, the Chase Homebuyer Grant program offers a \$5,000 grant that can be used as part of a downpayment or to reduce closing costs. At the upper end, the LISC San Diego Black Homebuyers Program offers a \$40,000 grant. (Recipients can also receive an additional \$9,000 grant from Union Bank, the program's partner lending institution.)

Other approaches include offering lower interest rates or loosening underwriting guidelines. Wells Fargo's SPCP is structured as a refinancing program in which all Black borrowers with an FHA mortgage in the Wells Fargo servicing portfolio qualify for a reduced interest rate (which was 3.75 percent in July 2022). [TD Bank's SPCP](#) is a special mortgage product that uses broader debt-to-income and loan-to-value metrics for customers in qualifying majority Black/Hispanic census tracts, as well as a \$5,000 lender credit that can be put toward a downpayment.

## **Terms**

Entities offering SPCPs not only must decide whether downpayment assistance funds are being offered as a loan or a grant, but also whether the loan is forgivable. Some programs, for example, try to recycle funds and serve families in the future by providing low- or no-interest downpayment assistance loans that must be repaid when the home is sold. Alternatively, the Champlain Housing Trust Homeownership Equity Program offers first-generation BIPOC

homebuyers up to \$25,000 in downpayment assistance as a zero-interest loan that is fully forgiven after three years. This helps ensure that borrowers do not immediately flip their homes while also giving them the opportunity to accumulate wealth they can access when they sell their home or pass it on to an heir.

Other programs—such as the San Diego Black Homebuyers Program, the Chase Homebuyer Grant, and the credit component of TD Bank’s program—provide downpayment assistance as a grant that has few if any additional requirements related to them. The rationale is that homebuyers who benefit from family gifts for downpayments do not have to repay those funds, and do not have to abide by required periods of residency in the home, so program participants should be similarly unrestricted.

Entities developing SPCPs have to consider several other important factors, including how they reach potential recipients (who may distrust lenders), and whether programs should include more fine-grained eligibility requirements to ensure they reach the desired households. As entities grapple with these questions, many have forged successful partnerships with community-based organizations to help conceptualize, implement, and evaluate these programs. Indeed, as more SPCPs are launched and more households use them, evaluating their effectiveness will be an important part of developing initiatives that can help narrow longstanding racial homeownership gaps.

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-----Original Message-----

From: Rick Kappler <[REDACTED]>  
Sent: Friday, August 25, 2023 7:51 PM  
To: Trans System Accounts <transportation@oregonmetro.gov>  
Subject: [External sender]Metro Regional Transportation Plan

CAUTION: This email originated from an External source. Do not open links or attachments unless you know the content is safe.

For the Metro Regional Transportation Plan,

Please do not make a car-centric fix for the crash corner in the Raleigh Hills town center by SW Oleson Road.  
Please do not allow thru-streets for the redevelopment of Alpenrose Dairy. Please build a road diet for SW Scholls Ferry Road between SW Raleighwood Lane and SW Sheridan Court.

Stop allowing the removal of paper street trails.

Please force Beaverton to build a paper street trail alongside Montclair Elementary School.

Rick Kappler  
[REDACTED]

---

for the public comment index and report

**From:** Lebowsky, Laurie <[REDACTED]>

**Sent:** Thursday, August 3, 2023 2:18 PM

**To:** Kim Ellis <Kim.Ellis@oregonmetro.gov>

**Cc:** Liles, Casey <[REDACTED]>; Tom Kloster <Tom.Kloster@oregonmetro.gov>

**Subject:** Metro Regional Transportation Plan (RTP) Update: IBR language

Sorry, I forgot to paste the language. I also got it from ODOT, so we're all probably on the same page.

Here it is:

Here are the requests – via track changes, that our IBR group suggests:

Page 66:

LPA approved in July 2008.

Record of decision signed by FHWA in  
December 2011.

Project development work discontinued in  
2013 in Washington and 2014 in Oregon.  
Joint Washington and Oregon Legislative Action  
Committee discussions begin in 2017.

Planning funds allocated to restart bridge replacement efforts in 2019

Partner agencies confirmed support for  
Modified LPA in 2022

Draft Supplemental Impact Statement in  
development, plan to publish Summer 2023

Page 70:

Constructing three through-lanes northbound and southbound throughout the  
program corridor with safety shoulders and the addition of one auxiliary lane in each  
direction across the Columbia River Bridge

Variable rate toll on the facility motorists using the river crossing to manage demand and  
generate revenue for construction and facility operations and maintenance

A commitment to ~~establish a GHG reduction target~~ evaluate GHG associated with the  
program and develop strategies to improve outcomes relative to regional transportation  
impact, and to develop and evaluate design solutions that contribute to achieving

program and state-wide climate goals.

The Program also commits to measurable and actionable equity outcomes and to **work with community partners to** development of a robust set of **benefits for the local community** of programs and improvements that will be defined in Community Benefits Agreement.

Warm regards,

**Laurie Lebowsky-Young, AICP** | Southwest Region Planning Director

Pronouns: She/Her/Hers

11018 NE 51<sup>st</sup> Circle

Vancouver, WA 98682-6686

PH:(360) 773-7652



*This email and related attachments and any response may be subject to public disclosure under state law.*

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**From:** Jordan Lewis  
**To:** [Trans System Accounts](#)  
**Subject:** [External sender]Public comment on Metro RTP Draft  
**Date:** Thursday, August 24, 2023 5:59:03 PM

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Metro,

I'm writing to you as a concerned Portland area resident who fears for his future. Climate change is the defining issue of our era. Every year the planet gets hotter, Portland experiences freak weather events and heat waves that literally kill dozens. Climate change is not coming, its already here, and we needed to stop emitting 10 years ago.

I read the 2040 Draft Metro Regional Plan expecting to find some relief from the crushing dread I feel for the future of this planet. Metro are generally the "good guys" in local government, often having thoughtful, actionable conversations about good governance in a way the city, county, and state rarely live up to.

I despaired for several days to find that your emissions accounting grossly misrepresents the actual trajectory of our carbon footprint. Metro does not acknowledge the actual GHG emission data from years since the Climate Smart Strategy was published in 2014; the reality is that, people are driving older, larger, dirtier vehicles more miles than they used to. Unsurprisingly, emissions from transportation rise year after year. The DARTE data clearly shows this, contradicting the Metro CSS.

It was also alarming to see the region completely abandon its previous traffic safety goals. Pedestrian deaths are at a 40-year high, largely attributable to the excessive upward trend in vehicle size and weight. Metro bothers to highlight the demographic inequities in traffic violence, but then prioritizes vehicle throughput explicitly in the RTP.

Metro also co-signs the epidemic of traffic violence by spending our limited and crucial transportation funds on Vehicle Capacity projects like the i-5 Rose Quarter Freeway Expansion and the i-5 Bridge Replacement (IBR gobbled up 1 BILLION dollars in GENERAL BOND \$\$\$!) These projects are not in areas where pedestrian deaths are relatively common. I think the most illustrative example was this year, when the Oregon legislature Joint Committee on Transportation allocated a Billion dollars to a freeway bridge rebuild that MAY save suburban commuters in the event of an earthquake, while the effort to improve Powell Boulevard, which actually kills people every year, got a

mere Million dollars.

The Portland area, largely under ODOTs guidance but with the approval of Metro, repeatedly tries to raise freeway capacity through lane expansions (often greenwashed as "auxiliary lanes"). These fraudulent plans induce additional demand, raise VMT, and further drive the mode split towards a dominance of cars over all other modes. If Metro is serious about moving the mode split towards transit and active transportation, they need to recognize the heavy bias our system has towards cars, then price the externalities imposed by them, through a vehicle miles traveled tax, weight tax or congestion pricing.

**From:** [REDACTED]  
**To:** [Trans System Accounts](#) [REDACTED]  
**Subject:** [External sender]Regional Transportation Plan  
**Date:** Thursday, August 24, 2023 9:12:14 PM

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Hello,

It is well past time to move past the idea of prioritizing private automobiles as a main means of transportation. We are in an unprecedented moment both from a climate perspective and a safety perspective.

As I was biking home from work today in the smoke I was thinking about any number of things: how I wish our roads were safer for me to bicycle (too many close calls!), how I wish more people on bikes were joining me (we need more bike infrastructure), how I wish there were more reliable, faster and efficient ways for my colleagues to get home from work without a car (public transit).

The proposed Regional Transportation Plan falls woefully short in meeting the moment. We need to make the hard pivot to the future and move away from 2-ton cars that take up an enormous amount of space to move one person while killing more than 50 people so far this year. This is insane.

The Regional Transportation Plan should and can do more to address these realities we face. We don't need more freeways, more heat waves, more smoke, more pollution. We need to be able to move through our city safely.

Please consider this.

Thank you,

Mary Locke  
NE Portland

**From:** [REDACTED]  
**To:** [Trans System Accounts](#)  
**Subject:** [External sender]Metro Regional Transportation Plan - Input  
**Date:** Friday, July 28, 2023 3:46:11 PM

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I wanted to share a few thoughts for consideration in the RTP comment period. I understand the complexity of this significant document. I sense much of the emphasis relies on past measures/analysis/policy/knowledge/comfort in dealing with the system from a vehicular standpoint. This is important; however, that does not belie the fact that decision making at the regional and local level seems to have a culture well-developed to advance investments based on policy/analysis methods that centrally focus upon vehicle needs. Even with the emphasis and talk of balanced modal options, the silo nature of project and land use development allows large investments to be made yet connectedness, access and linkages of the walking network remain underdeveloped. If greater emphasis can be made through policy and programs to create opportunities (given the siloed nature of project management to be on-budget) to allow discretionary funds be available to achieve walking network needs which are missed or not-scoped with large projects so that efficient unit pricing can be used when construction is mobilized to advance the walking network for citizens (rather than re-mobilizing and losing cost efficiencies, permitting efficiencies and larger unit costs for smaller projects).

Here are some other comments on a few of the items noted in the RTP.

**Highway Jurisdictional Transfer** - Cities approved the land use and are complicit in the state of these local facilities that ODOT operates and should be under local control. Grants to advance improved access and safety are great but holding ODOT hostage for transfer is not appropriate use of regional funds. Turning over subvented funds the sooner the better. The cities need to own these facilities and work regionally to prioritize funding.

**Congestion Pricing** - Given the focus on VMT per capita, why are no alternatives to congestion pricing offered such as having vehicle owners pay for their miles traveled upon their DEQ check up upon routine relicensing? Why are commercial truck miles not considered 10x or more worse than passenger car miles for funding due to maintenance? Why can't the VMT at the pump strategies be advanced to arrest the well-known funding impact of gas tax given improved CAFE standards and EVs? Why is the option of tolling ramp meters at peak times not considered as a means to encourage greater TDM, work from home, less short trips on the regional highway system? Why can't there be more policy and programs toward facilitating work from home (communication systems, complementary networks) rather than being silent or even expecting or encouraging return to the workplace reducing the need for expensive peak period infrastructure?

**ODOT/Metro Mobility Policies** - It feels if the numbering means anything having safety as #4 does not meet the public's expectations of investment. I would advance the top priorities should be - in no particular order safety fix-it-first, economic development. Transportation investment in these three meet the public's needs in an understandable manner.

**Guidance for Assessing Plan Amendments** - The emphasis still seems very vehicle centric in consideration. The completeness criteria seems to miss the community needs for direct paths, connectedness/access and seems to focus on vehicle trips/proportionate share. This is an example where added focus on the needs for walkers and connectedness or all road users could be expanded.. Agencies should consider walk system in the same light as the motor vehicle system in terms of connectivity, access, linkage to critical activities - schools, parks, trails, school bus/transit stops, commercial centers, civic uses. The only action noted for local agencies was mobility policy - very vehicle centric....agencies need to change land use approval process and project development process to be equitable with walking not just vehicles. It is not simply pedestrian crossings and crossing spacing (which are important). Gap filling, connectedness and linkages are critical and must be a part of the policy development in meaningful and quantitative ways.

**Draft Mobility Measures** - What is shown seems to target VMT, system completeness and hours of congestion without addressing the complexity of safety in this pursuit.

**RTP Funding** - Programs do not mention funding programs that allow discretionary action to be taken to advance gap filling and connectedness. Without funding, the inefficiencies of the existing system remain which produces barriers to the walking network development. When roadway construction is mobilized - small incremental investments in walking network connectedness can be efficiently undertaken using the large project bid units as cost control- but in today's project silos culture, these cost efficiency opportunities are wasted requiring re-mobilization of contractors and higher unit costs for smaller projects. It is not unusual in value engineering to devalue walking networks (taking trails down from 12 to 6 feet, not connecting projects to adjacent activities). Having discretionary funds for this purpose allows siloed project managers to remain "on-budget" and the walking network blind spots gaps to be addressed costs effectively.

**Walk Network Inventory** - We have excellent inventories of roadways, their elements, adjacent tax lots....why is it we do not know what the actual land use is on the tax lot in enough detail to articulate the walking trip generation? Or where sidewalks, crossings, crossing enhancement and trail connections are....yet have HPMS details? Agencies should have defined walk networks within infill areas defining how complete walking networks and connections are to be made - allowing private development to pay their fair share toward network in-fill. It is laughable to juxtapose affordable housing against sidewalk network completion (something whose incremental cost is hardly \$5000 when new houses are selling for upwards toward \$1M).

**Linking Salmonberry Trail to the Urban Area** - While specific projects do not seem to be in the RTP materials - when those lists are developed there should be no way that the urban off-road trail network of the westside is not fully integrated into the statewide trail network. Today's plans do not show integration of the system most residents deem valuable for walk/bike travel - off-road trails. Integrating all westside trails together comprehensively provides a walking/biking network similar to the interstate system for vehicle trips. But today actions are taken that block, ignore or fail to recognize the incremental steps to achieve this. For example, Salmonberry Trail (links to the Oregon Coast) and Banks-Veronia Trail are significant statewide infrastructure for the walk/bike system. How the Council Creek Trail, Rock Creek Trail, Waterhouse Trail, Tualatin Valley Trail, Westside Trail, Fanno Creek Trail, Red Electric Trail, Beaverton Milwaukie Trail and Tonquin Ice Age Trail. Reedville Trail and

Tualatin River Trail are inter connected - directly - to these statewide facilities and to adjoining transportation and land use projects needs definition. Example being in downtown Beaverton where apartment land use is being built without regard for the Tualatin Valley Trail at Farmington/Lombard. Given the in-fill development without parks, the need for these trails to service the community for park access and travel needs is ill-defined in lieu of congestion pricing, I-5 Bridge and numerous V/C - VMT countermeasures.

Thank you for your consideration. Take care and be safe  
Randy

---

**Ransford S. McCourt, PE, PTOE** | OR, WA, CA, ID-R, TX

Cell: [REDACTED] | [REDACTED] | Portland, OR | Calendar: [Availability](#)



---

**From:** Emily Meier <[REDACTED]>

**Sent:** Saturday, August 26, 2023 7:32 PM

**To:** Trans System Accounts <transportation@oregonmetro.gov>; [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** [External sender]Regional Transportation Plan

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

To Metro:

The most important things to consider in a regional transportation plan are the myriad climate crises we're all facing as a nation and, locally, the massive increase in vehicular violence against *all* road users, especially pedestrians. Any transportation plan in Oregon, where 40% of carbon emissions are from transportation, that doesn't foreground these issues isn't worthy of discussion. We need aggressive plans--even if short-term unpopular--to dramatically reduce driving and invest in: safely walkable/bikeable communities and public transit; government oversight/control of the exploitative, inequitable car insurance industry, such that people who rarely drive don't pay as much as, or more than, people who drive every time they leave their abode; congestion pricing; no more free parking on the public right-of-way; no more freeway expansion projects ever, ever, ever, especially not until we, as a state, achieve Vision Zero goals. We desperately need to invest in traffic safety over additional road capacity. This will mean slower and less convenient car commutes in the urban/suburban core, where other easily-used alternatives exist. And that's okay! The Portland metro area is very easy to navigate by bike and public transit for most users. Able-bodied folks, who are most folks, can stop crying about not being able to get around in all the ways most Europeans get around most of the time. This will free up road/freeway space for people who actually need to drive: deliveries, contractors, anyone needing to haul goods, going to a wilderness trailhead, etc. If we considered fossil fuel expenditures as a community, instead of as individuals, we would see this clearly. If we had, as a country, rationed fossil fuel use when I became a legal adult--30 years ago--I'd be doing just fine right now. Didn't own a motor vehicle til I was 37. Don't own a dryer. Grow as much of my own food as I can (on a regular city lot). Bike commute to all jobs I've ever had, including industrial jobs in far-flung locales (Swan Island; industrial Vancouver, WA, not served by public transit). I pay \$100/month to insure a 1984 vehicle I drive maybe twice a month, but live paycheck-to-paycheck. Am I the only one? Nah.

Two winters ago, in the aftermath of an icestorm, my work was closed, so I stayed home (unpaid) and lay on the couch reading a book all day. Out the window I saw a neighbor from down the block come and go in his van at least 7 times. Over and over and over. These were obviously extremely short trips. After an icestorm (!) There is no disincentive right now to drive like this anywhere in Oregon.

I've been biking for almost all of my in-town transportation for my entire adult--and some of my teen--life. It's not only not impossible, it's not even hard. In the 1970s the Dutch were headed in the same direction as this country: bloated car infrastructure taking over everything, vehicular violence; then the government there shifted to public transit and bikes, in a mixed carrot/stick approach. It worked.

Prioritizing freeway expansion projects and any other projects that foreground the expedited movement of motor vehicles is doomed to fail. The climate devastation future is coming for us all, whether you like it or not. Act like it.

Sincerely,

Emily Meier

**From:** [REDACTED]  
**To:** [Trans System Accounts](#)  
**Subject:** [External sender]RTP  
**Date:** Friday, July 28, 2023 12:56:42 PM

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Hello,

It is absolutely insane to develop a plan that'll spend \$68.5 billion and won't result in sidewalks everywhere and a bike network that is connected and protected.

To top it off the I-5 scam is getting more money than all of walking, biking and transit combined?

Why not just light all our trees on fire and go ahead and admit that you hate the environment? It'd certainly be cheaper than this ridiculous plan that triples down on the bad ideas of the past and takes us headfirst off the climate cliff.

All we ever hear is that there isn't enough money for bike and pedestrian infrastructure and you turn around and spend billions on ideas that have already been demonstrably massive failures.

I could continue but it's clear the time I'm spending writing this email is a waste of time because you can't polish a turd. Everyone involved in coming up with this monstrosity should resign and never again touch anything transport related again.

Pass me whatever it is y'all are smoking, I need it after reading through your apocalyptic plan.

Good day,

Adam Pieniazek

---

**From:** Cory Pinckard <[REDACTED]>  
**Sent:** Thursday, August 24, 2023 10:21 PM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]2023 RTP public comment

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Oregon owes a lot of its strengths to rail infrastructure, much of which unfortunately no longer even exists (including the Oregon Electric and Red Electric Interurban Passenger Railways, an elaborate and extensive streetcar grid they interfaced with as well as an integrated bunch of trolley lines.) The turncoat auto industry lobbied to have our taxpayer dollars funded passenger interurban and municipal routes torn out and paved over or else neglected into failure after privatization in acts of premeditated sabotage and treachery; this is before they further betrayed the nation by moving manufacturing out of country decimating the American workforce to only be rewarded for this sedition by being subsidized by our taxes along with being bailed out multiple times only for the executives to pocket the money we were taxed for their personal profits of plunder and pilfering pillage. The further we move away from the logical layout provided by streetcar grids and electric commuter interurban railroads the uglier and less livable the city and its suburbs become. An intelligent coastal city would take advantage of this limited time of people crowding in to install city assets that will benefit us for generations such as a rail route beneath the Willamette meaning the Steel Bridge won't break the light rail circuit interrupting all MAX lines every time it lifts, and railway going between Vancouver and Portland when the new bridge is finally finished. I-5 should be buried on the inner east side stretch to make the area tolerable and reclaim space for the Black community to rebuild their community they had stolen from them. The WES should expand to extend down to Salem reuniting the Portland metropolitan area with our capital. It makes perfect sense to build the full Southwest Corridor (Purple) Line with railway stations on Marquam Hill and at Portland Community College Sylvania Campus, for example, and zero sense not to.

Electric cars also destroy the environment through resource mining, manufacturing processes and ultimately going to the landfill in mass droves. The pollution they cause is simply unnecessary as is the amount of urban space squandered on parking and other paved over autocentric wastes. MORE VEHICLES ON THE ROAD MEANS MORE AVOIDABLE DEATHS WILL CONTINUE TO CONSTANTLY OCCUR! They also

perpetuate redlining, urban sprawl, the food deserts that come from that invariably, along with cities that are not navigable as a pedestrian or bicyclist and are, in fact, inhospitable to humanity along with being lethally horrendous towards animals. They add to traffic congestion. Commodification of societal needs and normalization of trying to substitute rampant consumerism where we need standardized, regulated and uniform public utilities doesn't work.

Putting the financial burden of transportation inefficiently and directly on the individual citizen is simply not wise or fair and hasn't been the norm for even 80 years. We need to invest in commuter rail that's properly implemented as it typically is overseas. A commuter rail system is an engineering marvel while buses are just buses. The most reliable predictor of a neighborhood being impoverished is if it has no commuter rail connection. The American people are apathetic through decades of disenfranchisement and a lot of that marginalization (eg Robert Moses's racist urban renewal) is through divestment of public infrastructure, utilities and programs to help the American people. We can't undo the social inequities inflicted upon and retained by redlining until we transcend the highway robbery carcentric built habitat that physically structurally reinforces them. We're past the point of car dominated transportation being anything better than a tragic hindrance or an outright travesty. Public works materially improving life for the taxpaying citizenry will bolster civic pride.

Transcontinental High Speed Rail should integrate seamlessly with commuter rail networks so it can evenly function as one cohesive system and this will convert flyover country (CONUS flights should be virtually eliminated) back into a thriving heartland by functioning as an artery of commute and commerce which will reduce clustering on the coasts. Similarly, wholly integrated circuits of commuter rail blended with interurban routes, light rail lines, street car grids, subways, and even trolleys along with electric ferries functioning together as a comprehensive, coherent series of interwoven systems would prevent people from having to live on top of each other in city centers in order to have quick access to urban cores and downtown areas so this would stimulate our local economies and prevent gentrification from demolishing cherished heirlooms of our historicity, destroying our classic neighborhoods, shredding the fabric of our communities and toppling our civic landmarks and architectural heirlooms along with other social capital such as venerable culture generating venues. We lost so many marvelous structures for nothing more than mere surface lots as our city was hollowed out on the heels of white flight to the lily white, poorly planned suburbs. Whole swaths of communities were obliterated in a racist/classist attack on the people of Portland and we lost entire neighborhoods along with cultural centers such as the Jazz District, our Italian and Jewish neighborhoods as well as other minorities who weren't even assisted with any sort of fair, decent assistance to relocate. The absolute annihilation of our city still adversely hinders us collectively to this hamstrung day, and the groups targeted, intensely even if so many folks don't know enough to connect the dots of cause and effect.

Numerous studies show that built environments of homogenously bleak and bland duplitecture dreck that profiteering developers push on us for their privatized gains to our public loss for the riches of themselves and corporate slumlords not only cause homelessness from being financially inaccessible to most Americans, but also cause depression from creating such a devastatingly sterile, cold, unloving urban habitat that's too congested and overcrowded to work properly as a correctly engineered built environment. Our roadways are overcrowded and no amount of widening them and adding lanes will do anything to help it because it just leads to induced demand that inevitably grinds to a halt at snags and bottlenecks down the road. Shouldn't American cities be thriving centers of culture and character rather than austere and chintzy morasses of mediocrity?

I believe that we can design the cities of our nation to reflect a future that embraces humanity and that we also must for America to have any sort of a bright future ahead of it. Right now we are mired in the destruction of our cities from the inward attacking neocolonial oppressors who weaponize their clout of wealth against the nation for their own off-shore un-American gains of privileged, parasitic, private profits. This greed fueled anti-social exploitation is present day feudalism driving us into another gilded age. Tons of new petrochemical building "luxury living" housing units remain empty serving only as financial assets in investment portfolios of hedge fund, "private equity" and permanent capital firm cretins sheltering dubiously acquired wealth instead of as direly needed shelter for humans. We deserve a landscape we can be proud of and country should come first before corporate looting and exploitation. Legacies are important and live on forever.

With space opened up in our cities we could rebuild beloved structures now gone missing from economic and environmental disaster utilizing new technologies such as hemprete and 3-D printing. We could create vertical agriculture, green pocket areas, etc. on spots currently now just serving as paved over squares and nothing more. 20% of Portland is parking lots and paved over area not even suitable for that inefficient usage. We can extend democracy into offering the taxpayer residents democratic say in what their city consists of, how it looks and how it operates promoting civic engagement and participation.

Thank you,

Cory Pinckard

## **RTP Summary Comments**

### **Chapters 1 & 2**

### **G. Rosenthal, District 3**

**Note:** These comments are intended to strengthen the proposed RTP. Explanations of specifics are available as needed.

1. Chapter 1 is a better place to list antecedents and regulatory framework than the release Resolution.
2. Figure 1.1 needs reworking - it is inconsistent and should include the SF Bay area.
3. The section should emphasize that Metro is the entity responsible for an area-wide vision (w/ C-TRAN) so that individual cities can focus on specific internal needs.
4. Figure 1-7 can be expanded to show TPAC and JPACT milestones to current.
5. The references to 2040 Growth Concept (1.5) ( should note that the concept as written needs to be “refreshed”, particularly regarding: a) the emergence of new major centers; b) new development options and standards with more neighborhood communities; c) much stronger emphasis on “readiness” for industrial and job lands; d) the emergence of large scale development on the western UGB edge; e) the failure of the eastern periphery to develop rapidly; and f) emergence of s southern tier jobs area that impacts the northern Willamette valley.
6. VISION - Vision is more than a set of values, lifestyle objectives, and general constraints - it is actual visioning of the physical system at some point 20-40 years in the future - it is a projection of the ideal connections of transit, thoroughfares, marine and air systems.
7. The continuing trends for equity problems (2-1) needs better documentation...actual displacement has been replaced by gentrification impacts.
8. A better description of the hierarchy of partnerships (2-1) would be helpful.
9. Performance Targets (2.1), as presented are general “performance concepts” since goals like “vibrant” and “economic prosperity” are difficult to quantify on a community basis.
10. The existing 6 system goals are good but it is not clear they entirely capture the goals of “resiliency”, “efficiency”, and “system integration”.
11. As noted on VISION - it seems to me that in addition to an overarching vision statement and goals and outcomes, something of a physical vision is also needed since we are talking a physical system.
12. Mobility Options (2.3) seems to add new categories - “affordable and welcoming”...perhaps this deserves elaboration
13. System Completion - I would recommend a “gap” analysis specifically focused on the major employment lands.
14. Freight mobility is critical but needs to be clear that it includes “goods and services” - such a UPS, USPS, and service vehicles.

15. VMT is something of a red herring since if we were to go all electric, it would be much less of a priority...it should be applied only to fossil fuel vehicles.
16. Throughway Reliability is critical but we need a clear list of “Current” and “Future” throughways along with specific locations, connections and congestion points,
17. SAFE system (Goal 2)...is an aspirational goal...given human nature we will never have zero; SAFE also needs to deal with personal safety when riding common transit; “Harassment and intimidation” elimination should be goals along with crime and terrorism.
18. Goal 3 -Do we have data that show marginalized communities have transportation disparities that are the result of the system...it seems marginalized communities have more transit and throughways (freeways) are quite “democratic”, something that needs to be kept in mind when tolling.
19. Add a section on Regional Equity (Goal 3) - i.e. system costs and performance should appear approximately the same for travelers in all regions.
20. Goal 4 -As noted previously, each major employment area need s “transit access” analysis and specific goals.
21. Thriving Economy (Goal 4) - in general this is aspirationally good but lacks concreteness...i.e. a description of the difference each mode plays in an economy; I would suggest new wording - “to provide efficient (energy and time) flow of people and goods as needed to support a complex and robust economy”
22. Access to Jobs could use some estimate of the time of travel parameters and discussion of relevance (and comparison) of different modes; it should also be expanded to reference education and training.
23. Housing - do we have guideposts like we do for rent (30%), i.e. transportation should not account more than x%? or can we put it in terms of Minimum Wage work? { e.g. a minimum wage worker should not spend more than \$2000/year}
24. Goal 5 - Items to add on climate and resilience include 1) making sure earthquake routes are resilient, 2) avoidance of environmentally sensitive areas, and 3) multimodal options and redundancy in case of emergency.
25. Climate Friendly Communities (5.2) - this goal is irrational since there will never be many family wage jobs inside the communities; the focus should be on HFT and HET and competitive times with vehicles.
26. Combine 5.4 and 5.5 ..& there is a simpler way to say it viz. “Do Not Build Transportation Facilities in Ecologically, Culturally, or Historically Sensitive Areas if ANY alternative exists.”
27. Green Infrastructure (5.4/5.3) - we should add concepts for “adaptable, flexible and redundant technologies that guarantee personal privacy”.
28. Mobility (Table 2.1) - the problem in this section is that we do not give numbers: “triple what?” and making transit and vehicle time-equal is not very likely. The access to options does not identify a “base year” and we should define radius goals for each mode.
29. Safety (Table 2.1) - as noted above, %’s in goals only means something if we also list the baseline.

30. When we talk about throughway reliability we need to specify the stretches that add to the 4 hour limit....the Hwy 26 tunnel must be included.

General Comments

31. Job Centers - as noted, each job center should have a special section with goals and gaps identified.
32. Where are the climate goals for emission reductions from heavy vehicles and a goal for electrification by vehicle sector. Should we state that a “throughway” goal is 45 mph as an optimum GHG reduction speed?
33. Finally - the only way to make sure we stay on track is to “test” each “strategic” project to see if it meets the goals...this is arduous but probably necessary for all projects that are regional - local projects can use a simplified screening.

## RTP Chapter 3 - System Policies to Achieve our Vision Summary Comments G. Rosenthal - July 13, 2023

**Overarching Comment #1:** This is a comprehensive document and represents a great deal of work. It seems structured to meet, specifically, the requirements of federal agencies for funding. This is appropriate, but as such, it is not a “working” tool for regional vision project development and implementation. An Action Vision Plan may be needed to summarize the detail in the RTP. Overall the document contains roughly 89 policies. Many of these are useful but there is a tendency for overgeneralization and making policy statements that are more “common sense” than practical...e.g. Ch. 2.3.4 # 4 which says “make safety a consideration in all projects and avoid making unsafe conditions worse”. The biggest problem is that the chapter leaves little sense of how different policies for different aspects will be integrated and/or prioritized and the sheer number of such policies makes it very difficult to track compliance or progress. A main comment would be to look for and to reduce the sheer number of words, keep sentences shorter, and try to eliminate repetitions. In addition, some effort might be made to ensure that terminologies are consistent throughout (e.g. consistent definitions for throughways and for bike routes. As noted, a shorter “working document” might be needed to facilitate compliance.

1.) Purpose: This could be tightened up. Chapter 2 provides a transportation “vision” only insofar as general aspirations, and not in terms of what a system might actually look like.

2.) 3.1 We might consider marine facilities separately since they are “endpoints” and not really part of the system...except for things like a water taxi or ferry concept. A short section on marine facilities might be appropriate.

3.) Figure 3-1 is nice but not very instructive and the 2040 needs (desperately) a “refresh”. Figure 3-23 which shows the system could use some changes: i.e. use the Throughway-Expressway and Throughway-non-Expressway concept on the map...and the figure is too busy. I would suggest 4 maps, each covering ½ the area, one for Throughways/Major Arterials and the other set for Major Arterials/Minor Arterials/Other

4.) I think it is important to consider 8 interconnected networks. These are interconnected but not all connect with all the others:

1. Interregional vehicle highways plus regional rail (connect to 2, 7, and 8)
2. Intraregional highways and rail (connect to 1,3, 7 and 8)
3. Arterials - main and 2ndary with regional trails (connect to 2,4 & 6)
4. Local streets including ped/roller/cycle an local trails (connects to 3, 5 and 6)
5. All ped/roller/cycle routes (connect to 4,4, an 5)

6. Transit routes - HFT, HET, bus, MAX, commuter rail (connect to 4 and 5 with minor connections to 7 and 8)
7. Freight rail and rail hubs (connect to 1,2, and minor to 3)
8. Air and marine hubs (connect to 1,2,3 and 6)

5.) 2040 Growth Concept as mapped is no longer relevant and needs a “refresh”. Items that have changed: importance of regional centers, new density patterns, areas where growth has occurred, and new land use and development laws; employment lands now dominates “industrial”.

6.) Table 3-2 - It is arguable whether these strategies have been followed since rights-of-way have not been well preserved. Also, focusing on “bottlenecks” is a “developed area” issue and not appropriate for “undeveloped areas”. Congestion pricing is not referenced nor do we list “stable O&M funding” as an investment strategy (e.g. invest in a VMTax system).

7.) Equity 3.2.2 - These policies are mostly reasonable but we do not identify specific gaps (needs) or programs to alleviate them. I would also assert we need a policy that strictly forbids “displacement” except under certain defined needs (common good). These policies are covered in the Strategic Plan. We might also discuss whether reparations might be needed.

8.) Safety also needs to address “harassment and intimidation” i.e. psychological safety. We do use the concept of “welcoming” later, but this is a bit too broad.

9.) ZERO deaths and major accidents is a good goal but not achievable in reality...the variables that contribute to safety need to be discussed along with strategies for improvement: a) system design, b) system construction, c) signage, d) vehicle construction and equipment, e) laws and regulations, and f) enforcement. Section 3.2.3.4 seems somewhat repetitive and seems to rely too heavily on speed and the only controllable factor.

10.) HICs - I would suggest at least a preliminary assessment of the major HIC’s, i.e. a listing and summary of probable causes.

11.) Climate Action - 3.2.4.2 is generally good but the climate impacts of “tolling” “congestion management”, and “diversion” are not discussed. Climate Smart monitoring will be different for different types of corridors.

12.) Preparedness and Resilience (3.2.4.5) - it would be helpful to list the key “resilience” corridors and their gaps, along with the levels of resilience for different types of emergencies. Major thoroughways (expressways) need the highest level of resilience. Tolling- I would expand this to discuss pricing (tolling) and VMTax methods since the legislature has already identified the VMTax levels needed.

13.) On p 3-39 we make the statement that equity focus areas show the main impacts of congestion. I do not think the data support this.

14.) VMTraveled has two key aspects: one is that it is a measure of transit adequacy; the other is a measure of emissions. As we transition to EV's, the climate (emission) importance dwindles. This could be mentioned.

15.) I disagree with the discussion on "reinvestment" since it leaves out O&M, diversion, transit, or multimodal options.

16.) Table 3-4 is good but it would be helpful if some sense of priority among the 33 "actions" were provided.

17.) 3,2,6 Mobility - Equity remains an issue but my experience indicates the prime nexus is around safety. We can, and should, adopt a No Displacement policy and perhaps even a "reparations" policy for past displacements. I have suggested that a portion of tolling along the Albina corridor be used to create a Reparations Fund.

18.) Efficiency - This section could be expanded to include discussions of new battery technology and perhaps a discussion of each jobs area and the housing availability within 0.5 travel hours.

19.) Access and Options - there would seem to be a natural hierarchy in this discussion, to wit:

- 1) Home to Jobs and back
- 2) Homes to Basic Needs and back
- 3) Homes to Education/Training & back
- 4) Homes to Medical/. Dental and back
- 5) Homes to Recreation and back(social interactions)
- 6) Other

20.) Reliability - this is a good concept but could include some practical metrics, e.g. transit should not be x% longer than individual vehicle travel. People make transportation choices based on cost, time of travel, and convenience. One thing most people do not calculate correctly is the actual cost of personal vehicle travel compared to transit.

21.) Table 3-5 - The dichotomy of types of Throughways (Xpress and non-Xpress) is useful and should be used throughout the document. The VISION should anticipate which (if any) non-Xpress routes might be converted.

22.) Mobility Policies - perhaps we could elaborate on the priorities and hierarchies, .i.e. safety is more critical for local project evaluations whereas completeness may rank higher for regional system projects.

23.) Table 3.5 is very useful however the concept of travel speed is more complicated than indicated and has some options. It is not beyond our capacity to list the major congestion hot-spots - approximately 12 regionwide. Here are two options:

Option 1: Specific Congestion Area Criteria - in this case, the 35 mph standard (it should be 40 mph) would be applied to each of the designated critical congestions loci (about 10-12) ...a target of no more than 4 hours per week (or no more than 1 hour per day) and provision for developing specific plans (using all tools) for each area of non-compliance.

Option 2: Cumulative Area Criteria - the 4 hr/day (for each direction) is applied over the entire area (10-12 monitoring allocations). Regional non-compliance would be analyzed and management solutions proposed.

Personally I favor Option 1....but this is arguable. Real time monitoring and data synthesis systems would be an investment.

**Overarching Comment #2:** The legislature has decided on a VMTax level of 0.01 to 0.015 to support the statewide system; some analysis of how this would affect regional planning and project development would be useful.

24.) I am curious why Tables 5-22 and 5-23 are not included in this section where they are referenced. Additionally, for Table 3-5, a “baseline gap analysis” would be useful to reach the goals of Step 5.

25.) Figure 3-11 is nice but each layer should have a reference to the Figures where they are located.

26.) Figure 3-13 might be enhanced by showing areas of constraint...i.e. area where a corridor might be needed and also areas that are currently at capacity; showing the mobility connections to outlying jurisdictions would also be useful (e.g. Newberg, Woodburn, Canby, etc.)

**Corrections:**

- Milwaukie and Lake Oswego are not in the same node
- Clackamas to Portland Central does not go through Lents
- PDX needs to have a separate node due to its broad importance (passenger, freight, emergency response)

27.) 3.3.1 - Design Policies are good but some clarification on how they can be adapted to corridor needs using different goals would be useful, e.g. throughways have different design goals than local streets; the policy statements are a bit over generalized - some of them (2 and 6) seem to state the obvious.

28.) Figures 3-21 and 3-22 are inappropriate to use as models and should be replaced by geographically driven sketches. These grid concepts contain valuable guidelines in terms of route spacing, but the Portland region, other than

the near eastside, is strongly influenced by geographical barriers. The need to adapt within general parameters is not discussed. In particular, since our thoroughfares are often closely parallel to major arterials (e.g. I-5 and Barbur, I-5 and Interstate, 217 and Hall, I-205 and 82<sup>nd</sup>) and since physical barriers dictate the pattern, this subject deserves some discussion. Figure 3-24 is also inappropriate since it does not reflect out real geographical constraints.

29.) Consistency is sometimes overrated, but the concept of 2 tiers of throughways (Table 3-5) seems like a standard that should be consistent throughout. Table 3-8 might be adjusted to use the same terminology.

30.) Regional Network Policies - some of these are very useful, e.g. #8 and #4 but some of the others are very wordy and state the obvious, e.g. #1. Policy 9 is also obvious since the opposite makes little sense. Also, 50-word sentences, as in #10 should be avoided where possible

31.) Congestion Management (3.3.4). It is not clear to me that we ever discuss the locations and impacts of actual congestion. For each “congestion” hot spot, a different set of solutions might apply as outlined in Table 3-9.

32.) 3.3.5 Regional Transit - in my opinion, we are missing policies to “make transit more efficient using all available technical options”, and to “make transit a key element of GHG reduction strategies”. The policies in 3.3.5.3 are somewhat broad and somewhat repetitive (e.g. 1,4,and 6). Perhaps it might be useful to identify key policies for each type of road or transit type, e.g. #5 applies primarily to bus, and #8 could identify the specific target destinations.

33.) Comments on Regional Freight (3.3.6.2) are similar to other policy elements, i.e. we should be more specific where possible and avoiding redundancy. In particular, different policies or a different set of options apply to rail freight and vehicular freight, e.g. a policy to move rail-truck freight connections away from large residential centers or develop rail-freight connections that permit rapid and efficient transfers of goods, might be useful

34.) It is notable that the rail network for the Tualatin-Sherwood-Wilsonville complex is not shown. There are two lines in this area that have impacts on other transportation corridors.

35.) I found Figure 3-33 confusing since we have not previously introduced the concept of “Regional Bike Parkway”. Also, a key element is the interconnectivity of regional and local routes and specific policies on these connections (including multi use, jurisdictional, and safety elements) should be clear. I would also suggest a different line pattern for “regional trail” (perhaps a wavy line).

36.) 3.3.9.2 Regional Pedestrian policies - good policies but not easy to measure and/or implement.

## CONCUSION

This is as far as my endurance lasted. I understand that we need all of these elements to meet federal approval standards, however, I think we also need a companion document that abstracts the key elements of each subject area in a practical fashion so it can be a guide when evaluating specific project proposals. The RTP (Chapter 3) as written provides too much discussion about all details and this makes practical application in reviewing specific projects difficult.

**Oregon Metro**  
**2023 RTP – Chapter 4 Review**  
**G Rosenthal**

General Comment 1: Chapter 4 is an important section with critical supporting analysis that is key to understanding the overall direction of the RTP, specifically including demographic and post-pandemic trends in travel and transportation use.

General Mapping Comment:

Many of the figures in this section are at a scale that is too small to be useful in analysis or review. The font in the “draft” document needs a magnifying glass to be read and the figures are very busy with many difficult to distinguish color keys. It is strongly suggested that the “gap analysis” figures (4.3 thru 4.6 plus 4.19), especially, be, at a minimum, full page figures. It would be better if each had 2 maps, one for the east side and one for the west side. We tend to consider E and W sides as similar but they are structurally, historically, and topographically very different and the RTP needs to identify these differences.

General Comment 2: Purpose – This section is a bit hyperbolic. The assertion that we have a world class transportation system is belied by later data noting that most elements are only 50-65% complete. This section should also note some of the particular natural challenges that include major river crossings and a mountain topography that bifurcates the region, each of which constrains transportation systems. And since the document is future looking, a brief paragraph about seismic vulnerability (including particularly sensitive areas) and resiliency would be appropriate.

Detailed Comments: (note: more significant comments in bold)

1. Although Mobility is a key element, I believe Economy is the primary transportation factor and should lead the discussion. Historically, economic needs drive the creation of transportation systems.
2. Section 4.1.2 – (note this is repeated for System Completeness) It would seem we should make projections for future travel now that we have some post pandemic data, e.g. high and low estimate for each sector demand, e.g. an extension of Table 4-1 showing high and low projections for 2030, 2035, and 2040.
3. Figure 4.1 is very useful, but it is unclear whether “throughways” includes both classes – i.e. express and non-express. As noted, consistency in terminology was not a strong suit in the 2018 RTP.
4. Figure 4.2 is illegible at the small scale presented – if it is important data, it needs to be legible.
5. Table 4.2 has footnotes that are not shown...more importantly, the fact that only the highway system is @ > 66% complete makes it hard to assert we have a “world class” system.

6. **The GAP analyses as shown in Figures 4.3—4.6 + 4.19 are very important but they should be categorized into 2 or 3 levels of strategic significance with a clarification of the criteria for being strategically significant. The most significant gaps for each mode should be provided in Tables. As noted, presented as ½ page figures, these analyses are pretty but useless.** E.g. For Transit Gaps, a short table showing the key transit gaps (strategic) would help illustrate the level of significance and prioritize projects.
7. For Pedestrian Gaps, some explanation of the difference between Trail system gaps and purely Pedestrian routes should be included. It is unclear whether some pedestrian gaps, such as those shown across the Tualatin Mountains, should really be considered as pedestrian gaps or as trail system gaps. It seems that a pedestrian route of transportation significance is likely to be  $\leq \sim 1$  mile, so any longer gap is more likely a “trail gap”. It can be argued that “trail gaps” are recreationally but not transportationally significant.
8. Figure 4.5 needs further clarification to make it clear what defines a bicycle gap that is not a “trail gap”, i.e. are these gaps determined by incomplete street facilities or signage and which trails are primarily recreational. I would suggest a distinction between transportation access trails and “recreational trails”.
9. The Regional MVN map needs to be broken down into the basic categories as used in Section 3 – viz. (a) Throughways and Major Arterials and (b) Minor Arterials and Local Streets. Group (b) should have east and westside maps.
10. **It seems unproductive to deal with EFAs as a singular group when, as clearly shown on maps, they are (at least) bimodally distributed and each area has unique characteristics. I would suggest an eastside vs. westside EFA analysis particularly regarding such factors as a) frequent and regular bus miles, b) transit gaps, and c) bike and pedestrian gaps per i) area, and ii) per 1000 population. This analysis could be extended to other isolated EFA zones.**
11. Safety (4.2) – the goals are great but none of the trends are good except bicycles. The discussion should make it clear whether accidents for motorized scooters are included. Some analysis of Figure 4.10 would be appropriate regarding why rates are constant for Washington and Clackamas Counties but not for Multnomah.
12. A further discussion of potential reasons why bicycle injuries show a declining trend and a projection of whether this trend can be sustained would be useful. Perhaps this is due primarily to lower ridership or perhaps due to better systems and signage.
13. If data are available on the efficacy of new driver alert systems in cars, that might be a useful addition. This is an important aspect of “new technology” planning and adaptation.
14. High Injury Corridors and intersections...as noted elsewhere, a policy to transition high injury intersections to roundabouts where feasible would seem to be called for.
15. **4.3 Equity – Figure 4.13 is important and perhaps deserves more explanation, particularly noting that starting 1968, discriminatory practices have been systematically eliminated by many actions. The significance of each of these (gold circle) actions should be discussed with the analysis leading to a discussion of whether significant gaps remain and what additional actions are needed.**

16. As noted earlier, transportation gap analysis for EFAs needs to consider the per area and per population metrics. It may be that some segments of these areas are relatively well served, thus providing guidance on which areas deserve more focus on mode accessibility.
17. As noted previously, there are at least 2 EFAs, although it could be further argued that Beaverton and Hillsboro have separate characteristics, and that the eastside EFA is not monolithic in character.
18. Figure 4.19 (too small) is illustrative in that it appears there are significant transit gaps in the northeast area, but few in the southeast portion. Similarly on the west side there are two areas with fewer transit gaps shown, although this might be an artifact of the lack of “planned” transit activities. Subarea differences could have a future impact on prioritizations.
19. In the discussion of transit competitiveness with driving, it would be helpful if any regional/national studies could be referenced regarding the travel time decisions that are made, i.e. what travel time exceedance for transit is generally acceptable? (10%, 20% ?).
20. Table 4-5 seems to indicate that EFAs are similarly served to non-EFA areas for both vehicular and transit access, hence there are no major equity gaps to be remedied.
- 21. Analysis of traffic crashes and fatalities by EFAs and non EFAs also needs to provide data on the basis of population and area. The data for populations for EFAs and non-EFAs are not provided. Again, a separate analysis for east side and westside EFAs is warranted.**
22. Figure 4.26 shows that approximately 50% of the 200,000 people living in peripheral areas (i.e. 100,000) commute into the areas. This is significant and would indicate that a discussion of peripheral region impacts is warranted.
- 23. Nowhere in this section is there any discussion of the need for additional data collection and/or monitoring (i.e. data gaps) or the role of enforcement, particularly regarding safety.**
24. The analysis of VMTravel (as opposed to VMTax) needs to expand to discuss both aspects of pricing ...i.e tolling and VMTax programs. Both would have effects on VMTraveled and on GHG emissions.
25. I would suggest a “conclusions” section to summarize key findings of this since this is the key data analysis section.

## 2023 RTP Review

### Chapter 7 - System Analysis

#### G. Rosenthal - Metro Council

General Comment #1: This is an important section and Table 7-1 is valuable. It is unclear whether these data are for just the Metro jurisdictional area or the entire 3-county area and/or whether data for Clark County is included. Some of the categories need a bit more explanation, e.g. “pedestrian network miles” since it could be assumed that all sidewalks should be part of the count.... i.e. what defines the pedestrian network? Similarly, do “throughways” include expressways and non-expressways? I would suggest a few footnotes and perhaps it might be good to break down transit into rail and bus.

I recognize the considerable effort and creativity has gone into finding metrics that adequately reflect the 5 “vision goals” that apply to the RTP so these comments are not meant as criticisms but as efforts at refinement. However, this review is posed as a series of challenges to consider major elements in a different light, in addition to comments on the text.

Challenge #1: It can easily be argued that the single most critical congestion bottleneck in Oregon’s transportation network is I-5 congestion between Portland and Vancouver. The challenge is twofold: ONE is to make this a separate section of the RTP and to quantify both the current economic and social impacts and also to set separate metrics for improvements in this zone, e.g. no more that 2 hours at less than 40 mph per day, each way- or an 80% reduction in current congestion delays. The 2<sup>nd</sup> part of the challenge would be to clearly show that the projects included in the RTP, including the bridge replacement, Albina widening, tolling, and MAX extension are capable of achieving this goal. It is not clear that these projects will be sufficient without explicit analysis. Without specifically addressing this very critical component of the regional transportation system, the RTP MUST BE CONSIDERED a failure.

Challenge #2: It can be argued that the Hwy 26 Tunnel congestion locus is the 2<sup>nd</sup> most important “choke point” both for the economy and for people. A similar argument (to I-5) can be made that without detailed analysis of this need, without explicit achievable goals, and without a specific suite of projects that demonstrably will achieve the goal (at least projected), the 2023 RTP should be considered to be incomplete and unsuccessful. The arguments and consequences of failing to solve or plan for the Tunnel problem are almost as severe as for the I-5 situation.

## 7.2 Mobility

The data in Table 7-2 speak for themselves with a couple of points of question.

#1 - if only 41% can access jobs by car and only 7% by transit, how do the remaining 52% get to work and why is the % for driving dropping? #2 - What needs to change so transit completeness increases by more than 3% over 25 years? #3 - Although ped and bicycle network near transit improves, this does not seem to have a significant impact on overall access? This is counter-intuitive. #4 - It seems odd that, by 2045, 67% of jobs will be within walking distance of transit, but only 8% are listed as accessible? Ten of 15 criteria are not reached, and 8 of those fail by significant margins. By what standards is this acceptable?

Challenge #3: I challenge the assertion that the motor vehicle network is 99% complete. There are significant gaps in the system that are not being identified and which are expressed in congestion and lack of access to jobs. In particular, a complete motor vehicle (and transit) access along the western edge is not planned, nor is an access route to supplement/replace the Hwy 26 tunnel, nor a complete economic route along the eastern UGB edge to access potentially developable lands, nor an additional vehicle or transit crossing of the Willamette River to permit local access in addition to I-205, nor explicit HCT to Oregon City and West Linn.

Challenge #4: The listing that the transit network is 73% complete is quite misinformational, since it conflates bus and rail routes. The rail transit system is significantly less than 73% complete considering the SW corridor, improvements on WES, connection of the ClackamasTC and Milwaukie lines, extension of MAX to Oregon City, use of the Shoreline Trolley, and connection of the SW corridor to WES.

### 4-hour 35 mph Criteria

As noted in review of Chapter 3, this criterion has different interpretations and also depends on the number of “congestion” spots that are identified. One interpretation would be that no “congestion” spot should violate the criterion (I think 40/30 would be better) on more than x days per month, and the other is, as noted, what % of the set of “congestion” loci fall below. This % depends a lot on the number and locations chosen. Some locations, e.g. I-5 in N Portland tunnel and the Hwy 26 should never be > 4 hours as a goal, and, as noted in Challenge #1, should have their own metrics and specific plans for achievement.

## 7.3 Safety

This section is somewhat hard to interpret since goals are not available and improvements are hard to predict. In addition, safety depends a lot on both automotive and monitoring technology as well as signage and enforcement which are

not factored into the analysis. Human nature and response to specific sociometric events are very hard or impossible to predict, e.g. the rise in unsafe driving during the pandemic. It would be useful to identify projects that involve both capital and technology spending. Further, we know some specific actions and design options that are less risky, such as roundabouts, and separated bike/ped lanes, and improved signalization and lighting to crosswalks that are safer alternatives. It will probably be necessary to create regional programs that go beyond simple jurisdictional lists that enhance these alternatives regionally as priorities.

### 7.3 Equity

There is an interesting section in that 6 out of 6 criteria already significantly exceed target levels. This comports with the common perception that bus service tends to be most complete in neighborhoods with lower incomes and hence, fewer private vehicles. Safety discrepancies remain and these can be addressed in safety measure programs with focus on equity areas.

Challenge #5: I challenge the validity of the criteria related to jobs in equity focus areas since these areas are generally not suitable for significant regional job development. Nonetheless, it appears that targets are being exceeded and economic programs to convert Brownfields may be part of the solution. This could be used as a metric. A companion statistic that is needed would be the number of regional jobs that are currently present in equity focus areas.

#### Equity Focus Areas:

An additional point, as noted in the review of Chapter 3, is that there are two distinct equity focus areas, East and West, and there has been no demonstration that they should be treated as a singular equity area.

Finally, although the observation that driving continues to offer more efficient access to regional jobs, although correct, is uninformative when what is needed is a program, especially in these areas, to reduce the time differential. Frequent and rapid bus may be a partial solution but regional efforts at a comprehensive program might be necessary. Workers choose transportation mode based on time of travel, cost, convenience, and perhaps safety. A comprehensive program may need to address all these components, and, in addition, public information to address misperceptions.

### 7.5 Economy

Caveat: These analyses may be modified when the Freight and Commodity Movement Study is available for review.

This section is somewhat difficult to evaluate since the metrics are somewhat incomplete, although it appears that about 50% of the metric targets can be met with the current proposed projects. The question that need to be answered by the RTP are: 1) what are the economic impacts of not achieving the goals, and 2) if this is not acceptable, what are regional options that could met the goals>

Challenge #6: I question the relevance of bicycle network statistics within economic and job areas, particularly as applied to areas like Rivergate, Swan Island, Hillsboro and Tualatin-Sherwood-Wilsonville. In general, people will walk from transit stops to jobs but the network of bicycle-like options has not been developed. A regional proposal for development of “last mile” cycle/scoter bases for transfer from transit to actual job centers might be appropriate. I note that SMART has a particular job-shuttle option in some cases. If the bicycle completeness statistic also applies to other individual transportation modes (e.g.e-scooters), this should be noted.

Challenge #7: The metrics for travel times need further explanation to account for overall populations increase. The text notes that 23% population increase is forecast and so the 1.6 to 3.8% increases represent general improvements, however, this will depend in large measure on the targets for congestion times as not yet developed under Mobility. This is particularly true for freight and service economies since, in these cases, increases (or lack of reductions) in congestion can easily be translated into economic impacts.

It should be noted in the text that transit actually has little impact on economic impacts related to the movement of goods and services, however, rail hub development regionally, which is not proposed in the RTP, could have significant impacts on these aspects.

## 7.6 Climate and Environment

This section seems somewhat problematic in that my understanding is that new state standards call for up to a 50% reduction by 2045. The actual state and federal goals should be stated clearly, including most recent governor level standards.

Challenge #8: One metric shows a 20-30% reduction in VMT per capita, in the face of a 20-25% population increase, thus implying that net VMT will increase. Of course a 50% conversion to electric vehicles will cause a significant GHG reduction, but this is not clarified. More importantly, it is hard to square the projected reduction in CO[carbon monoxide] (Query - do we mean Carbon Dioxide?) emissions (approximately 70% reduction) considering other metric information that show very little change in private vehicle vs. transit use over this period.

The metrics for particulates deserve further explanation since the listing of total emissions at 35 lbs. makes no sense for the region as a whole, unless it is referenced as to a specific time frame I (e.g. lbs. per hour).

Suggestion: It would be helpful if some discussion about the contributions from the industrial and business sectors compared to individual vehicles could be added. There are goals for reduction of private vehicles but diesel powered vehicles and equipment are significant contributors to volatiles and particulates. The overall goal, in my opinion, should be phase out of all such equipment, as technically feasible, by 2045 at the latest.

#### Regionalism

Again, as noted elsewhere, there are regional approaches that might be proposed and that lie outside of the purview of individual jurisdictions. These will have to be proposed by a regional or state entity and so reference to the STS might be appropriate.

Further explanation of the elements of the STS that would permit VMTraveled levels to be reduced by about 33% between 2030 and 2045 would be helpful (Table 7-1) as well as an analysis of the major elements of the 2023 RTP that interact with the STS.

#### Technology

It should be noted that substantial conversion to EV technology, especially if it is accompanied by newer and less emitting battery technologies, will make the VMTraveled a less reliable indicator of GHG and other pollutant emissions going forward. Considering the more or less stable proportion of transit access to jobs and other services, at about 8% it seems unlikely that VMTraveled will be reduced by 33% even if we met our emission goals.

#### Final Thought

I have provided the rddrnvr of my concerns to the rest of the Council. It is unlikely I will get to review more than Chapter 8 before “recess”. The gist of my comments to the Council is this...we need special sections dealing with, at the very least, tolling, I-84 projects and metrics, and US 26 (tunnel) projects and metrics.

---

**From:** GerrittR [REDACTED] >

**Sent:** Wednesday, August 2, 2023 2:21 PM

**To:** Catherine Ciarlo [REDACTED]  
[REDACTED]

**Subject:** [External sender]Chapter 8

CAUTION: This email originated from an External source. Do not open links or attachments unless you know the content is safe.

RTP Team:

I have done a preliminary review of Chapter 8 and have a number of comments. Sadly, since I am remote with a hard to use computer

This will not be an easy to read document but perhaps a series of e-mails,

Comment #1

This listing of all the transportation planning programs later in the chapter is impressive and very good, however, I might suggest that a condensed version be added to Chapter 2 since this complexity adds to the understanding of the process. I would perhaps suggest a table in 2 summarizing them with just critical information such as participants, ending time and funding options. Essentially Table 8.2-1-14 with a little text. We might also categorize these programs into "regional" or "strategic" and "local" or "area specific".

Comment #2

Section 8.0 does not seem to add much that has not already been really discussed elsewhere.

Comment #3

2040 Growth Concept

Although we shown the 2040 GC map, we never really discuss the constraints the 2040 places on the regional programs, nor really discuss how this concept affects large scale planning...we also do not talk about the need to refresh the 2040 and the changes that have to be incorporated into the 2023 process...these impacts could be prioritized for at least the regional projects.

Comment #4

page 8-5 on local implementation is very general and impacts will be different for the different planning programs. The listing of regional programs is noted but there seems to be an incomplete connection between 8.2.2 and 8.2.3...they are both regional programs but the connections need more clarity...i.e. 8.2.2.4 Does not reference the Regional Freight Rail Study. It would seem, in theory, each Planning Activity would be measured against the regional planning programs...also, Active Transportation and Livable Streets are primarily local since the RTP does not establish standards but does provide guidance....on 8.2.2.13 ....it seems to me that this program also coordinates with long term O&M and climate protection programs economic impacts as well as equity and economic programs since tolls have significant economic ramifications

Comment #5

As a point of contention, 8.2.3.5 is undefined in terms of passenger goals and UHSR is will never be practical.

The goal of 1 hour travel is not explained or justified. Speeds up to 140-150 mph might be possible with travel time less than air connection but simple calculations can show that passenger density considerations, time needs for various stops, and geological/safety aspects would make such a system impractical. It is true we need a modern rail system from Eugene to Vancouver....but UHSR is silly.

This computer is very hard to use....and it is late and I am in central Finland...more as time permits

G Rosenthal

Gerritt Rosenthal

**Comments on HCT Strategy Executive Summary**  
**Gerritt Rosenthal**  
**Aug 21, 2023**

The HCT strategy summary is a short and to-the-point summary of the HCT policy and is quite clear in its intent. The following comments are provided as some general perspective and specific questions.

Most of these comments focus on larger concepts, particularly the operative definitions for corridors and the concepts of regional centers and towns. Specific comment on prioritized investment are also provided

High Capacity Transit Vision

The figure used to present the general vision (p 6) is evocative but also is a bit too general to clarify the concepts for our area. Two items of note are these: (1) we do not clarify either how we identify “regional centers” compared to “town centers” nor (2) do we identify the “regional centers” that are critical in our area. To that point, we clearly have a “central city” in Portland, but it is important to note that we now have at least three regional centers, i.e. Vancouver, Beaverton, and Hillsboro. It is unclear (perhaps arguable) whether the West Linn-Gladstone-Oregon City area is a “town center” or a “regional center” and the same can be said of Gresham-Troutdale and also the Wilsonville-Tualatin-Sherwood job triangle. The point is this, the identification of these centers and their location matters for our HCT vision going forward since it will have physical reality and the schematic could be refined to better illustrate this, particularly since geography, i.e. the Tualatin Mountains and Willamette and Columbia Rivers significantly constrain these systems.

It is notable that the “Prioritized Investment” figure shows key commercial “activity” centers such as Tanasbourne/Amber Glen or Washibgton Square, but these “activity” centers are not conceptualized on the HCT Vision figure. It seems unclear whether they are what we define as “regional centers” or a category intermediate between “town centers” and “regional centers”.

One further note is that this schematic identifies what looks like a “ring” connection of radial spokes to the regional centers, whereas our current planning vision stops short of that goal. If these newer areas are to be considered “regional centers”, then a longer term vision would seem to suggest a more complete “ring” system.

Corridors

The whole concept of HCT utility hinges on the identification of critical corridors. In other comments to the RTP I have provided what I consider to be a more holistic identification of corridors which I will reprise here.

For individual travel, corridors fall into three categories: **Interregional, intraregional, and local**. In addition **freight and commerce** are other critical

corridor functions. **Commerce** implies local business and service as opposed to interregional **freight** hauling. The key feature of RTP corridors is the “intraregional” aspect. All corridors of import for the RTP will have an “intraregional” function but will vary as to other functions, e.g. OR 43 is of marginal “local” and “interregional” function and essentially no “freight” value. HCT corridors are a subset of “intraregional” corridors and are those whose dominant function is for “intraregional and local” conveyance. A complete listing of all critical RTP corridors would make it easier to see how the HCT corridors fall into the overall RTP picture. As an example, Marine Drive is a critical corridor but is primarily “freight”, and so is not an HCT consideration. Hwy 26 is primarily “interregional” and so only portions of it qualify for HCT due to limited “local” access.

### Prioritized Investments

The figure and key are very helpful. Here are some specific comments:

- 1) It seems impractical to show corridors such as C20 as single corridors since it is unlikely there are large number of “thru” riders on this route (i.e. St. Johns to Milwaukie)...it would seem more practical to list as two connected corridors, e.g. C20A and C20B
- 2) The short “vision corridor” from Beaverton to Washington Square is not labeled.
- 3) Corridor C-4 implies a new bridge over the Willamette, a concept that has not been formally presented, and in fact, this C-4 is really 3 corridors: Clackamas to Milwaukie, Milwaukie to Lake Oswego, and Lake Oswego to Tigard/Beaverton, the point being that each of these will likely serve different riderships.
- 4) Lake Oswego to Tualatin is an important corridor (Boones Ferry) and is not shown...this could arguably be an HCT.
- 5) C-6 is really 2 disparate corridors with the inflection at Tualatin/Lake Grove
- 6) It is unclear why Damascus is shown and without any connectivity. For completeness other non-Metro jurisdictions might be shown (e.g. North Plains, Canby, Sandy).
- 7) Tualatin-Sherwood is a critical corridor for commerce and freight, though not for HCT purposes, but with job expansions might become one.
- 8) I continue to be dismayed that C2 (Hwy 99W) remains a tier 4. Hwy99W serves all functions: local, inter, intra, commerce and freight.
- 9) There is no “vision” corridor shown for the Sherwood/King City/ Murray-Scholls/Hillsboro corridor...a corridor with substantial development planned. Current plans are for up to 10,000 new homes along this corridor.
- 10) C-3 is evocative, but what does “in the vicinity of” imply - we all know that WES can become an effective HCT corridor only with the addition of additional trackage options (i.e. a 2<sup>nd</sup> track).
- 11) C-17S is good conceptually, but, under a corridor functionality definition it actually becomes 2 corridors - West Linn to Sellwood Bridge, and a Sellwood Bridge to Downtown corridor.
- 12) C-14 - has anyone done a preliminary penciling out of the cost/benefit of a river tunnel including the potential grade implications? Of more concern is the

importance of “through” ridership using the Central City concept which would imply that trips out of the central city are dominant. It is hard to believe this is a higher priority than many other projects such as 99W, Sherwood/Murray-Scholls/Hillsboro, or West Linn/Oregon City-Tualatin. Has a “limited stop express” concept been evaluated?

13) C23 would seem to be 2 distinct corridors- 155<sup>th</sup> and Farmington Road.

14) I note recent plans by SMART to supplement C-3 and C-6; it would seem a corridor along I-5 might be conceptualized.

15) C22S seems odd in that C-29 already exists...is this really higher priority than C-2 (Hwy99W) or C26?

16) It is notable that PDX is not shown, although Washington Square and Clackamas TC are shown. Although we already have MAX to PDX, in the future, HCT connection to regional rail, perhaps in Oregon City, might be a useful concept and better connectivity to Clark County might be important

### Regionality

I also wonder whether we should consider, in some other category, some of the other connections such as North Plains to Hillsboro, Newberg to Sherwood, Canby to Oregon City, Woodburn to Wilsonville/Tualatin, and Damascus to Clackamas. Because Vancouver has become an important “regional center” some further discussion might be useful on the connections between the two HCT systems.

### Beyond HCT

Finally, a conceptual note, although I support the HCT planning, perhaps a short section might be devoted to explaining that HCT is a critical, but not the only, element in the system, and that transit connectivity, i.e. “reaching many interconnected destinations” and “last mile connections” are also part of the overall system and supplemental to the HCT system.

Respectfully  
Gerritt Rosenthal  
District 3

---

**From:** David Rowe <[REDACTED]>  
**Sent:** Wednesday, July 26, 2023 11:53 AM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Cc:** Dan McFarling <[REDACTED]>; Marian Rhys <[REDACTED]>; Luis Moscoso <[REDACTED]>; Art Poole <[REDACTED]>; David Rowe <[REDACTED]>  
**Subject:** [External sender]2023 Regional Transportation Plan

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

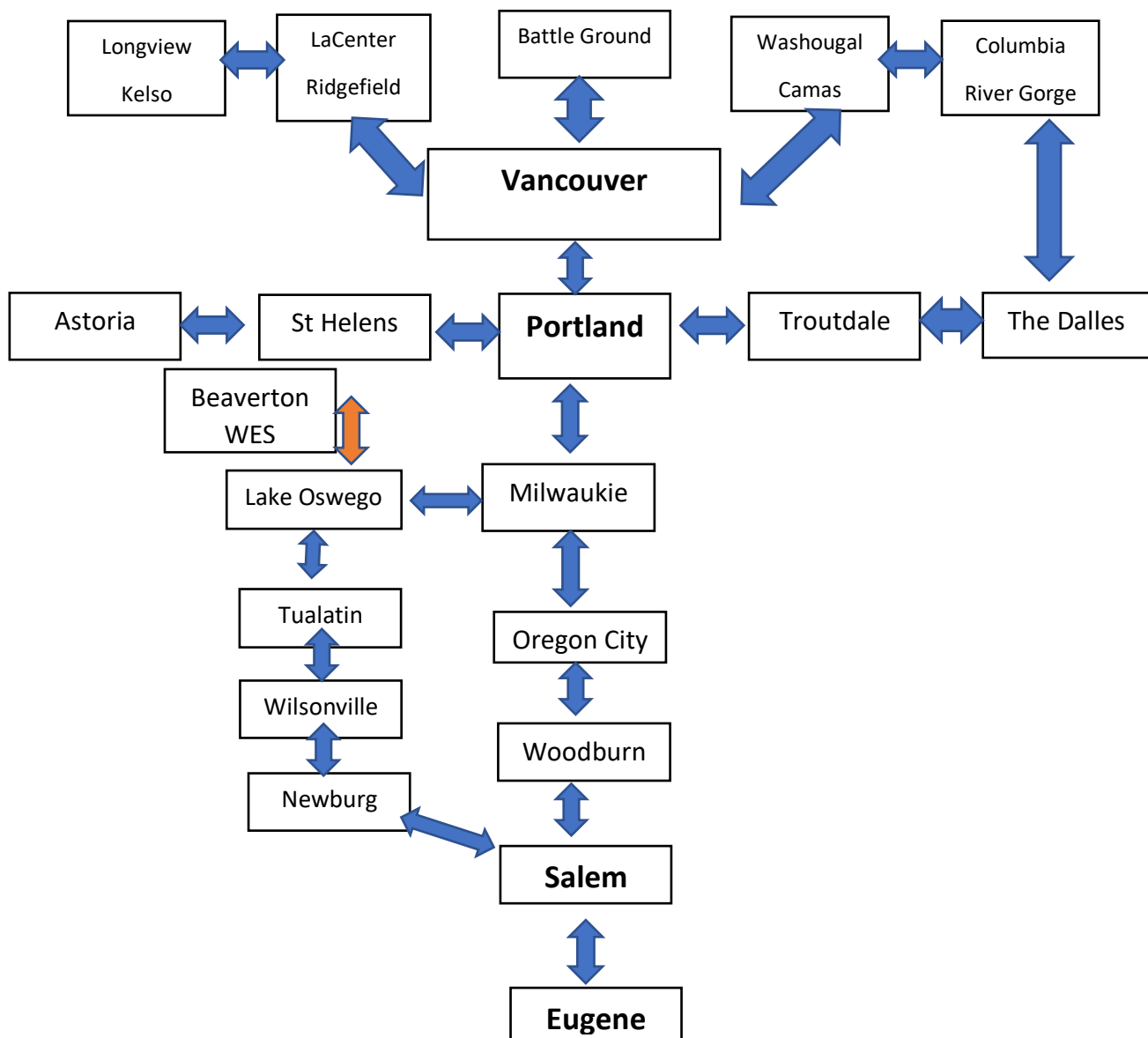
The 2023 Regional Transportation Plan must help solve the Global Climate problem. Willamette Valley Regional Passenger Rail service moved 4,000,800 people in 1915 ( a quote from Brill Magazine December 1916 page 365). Metro must add Regional passenger service as part of the 2023 Regional Transportation plan.

Dave Rowe.

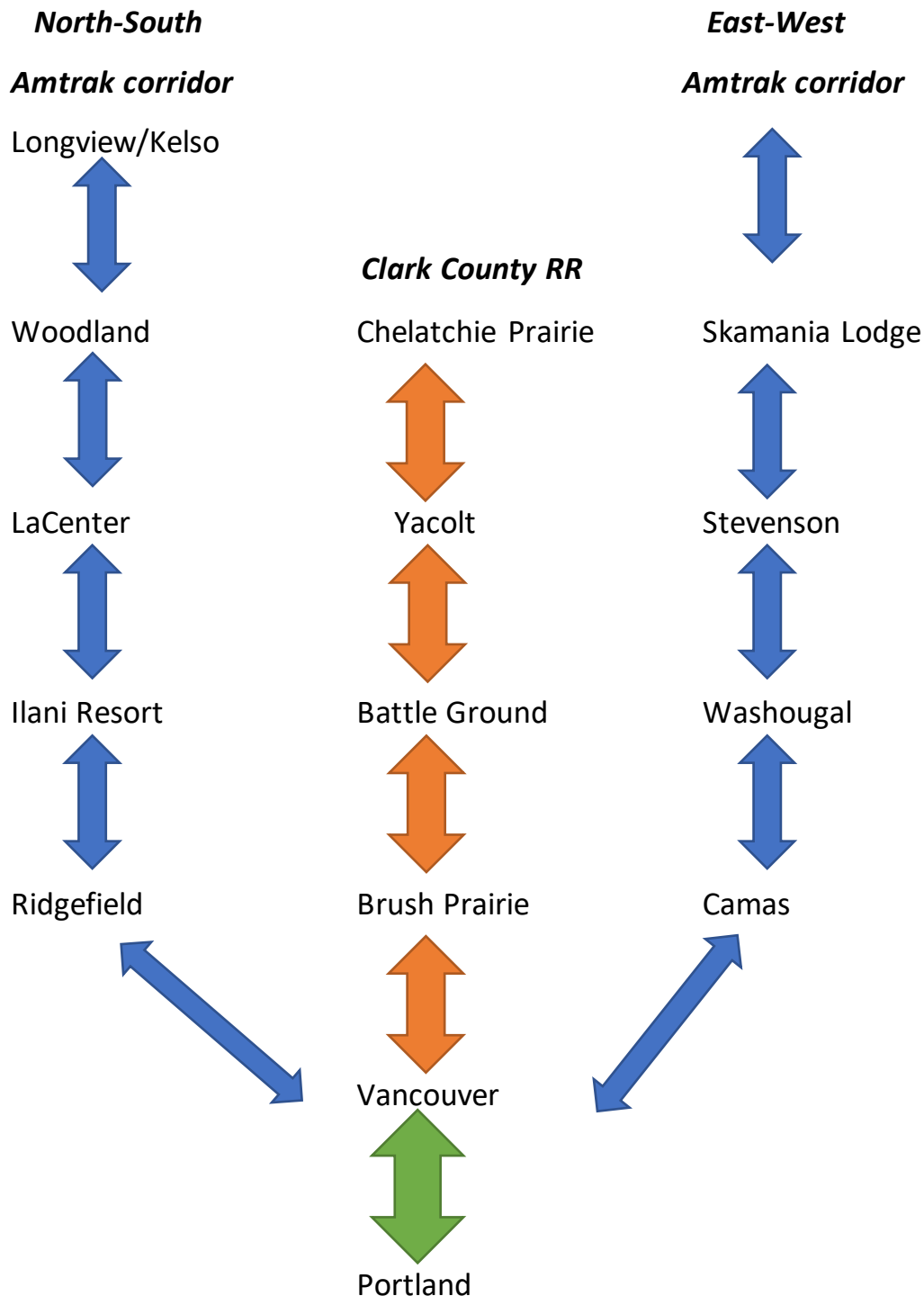
## Regional Passenger Rail Service could help Climate Change

ODOT and WASHDOT needs to plan for passenger rail development. I-5 congestion could be reduced by developing regional electric passenger rail service on the existing rail lines from SW Washington through the Willamette Valley. Climate change can be reduced by regional electric passenger rail development in Oregon and Washington. A bus goes about one mile on a fifth of a gallon of diesel, costing about one dollar to move **40** passengers. The San Francisco BART passenger rail car uses about 3.5 Kilowatt/Hour per mile costing about 35 cents to move **150** passengers. A fleet of Stadler Battery powered Passenger Cars (FLIRT) are in service in Germany which has proved to reduce carbon emissions. Battery or Hydrogen powered Rail cars could be used in the Northwest to reduce greenhouse gases. Regional Rail travel is faster than automobiles. Rail commuters would avoid tolls, bypass I-5 Bridge and the congested Rose Quarter as currently proposed by the Interstate Bridge Replacement Program. Tolling does little to reduce carbon emissions, while electric powered passenger rail cars have tremendous emission reduction.

Regional Passenger Rail system with only 17 foot wide right of way can move as many passengers per hour as an four lane freeway and much cheaper to build than a freeway. Passenger trains could travel during the day and Freight trains can use the same rails at night.



Existing railroad corridors in SW Washington could be developed into regional passenger rail corridors. This concept could use BIL funding for a cost-benefit analysis and economic analysis. Regional Rail could reduce the 143,000 autos crossing the Columbia River by at least 25%. And reduce travel time to Portland by 50% compared to MAX light rail and auto. It would be possible to have scenic excursion trains along the Columbia Gorge. Rail travel reduces rubber tire particles entering the streams and rivers. To combat global warming SW Washington needs Regional Passenger Rail.





## FLIRT AKKU 3 PART

### Test carrier

The FLIRT AKKU is the battery-operated version of the FLIRT type series. Designed for non-electrified or partially-electrified tracks, the vehicle is highly versatile. 80 percent of the non-electrified tracks in Germany can be used by the regional train in battery mode. The FLIRT AKKU is a single-storey, flexible regional train that can be customised. The vehicle concept is primarily based on the previously approved and tested electrical multiple-unit FLIRT trains purely for operation below the catenary. The traction elements and the most important mechanical components are largely the same. One thing that all FLIRTs have in common is their lightweight design made of aluminium. Maintenance-friendly components that have been tried and tested a thousand times over help to keep the operating, energy and maintenance costs as low as possible. 2 to 4-part train combinations can be realised in the model equipped with lithium-ion batteries. Here, the FLIRT AKKU, like the FLIRT, can be customised to meet requirements with respect to the number of seats, passenger flow or interior design. The 3-part test carrier offers space for 310 passengers, of this number 154 on seats. The FLIRT Akku test carrier is used for testing and the continuous further development of the technology.

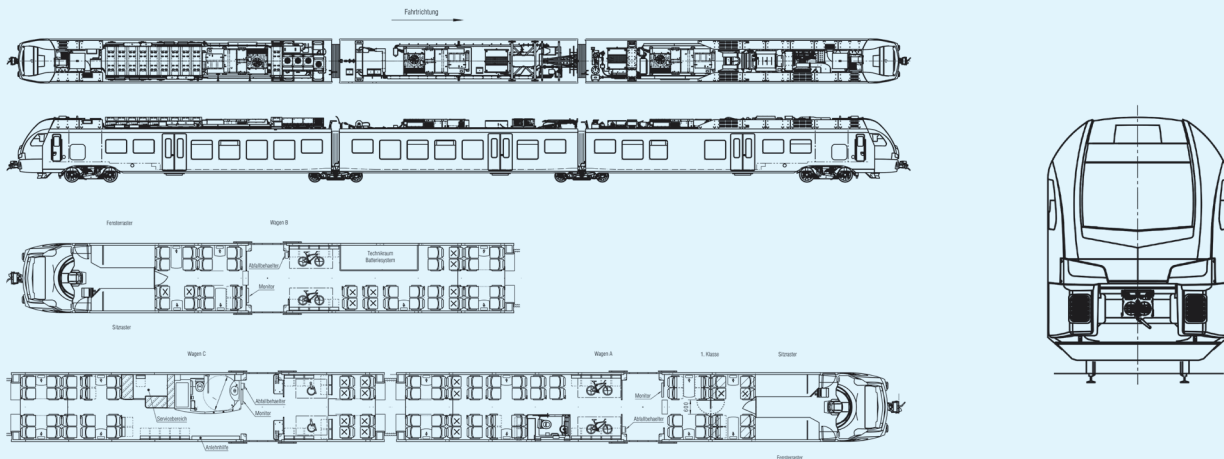
[www.stadlerrail.com](http://www.stadlerrail.com)

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## Technical features

### Technology

- Automatic central buffer couplings
- Lightweight aluminium construction
- Meets the requirements of DIN EN 15227 (Crash Norm)
- Air-sprung bogies ensure smooth running
- Catenary operation with 15 kV and catenary-free operation with lithium-ion traction battery

### Comfort

- Bright and friendly passenger compartment
- Passenger compartment fully steplessly walk-through
- Air-conditioned passenger compartment and driver's cab
- Generously designed multi-functional compartments at all entrance-areas
- 3 doors per side
- Sliding steps and gap-bridging at all doors
- Cycle racks / wheelchair
- Modern passenger information system
- Service area
- Universal WC and standard WC acc. to TSI PRM

### Staff

- Ergonomically designed driver's cab
- Service area

### Reliability / Availability / Maintainability / Safety

- Fulfilment of the Crash Norm EN 15227
- Fulfilment of the TSI PRM and the TSI Noise

## Vehicle data

<b>Gauge</b>	1,435 mm
<b>Supply voltage</b>	15 kV AC
<b>Axle arrangement</b>	Bo'2'2'2
<b>Seats</b>	154
<b>Standing capacity (4 pers./m<sup>2</sup>)</b>	156
<b>Floor height</b>	
Low floor	780 mm
High floor	1,200 mm
<b>Door width</b>	1,300 mm
<b>Door height</b>	780 mm
<b>Longitudinal strength</b>	1,500 kN
<b>Length overall</b>	58,600 mm
<b>Vehicle width</b>	2,880 mm
<b>Vehicle height</b>	4,120 mm
<b>Bogie wheelbase</b>	2,500 mm
<b>Running bogie</b>	2,700 mm
<b>Drive wheel diameter</b>	
new	920 mm
worn	850 mm
<b>Trailer wheel diameter</b>	
new	760 mm
worn	690 mm
<b>Maximum speed</b>	140 km/h
<b>Drive</b>	2 × 500 kW

---

**From:** Gregg Russell <[REDACTED]>  
**Sent:** Wednesday, July 19, 2023 7:41 AM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]Proposed Fischer Road extension in Kingston Terrace

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

The answer is quite simple! Move Alternative 2 further north toward Beef Bend Rd. where the high-density housing will be taking place.

Metro funded a circulation analysis for King City consultants to look at alternatives and a much more preferred route that was financially and environmentally much sounder. The proposed road as you know is less than 400 feet from the Tualatin River and goes through the Columbia Land Trust Conservancy.

The Tualatin Soil and Water Conservation District has planted over 12,500 native plants and this area is a wildlife corridor that is directly across from the Heritage Pine Nature Preserve and the Beef Bend Preserve.

As you know, there is overwhelming opposition to the proposed Fischer Road not only from individuals and neighborhoods but from many organizations as well.

It doesn't make sense based upon all the factual information that has been provided to King City. We understand the need for housing and development but King City councilors need to reevaluate the facts.

Take the time to seriously look into the matter.

Gregg Russell

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**From:** Jim Sjulín <[REDACTED]>  
**Sent:** Friday, August 25, 2023 10:23 AM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]2023 TSP Comments

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Hello,  
Please accept and consider my comments on the attached document.  
Thank you.  
Jim Sjulín

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**From:** Jim Sjulín <[REDACTED]>  
**Sent:** Friday, August 25, 2023 10:23 AM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Subject:** [External sender]2023 TSP Comments

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Hello,  
Please accept and consider my comments on the attached document.  
Thank you.  
Jim Sjulín

TO: Metro Regional Transportation Plan Staff

FROM: Jim Sjulín, [REDACTED], Portland, OR 97214, [REDACTED]

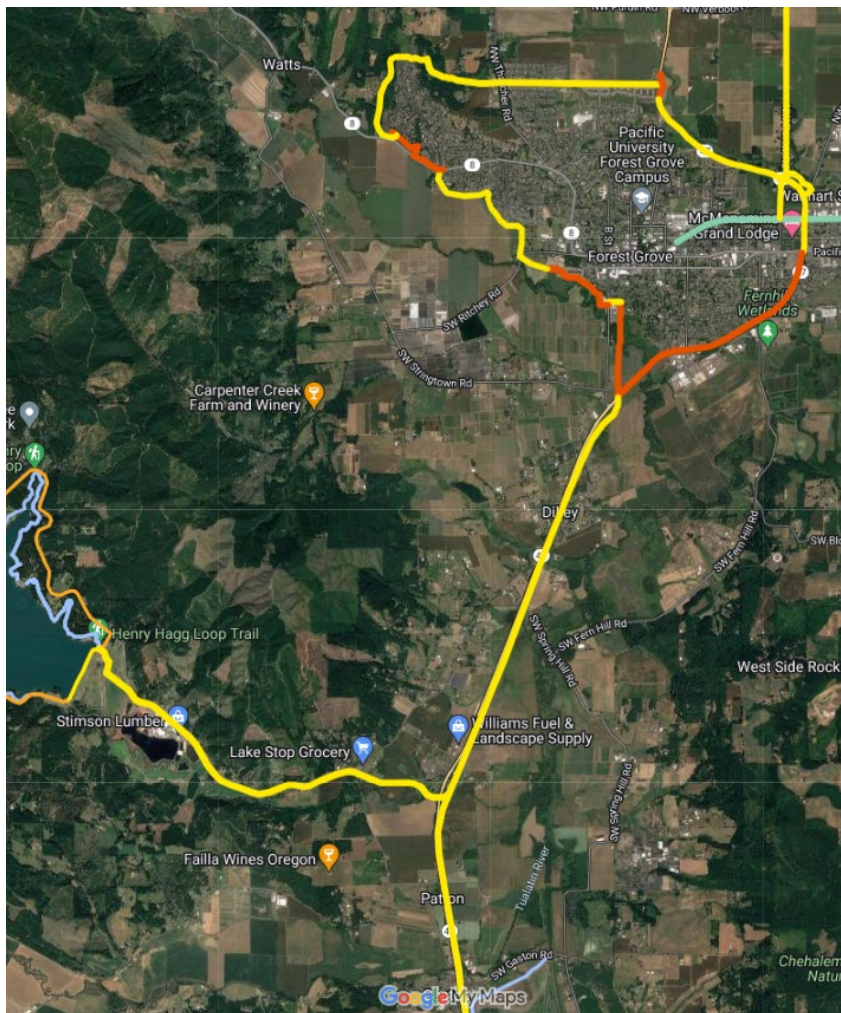
DATE: August 25, 2023

This is not a comprehensive review. It's a review of what's included or not included in the Regional Bicycle Network Map, figure 3-35, on page 3-143, dated July 10, 2023. Map is dated 2/13/2023.

Because I've been assembling a map to track progress on regional, community, and park trails, I have an advantage in that I can include screen shots from the map to illustrate particular locations.

### Comment #1. Forest Grove to Gaston.

Please add a future trail connection from Forest Grove southward toward the Yamhelis Westsider Trail. I should note that a complete connection will take you outside of the Metropolitan Planning Area, but a precedent has already been set in that regard with the Cazadero Trail south of the City of Boring. The route would closely parallel Highway 47 and an existing railroad, both of which run toward Gaston and further south. It's important to add this alignment because it is the beginning of a Westside Willamette Greenway Trail that should run through McMinnville, Salem, Corvallis, Junction City, and Eugene.



### **Comment #2. US 30 toward Scappoose and Sauvie Island.**

Please extend the trail shown on US 30 from Linnton to the very end of the Metropolitan Planning Area both along US 30 and onto Sauvie Island. It appears that the MPA may terminate at the Bybee Howell House. Using the same argument as is included in Comment #1, you could also extend both of these alignments much further.

### **Comment #3. Cathedral Park to Pier Park.**

I ask for flexibility with this alignment. N Decatur has or is in the process of losing its freight designation. On-street alignments between Cathedral Park and Pier Park may change in the near future. In addition, if private property can be acquired, a preferred off-street alignment north of Baltimore Woods would connect directly to Pier Park. Since the preferred alignment is uncertain please be flexible here.

### **Comment #4. North Portland Road near the Columbia Slough.**

Please add a future connection that uses the North Portland Road bridge over the Columbia Slough. In the foreseeable future this bridge will be reconstructed and a multiple purpose path, protected from traffic should be part of the project.

Also note that the map shows that the Columbia Slough crossing just east of North Portland Road is not completed. It is in fact completed.

Following is a map of the area.



### **Comment #5. Peninsula Canal Path.**

I support keeping the Peninsula Canal Trail on the RTP. Please do not remove it even though the City of Portland removed it from their Comprehensive Plan. Metro has already acquired easements for the majority of this trail alignment. This alignment is much safer than the alignment along nearby NE 33<sup>rd</sup> Avenue.

### **Comment #6. Columbia Gorge Path.**

The TSP explicitly mentions the importance of transportation connections to the Columbia River Gorge. The current bicycle connection immediately east of Troutdale is on a busy two-lane roadway and includes a climb of approximately 800 feet to Crown Point. A new, low elevation route should be added that parallels the Union Pacific railroad and I-84. The full distance of the path would be a little under 9 miles, reconnecting to the Historic Columbia Gorge Highway State Trail just east of Latourell. Both Rooster Rock and Multnomah Falls could be reached from Troutdale by a much larger segment of the population. Remember that Multnomah Falls is the region's most visited scenic destination. This Path also extends beyond the Metropolitan Planning Area.

### **Comment #7. Troutdale to Springwater Corridor.**

I support keeping this alignment on the RTP. Please do not let anyone convince you to remove it. This alignment is a key connection of the 40 Mile Loop and has been on plans for 40 years. It will be a beloved community asset when the Gresham Springwater Plan District is incorporated and urbanized.

### **Comment #8. Forest Park Connections.**

Please add an alignment on NW Thurman from NW 19<sup>th</sup> to Lief Erikson Drive. Please add Lief Erikson Drive through Forest Park from NW Thurman to NW Germantown Road. Please add NW Springville Road from NW Skyline to the St Johns Bridge. These are significant routes to and through the largest natural area in the entire region.

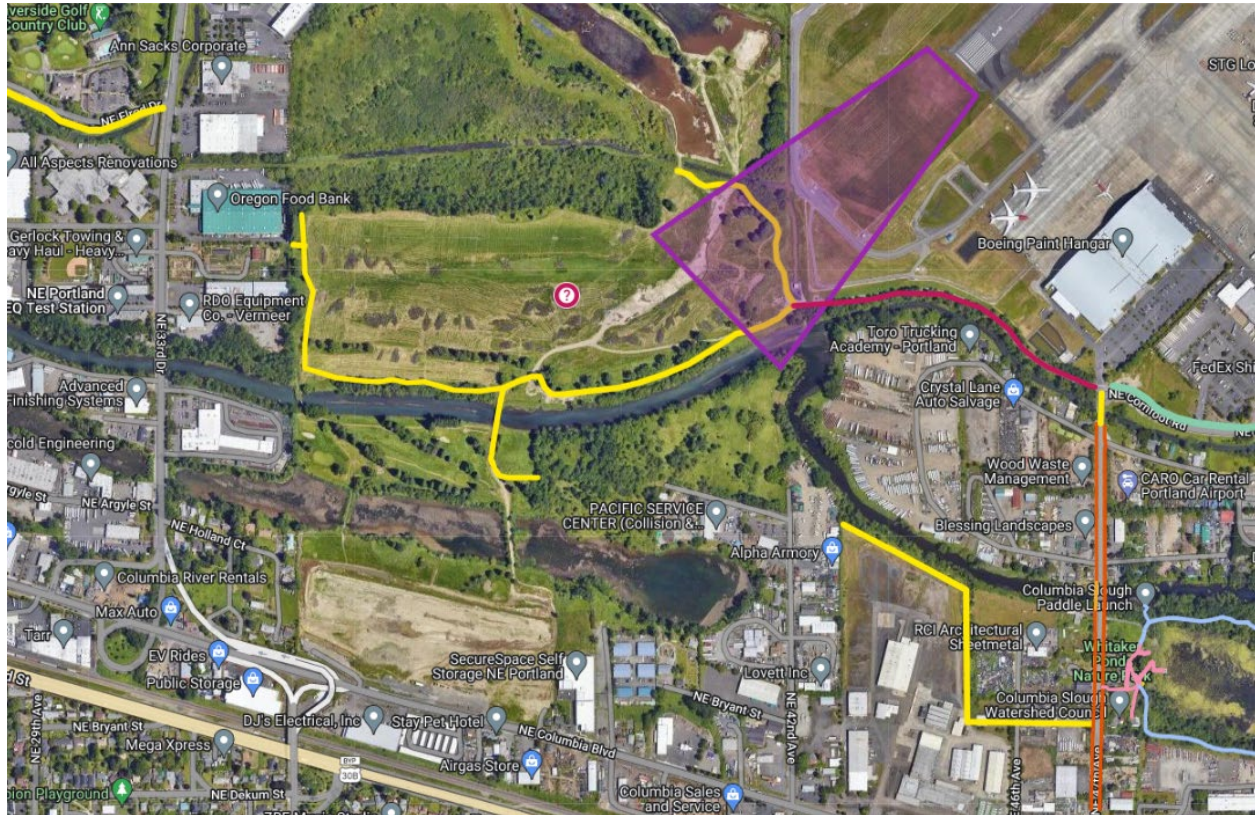
### **Comment #9. Northwest Willamette Greenway.**

The Willamette Greenway Path in Northwest Portland is currently fully completed from Burnside to Terminal 1 at 2400 NW Front Avenue with the exception of the 1,300 feet long Centennial Mills Gap (two ownerships) between the Broadway and Fremont Bridges. The map should be brought up to date.

While it may be a fair question to consider removing the existing McCormick Pier and Albers Mills sections from the bicycle system map, I support keeping them. These two sections of the Willamette Greenway Trail were developed quite early, before we had strong multiple use path standards. One day they will redevelop and the pathway should be upgraded to a more reasonable multiple use facility.

## Comment #10. Columbia Slough Path south of PDX.

Another call for flexibility. The alignment of the long-planned Columbia Slough Trail is an unresolved question between NE 33<sup>rd</sup> and NE 47<sup>th</sup> Avenues. The existence of a federally regulated Runway Protection Zone means that the trail alignment along the Columbia Slough will probably need to be revised. This is a key connection needed for the 40 Mile Loop and the City of Portland is looking for funding to determine what alignment is feasible in this area.



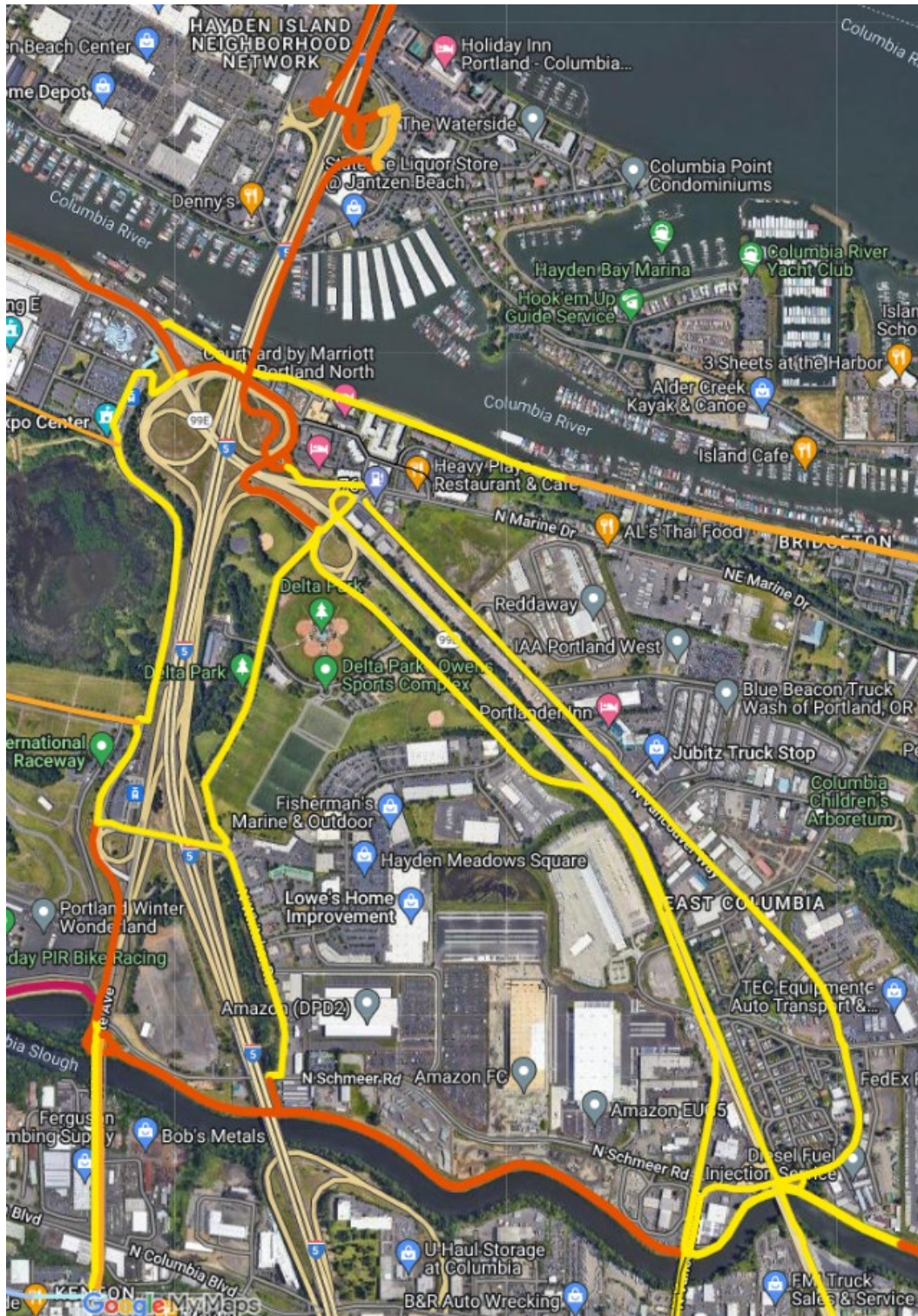
## Comment #11. Columbia Slough Path in Gresham.

I support keeping the Gresham segment of the Columbia Slough Path from NE 185<sup>th</sup> to NE Interlachen on the RTP. Whether it should be included in the bike system plan and the pedestrian system plan is a policy question that should be addressed in a coordinated way by the Cities of Portland and Gresham. Currently City of Portland Code prohibits bicycles on the Columbia Slough Path from the I-205 Path east to the Portland / Gresham boundary at NE 185<sup>th</sup>. Note that the Gresham segment of the Columbia Slough Path may not be included in Gresham's RTP, although it is included in the City of Gresham's park system plans. Again, I strongly support retaining the full Gresham section of the Columbia Slough path in the RTP.



### Comment #12. I-5 Corridor near Heron Lakes and Delta Park.

I couldn't figure out the alignments shown on the RTP map. I support the alignments in the following photo or their improved replacements courtesy of the I-5 Bridge Replacement Project.



**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]Transportation planning  
**Date:** Friday, August 25, 2023 12:09:34 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Our regional transportation planning must top planning for roadways for automobiles. We need more safe bike routes, we need safe crosswalks for pedestrians, we need more public transportation. Public transportation should include security personnel so that people feel safe taking public transportation. Major MAX hubs should have locked restrooms that can be accessed with a HOP card.

Climate change isnt coming. Climate change is HERE NOW.

Casey Sundermann



Portland, OR 97211

---

**From:** David Sweet <[REDACTED]>

**Sent:** Friday, August 25, 2023 1:27 PM

**To:** Trans System Accounts <[REDACTED]>

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** [External sender]Regional Transportation Plan

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

To Metro decision makers:

I see from reviewing the draft Regional Transportation Plan (RTP) that it acknowledges the need to take action to reduce greenhouse gases. While it pays lip service to this need, the plan does nothing to actually reduce vehicle emissions, a leading cause of climate change. Rather the RTP promotes widening freeways, which vast experience has clearly shown, will only encourage people to drive more. The idea that widening highways will reduce congestion and thus curb GHG, is nothing but a pretty lie.

You cannot punt climate action to the State. The legislature has shown itself incapable of effective action. Proposals that would accomplish anything will be obstructed or compromised away to nothing. Someone has to have the courage to take an unpopular position—to tell drivers that congestion is the price we pay for overusing our cars. That alternate modes of transportation are the only way to a livable future. Why not you?

The RTP needs to favor future generations over the unreachable goal of free-flowing vehicular traffic. It needs to emphasize safety and convenience for pedestrians and bicyclists. It needs to commit to dependence on mass transit. And it needs to ignore the clamor of the generations (like mine) who created the problem and want to continue to drive everywhere.

Here in the heat of the hottest summer on record, can we finally learn to stop killing ourselves and destroying the livability of our only precious Earth?

Sincerely,

David Sweet

~~~~~

[REDACTED]

Portland, OR 97218

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Following up on this morning's testimony... connecting megaprojects with community projects  
**Date:** Thursday, July 27, 2023 3:25:25 PM  
**Attachments:** [IBR - Parkrose Greenway.png](#)

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**From:** Sarah Iannarone <[REDACTED]>  
**Sent:** Thursday, July 27, 2023 3:15 PM  
**To:** Lynn Peterson <Lynn.Peterson@oregonmetro.gov>; Juan Carlos Gonzalez <JuanCarlos.Gonzalez@oregonmetro.gov>; Christine Lewis <Christine.Lewis@oregonmetro.gov>; Mary Nolan <Mary.Nolan@oregonmetro.gov>; Ashton Simpson <Ashton.Simpson@oregonmetro.gov>; Gerritt Rosenthal <Gerritt.Rosenthal@oregonmetro.gov>  
**Cc:** Tom Kloster <Tom.Kloster@oregonmetro.gov>; Kim Ellis <Kim.Ellis@oregonmetro.gov>; Catherine Ciarlo <Catherine.Ciarlo@oregonmetro.gov>  
**Subject:** Following up on this morning's testimony... connecting megaprojects with community projects

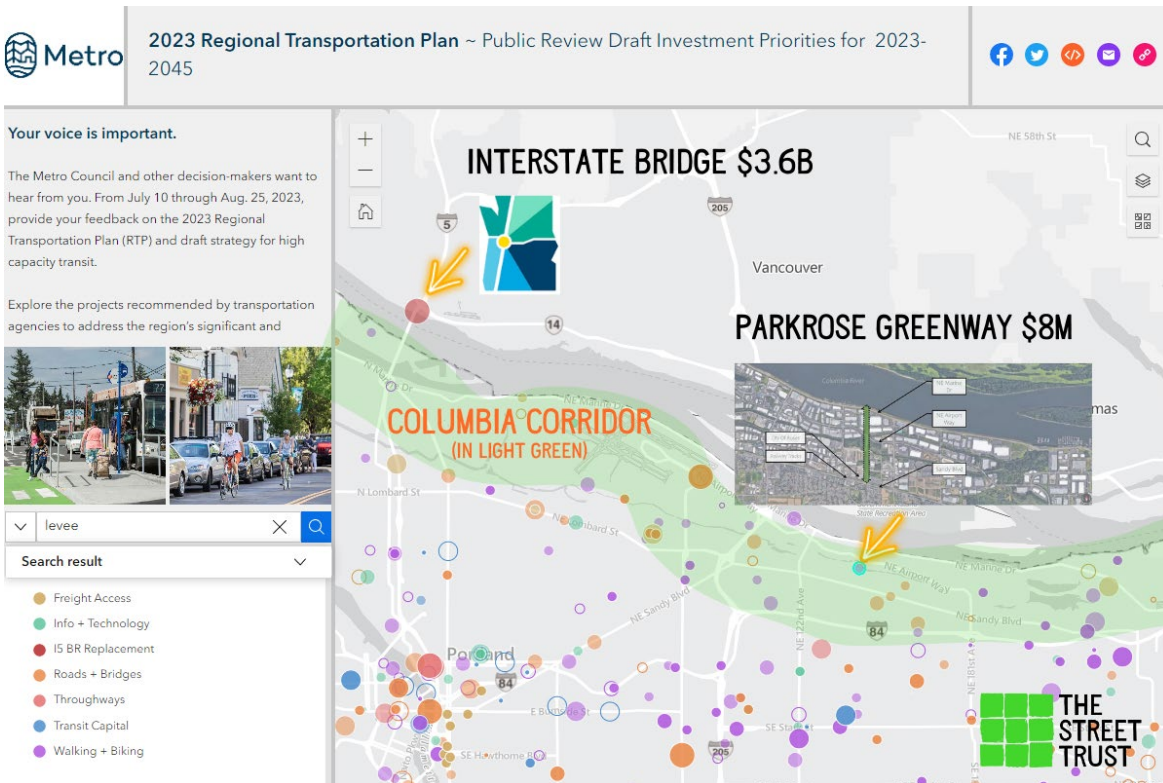
Dear President Peterson, Councilors, and Team Metro:  
Thank you again for providing the opportunity this morning for The Street Trust to share perspectives on the 2023 Draft Regional Transportation Plan.

As you may know, The Street Trust is dedicated to promoting safe, equitable, and sustainable transportation in our community. We are currently spearheading Phase 2 of the Parkrose East Cross Levee Greenway project, an initiative that aligns perfectly with the vision for a more connected, greener, and accessible region.

We are heartened by the commitment in the 2023 Draft RTP to improving mobility and enhancing our region's natural landscapes. However, we'd like to address one crucial opportunity for acceleration. **The Parkrose greenway project ([Cross Levee Trail project #11813](#)) is currently placed on the 2045 Project List, and we believe that this timeline should be expedited, shifting this transformative project to the 2030 list.**

The Parkrose Greenway is more than just a trail; it's a model project that serves as a catalyst for further development and investment in our area. By connecting the Marine Drive Multi Use Path with Sandy Boulevard, this project could beautifully complement Oregon's \$3.2 billion commitment to the Interstate Bridge Replacement Project (nearby in the RTP update, see map), linking this massive infrastructure investment with the Columbia Corridor (the largest industrial area in Oregon), and the historically disinvested Parkrose area. This small but strategic trail connection would contribute to an integrated, efficient, and sustainable transportation system that serves the region's economic heart, with more than 2,000 businesses and nearly 60,000 employees, as well as a community that could greatly benefit from enhanced connectivity, accessibility, tree canopy, and access to nature.

The Parkrose Greenway project symbolizes a vision for a healthier, more sustainable, and equitable future for our community. Its prioritization would be a testament to the Metro Council's commitment to these ideals.



We believe the dedicated partners currently engaging in a PPP model to raise funds for this project can meet the 2030 timeline if given the opportunity. Partners include Portland General Electric, City of Roses Disposal and Recycling (COR), Columbia Slough Watershed Council, Friends of Trees, Mudbone Grown, Portland Parks Foundation, Historic Parkrose Neighborhood Association, Argay Terrace Neighborhood Association, State Rep. Thuy Tran and... the list is growing.

Thank you for your consideration. We appreciate the Council's dedication to improving our region's transportation landscape and look forward to the possibility of expediting the realization of the Parkrose Greenway project.

Sincerely,  
Sarah Iannarone



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## August 23, 2023 TriMet RTP technical comments

### Executive Summary

Page 18 of document, 22 of PDF - description of transit modeshare should say what the current modeshare is. Relative increase of 30% more transit riders (compared to the 2020 base year)

### Chapter 3 -

Transit policies: page 114 of Chapter 3 -

<https://www.oregonmetro.gov/sites/default/files/2023/07/10/2023-RTP-chapter-3-public-review-draft-20230710.pdf>

There are some changes that TriMet proposed in our March 2023 comments on these policies which were not taken into account. Please make the following adjustments to the transit policy language on page 114 of chapter 3 and the write-ups on the corresponding pages.

Policy 2: *“Ensure that the regional transit network equitably prioritizes service to those who rely on transit or lack travel options...”*

- Use of ensure and prioritize is problematic here. This prioritization could be in conflict with the other policies of reducing region-wide VMT or building ridership.
- Change to: Regional transit network strives to enhance service to those who rely on transit or lack travel options...

Policy 5 – Delete “complete and...” Start with strengthen. A “complete” HCT system should not be defined in policy.

Policy 6 – instead of complete “continue to build out”. Transit network is always evolving and won’t be “completed”

Policy 6 and Policy 7 are swapped starting on page 120. The numbering for policies is wrong.

Page 124 has this language at the end of the High Speed Rail section.

Additional collaboration and funding are needed to support the development of this level of service.

We would like to see similar language for policies 4-6.

Statements on pages 3-107 and 3-108 are misleading, suggest the following added clarification (in bold underline). "With the passing of House Bill 2017, the Oregon Legislature identified transit improvements and service expansion as a priority for the state. With this additional funding, the region will be able to significantly increase and expand transit service, **though not nearly enough to meet the ridership and climate change mitigation goals identified in the RTP.**"

**Chapter 4:** <https://www.oregonmetro.gov/sites/default/files/2023/07/10/2023-RTP-chapter-4-public-review-draft-20230710.pdf>

Page 20 – transit frequency. The description of Figure 4.9 describes “current” frequent transit service but I think it is referring to the 2040 constrained transit network from the 2018 RTP? If so this should be clarified because the layer showing “2040 financially constrained frequent transit” is inconsistent with the TriMet-provided TNETs or “current” transit service. For example, it shows frequent service in the Cedar Mill/Bethany area and to Sherwood - neither of these were included.

Page 40– We would like to see the Access to Transit and to destinations (spelled wrong in document) more clearly identify that there are many significant updates to the transit network underway since this analysis was completed, and how the gaps (green lines) are in the financially constrained list but not yet implemented, and include language about how reasonably expected funding is not available to expand service to the degree the RTP envisions.

Many of the lines categorized as “Gap in Regional Transit Network (Financially-Constrained)” are planned for improvements with Forward Together - Line 87, 77, 52, to name a few examples. Also, suggest being more clear that the *reason* for gaps in completion of the transit network is the need for more operating revenue for TriMet and other transit agencies.

Page 42, bottom of first paragraph. Please add a sentence to clarify that much of this network redesign is already underway. The transit network has already gone through significant redesign through the Forward Together revised network concept and the planning for the future network will be reworked by TriMet and with community and jurisdictional partners as Forward Together 2.0 is completed over the next year.

## Chapter 5

- Page 25-26 missing Capital Investment Grants?

Chapter 6 - <https://www.oregonmetro.gov/sites/default/files/2023/07/10/2023-RTP-chapter-6-public-review-draft-20230710.pdf>

### 6.3.14 Transit operations and maintenance costs

- Figure 6.4: Total cost of TriMet operations and TriMet Operating Capital - Maintenance (Phases 1 and 2) projects are \$22.4B; this seems like more than the 40% reported out in Figure 6.4
- Table 6.5 - Daily Revenue hours are higher than TriMet's estimates for both the near-term and the long-term.
- Figure 6.18 - inaccuracies in this map:
  - Does not show the Line 52 185th as frequent bus
  - Does not show the Line 72 Killingsworth as frequent bus
- Table 6.13: TriMet's submitted project list for transit operations and maintenance shows \$5.7B in the 2023-2030 timeframe, and \$16.7B in the 2031-2045 timeframe. The numbers in this table are much higher than that and it seems unlikely that SMART and streetcar would make up the rest.
- Figure 6.28 needs to show TriMet's 4 Bus Garages on this map (which are all RTP projects). These all have ZEB in the title and are critical to climate pollution reduction of our fleet.

## Chapter 7:

<https://www.oregonmetro.gov/sites/default/files/2023/07/10/2023-RTP-chapter-7-public-review-draft-20230710.pdf>

This chapter makes assertions and estimates that new transit service will be less effective in drawing new riders that is not backed up by data.

- Table 7.2 - please provide your analysis/calculations of the "% of transit network that is complete" so we can better understand it. Please document what is included in the transit service vision and where did it come from?
- Table 7.2 - Why does the "% of households located within walking distance of a frequent transit station" not change between the base year and the 2030 and 2045 results? This doesn't make intuitive sense - there is new frequent transit in both the 2030 and 2045 networks.
- Table 7.3 –these transit revenue hours do not appear to be in line with what we've provided.
- Page 7-7-6 - Why does access to jobs by transit decrease between 2030 and 2045? Is this because there are new jobs assumed in areas that are not transit-supportive?
- Page 7-7-7: "The share of households that are projected to be within walking distance of transit of 2045 is similar to the base year share."
  - This implies that the problem is the lack of growth in the transit network. We would like to posit that the problem should also be assessed as *the lack of new density near established transit lines and in regional centers and corridors.*
- Page 7-7-12 – The last paragraph needs to include mention of other trends occurring during this time and not assume transit service was not effective in attracting riders. "There have been several external factors at play that may have caused this transit ridership reduction. During this time, the cost of housing led many former transit riders to need to move away from transit service to find affordable housing, and there was also a significant increase in ride-hailing services.
- Figure 7.5 - why does this discuss TriMet only and not include SMART and streetcar?
- Table 7.7 - do these analyses assume zero emission buses? Are our zero-emission bus transition projects included in the "% of the capital RTP budget invested in high or moderate impact Climate Smart Strategies?"
- Table 7.8 – please add a caveat that this is a theoretical exercise and there was not detailed assessment of how this 77% increase above RTP levels of transit service assumption

## Chapter 8:

- We have in a separate email sent proposed edits to section 8.2.3.2 – Transit Planning – to mention of ongoing planning efforts for transitioning the fleet to zero-emission, Forward Together 2.0 and requirement to update TriMet Coordinated Transportation Plan for Seniors and People with Disabilities
- Our formal comment letter will include suggestions for new references and programs in chapter 8.

HCT Strategy Document revisions proposed by TriMet

August 22, 2023

<https://www.oregonmetro.gov/sites/default/files/2023/07/10/2023-Metro-high-capacity-transit-strategy-public-review-draft-20230710.pdf>

**General**

1. I mostly see the document referred to as the “High Capacity Transit Strategy *Update*” but on the cover page it’s called the “High Capacity Transit Strategy”. Suggest making consistent for clarity.
2. “BRT” / “corridor-based BRT”: these are presented as mutually exclusive categories, meaning the reader is supposed to understand that “corridor-based BRT” is not “BRT”, a confusing idea. Instead suggest using the FTA’s terms for clarity: “fixed guideway BRT” and “corridor-based BRT”.
3. Throughout the document, HCT is painted with a broad brush and many of the benefits and features described apply to New Starts-level projects, not to Small Starts projects whose level of funding cannot support the many of the features promised. Overall, we’re concerned this framing makes promises that cannot be delivered. Many of the detailed comments below are on this.

We use red below to provide text changes or text edits.

**p.5**

**Definition of Rapid Bus:** This term refers to rubber-tired HCT modes that include bus rapid transit (BRT) and frequent express (FX)-style HCT services. In general, these services offer the core elements of HCT **including transit priority**, enhanced amenities, and frequent, branded service. Rapid bus is distinct from “better bus” improvements that focus on spot treatments for speed and reliability.

We think this more general term is more appropriate than exclusive guideway.

**p.13**

4. **Add to end of second paragraph:** The level of amenities vary depending on the type of transit project or corridor project.
5. “~~...and even civic art...~~” – please remove, as FTA grants no longer funds art.
6. “At the same time, planning for the new Southwest Corridor MAX line remains a regional priority.”

**p.29**

7. Figure 13 – Please remove FX box on this graphic to not too clearly define FX.
8. FX/Better Bus figure – add “Better Bus” yellow dot to “Transit Signal Priority” and “Street Access Improvements”

**p. 35**

9. "In most cases, lower tier corridors do not have sufficient land use, population, and employment density in place to be competitive for increased investment in the short term." – what's the definition of "lower-tier corridors"? 3 and 4? Please clarify.

**p. 37**

10. "Additional community priorities are focused on making high capacity transit ~~for~~ faster and more comfortable to use:" (sentence didn't make sense - is this what was meant to be communicated?)

**p. 39**

11. "For transit investments to meet success and be utilized to its fullest potential, when projects are funded through New Starts grants, other elements and improvements around the transit service and infrastructure are needed; projects delivered with Small Starts grants will need to be more focused on transit investments."

**p.41**

12. Add text below table: These elements are scalable depending on the level of investments in the corridor.  
\*We need to see flexibility in this table because associated benefits shown will generally not be part of Small Starts projects. Also, table needs a title.

**p.42**

13. "The role of community engagement... These events cement residents' ownership of the narrative surrounding their communities and the changes they wish to see. [New paragraph] These practices generally apply to larger projects with exclusive transit guideways. Smaller-scale projects will feature engagement strategies tailored to the level of investment."

**p.43**

14. "For larger projects with exclusive transit guideways, developing station area plans are an early action in corridor development that help tailor local zoning codes and policies to the local context and community-supported vision."
15. "Commitment to corridor: larger projects with exclusive transit guideways delivers economic potential to entire corridors, and local jurisdictions should be ready..."

**p.44**

16. "However, large-scale HCT investments can incentivize redevelopment of property along project corridors and have historically been one of several contributors to ongoing land value and rent increases."

**p. 45**

17. “**For larger projects with exclusive transit guideways**, creating an equitable development framework that guides all land use and development planning in a project corridor helps a community evaluate its guiding principles to ensure that equity is an ongoing part of the planning and development conversation, and includes affordable housing and anti-displacement strategies. The Southwest Corridor Equitable Development Strategy and Equitable Housing Strategy (see callout below) are recent local examples. Metro’s transit-oriented development program is one resource providing funding to stimulate private development of higher-density, affordable and mixed-use projects near transit.”

**p. 46**

18. “This means investing in the streetscape around transit station areas, completing pedestrian and bicycle networks **and** to HCT stations, and partnering with mobility service providers to ensure people can safely reach HCT services. **The level of investment will vary by project and corridor.**”

**p. 49**

19. “include features such as traffic signal priority for buses, **~~off-board fare collection, park and ride facilities, etc.~~**”

**p. 58**

20. “While rapid bus is a catalyst for other much needed investments in the corridor...” Thank you for making this critical point!

**From:** [REDACTED]  
**To:** [Trans System Accounts](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** [External sender]Metro 2023 Regional Action Plan - Public Comment  
**Date:** Thursday, August 24, 2023 6:14:44 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Hello Metro/JPACT members -

Long story short, we need bold action on climate from our elected leaders. We cannot maintain the status quo with small incremental changes that will do nothing to avert the impending disaster that is climate change. We need to radically reorient our regional transportation system away from driving as the default mode and shift immediately to prioritizing safe active transportation networks and reliable mass transit options. 40% of Oregon's carbon emissions come from transportation!! That is the low hanging fruit that needs to be cut, immediately.

The RTP wildly underestimates the amount of carbon pollution that will come from driving without significant, immediate changes to our transportation system. We need the Regional Transportation Plan to adopt more aggressive plans to reduce driving and invest in the most cost-effective initiatives to reduce carbon emissions – walkable communities and abundant public transit. The RTP must divert money away from ODOT's freeway expansions and towards community street initiatives. Expanding road capacity for driving knowing what we know about the massive cuts needed in GHG emissions are the definition of insanity. The RTP also needs to invest in traffic safety, please demand that ODOT prioritize investing in orphan highways instead of freeway expansions.

Please show true leadership and deliver our region and the people in it the transportation vision that we deserve - for generations to come. Our future literally depends on it.

Best regards,  
Joe Vasicek

[REDACTED]  
Tigard, OR 97223

The following comments were submitted anonymously.

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-----Original Message-----

From: Matthew Retailer Exploration <[REDACTED]>

Sent: Thursday, July 20, 2023 9:31 PM

To: Trans System Accounts <transportation@oregonmetro.gov>

Subject: [External sender]Road Improvement Projects, All Railroad Crossings to be Gone

CAUTION: This email originated from an External source. Do not open links or attachments unless you know the content is safe.

Dear Metro

Are we planning on widening the Streets to 7 Lanes? 3 Travel Lanes in each Direction with a Turning Lane.

Widen Scholls Ferry to 7 Lanes between Murray Blvd to Highway 217. Including Grade Separation Project to lift the Roadway over Train Tracks?

Widen TV Highway to 7 Lanes between Murray Blvd to Minter Bridge? If Freight Train Discontinues, it'll be more Space or Impact lots of Businesses. Echelon Interchange will be a New Idea. Which means Half & Half At Grade & Grade Separated.

Echelon Interchange @ the Intersections on TV Highway @ Cornelius Pass & 185th.

Grade Separation Projects to the Intersections & Railroads on Murray Blvd @ TV Highway & Farmington. Cause the Light is Very Long & Disruptions to Railroad Crossings. By lifting Murray Blvd on all of them.

Grade Separation Project to Lombard @ Farmington & Canyon Road. It's a Bad Intersection, not good to have Railroad Crossings on Busy Road.

Downtown Beaverton Loop Area. Making Farmington & Canyon Road into a One Way Couplet between Murray Blvd to Highway 217. Including Railroad Crossings to be Eliminated. Roadway over Railroads on Murray Blvd & Farmington. Roadways underneath the Railroads on Hall/ Watson, Cedar Hills & Hocken. Permanently Closed the Railroad Crossings on 142nd cause Murray Blvd is Super Close to make a Elevation to the Intersections.

Farmington Road, Eastbound Traffic Only  
Canyon Road, Westbound Traffic Only  
Between Murray Blvd to Highway 217

Having 4 Travel Lanes with a Bus Bat Lane in the Right Shoulders. Including Better Sidewalks, Bike Lanes, New Bus Stop Shelters, Streetplants, Streetlights, New Traffic Signals. All Railroad Crossings will be Gone Forever. Many People & Drivers are Frustrated when Freight Trains go by. Passenger Train WES goes by quik & then it'll be out of the way.

Widen Murray Blvd to 7 Lanes between Highway 26 to Farmington.

Widen 185th to 3 Lanes between Bany to Farmington Widen 185th to 5 Lanes between Blanton to Farmington Add

a 3rd Southbound Lane from Johnson to TV Highway Widen 185th to 7 Lanes from Baseline to Cornell Widen 185th to 9 Lanes from Highway 26 to Cornell

Echelon Interchange on 185th @ Evergreen & Cornell

2 Left Turn Lanes in each direction with Right Turn Lane on Evergreen.

2 Northbound Left Turn Lanes on 185th heading West on Cornell.

Grade Separated the Intersections on 185th @ Baseline & TV Highway, cause the Light is Very Long & Eliminates to Railroad Crossings. Light Rail Bridge over 185th. Freight Train Bridge over 185th & Cornelius Pass.

Echelon interchange on Murray Blvd @ Farmington Scholls Ferry & Allen.

2 Eastbound Left Turn Lanes on Scholls onto North on Murray.

Downtown Hillsboro Loop Area, Building a New Bypass from Shute Park onto Dairy Creek. In order to Avoid many Traffic Signals & Railroad Crossings. Grade Separation is included. Having 2 Travel Lanes in each direction. Eliminating Railroad Crossings on Adams crossing Washington, Baseline & Oak. By lowering Road Terrace underneath the Train Tracks.

On Max Trains, we should Permanently Ban on All Railroad Crossings. Only Bridges or Tunnels. Grade Separation Projects to Eliminate All Railroad Crossings will take a Long Time & it's Very Expensive. It's Very Important to Ease Congestion & Improving Safety.

Max Trains will be Closed for a Long Time during a Long Term of Construction. All to be replaced to Shuttle Buses. For about 2 to 3 Years.

Permanently Closed Crossings on 12th, Biggi, Schottky, 117th, 114th, Kelly & Roberts

Roadway underneath the Tracks on:

Flavel, Division St, Eastman Pkwy, Civic Dr, 202nd, Eleven Mile Ave, 185th, Quatama, Century Blvd, 28th, Elam Young Parkway, 170th, Merlo, 153rd, Hocken, Cedar Hills, Watson/ Hall & Lombard

Roadways over the Tracks on:

Baseline, 82nd @ Airport Way w/ Interchange to Airport Way, Cascades, Mt St Helen's, & Parking Lot 205

Safety First & Save Travels.

I appreciate, Thank You

Sent from my iPad



**Date:** August 15, 2023

**To:** Metro RTP Public Comment [transportation@oregonmetro.gov](mailto:transportation@oregonmetro.gov)

**Copy:** Metro Council by email  
JPACT by email

**From:** Chris Smith, No More Freeways  
Joe Cortright, No More Freeways  
Aaron Brown, No More Freeways

**Subject: No More Freeways' Comments on 2023 RTP Public Review Draft**

*"Some highway engineers have a mentality ... that would run an eight-lane freeway through the Taj Mahal. That is our problem."*

– Oregon Governor Tom McCall, 1970

No More Freeways appreciates the enormous effort, technical skill and public outreach that has gone into developing the 2023 Regional Transportation Plan Public (RTP) Review draft. We also appreciate the effort to develop new directions in pricing policy and mobility policy.

**Metro is Planning to Fail to meet our necessary climate and safety improvements.**

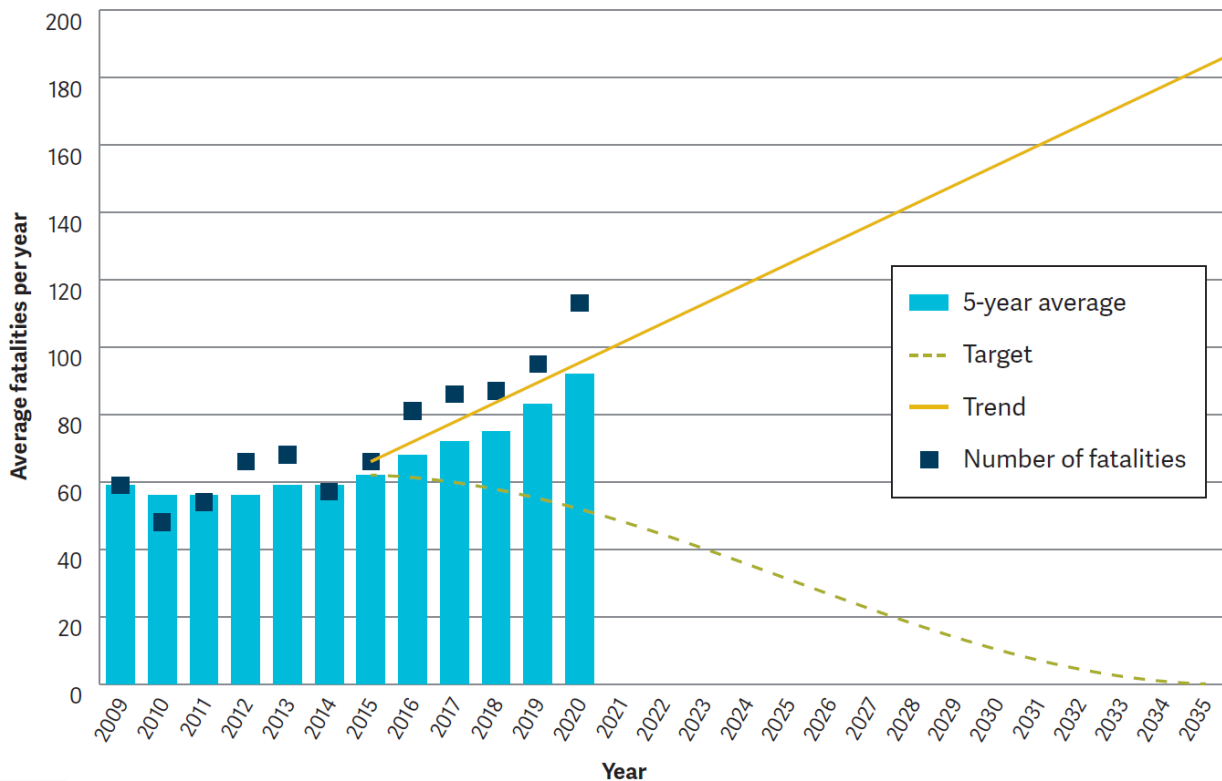
Nonetheless our review concludes that the old paradigm of prioritizing private automobiles, generally supported as much or more by State of Oregon policies than Metro policies, continues to drive our transportation system in the wrong direction. We appreciate the fact that the RTP honestly concludes that we fail to achieve regional goals in three critical areas: Safety, Climate and Mode Split. The failure on Climate is much worse than the plan indicates because it relies on a fictional model of vehicle fleet characteristics provided by the state, which is clearly belied by real world data.

In our comments we will specifically address these three failure areas and will comment on the new pricing and mobility policies as well as the issue of vehicle size, which we believe is a critical area for new policy, even though Metro currently lacks legislative authority in this area.



## Safety Failure

We cannot describe this issue more starkly than Figure 4.10 does:



Chapter 4 documents how this is a critical equity issue on a number of dimensions, including race and housing status. We don't disagree that the causes are complex, but would call out specifically the alarming trends in vehicle size and weight, which we believe is an issue Metro must pursue (see policy discussion below).

But we must call out the conflicting pattern of investments. ODOT's Rose Quarter freeway expansion (\$1.9B) is billed as a "safety and operations" project, but there have been no fatalities there for over a decade. A region in which billions of dollars were applied to our high crash corridors instead of to adding freeway lanes would be a much safer region. While we appreciate the investments in jurisdictional transfer like outer Powell and 82nd Avenue the pace of efforts to address these corridors must be radically accelerated. It's our region's most vulnerable residents who suffer from this gravely significant misallocation of funds, and the Metro Council and JPACT have an opportunity to rectify this injustice by directing more revenue into safety projects by removing multibillion dollar freeway expansions from our plans.



We also acknowledge that there are “cultural” issues around the safety issue. We were very disappointed to recently hear a Portland Police Bureau leader admit publicly that the Bureau messaged to the community that they would not enforce traffic laws as a ploy to seek larger budgets.<sup>1</sup> We hope Metro leaders will use their bully pulpit to address cultural factors that are making our public realm less safe.

Finally on this topic, we'd like to call out a ray of hope, Multnomah County's direction to view traffic safety as a public health issue.<sup>2</sup>

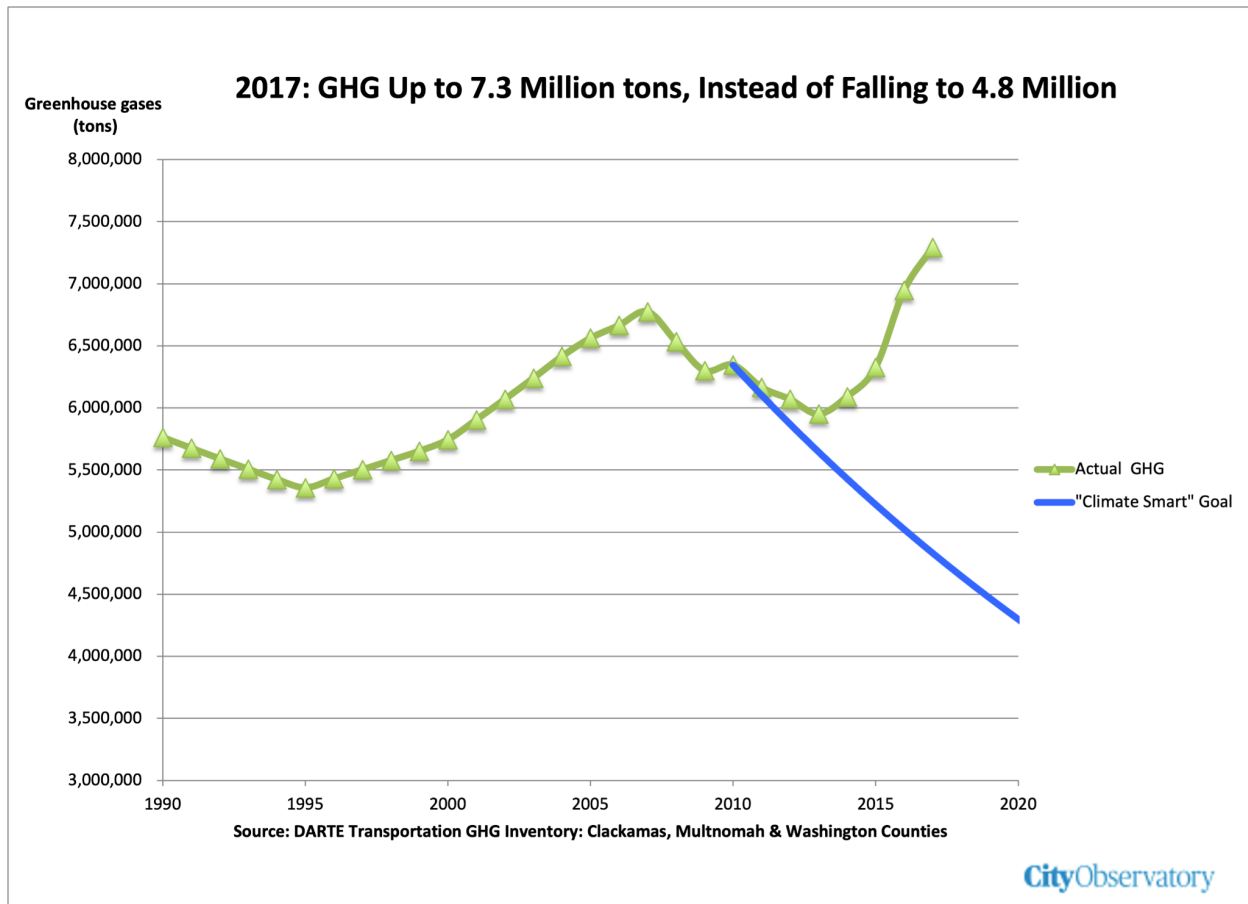
### **Climate Failure**

The RTP and the Climate Smart Strategy that forms the basis for the RTP climate policy take ownership of a relatively narrow slice of transportation contributions to Greenhouse Gas (GHG) emissions: the amount of vehicle travel per person (VMT per capita). Even with this limited responsibility, the plan still predicts that we will fail to meet these goals (Table 3 of Appendix J) with the combination of this RTP and other adopted plans.

But by only looking at VMT per capita, the plan ignores the fact that the underlying vehicle fleet (the state's responsibility under Climate Smart) is completely unreflective of the reality of vehicle size, fuel consumption and age. Our colleagues at City Observatory have charted this based on DARTE GHG inventories:

<sup>1</sup> Portland Police Bureau officer admits traffic enforcement messaging was politically motivated  
<https://bikeportland.org/2023/08/08/portland-police-bureau-officer-admits-no-traffic-enforcement-messaging-was-politically-motivated-377939>

<sup>2</sup> Public Health Data Report: Traffic Crash Deaths in Multnomah County  
[https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/Revised\\_Final\\_MultCo%20traffic%20deaths%202020\\_2021.pdf](https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/Revised_Final_MultCo%20traffic%20deaths%202020_2021.pdf)



When it adopted its Climate Smart Strategy in 2014, (and again in the 2018 RTP, and yet again in the draft 2023 RTP), Metro promised to update its modeling to reflect actual progress in reducing vehicle GHG emissions, and to adjust its policies accordingly. The GHG analysis contained in the RTP shows just the opposite: The RTP ignores the increase in Portland area transportation greenhouse gasses over the past five to ten years, and also relies on assumptions about vehicle age and fleet composition that are exactly opposite of recent trends: today's vehicle fleet (and tomorrow's) is vastly older, larger and dirtier than assumed in the RTP modeling.

Nothing in the RTP prioritizes the spending of the region's scarce and limited resources on those investments that will produce the greatest reductions in greenhouse gasses. The RTP lacks any project-based GHG emission criteria. In essence, Metro says the GHG policy only applies to the overall *plan*, not the individual *projects*. As long as Metro can (based on obviously erroneous ODOT modeling) claim that the plan is on track to meet comply with the



LCDC rule, (which by the way doesn't do enough to get to the state's 75% GHG reduction by 2050 goal), then the RTP is "good" from a climate perspective.

What the RTP does do, in contrast, is prioritize projects that improve vehicle speeds (i.e. the standard that no throughway should have speeds of less than 35 MPH for four hours per day). The RTP says that if these projects do increase GHG, that there will be mitigation. But as we know, ODOT regularly claims that its freeway widening projects don't increase VMT or GHG (in spite of science to the contrary), so no mitigation is actually required. This policy of allowing projects that increase VMT and GHGs, and then spending even more to mitigate these emissions increases adds insult to injury, because we'll spend our limited resources on projects that increase GHG emissions, and then spend even more money on "mitigating" those increased emissions, instead of reducing the current level of GHGs.

### **Mode Split Failure**

Chapter 7 makes it clear that the region's ambitious mode split goals will not be met with the pattern of investment in this RTP. Only a major shift in investment strategy can achieve our mode split goals. Of course mode split is only a means to the goal of a safer and more sustainable transportation system. While we strongly support additional investment in transit we note that building out the region's active transportation network would be the single most cost-effective investment we could make.

### **Pricing Policy**

There is much to like in the policies outlined in Section 3.2.5 and in the research conducted by Metro in recent years that helped formulate this policy. A few notes on the policy:

- We are curious that table 3-3 omits mention of parking pricing since it lives at the intersection of policies that effectively drive our regional priorities and which can be implemented by the local governments within the region.
- The callout box on p. 3-46 notes the potential constitutional limitations on how revenues from roadway pricing might be used but fails to note a strategy that could be used to offset this: swapping pricing revenues with Federal dollars - now often spent on uses allowed to the Highway Trust Fund - but allowed to be used much more flexibly. Such a swap could greatly advance transit and active transportation efforts.



Our major criticism of the pricing policy is that it is not being applied rigorously to project selection. The inclusion of ODOT's I-205 and RMPP tolling projects would appear to fly in the face of major components of policy 3.2.5:

- “Revenues collected through pricing programs should be reinvested in a manner that helps meet state, regional and local goals related to reductions in greenhouse gas emissions and congestion while improving mobility and safety.”
- “Revenue should not be reinvested solely for single occupancy vehicles but should be invested to improve the entire multimodal transportation system.”

RMPP and I-205 both appear to be motivated in large part to fund further freeway expansions. Starting tolling in other corridors like I-84 or Highway 26 with strong transit alternatives would be more equitable and more likely to shift travel to modes that align with regional goals.

We would also note the strong diversion concerns being expressed in relation to the I-205 tolling project and point out that a VMT fee would be a stronger program that would alleviate many diversion concerns.

### **Mobility Policy**

We are ecstatic to see the end of LOS, but question whether we have selected the right set of replacement measures. System completion is a useful measure for our transit and active transportation systems, but throughway vehicle throughput is likely to reinforce existing unproductive investment patterns. We are disappointed to see that there is no “people throughput” measure and especially that there is not a focus on accessibility to jobs, education and other sources of opportunity rather than simply on mobility. Accessibility measures would better reflect the combination of Metro’s planning responsibility for both land use and transportation.

### **The Missing Policy - Vehicle Size and Weight**

One common element links the failures in both safety and climate - the arms race for larger and larger vehicles driven by fear-based marketing. This arms race benefits the profits of the automobile industry but is devastating to our communities and the health of our planet.

Electrification actually makes this issue worse as batteries increase the weight of these large vehicles. The full life cycle carbon footprint of a heavy electric vehicle can actually be greater than that of an internal combustion sedan.



We understand that this is a national failure, but that does not mean we cannot begin to address it locally. A variable VMT fee or registration fee based on vehicle height and weight would be an important signal and economic inducement to consumers to consider more reasonable vehicles.

We understand that Metro and local jurisdictions currently lack legislative authority to implement this, but Metro should add this to its legislative agenda for both 2024 and critically for the major transportation package anticipated for the 2025 session.

Creatively structuring such fees as a privilege tax for operating an oversized vehicle in an urban environment could be a potential path around Highway Trust Fund limitations on revenue use. Even failing that, these revenues could contribute to addressing the issues on our high crash corridors.

## Conclusion

If the elected officials who comprise the Metro Council and the Joint Policy Advisory Committee on Transportation are serious about reducing carbon emissions and traffic fatalities, we have to make a plan. The RTP as currently proposed is a plan to fail to deliver to Oregonians the safer, healthier, more equitable, and climate-smart transportation that our region deserves. The policy recommendations provided above, coupled with the direction expressed by our advocacy peers at Verde, 1000 Friends of Oregon and the Street Trust, are necessary paradigmatic changes for any local government interested in not just talking about climate action but actually delivering on it. With heat waves continuing to pose significant health threats to our community and ever growing fires, floods, droughts and storms becoming ubiquitous around the planet, it is beyond time for our regional government to demonstrate bold leadership and make a new plan that does not sentence current and future generations to planetary havoc.

This review of the Regional Transportation Plan also provides an opportunity to remind the local elected officials of the opportunities that await to raise revenue for transportation projects in the 2025 legislative session. By all accounts, legislators are gearing up to propose a substantial investment in new infrastructure - with your leadership and lobbying, we can collectively push legislators to demand prioritization of investment in traffic safety and climate that will allow the best parts of the RTP to not just stay lines on a map but in fact be implemented, executed and built. No More Freeways and our robust membership are eager to support any local elected officials eager to collaborate on efforts to ensure the state invests in the transportation system we deserve.

**Climate leaders don't widen freeways. Climate leaders don't keep plans to widen them, either.** We hope the Metro Council will demonstrate in action the climate and traffic safety



leadership that they use in rhetoric by adopting these aggressive and necessary changes to the Regional Transportation Plan.

The following people submitted individual comments that expressed support for the comments that No More Freeways emailed to JPACT and Metro Council on Aug. 15, 2023 regarding the Public Review Draft 2023 Regional Transportation Plan.

- Zach Alderman
- Trish Claffey
- Mike Farrell
- Jessi Presley-Grusin
- Zana Hristic
- Doug Klotz
- Mulysa Melco
- Walk Mintkeski
- Emee Pumarega
- Chris Smith
- Katherine Stansbury
- Suzanne Steffen
- Anna Sun
- Wesley Ward

**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]Public Comment Period for the RTP. No. More. Freeways.  
**Date:** Friday, August 25, 2023 11:20:41 AM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Hello,

I am writing today to urge Metro to stop planning to fail and adopt the policy positions submitted by No More Freeways in their letter to Metro on August 15, 2023.

I find it incredibly disheartening every time the City of Portland, Metro, County, State, and Federal governments claim there is not enough money to fix our existing transportation infrastructure so it stops killing 40,000+ Americans every year. It is not true. In reality, we keep spending enormous sums of money making our roads even more deadly by expanding auto centric projects. Every project under consideration by Metro to expand the number of VMT should be discarded immediately.

Not only is it the wrong decision for the health and safety of our citizens, it is fiscally irresponsible. Auto centric infrastructure (regardless if the cars are gas or electric powered) costs more to maintain than any other form of transportation and will only grow our collective debt. Please stop spending the limited funds we have on projects that expand our negative ROI infrastructure that future generations will be unable to pay for.

Sincerely,  
Zach Alderman

-----Original Message-----

From: Trish Claffey <[REDACTED]>

Sent: Friday, August 25, 2023 5:38 PM

To: Trans System Accounts <transportation@oregonmetro.gov>; [REDACTED]

[REDACTED]

Subject: [External sender]No More Freeways!

CAUTION: This email originated from an External source. Do not open links or attachments unless you know the content is safe.

Climate change is REAL!

Please invest in mass transit, bikes/bike paths and not in more cars!

Sincerely, Trish Claffey

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**From:** Mike Farrell <[REDACTED]>

**Sent:** Friday, August 25, 2023 1:44 PM

**To:** Trans System Accounts <transportation@oregonmetro.gov>; [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** [External sender]Regional Transport Plan

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

I am writing to let you know of my support for policy positions submitted by No More Freeways. I want to see policies that actually address climate change. The only way to do this is to encourage alternative forms of transportation. If we don't divest from our car culture we will be unable to meet any climate goals and heat domes will be the norm. People won't bike or take transit more often if it is inconvenient. We must invest in these alternative transportation systems. Invest in systems that will be what we want to have in the future. Investing in cars now, just keeps cars, congestion, and pollution as a top priority.

Divesting from cars can also lead to safer streets. People in Portland say they don't bike because it isn't safe. Make it safe and more people will bike. The money needs to go into the safety and alternative methods of transportation. Without critical investment, we will always say: People drive their cars. They do because that is what our transportation system prioritizes and makes easy. If we want to slow climate change and makes streets safer we need to invest in things that do that. Don't invest in ways to make cars safer, that won't do it.

thank you  
Mike

**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]Public comment for the RTP  
**Date:** Thursday, August 24, 2023 5:55:37 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Dear Metro and JPACT officials,

I am writing to ask that you adopt the policy positions submitted by No More Freeways. Your current Regional Transportation Plan fails to the climate crisis as well as the rising number of traffic fatalities on Portland's streets, and that is unacceptable. We need bold action on climate change like investments in reducing driving, and abundant accessable public transportation. We need investments in traffic safety. We don't need more freeways. Please support the plan put forward by No More Freeways today and give Portland something it actually needs.

Sincerely,  
Jessi Presley-Grusin

---

**From:** Zana Hristic <[REDACTED]>

**Sent:** Friday, August 25, 2023 9:35 PM

**To:** Trans System Accounts <[REDACTED]>

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** [External sender]No More Freeways, please!

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

*Please stop planning to fail on our climate and traffic safety goals.*

*Please adopt the policy position submitted by No More Freeways.*

*To achieve our climate and safety goals we must demand a future with safer streets and no more freeways.*

*Sincerely,*

Žana Hristić

**From:** [REDACTED]  
**To:** [Trans System Accounts](#) [REDACTED]  
**Subject:** [External sender]RTP Comments  
**Date:** Thursday, August 24, 2023 11:51:39 PM

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CAUTION: This email originated from an External source. Do not open links or attachments unless you know the content is safe.

I agree with the comments of No More Freeways of August 15, regarding the RTP. Please adopt the policy positions submitted by No More Freeways. We cannot plan to fail to achieve our climate and safety goals we must demand a future with safer streets and no more freeways! Thank you.

Doug Klotz  
[REDACTED]  
Portland, OR

Sent from Mail for Windows

**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** [External sender]No More Freeways!  
**Date:** Thursday, August 24, 2023 6:00:23 PM  
**Attachments:** [smime.p7s](#)  
[ATT00001.txt](#)  
[ATT00002.htm](#)

---

Dear Metro councilors,

I am writing in response to the draft of the Regional Transportation plan and in particular to express my opposition to **any** freeway expansion in the Metro region.

This is a critical time to focus our resources on climate solutions, not regressive biggerring transportation projects. My family and my business are feeling the impacts of climate change and I want a sane response from our regional leadership: more and better public transit, more and safer bike infrastructure and incentives, and less carbon pollution!

When our exiting roads and bridges are not being kept up safely, and we have traffic safety issues around the region (represented by increased fatalities!), are badly in need of climate crisis action, please scrap the I-5 Rose Corridor expansion project and focus the regional plan on climate solutions!

Mulysa Melco  
Overlook Neighborhood, 97217

Mulysa Melco, M.Ag.  
(she/her pronouns)  
Landscape Designer  
Resilience Design  
[REDACTED]

Shop for plants & seeds at our [web shop](#).

**From:** [REDACTED]  
**To:** [Trans System Accounts](#) [REDACTED]  
**Subject:** [External sender]Comments on METRO 2023 Regional Transportation Plan  
**Date:** Thursday, August 24, 2023 6:30:08 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

I want to add my voice in support the comments submitted by No More Freeways in its August 15,2023 letter concerning the Metro 2023 Regional Transportation Plan (RTP).

The RTP fails to meet our region's safety and climate goals by planning and funding freeway related projects, such as the Rose Quarter freeway expansion. The plan prioritizes private automobile movement, which is the opposite of what is needed.

Instead, the priority should be to address the safety and pedestrian mobility issues in corridors like outer Powell Boulevard and SE 82nd Ave.

Finally, the plan must prioritize investments which produce the greatest reductions in greenhouse gases.

Thank you for this opportunity to comment.

Walt Mintkeski  
Portland, OR

**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]Public comment on the RTP  
**Date:** Friday, August 25, 2023 6:00:24 AM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Dear Metro Council:

I would like to submit the following public comments to the Regional Transportation Plan:

1. Our world is in a climate emergency, and transportation plays a huge role in the contributing factors to climate change.
2. Building more car-centric infrastructure, such as expanding freeways and prioritizing single passenger vehicles, is a sure way to fail at the regional climate goals.
3. Pedestrians, children, elders, cyclists, and other vulnerable road users are in great peril from the continuing expansion of car culture.
4. Metro must direct Regional Transportation Plan investment to save lives and reduce greenhouse gas emissions.
5. I support the positions of advocacy group No More Freeways.

Thank you for taking my comment,  
Emee

—  
Emee Pumarega (she/her)  
North Tabor homeowner, Portland Public Schools parent, Metro region 6 constituent,  
and Portland business owner  
[REDACTED]

---

**From:** Chris Smith <[REDACTED]>

**Sent:** Tuesday, August 15, 2023 4:11 PM

**To:** Trans System Accounts <[REDACTED]>

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** [External sender]2023 RTP Comments from No More Freeways

**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Please see the attached comments from No More Freeways.

Thank you.

**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]Adopt the policy positions submitted by No More Freeways  
**Date:** Thursday, August 24, 2023 9:06:29 PM

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- **We need bolder action on climate**

To anyone who has lived in the Willamette Valley for decades, the longer, drier, hotter summers are an unmistakable change in our climate. 40% of Oregon’s carbon emissions come from transportation, and as our letter to Metro details, the RTP wildly underestimates the amount of carbon pollution that will come from driving without transformative changes to our transportation system. If the elected officials around our region are truly the climate leaders that they say they are on the campaign trail, we need them to push the Regional Transportation Plan to adopt more aggressive plans to reduce driving and invest in the most cost-effective initiatives to reduce carbon emissions – walkable communities and abundant public transit. The RTP can also be more bold on pushing for more aggressive regional congestion pricing in line with the Climate Smart Communities program, and direct money away from ODOT’s freeway expansions and towards community street initiatives. Metro needs to be an unambiguous champion of more equitable congestion pricing policy.

- **Invest in traffic safety**

There’s been nothing short of carnage on our streets the past few years. It seems to get worse and worse, despite all the proclamations from elected officials that it’s time we did something about our unsafe streets. We need regional elected officials to demand that ODOT prioritize investing in orphan highways instead of freeway expansions. The Regional Transportation Plan is an opportunity to outline how this region will prioritize investments in traffic safety over additional road capacity. freeways.

Katherine Stansbury  
[REDACTED]  
Portland, Oregon 97219

**From:** [REDACTED] Suzanne Steffen  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]No More Freeways in the Regional Transportation Plan!!  
**Date:** Thursday, August 24, 2023 8:00:19 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Dear Metro,

With devastating climate crises underway nationwide and a horrendous uptick in traffic fatalities on Portland's streets, **your proposed RTP as written is a plan to fail** to address these challenges.

*Suzanne*

**From:** [REDACTED] Anna Sun  
**To:** [Trans System Accounts](#); [REDACTED]  
**Subject:** [External sender]No more freeway, please and thank you  
**Date:** Thursday, August 24, 2023 6:12:37 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

#### We need bolder action on climate

Anyone else sick of this heat wave? 40% of Oregon's carbon emissions come from transportation, and as our letter to Metro details, the RTP wildly underestimates the amount of carbon pollution that will come from driving without transformative changes to our transportation system. If the elected officials around our region are truly the climate leaders that they say they are on the campaign trail, we need them to push the Regional Transportation Plan to adopt more aggressive plans to reduce driving and invest in the most cost-effective initiatives to reduce carbon emissions – walkable communities and abundant public transit. The RTP can also be more bold on pushing for more aggressive regional congestion pricing in line with the Climate Smart Communities program, and direct money away from ODOT's freeway expansions and towards community street initiatives. Metro needs to be an unambiguous champion of more equitable congestion pricing policy.

#### Invest in traffic safety

There's been nothing short of carnage on our streets the past few years. It seems to get worse and worse, despite all the proclamations from elected officials that it's time we did something about our unsafe streets. We need regional elected officials to demand that ODOT prioritize investing in orphan highways instead of freeway expansions. The Regional Transportation Plan is an opportunity to outline how this region will prioritize investments in traffic safety over additional road capacity. freeways.

#### Air quality

Having hard time catching your breath? Let's not add more exhaust into the air. We already have deal with wildfire smoke and smog every year now and highly doubt it'll get better if we add more cars in the road.

Thanks

**From:** [REDACTED]  
**To:** [Trans System Accounts](#); [REDACTED];  
**Subject:** [External sender]Regional Transportation Plan  
**Date:** Friday, August 25, 2023 8:35:45 AM

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CAUTION: This email originated from an External source. Do not open links or attachments unless you know the content is safe.

To Metro:

It appears that the proposed regional transportation plan has not priorities safety and climate. This is really unacceptable. While I don't follow No More Freeways zealously, I am impressed by their analysis of the proposed plan and I favor alternatives that would actually move us toward a safer and less climate-damaging approach.

ODOT appears to be heavily influenced by industry interests. Reliance on ODOT data is a questionable practice for something as important as the Regional Transportation Plan.

No more gargantuan projects that will saddle the region with higher taxes to pay for the wrong approaches.

Respectfully,

Wesley Ward  
Brooklyn neighborhood



**PUBLIC REVIEW DRAFT  
2023 REGIONAL TRANSPORTATION PLAN**

# **Letter Public Comments**

July 10 – August 25, 2023

[oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)



August 25, 2023

Metro Planning  
600 NE Grand Avenue  
Portland, OR 97232

Re: 2023 Regional Transportation Plan

The American Heart Association is concerned with the high rates of pedestrian fatalities in Oregon. We all want and deserve to live in safe, healthy communities but this has not been a reality for many in our state. **An effective Transportation Plan should include a comprehensive and binding complete streets policy that requires that every road construction and reconstruction project make a street safe and comfortable for all users, preferably with prioritization of investment in communities that have historically been under-resourced.**

Complete streets policies set a foundation to improve the way a community designs and builds streets and roads. Instead of prioritizing motor vehicles, neighborhoods are designed and built for the safety of everyone including those who walk, bike, use a wheelchair, use public transportation, and drive.

Oregon Metro has long had a Vision Zero goal to address pedestrian fatalities, but the current safe system approach does not go far enough. A comprehensive and binding complete streets policy is a critical step towards achieving Vision Zero. This policy requires all transportation projects to enable reasonably safe travel for all users, prioritizes projects in under-resourced communities, creates a process for equitable and inclusive community engagement on all phases of implementation, and monitors and reports on progress.

Complete streets policies also have profound impacts on public health. These policies create opportunities for increased physical activity by incorporating features that promote regular walking, biking, and transit use into nearly every street. People who live in neighborhoods where it is easier and safer to walk are more active, have a reduced risk of heart disease and diabetes, and feel more connected to their neighbors, which improves quality of life. When streets are designed only for cars, however, they deny people the opportunity to choose more active ways to get around.

We would like to offer our support and technical assistance to help Metro establish a complete streets policy that enables safe access for all users, promotes active transportation, and eliminates pedestrian deaths. We look forward to working closely with you.

Sincerely,

Christina Bodamer

Oregon Government Relations Director  
American Heart Association



# BIKELOUD

[bikeloudpdx.org](https://bikeloudpdx.org) | [@bikeloudpdx](https://twitter.com/bikeloudpdx) | [@bikeloudpdx](https://www.facebook.com/bikeloudpdx) | [bikeloud](https://www.instagram.com/bikeloudpdx)

**RE** Active Transportation Spending Discrepancy in the RTP

**Date** August 25, 2023

**To** Council President Lynn Peterson, Councilor Ashton Simpson, Councilor Christine Lewis, Councilor Gerritt Rosenthal, Councilor Juan Carlos González, Councilor Mary Nolan, Councilor Duncan Hwang

Dear Metro President and Councilors,

BikeLoud, Portland's bicycle advocacy non-profit, deeply appreciates your "blueprint for the future", the [2023 Metro Regional Transportation Plan Public Review Draft](#) (RTP). Everyone at Metro should be proud of the cohesive and comprehensive vision it lays out.

However, during our review, we grew concerned. **The dollar amounts allocated to active transportation in the RTP don't appear to correspond to your stated priorities.**

The RTP makes it very clear that investment priority must center on active transportation. We are puzzled by the budget ([Table 5.4](#)) that inexplicably allocates 50% of total spending to motor vehicles, in the form of *Throughways, Roads and Bridges*, the *IBR*, and maintenance, and only puts 4.5% into the active transportation budget, to be split between walking and bicycling.

Walking and biking have historically been underfunded. This long-term RTP is an opportunity to redress that inequity. **Can you explain why, for every \$1 spent on sidewalks, or on fixing gaps in the bike network, \$25 will be spent on motor vehicles?**

This imbalance is concerning when the other 570 pages of the RTP so expertly articulate why we must do the opposite – prioritize investment in active transportation and connections to transit. **Why does Metro not want to align its own investment dollars with the priorities, goals, and vision in its RTP?**

To help BikeLoud better understand the spending discrepancy in the RTP, **we respectfully request a meeting** with any councilor(s) available to discuss your budget priorities.

Thank you so much,  
BikeLoud Board of Directors

August 03, 2023

Metro Planning  
600 NE Grand Ave  
Portland, OR 97232-2736

**RE: Regional Transportation Plan Public Review DRAFT**

Dear Kim Ellis, 2023 RTP Project Manager:

On behalf of the Clackamas County Coordinating Committee (C4), we are writing to share our feedback on the 2023 Regional Transportation Plan (RTP) Public Review draft. We wish to express our appreciation for Metro's efforts and acknowledge the challenges of developing the next RTP on the heels of the COVID-19 pandemic, including holding various workshops and many visits by Metro staff to C4 meetings.

At this stage of the 2023 RTP's development, we wish to offer feedback on three critical gaps. Namely, better integration of Pricing Policy direction into the active tolling and congestion pricing projects, the need for engagement around future transportation funding options, and the importance of the region working together to prepare for electrification of the transportation network.

**Pricing Policies should be recognized by the tolling and congestion pricing projects in the 2023 RTP**

This process must acknowledge that the projects local jurisdictions moved forward into the 2023 RTP did not necessarily emerge as priorities in their local Transportation System Plans (TSPs) to specifically address the impacts of tolling and congestion pricing the interstates. Local TSPs have not had the time, data or resources to integrate the solutions that will be needed to address the impacts of tolling, which means the 2023 RTP does not include those projects either. From the information that we have seen to date, the diversion created by the ODOT tolling and congestion pricing projects will be impacting the local roadway systems. We are concerned that the 2023 RTP does not prioritize local projects that will be needed to address the impacts of the ODOT led pricing projects.

In addition, significant time and effort has been spent on developing the Pricing Policies that are in Chapter 3 of the 2023 RTP. It is essential that they are used to guide the projects that implement pricing as they are designed and constructed. We are concerned that ODOT's tolling and congestion pricing projects are not being carefully designed in a way that will ensure that the process is equitable, that the revenues will be reinvested equitably, or that will adequately address significant diversion onto local streets. As we witnessed in Clackamas County through ODOT's 2023 draft Environmental Analysis for the I-205 Tolling Project, tolling will produce diversion in significant ways that dramatically alter transportation needs off the interstate. Without being held accountable to the 2023 RTP Pricing Policies, the actual pricing projects will not bring forward the benefits expected by the RTP. As these projects move forward through the MTIP approval process, they should be required to provide a report on how the projects that are evolving are meeting the 2023 RTP pricing policies.

**The region must have a conversation to determine predictable and sufficient revenue to advance transportation projects**

Our region needs to be engaged with the discussion about how to replace lost revenue from the declining gas tax. Presently, cities and counties share 50% of the state gas tax, by formula, which is a significant source of local road funding. While many jurisdictions have established other revenue streams (many are also gas taxes), not everyone has or has been able to. And yet, the region currently has no funding replacement for that loss. ODOT, however, has said the congestion pricing program is their way to replace revenue from the declining gas tax, not for new capital projects but rather for maintenance of the interstate system. While a revenue share of the new congestion pricing program is certainly one idea – and a fair one if ODOT is replacing the gas tax – it cannot be the only solution. We must find a way for our communities to fund our projects or we will not reach our RTP goals. The 2023 RTP should include a project specifically designed to host a conversation at JPACT about the future of transportation funding.

**Electric vehicle infrastructure is under-represented**

The automotive industry is sprinting toward electrification of their fleets. Most manufacturers will only produce electric vehicles as early as 2035. Likewise, starting in 2035 automotive dealers in Oregon will only be able to sell “new” vehicles if they are electric. Simply, density requirements and other recent land use laws limit where parked vehicles are able to charge, and charging stations do not exist in the same capacity as fueling stations. Hydrogen fuel markets are also expanding, though slower, and will have similar challenges. We must find a collective way to ensure adequate charging infrastructure is in place during this gas to electric transition. All of this is especially acute in Clackamas County since there are not significant levels of viable travel options. Models exist in California that may serve as a starting place for our region to begin discussing funding and expansion of infrastructure for fossil fuel alternatives. Supporting the transition to EVs and other alternatives is critical to help us move toward our climate reduction goals.

We must have a Regional Transportation Plan that is truly regional, and not a system that favors some communities over others. Our residents and businesses depend on a predictable transportation system that is fair and efficient. It is our goal in C4 and throughout Clackamas County to advocate for those fair investments and policies so that our region thrives together.

Sincerely,



Paul Savas, Commissioner  
Clackamas County  
C4 Co-Chair  
R1ACT Vice Chair



Brian Hodson, Mayor  
City of Canby  
C4 Co-Chair  
R1ACT Member

**C4 Membership:** Clackamas County; the Clackamas Cities of Canby, Estacada, Gladstone, Happy Valley, Lake Oswego, Milwaukie, Molalla, Oregon City, Rivergrove, Sandy, Tualatin, West Linn, Wilsonville; Clackamas CPOs, Hamlets, and Special Districts; Ex Officio Members including Metro, MPAC Citizen, Port of Portland, Urban and Rural Transit

August 25, 2023

Ms. Kim Ellis  
Policy Manager, RTP  
Metro  
600 NE Grand Avenue  
Portland, OR 97232

Dear Kim,

I have reviewed major portions of the draft 2023 RTP, and offer some brief suggestions in the hope of making the document more useful to workers and residents in the Tri-County region.

### **Regional Mobility Policy**

For the past 30 years, opinion polls commissioned by Metro related to transportation or regional planning (including the 2040 Concept Plan) have consistently shown that congestion relief is the top priority for respondents. Yet the draft 2023 RTP does not reflect that.

According to a memo from Susan Wright and Darci Rudzinski, dated 10/28/22, a determination was made through the 2018 RTP that “alternative mobility targets” are necessary. This was based on the region’s inability to

...implement transportation projects needed to meet current targets given anticipated funding and estimated costs, and in some cases because the physical impacts of potential projects or the impacts on other modes were not acceptable...

The mobility outcomes proposed in the 2023 draft appear to completely give up on the goal of congestion relief. This is revealed by the order in which priority outcomes are listed. The first outcome is “**equity**”, which may be a desirable attribute of transportation policy but is not, by itself, a meaningful goal. The primary purpose of transportation infrastructure should be to move people and goods efficiently and effectively so that various societal needs can be met.

Moreover, Metro’s definition of equity is meaningless:

“BIPOC community members and people with low incomes, youth, older adults, people living with disabilities and other marginalized and underserved communities experience equitable mobility.”

Almost everyone in the region could plausibly claim to be young, older, or underserved, so there are no real priorities. And defining “equity” as “equitable mobility” is circular.

Elsewhere, the document states that “equity can be enhanced through providing strong multimodal networks”, which ignores the reality that for most trips, traveling by private automobile is the best option. Instead of trying to pretend that people are longing for more bikeways or bus options, Metro should focus on methods for making auto travel easier for everyone, including those who currently are closed out due to low incomes, disabilities, or other factors. Possible strategies to facilitate auto-mobility could include publicly financed low-income car ownership programs, or vouchers for ride-hailing services.

Metro’s second priority is “**efficiency**”, which sounds logical until one reads the definition:

Land use and transportation decisions and investments contribute to more efficient use of the transportation system meaning that trips are shorter and can be completed by more travel modes, reducing space and resources dedicated to transportation.

Most people would assume that “efficiency” means having the transportation infrastructure operate in such a manner that it serves the greatest number of people reliably, at a reasonable cost, with a minimum of unnecessary delays. The biggest inefficiency of the system today is the deadweight loss of traffic congestion. Yet the RTP does nothing to address this; in fact it locks congestion in as a fact of life by defining up to four hours of delay daily as acceptable.

The Metro goal of shortening trips is doomed to fail. There is nothing Metro or any other unit of government can do to make trips shorter. Regardless of urban design, individual choices determine trip length. People have many reasons to travel, including employment opportunities, recreation, or family obligations. Planning and zoning has no bearing on these decisions.

Another Metro priority is “**reliability**”, which on its face has value. But in the fine print we see more barriers to congestion relief:

Improving automobile reliability through additional roadway capacity should follow the region’s congestion management process and not come at the expense of non-motorized modes and achieving system completeness consistent with modal or design classifications in the RTP or achieving the VMT/capita target for the region or the jurisdiction.

As I will discuss in the next section, meeting the proposed targets for reducing VMT will be impossible. That means Metro will be opposed to any throughway enhancements in the region for the duration of the RTP.

## Draft Performance Measures

The first performance measure seeks to reduce VMT/capita for both home-based and commute trips. This is a fatally flawed measure, for several reasons.

First, Metro has no control over VMT. Driving decisions are made by individuals. Thus, Metro could adopt dozens of new programs, and spend its entire annual budget in pursuit of this goal, and have no measurable results. Metro should try to focus its efforts on things it can actually control, or at least influence.

Second, measuring VMT/capita is virtually impossible. This is noted by Wright and Rudzinski on page 12, footnote 15: “The Division 44 VMT reduction targets cannot currently be measured using Metro’s Regional Travel Demand Model.”

Third, VMT reduction policy has been in effect since LCDC adopted the Transportation Planning Rule (TPR) 1991, and has always failed. The original mandate was to reduce per capita VMT by 10% over 20 years, and 20% over 30 years. There is no evidence that this ever happened, or that it could even be measured within the areas where it was supposed to be happening.

The first state-ordered TSPs were due by November 1993, but many jurisdictions could not meet the requirement. The deadline was then moved to May of 1996. This was followed by a formal evaluation of the program by consultants Parsons Brinckerhoff and ECONorthwest, in 1997. The consultants found that MPOs were not meeting the TPR requirement to reduce per capita VMT by 20% over 30 years, and did not anticipate that they could.

Metro predicted that the 2040 Growth Concept would only reduce per capita VMT by 5.2 percent compared to 1990 levels – but it would take 50 years to do so, not 30.

The adoption last year of the Climate Friendly and Equitable Communities rule by LCDC simply took the TPR failure and put it on steroids.

Fourth, VMT has little to do with congestion, which is the main problem that most people want solved. Congestion is specific to time of day, direction of travel, day of the week, and location. VMT is not specific to any of those things. If VMT/capita dropped significantly at off-hours and in locations that are not heavily travelled, it would have no effect on the common chokepoints that now frustrate drivers.

Finally, VMT reductions are not even desirable in most cases. Every trip has a purpose, and that purpose has value to those making the trip. If Metro uses its regulatory powers to limit or prohibit trip-making, the value may be lost.

This was acknowledged years ago in one of the updates to the OTP. According to ODOT, for every job created in Oregon, we can expect an additional 15,500 of annual VMT. For every increase in personal income of \$1,000, we can expect to see an increase in VMT of 360 miles,

on average. So if Metro Councilors are in favor of more job creation and higher wages – as most policy-makers are – then they should be in favor of increased levels of VMT.

There is also a growing body of literature showing that for transit-dependent, low-income workers and job seekers, improved access to car ownership will vastly increase employment opportunities and wage growth. We should be **promoting** automobile travel, not stifling it with more regulation.

### **Hours of Congestion**

In this performance measure, Metro waves the white flag and simply gives up on reducing congestion. The RTP acknowledges that up to four hours of recurring congestion/day will be acceptable on thoroughways. Of course, on most regional highways, we already see recurring congestion in effect for more than four hours/day, especially on I-84, I-5 in North Portland, and HW 26 at the Sylvan Hills Tunnel. There is nothing in the RTP to suggest that these conditions will ever improve, or that Metro even wants them to improve.

The RTP states that VMT/capita will be a controlling measure and hours of congestion on thoroughways will be a secondary measure. Since meeting the VMT reduction targets will be impossible, it follows that reducing congestion will never be addressed by Metro or ODOT. This is obvious by reviewing Chapter 7 of the RTP, where it is noted that by 2045 regional population is expected to grow by 29% from 2020 levels, employment is estimated to grow by 23%, while total road miles will only increase by 2%.

No other type of infrastructure is artificially constrained this way. When public school systems experience a growth in students, they build or buy more classroom space. Regional drinking water providers spend billions of dollars on new pipes and treatment facilities to accommodate growth. Metro itself has purchased 17,000 acres of land for its regional parks programs, and has more than \$400 million in hand to buy more.

Only roads are subject to scarcity by design. This needs to change.

### **High Capacity Transit Plan**

The pandemic has made it painfully clear that TriMet's business model is hopelessly out of date. Trends that began decades ago—the dispersion of jobs and residences, telecommuting, and growing automobile ownership—were accelerated or at least continued by the pandemic. Yet TriMet, the Portland area's largest transit agency, still operates a route structure that was designed for the early 1900s.

Prior to the pandemic, instead of updating TriMet's business model, Metro and TriMet attempted to redevelop the Portland area to look more like it did in 1910, using the urban-growth boundary to increase overall population densities and transit-oriented developments to increase densities at the city center and along major transit corridors. Yet, they can't reverse

the trends that made TriMet's route structure obsolete: the dispersion of jobs from downtown, near-universal automobile ownership, and the automobile's huge advantages over traditional transit in terms of speed and access to the entire urban area.

Metro and TriMet's biggest mistake was to rely on Big-Box Transit—transit vehicles with high capacities but whose route capacities are often low—that is expensive to build, inflexible in the face of rapidly changing transportation patterns, serves only a small portion of the urban area, and doesn't really make sense in a region whose jobs are finely distributed across the landscape rather than concentrated in a single downtown.

While light rail has been particularly expensive, the Westside Express Service (WES) is almost a parody of this problem, costing \$7.5 million a year to operate and never generating enough fares to cover much more than 8 percent of its operating costs.

Data showing transit's share of commuting reveals how badly TriMet's overall system was working before the pandemic. While TriMet carried 42 percent of downtown workers to and from their jobs in 2018, downtown held less than 10 percent of all jobs in the urban area. Outside of downtown, TriMet carried just 3.4 percent of workers to and from their jobs.

Though Portland has been celebrated as “the city that loves transit,” the reality is that TriMet provides terrible service to 90 percent of the region's workers and job centers.

The pandemic drastically reduced downtown's role as a job center, and it may never recover many of its former workers who are now productively employed at home. The high-income workers who once rode light rail are now working at home, while low-income workers who once took the bus have increased their automobile ownership and reduced their dependence on transit. Ridership may never recover, yet TriMet faces nearly \$3 billion in debt plus pension and health care liabilities.

TriMet's most important problem is its focus on downtown Portland. In 2021, Hillsboro had 83,000 jobs, far more than are currently found in downtown Portland. Beaverton had 64,000 and Gresham more than 37,000. If TriMet is to remain relevant in the future, it needs to redesign its system to serve these and other job centers as well as it served downtown. Based on this analysis, we recommend that:

1. TriMet and the region should immediately cease all planning for infrastructure-heavy transit projects, whether light rail, streetcar, or bus-rapid transit with dedicated bus lanes.
2. TriMet should immediately terminate the WES commuter-rail line, even if it means repaying a depreciated share of the federal government's costs back to the feds, and plan to replace light-rail lines with buses when the rail lines are fully depreciated.

3. TriMet should change its current, downtown-centric bus system into a polycentric system with at least nine transit centers offering non-stop bus service to every other center and local bus routes radiating away from each center.
4. TriMet should test on-demand microtransit systems in parts of the region that currently have low transit usage (meaning high subsidies per rider) and also test a discount voucher program for low-income riders to determine if such vouchers would truly help low-income people as well as give TriMet better information about changing transportation patterns.
5. Metro, TriMet, Portland, and other cities in the region should stop subsidizing transit-oriented developments, which have done little to boost transit ridership and, due to their high construction costs, make little contribution to housing affordability.

Sincerely,

John A. Charles, Jr.  
President & CEO  
Cascade Policy Institute

August 8, 2023

Kim Ellis, Principal Transportation Planner  
Metro Regional Center  
600 NE Grand Avenue  
Portland, Oregon 97232-2736

Ms. Ellis,

Thank you for the opportunity to comment on the draft 2023 Regional Transportation Plan. I would like to call to your attention the following issues and ask that you revise the draft text to address these concerns.

**(1) Tolling and Congestion pricing are tools that are expected to be implemented within the next five years. We are concerned that implementation of these tools will impact local transportation systems in the region but it is not clear what the region (and the state) will be doing to address the impacts on the local transportation systems.**

- The description of Pricing within Chapter 3 identifies many potential “benefits” of pricing but does not discuss in depth the challenges created by using Pricing tools.
- There is not a clear connection to how the Pricing Policies in Chapter 3 will be implemented in the tolling/congestion pricing projects listed in Chapter 8.
- Statement on P 4-59 to 4-60: “The 2023 RTP Update is the first to include roadway pricing policies and projects, which creates a major opportunity to reduce VMT and GHG Emissions.” At this point in time, neither the I-205 Tolling Project nor the Regional Mobility Pricing Project have been implemented and it has NOT been demonstrated that these projects represent a “major opportunity” to reduce VMT and GHG emission. The RMPP has not completed its analysis and the initial analysis of the I-205 Tolling project showed only minimal impact of VMT and GHG reduction.

**ACTION:** Pricing projects in Chapter 8 of the draft 2023 Regional Transportation Plan, beginning with the I-205 Toll Project and Regional Mobility Pricing Project, should include language in the project description that requires a report to be submitted to demonstrating how the project will achieve the Pricing Policies in Chapter 3 of the Draft Regional Transportation Plan. This should happen any time changes are requested to the Metropolitan Transportation Improvement Program (MTIP) for a project that includes pricing.

Proposed Language:

“Pricing programs will need to be carefully designed to ensure the process to develop them is equitable, the resulting revenue is invested equitably and to support regional goals, that diversion onto local streets is mitigated and that pricing is interoperable throughout the region. Every project that includes pricing in the RTP shall meet the policies outlined in Chapter 3. Reports shall be submitted that describe compliance with these policies whenever changes are requested during the MTIP process.”

**(2) The roadway network** is the backbone for all modes of transportation and provides the facilities for freight to move around the region, but the need to extend this network into emerging urban areas is not highlighted and even dismissed at times. We have the following concerns:

- Investment in the throughway and arterial network to provide access to needed employment land is essential to allow these areas to develop as complete communities, with both jobs and housing.
- Even with the current focus on capital investments in pedestrian, bikeway and transit facilities, the share of trips by these modes is only marginally increasing. While it is important to invest in these modes, the region must also acknowledge that the personal vehicle will continue to be the primary mode of transportation for the majority of people throughout the region.
- Although the draft 2023 Regional Transportation Plan anticipates a 29% increase in population and a 23% increase in employment, it only includes an increase in 2% in the road network and 4% in the transit network. This very limited increase in the road network will not be sufficient to serve the transportation needs of the expansion of the urban area resulting from the anticipated growth in regional population and employment.
- Coordination between the Metro’s 2040 Refresh project and the transportation systems that are necessary to serve the existing and future land uses is essential. The current project referenced in Chapter 8 is out of date and needs to be revised.

**ACTION:** Update project 8.2.3.12, 2040 Refresh Coordination, to remove focus on Green Corridors and add focus on the need to plan for complete transportation networks to support the emerging urban areas as well as support freight and employment uses throughout the region.

**(3) Mobility Policy** (Chapter 3, Section 3.2.6) – The proposals in the 2023 draft to update the Mobility Policy are complex and there has not been enough time for staff to review and understand the implications of Mobility Policy 6 which sets the mobility performance targets and thresholds. This proposed update of the Mobility Policy represents a shift to a more complicated approach. Outcomes and implementation impacts need to be considered, especially on the anticipated changes that will be required of local jurisdictions for implementation.

- The previous 2018 RTP has an “Interim Mobility Policy” that has been in place since 2000. This policy has been reviewed by JPACT, Metro and the Oregon Transportation Commission and all have deemed the “Interim Mobility Policy” acceptable. It was a step toward a comprehensive set of measures to consider for the performance of all modes. It was organized around a fairly simple table that identified peak hour operating condition thresholds using volume to capacity ratio targets. The draft 2023 Regional Transportation does not identify any issues necessitating revisions to the measures in the current “Interim Mobility Policy.”

- The proposed measures for the Mobility Policy in the draft 2023 Regional Transportation Plan, in particular the Measures proposed for Throughways and Throughways with Traffic Signals, have not been supported by thorough study. This is a very complex issue and we do not have sufficient detail on the target speeds that have been proposed for this measure in the draft 2023 RTP.
- Until further study of this issue has been carried out with the participation of ODOT, the transit systems and local government partners we request that it be clear in the draft 2023 RTP that V/C measures for intersection analysis to address traffic safety can be retained by jurisdictions. The new Mobility Policy Measures should not require revisions to existing standards until a full study of those measures has been completed with review and approval by TPAC, JPACT and the Metro Council.

**ACTION:** Remove “Throughways with traffic signals – Non expressways” from table on Page 3-59 and continue to rely upon the existing V/C measures for these facilities.

**(4) While the vision within the RTP is to make transit more frequent, convenient, accessible and affordable, the 2023 RTP does not show progress toward those policies in Clackamas County**

- The 2045 Constrained Plan does not show an increase in transit lines with frequent service in Clackamas County. This is very concerning.
- Investing in transit is essential to achieve the region’s climate goals. Without significant increased investment in transit service and frequency, residents of Clackamas County will continue to have few viable options available to them as they are considering how they travel.
- Investing in duplicative high capacity transit systems, as is demonstrated in the High Capacity Transit Strategy, when portions of the region are not even expected to have frequent transit service is not acceptable.
- With planning for several High Capacity Transit (HCT) projects either underway or completed, the focus should be on moving forward with constructing a currently planned HCT before new planning for the next HCT is started.
- There is a need to understand more specifically the types of transit investments that will be most successful in the various parts of the region and a commitment to funding them. In places like Clackamas County, where the draft 2023 RTP does not anticipate that HCT will connect to Oregon City within the RTP time frame, other transit investments are essential. How and where are the needed investments in transit service reflected? What are those investments in transit that will bring us closer to achieving our climate goals?

**ACTION:** The outcomes from the “Connecting First and Last mile: Accessing Mobility through Transit Study” outlined in Chapter 8 should highlight the work already completed by Washington County and include actions would allow for the same level of planning to occur in all areas of the Metro region. Issues to be addressed should include those raised in the fifth bullet above.

**(5) To achieve our regions climate and GHG reduction goals, the region, and the RTP, should have a stronger focus supporting Electric Vehicle (EV) infrastructure implementation**

There should be stronger acknowledgment within the RTP of the importance of the shift in fuel technology in impacting GHG emissions reduction. The recent rapid adoption of electric vehicles has

shown that strong support exists among the public for improvements to transportation system that will reduce our dependence on hydrocarbon fuels. There is no discussion in the Draft 2023 RTP about the importance of electrification of the vehicle fleet and the benefits that will result. The Draft 2023 RTP should serve as a guidebook that identifies how the region and local government partners can work together to effectively support the transition electric vehicles and to the growth of EV Infrastructure.

- The draft 2023 RTP ignores the impacts that EV will have on pollutants. It would be helpful to articulate the impact of transitioning all of the vehicles to EV with the expectation that VMT will grow at the same rate as anticipated throughout the other sections of the draft 2023 RTP.
- We understand that the focus for the Climate Smart strategy is for strategies that benefit the climate by reducing VMT. However, many experts believe that rapid public adoption of electric vehicles could result in a vehicle fleet with 50% electric vehicles by 2035.
- Regionally VMT per capita has been steady, even declining (Fig 4.31). But this will look different in various geographies (Figure 4.32). There is a statement in the draft RTP on pages 4-59 and 4-60 that the draft RTP “...demonstrates the impact of sound land use planning and diverse travel options on VMT per capita.” We do not agree that this is true and request that this sentence be deleted.
- We are concerned that the VMT travel per capita analysis has not been completed in Chapter 7 (Table 7.6). We believe that the VMT travel per capita analysis should be completed and include two alternatives – 1) An analysis based on the existing vehicle fleet and 2) An analysis based on the future vehicle with at least 50% electric vehicles that demonstrates that “progress toward meeting the 2023 RTP target is largely driven by the fact that the next generation of vehicles is expected to produce less pollution than cars currently on the road.”

**ACTION:** Delete the statement in the draft RTP on pages 4-59 and 4-60 that the draft RTP “...demonstrates the impact of sound land use planning and diverse travel options on VMT per capita.”

Complete the VMT travel per capita analysis with the above proposed alternatives.

Add a region wide planning project to Chapter 8 that focuses on actions that the region should be taking to support the transition to electric vehicles.

#### **(6) There needs to be a regional conversation around transportation funding at the JPACT table.**

State gas tax revenues are declining, which will impact not only ODOT but also every other jurisdiction with roadway responsibilities.

- The tolling and congestion management projects in the draft 2023 RTP identify the need for revenues as one of their purposes.
- The Statewide Transportation Strategy has other pricing assumptions, such as the conversion to the Road User Charge, which will impact how people pay for the transportation system. These assumptions also impact the analysis on the region’s ability to achieve its climate goals.
- While RTP analysis in Chapter 7 acknowledges that more discussion of the role of state-led pricing actions in meeting the region’s climate targets and mobility goals is recommended, there is not a clear project in Chapter 8 where JPACT would be involved in this discussion.
- ODOT has said the congestion pricing program is their way to replace revenue from the declining gas tax. It is not for new capital projects but rather for maintenance of the interstate

system. While a revenue share of the new congestion pricing program is certainly one idea – and a fair one if ODOT is replacing the gas tax – it cannot be the only solution. The region must find a way for our communities to fund our projects or we will not reach our RTP goals.

**ACTION:** Revise the title of Chapter 8 project 8.2.3.8 to “Funding Strategy for Transportation Needs and Major Transportation Facilities to broaden the extent of this project to include major transportation facilities and transportation funding generally. In the upcoming year, Metro staff should bring relevant discussion items forward to JPACT to keep the committee apprised of the transportation funding discussions happening at the state level. Alternatively, the JPACT Finance Subcommittee could be re-established to focus on this critical issue.

Please reach out with any questions.

Sincerely,

*Dan Johnson*

Dan Johnson, Director  
Clackamas County Department  
of Transportation and Development

August 9, 2023

Metro Planning  
600 NE Grand Ave.  
Portland OR 97232

Via email to: [transportation@oregonmetro.gov](mailto:transportation@oregonmetro.gov)

Regarding: 2023 Regional Transportation Plan and High Capacity Transit Strategy

Crestwood Neighborhood Association is a small residential neighborhood within the West Portland Town Center and Southwest Corridor Light Rail Planning area in the City of Portland. We offer the following comments on these plans.

There are several projects in the Regional Transportation Plan that are a high priority for our neighborhood and support the West Portland Town Center Plan and Southwest Corridor Light Rail Plan. We request that they be funded and constructed as soon as possible.

- Outer Taylors Ferry Safety Improvements (project 10284)
- Markham School Pedestrian/Bicycle Overcrossing (project 10286), although this seems to be a very expensive design (\$31 million?)
- SW Pomona/SW 64<sup>th</sup> ped/bike Improvements (project 11825)
- Outer Taylors Ferry Safety Improvements (project 11883)

We noted that there are several segments of SW Taylors Ferry Road in the Regional Transportation Plan that are under different jurisdictions with different designs. We request a regional planning project for this regional facility to make it safer for the people who use SW Taylors Ferry regardless of jurisdiction. This is a transit route but it is unsafe to walk to transit stops or wait for the bus on this busy road.

We are particularly concerned that Washington County project 10567, Taylors Ferry Extension, is essentially a new roadway that will attract more motor vehicles and the proposed new sidewalks and bike lanes will not be effective in encouraging people to use them until the existing roadway segments are safer. Please make existing roadways safer for all users before building new ones.

Regarding the High-Capacity Transit Strategy, we support keeping the Southwest Corridor Light Rail Plan in Tier 1. We shared many comments with Metro while this plan was being developed, and hope Metro will fund station access projects such as the sidewalks and bike paths on SW Taylors Ferry Road in the near future.

Sincerely,  
/s/ Marianne Fitzgerald  
President, Crestwood Neighborhood Association

August 25, 2023

Kim Ellis  
Metro Administrative Offices  
600 NE Grand Avenue  
Portland, OR 97232

**RE: City Comments and Requests on Metro's Regional Transportation Plan Update**

Dear Kim:

Thank you for the opportunity to provide feedback on Metro's Regional Transportation Plan (RTP) Update. We have reviewed the draft RTP dated July 10, 2023. Our comments and requests are intended to help shape the final draft and its priorities.

**Comments**

**1. The proposed mobility policy may unnecessarily complicate the adoption of future comprehensive plan amendments.**

Our City staff believe this policy needs clearly defined methodologies before it is adopted for implementation. The methodologies should be tested and evaluated by subject matter experts before adoption, to ensure the policy is effective at achieving desired outcomes and does not have unintended consequences. Specifically, the potential to negatively impact housing, employment, and climate goals in the State of Oregon.

Oregon Department of Land Conservation and Development (DLCD) staff at the Climate-Friendly and Equitable Communities (CFEC) Rules Advisory Committee (RAC) on August 21, 2023 announced they will suspend Oregon Administrative Rule (OAR) 660-012-0210 for comprehensive plan amendments until their staff have a full understanding on this section's impacts to housing and employment. This section of the OAR stated no increase on vehicle miles traveled per capita can occur with comprehensive plan amendments, a requirement that is proposed to be introduced into the new draft RTP. We suggest Metro also suspend their policy on no "VMT per capita for home-based trips" increase and no "VMT per employee" on comprehensive plan amendments until this policy is fully tested and vetted by the city and county practitioners.

**2. The proposed mobility policy appears to unnecessarily exceed the requirements of the recent Climate Friendly and Equitable Communities regulations.**

RTP 3.2.5.1 creates two measures, "VMT per capita for home-based trips" and "VMT per employee", whereas OAR 660-012-0210 had a single measure. This is an example of the Metro

policy going beyond CFEC as well as the need for methodologies to be vetted before adoption and implementation.

Similarly, Metro draft RTP Table 3-5 for System Planning says, “Local TSPs will need comply” with the VMT / Capita reduction targets, while OAR 660-044-0020 is targeted to the Metro area as a collective whole (not to local TSPs). Implementation of this policy at the local level is more specific and restrictive and could create unintended consequences.

### **3. The proposed hours of congestion policy may be unnecessarily contrary to climate objectives.**

Setting a standard of allowing speeds on throughways to go below 35 miles per hour (mph) for 4 hours a day and an average speed of 35 mph for the remaining portions of the day may have unintended consequences of degrading the air quality in Oregon by increasing emissions from gas-powered vehicles on these throughways. Gas-powered vehicles including trucks are shown to have higher levels of emissions when operating at speeds below 30 mph. A similar policy is required on arterials using a speed of 20 mph, which further increases emissions.

On technical side, the Metro travel demand model does not have the capability to accurately model speed for congested conditions which may resulted in conclusions and outcomes that are contrary to policy objectives.

This policy may also impact the metropolitan region’s economic competitiveness to attract employers due to the acceptance of congestion during off peak periods. More discussion and evaluation are needed before Metro proceeds to implement this policy.

### **Requests**

- 1. Request: Remove language in RTP Table 3-5 that says comprehensive plan amendments and local TSPs will need to comply with the VMT/Capita reduction targets.**
- 2. Request: Delay implementation of the new RTP mobility policy on VMT / Capita on local jurisdictional comprehensive plan amendments and Transportation System Plans until analysis methodologies have been clearly defined and vetted by practitioners including city and county staff.**

Thank you for considering our requests and reviewing our comments. If you have any questions please feel free to contact us.

Sincerely,

City of Hillsboro Transportation Systems Division Staff

Mat Dolata, Joseph Auth, Gregg Snyder

August 25, 2023

*Submitted via email to:*

Lynn Peterson, President, and Metro Council  
Councilor Juan Carlos Gonzalez, Chair, and JPACT  
c/o Metro Planning  
Ally Holmqvist, Senior Transportation Planner  
600 NE Grand Ave.  
Portland OR 97232

*lynn.peterson@oregonmetro.gov*  
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*ally.holmqvist@oregonmetro.gov*  
*Rep.CourtneyNeron@oregonlegislature.gov*  
*Sen.AaronWoods@oregonlegislature.gov*

**RE: Comment on the Draft 2023 Regional Transportation Plan and High Capacity Transit Strategy: *Study of North Willamette Valley WES Extension from Portland Metro Region to Salem/Keizer Metro Area***

Dear President Peterson, Chair Gonzalez, and members of the Metro Council and JPACT:

An informal group of us (Commuter Rail Team), are developing plans to establish a commuter line which extends south from Wilsonville through Woodburn and Keizer to Salem. The route would be an extension of the existing Westside Express Service line which connects Beaverton and Wilsonville. Additionally, we also envision a connecting line extending directly into Portland itself.

All the above is in the preliminary development stage. Much work still needs to be done. The beauty of this is that the West side rail system is already in place, and we already have a modern freight rail line that runs from Wilsonville to Salem, exactly where we want to put a commuter line.

This line will not compete with other commuter rail systems. This will be more of a local access line for intermediate service.

This system will reduce traffic on I5 and will include substantial siding development so we can maximize predictable schedules. We want to prioritize the needs of the underrepresented, underserved, and economically disadvantaged members of our community. Access to reliable and efficient transportation is a cornerstone of economic opportunity and social equity.

By providing a dependable and affordable transportation option, we can bridge the gap between various parts of our cities and connect residents to vital employment centers, education opportunities, and essential services.

Additionally, by promoting the use of public transportation, we can reduce individual reliance on personal vehicles, resulting in lower carbon emissions and a positive impact on our environment.

A large segment of Oregon's population would be served by this commuter rail line. Oregon needs to initiate the planning and development of this commuter rail line, but we realize we will need to see substantial federal funding to see implementation of rail line plan. Dialogue between planners will be advantageous in this stage.

The City of Wilsonville and their public-transit agency South Metro Area Regional Transit (SMART) submitted a letter on August 18, 2023, that outlined their proposed changes to the draft plan you have made available for public comment. Our Commuter Rail Team supports these recommendations.

I welcome your support for this proposal.

Sincerely,

A handwritten signature in black ink, reading "Kevin L. Harris". The signature is written in a cursive, flowing style.



August 25, 2023

Kim Ellis, Principal Transportation Planner  
Metro Regional Center  
600 NE Grand Avenue  
Portland, Oregon 97232-2736

Ms. Ellis,

We appreciate the opportunity to share comments on the Metro's draft 2023 Regional Transportation Plan (RTP). The City of Lake Oswego is excited about the future planning and vision for our regional transportation system. As a system that needs to benefit and serve the whole region, we do share in many concerns being raised by our partners at Clackamas County and neighboring cities. We would like to call attention to the following issues and ask that Metro staff make revisions in the document that add clarity or address the concerns.

### Transit

**The Regional Transportation Plan has a strong emphasis on the importance of transit and how it connects to each of the region's goals of improving mobility, safety, equity, economy, and climate resilience. While the vision within the RTP is to make transit more frequent, convenient, accessible, and affordable, the 2023 RTP does not show progress toward those policies in Lake Oswego or Clackamas County.**

The RTP states that transportation choices are the key to making great places; however, the RTP fails to support improving transit to areas currently underserved or actively losing transit service. The 2045 Constrained Plan does not show an increase in frequent service transit lines in Lake Oswego or Clackamas County. Additionally, the Regional High Capacity Transit (HCT) Vision shows adding parallel routes to existing high capacity transit corridors (such as TriMet's MAX lines), but considers any HCT investment to Lake Oswego or Clackamas County to be Tier 3 or 4. This is concerning as local transit (TriMet line 36- South Shore) has been cancelled for service. Lake Oswego lacks transit options and future investments, which hinders our ability to progress our Sustainability and Climate Action Plan.

With transit being key to meeting the region's climate goals, the update to the RTP should guide funding and investment in improving transit frequency and connections to the regional transit in areas lacking alternatives prior to considering the addition of redundant routes to what is already well served by frequent transit.

## Pricing Strategies

**Metro recently completed an in-depth analysis in various pricing strategies including congestion pricing, cordon pricing, parking pricing, and mileage-based fees. While it is understood that these tools are expected to be implemented, there are still many unanswered questions regarding what will need to be done to address the impacts on local transportation systems.**

The RTP identifies many potential benefits of pricing strategies, including the potential to reducing vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions, but does not go into depth of the challenges created by each tool within this document. Although referenced, the Regional Congestion Pricing Study touched on the impacts of tolling key roadways and showed the greatest negative changes to arterial vehicle hours or delay and job access through transit.

While these tools have the potential of reducing VMT and GHG, none of the proposed pricing projects in the region have demonstrated the ability to advance the region towards its goals of improving mobility, safety, and equity. The update to the RTP should include requirements for pricing projects to demonstrate how they comply with Pricing Policies whenever changes are requested through the Metropolitan Transportation Improvement Program (MTIP).

## Electric Vehicles and Climate

**Metro identifies the need to support clean vehicles and fuels as a significant means to reduce GHG emissions and to meet the region's climate and resilience goals. However, the RTP falls short in discussing the importance of the adoption of electric vehicles or the need to provide supporting infrastructure.**

Per a recent study<sup>1</sup>, Oregon is ninth in the country for the adoption of electric vehicles (EVs), showing the high amount of public support in reducing dependence on fossil fuels. However, the state is shown in the same study to have the least amount of charging ports per EV in the nation.

To continue the state's trend of adopting EVs over vehicles that have impacts on climate, the region should increase investments into infrastructure to better support the new technology. The RTP should provide guidance for the region and local governments to partner and support the growth of EV infrastructure and continue the transition of fleets to electric vehicles.

## Mobility Pricing

**Major changes are being made in the State's laws on land use and mobility that impact city planning, including a transition from measuring volume-to-capacity to vehicle miles traveled (VMT) and the adoption of Climate-Friendly & Equitable Communities. The draft of the 2023 RTP presents one of the first experiences with VMT through Mobility Policy 6, but the implications of its adoption are not easily understood.**

Metro calls out many statistics in the RTP that underscore on how connected our area needs to remain, such as the fact that 45 percent of workers in the area need to travel to a different county than the one they reside and the fact that housing costs have pushed those with lower incomes to seek housing

<sup>1</sup> Zutobi. (2023, August 2). "The 2023 EV Charging Station Report: State-by-State Breakdown". <https://zutobi.com/us/driver-guides/the-us-electric-vehicle-charging-point-report>. (Accessed August 24, 2023)

further away from the center of the region. With this existing gap between employment areas and housing, it is unclear how the transition to VMT will impact communities, especially in a time when the state has a critical need for housing and is considering allowing construction beyond urban growth boundaries.

Using VMT as a new mobility policy is complicated and the impacts of its implementation need to be further considered prior to its implementation.

Thank you again for opportunity to comment. Please feel free to reach out if you have any questions.

Best regards,

A handwritten signature in blue ink, appearing to read 'W. Farley', is written over a light blue rectangular background.

William R. Farley, PE  
Traffic Engineer

Cc: Martha Bennet, City Manager  
Erica Rooney, City Engineer & Public Works Director  
Madison Thesing, Assistant to the City Manager

Date: August 25, 2023  
 To: Kim Ellis, RTP Project Manager  
 From: Tim Collins, Senior Transportation Planner  
 Subject: Revision to RTP Chapter 8, section 8.2.3

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## Purpose

This memo requests a revision to Section 8.2.3 of Chapter 8 of the public review draft 2023 Regional Transportation Plan (RTP) in response to recommendations from the regional freight delay and commodities movement study. Please add a new narrative to section 8.2.3 that addresses the potential transportation impacts of the growth in fulfillment centers and large disruption centers. Since this is all new text to the RTP, it is shown underlined in tracked changes.

### **8.2.3.X Regional Industrial Lands Availability and Intermodal Facilities Access Study**

| Lead agency         | Partners                                                                          | Proposed timing    |
|---------------------|-----------------------------------------------------------------------------------|--------------------|
| <b><u>Metro</u></b> | <u>Cities, Counties, ODOT, WSDOT, RTC, Port of Vancouver and Port of Portland</u> | <u>2024 - 2026</u> |

The purpose of this study would be to further work on data collection, transportation impacts, and land use and transportation policy issues around the growing need for larger distribution centers and fulfillment centers, and the potential shortage and/or lack of readiness for industrial land in the region that will meet that need. This study was identified as part of the key findings and recommendations of the Regional Freight Delay and Commodities Movement Study, which looked at the need for improved access and mobility to and from regional industrial lands and intermodal facilities.

Access to regional industrial lands and intermodal facilities were briefly addressed as part of the Regional Freight Delay and Commodities Movement Study. However, the scope of this study did not allow for studying the future availability, need, and readiness of large industrial sites that may be needed to accommodate the growth in fulfillment centers and distribution centers that meet customer demand for e-commerce deliveries. The Regional Freight Delay and Commodities Movement Study did not address the potential localized and regional transportation impacts of the growth in fulfillment centers and large disruption centers. The Regional Industrial Lands Availability and Intermodal Facilities Access Study is needed to address these land use and transportation issues, and further study the need for new regional freight and land use policy. Some of the potential outcomes of the proposed study are:

- Identification of the number, size, and readiness of industrial sites that can accommodate large distribution and fulfillment centers. Identify clusters of smaller industrial parcels that could potentially be consolidated to a large enough parcel with the readiness to accommodate a needed distribution or fulfillment center.
- Case studies of existing fulfillment centers (in the region or other urbanized locations) that identify the constraints and opportunities that helped determine the location of the

fulfillment center. These case studies could look at the localized and regional traffic impacts over time of additional truck trips at these fulfillment centers.

- Further development of methods and measures for determining where existing industrial site access needs to be improved along with access needs to existing intermodal facilities in the region.
- Developing scenarios that address improving access to key industrial sites and intermodal facilities.

The Regional Industrial Lands Availability and Intermodal Facilities Access Study will inform the '2040 Refresh' work that Metro will be commencing; and is outlined in Chapter 8 of this 2023 Regional Transportation Plan.


**Metro**

 600 NE Grand Ave.  
 Portland, OR 97232-2736

# Memo

Date: July 28, 2023  
 To: Transportation Policy Alternatives Committee (TPAC) and interested parties  
 From: Kim Ellis, RTP Project Manager, and John Mermin, Senior Transportation Planner  
 Subject: 2023 Regional Transportation Plan (RTP) – Initial Metro Staff Recommendations to Follow-up on TPAC and MTAC Feedback on Chapter 8 (Implementation) of the 2023 RTP

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## PURPOSE

The purpose of this memo is to summarize initial recommendations from Metro staff to address feedback received from Transportation Policy Alternatives Committee (TPAC) and Metro Technical Advisory Committee (MTAC) in July on [Chapter 8](#) of the 2023 Regional Transportation Plan (RTP). In July, TPAC and MTAC members suggested specific updates to Chapter 8 and requested the chapter be restructured to provide a clearer call to action to advance safety, climate, equity, mobility and economic vitality goals in the RTP and work needed to continue to improve community engagement practices informing regional transportation planning decisions.

## Action Requested

TPAC discussion and feedback on initial recommendations from Metro staff related to restructuring Chapter 8 of the draft 2023 RTP to provide a clearer call to action and continue to improve community engagement practices.

### TPAC discussion questions:

- Does TPAC have any feedback on the proposed revisions?
- Does TPAC have any feedback on other revisions or additions to Chapter 8?

## BACKGROUND

Chapter 8 “Moving Forward Together” outlines future studies and other work needed to advance implementation of the RTP or resolve issues that could not be fully addressed during the update. The chapter is currently organized into sections describing regional programs, region-wide planning efforts, corridor refinement planning, major project development and data/tools development.

A summary of recommended updates to Chapter 8 of the draft 2023 RTP follows. These updates are mainly intended to shift detailed content to the appendices and sharpen the focus of the chapter.

## Draft 2023 RTP Implementation Chapter (Chapter 8)

### Section 8.1 Introduction/Call to Action

- Sharpen the introduction to focus on areas the region is falling short of RTP vision and goals and make a call to action for future planning and implementation activities.

### Section 8.2.2 Metro's Regional Programs

- Rename "**Metro Programs that Support Local and Regional Implementation of the RTP**"
- **8.2.2.1 Civil Rights and Environmental Justice Program** - Update to acknowledge Metro's public engagement guide will be updated in 2023, Metro's Strategic Plan to Advance Racial Equity, Diversity and Inclusion plan will be updated in 2023-24; call for these and other efforts to continue building partnerships with community organizations and improving community engagement practices to support deeper, ongoing engagement of community in advance of the next RTP update; and to revise last sentence to read "Through the 2017-18 fiscal year, four departments are developing Metro continues to implement department-level racial equity plans to reach the goals of the racial equity strategy: Planning and Development and Research, Parks and Nature, Property and Environmental Services and the Oregon Zoo."
- **8.2.2.8 Air Quality and Climate Change Monitoring Program** - Expand description to provide more information about the Carbon Reduction Program.
- **Add new narrative to Section 8.2.2** that draws from introductions of subsections of Section 8.4 (which would be moved to appendix) to describe the ongoing data and tools work to support performance-based planning and programming.

### Section 8.2.3 Regionwide Planning

- Rename "**Future Planning and Collaboration to Address Key Transportation Issues of Regional Concern**"
- **8.2.3.1 Regional Mobility Policy Implementation Action Plan** – delete this narrative and add references to this work in Regional Transportation Functional Plan update (8.2.3.11).
- **8.2.3.2 Transit Planning** - this is an ongoing activity and reflected in the UPWP; add more specific activities such as Forward Together Part 2; Coordinated Transportation Plan for Seniors and People with Disabilities Update (due by 7/1/24), Fleet Electrification.
- **8.2.3.3 Connecting First and Last Mile: Accessing Mobility through Transit study** – update description to specifically look at serving UGB expansion areas and urban areas not currently served by transit.
- **8.2.3.4 Steel Bridge Transit Bottleneck Study** - move to refinement planning section (Section 8.2.4, which will be moved to appendix).
- **8.2.3.5 Cascadia Corridor Ultra-High-Speed Ground Transportation Project Planning** - move to refinement planning section, (section 8.2.4, which will be moved to appendix)
- **8.2.3.6 Equitable Development Strategies** – delete this section and integrate within investment areas program description and refinement planning section (Section 8.2.4, which will be moved to appendix); this work is part of ongoing investment areas planning work conducted by Metro.
- **8.2.3.8 Funding Strategy for Regional Bridges** - broaden this description to include developing a funding strategy for regional transportation infrastructure investments, including regional bridges.
- **8.2.3.12 2040 Refresh** - update description; remove detailed reference to Green Corridors beyond considering how they should be addressed as part of scoping the update.
- **8.2.3.13 Columbia Connects** – delete this section since development of the shared investment strategy has been completed and work now is focused on implementation through the investment areas program and other efforts.

With the proposed revisions above, the following planning activities would be listed in Section 8.2.3:

- Regional Transportation Funding Strategy
- Workforce Diversification in Regional Transportation Infrastructure Projects
- Connecting First and Last Mile: Accessing Mobility through Transit study
- Forward Together Part 2 (TriMet)
- TriMet Coordinated Transportation Plan for Seniors and People with Disabilities Update (due by 7/1/24)
- Fleet Electrification
- Regional Emergency Transportation Routes Project Phase 2
- Regional Freight Rail Study
- 2040 Refresh

#### **Section 8.2.4 Corridor Refinement Planning**

- Rename “**Advancing Multimodal Refinement Planning to Move Projects Forward to Address Regional Transportation Needs**”
- Move this section to a new Appendix that is recommended to be further updated post-RTP adoption.
- Update and move Table 8.4 and Figure 8.4 summarizing future refinement planning to Section 8.2.2.11 Investment Areas Program.
- Move Steel Bridge Bottleneck Study (8.2.3.4) and Cascadia Corridor Ultra-High Speed Ground Transportation Project (8.2.3.5) into new Refinement Planning appendix.
- Update refinement planning narratives to the extent possible.
- Provide direction in RTP adoption legislation to sequence refinement planning post-RTP adoption.

#### **Section 8.3 Projects**

- Rename “**Status of Current Major Projects**”
- Move section to new Appendix, except for Metropolitan Transportation Improvement Program (8.3.2).
- Update Table 8.5 to add projects that received federal decisions, including:
  - Oregon Passenger Rail Project, received federal record of decision on the final EIA on April 14, 2021
- Move Section 8.3.2 (Metropolitan Transportation Improvement Program) into Section 8.2 (Regional Programs) since this is an ongoing planning/MPO activity.

#### **Section 8.4 Data & Tools**

- Rename “**Data & Tools to Support Performance Based-Planning and Implementation**”
- Move details of data and tools development to Appendix L.
- Add new narrative to Section 8.2 Regional Programs that draws from introductions of subsections of Section 8.4 to describe the ongoing work.
- Delete section (8.4.2.5 Multimodal Network Data) which is a duplicate of section 8.4.2.4.

Memo to TPAC and interested parties

2023 Regional Transportation Plan (RTP) – Initial Metro Staff Recommendations

to Follow-up on TPAC and MTAC Feedback on Chapter 8 (Implementation) of the 2023 RTP

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**Process to update Chapter 8**

TPAC and MTAC had opportunities to discuss Chapter 8 at their July 7 and July 19 meetings, respectively. TPAC will have further opportunities to discuss Chapter 8 at its Aug. 4 and Sept. 1 meetings. The Sept. 13 TPAC workshop is another opportunity to discuss recommended actions in response to public comments received on the RTP, including Ch. 8, and to identify topics for discussion by the Joint Policy Advisory Committee on Transportation (JPACT). MTAC will have another opportunity at its Sept. 20 meetings to discuss Chapter 8 and identify topics for discussion by the Metro Policy Advisory Committee (MPAC).

Thus far, the need to clarify future pricing-related implementation work has been flagged for discussion by the Metro Council, JPACT and MPAC in September. Note – the current discussion of pricing within Chapter 8 is located within the narratives for the Regional Congestion Pricing Program (section 8.2.2.13) and the I-5 & I-205 Regional Mobility Pricing Project (8.3.1.7).

Additionally, all jurisdictions, members of the public and community-based organizations are encouraged to send Metro formal comments describing any recommended changes to Chapter 8 during the public comment period (July 10-August 25, 2023). Metro staff will respond to all substantive comments provided during the public comment period and share these responses with TPAC in September for discussion and to identify topics for JPACT discussion.

**Next Steps**

- August 4 TPAC – Continue discussion of Chapter 8
- September 1 TPAC – Continue discussion of Chapter 8 *(if needed)*
- September 12 *(tentative date)* Metro Council - Discussion of Chapter 8
- September 13 TPAC workshop – Discussion of Metro staff recommended actions in response to public comments, including requesting changes to Chapter 8; identify topics for JPACT discussion
- September 20 MTAC – Discussion of Metro staff recommended actions in response to public comments, including requesting changes to Chapter 8; identify topics for MPAC discussion
- September 21 JPACT - Discussion of Chapter 8 and public comments on draft RTP and draft HCT Strategy
- September 27 MPAC – Discussion of Chapter 8 and public comments on draft RTP and draft HCT Strategy

Please contact [kim.ellis@oregonmetro.gov](mailto:kim.ellis@oregonmetro.gov) and [John.Mermin@oregonmetro.gov](mailto:John.Mermin@oregonmetro.gov) with any questions or concerns.

[To view the Public Review Draft Chapter 8, please visit this link.](#)


**Metro**

 600 NE Grand Ave.  
 Portland, OR 97232-2736

# Memo

Date: August 18, 2023  
 To: Kim Ellis, RTP Project Manager  
 From: Kate Hawkins, Senior Transportation Planner, Investment Areas  
 Subject: Revisions to 2023 RTP Chapter 8, Section 8.2.4.6

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## Purpose

This memo requests revisions to Section 8.2.4.6 of Chapter 8 of the public review draft 2023 Regional Transportation Plan (RTP). Identified by the Westside Multimodal Improvements Study project team, these corrections are proposed to enhance clarity, provide updated existing conditions data, and identify data sources as needed. Revisions are shown in ~~strike through~~ and underscore.

## Requested Revisions

### **(1) Revise Chapter 8, Section 8.2.4. Hillsboro to Portland (Mobility Corridors 13 and 14) to read as follows:**

Washington County is growing faster than its neighbors in the region, and with that growth comes an increased need to move more people and freight. The Sunset Highway (US 26) Corridor is a critical thoroughfare for residents, commuters, and the regional economy, but current conditions result in recurring vehicle congestion, diversion of motor vehicle traffic to parallel roadways, and unreliable travel times for people driving and moving freight. These transportation deficiencies adversely affect the safety, affordability, and livability of the area and can impede economic competitiveness.

Centered on the US 26 Sunset Highway from Hillsboro to Portland, the Westside Multimodal Improvements Study was recommended in the 2018 RTP and kicked off in January 2022. The study's purpose was to address transportation challenges that affect the movement of people and goods between Hillsboro's Silicon Forest, Northern Washington County's agricultural freight, and the Portland Central City, the international freight distribution hub of I-5 and I-84, the Port of Portland marine terminals, rail facilities, and the Portland International Airport.

ODOT and Metro co-managed the study in partnership with local agencies, business representatives, and community-based organizations. The study was guided by a Project Management Group, made up of technical staff from partner agencies, and a Steering Committee composed of representatives from the business community, community-based organizations, and decision-making representatives from each of the agencies that have jurisdiction or ownership of infrastructure or systems considered in the planning process. An analysis of existing conditions data helped to define the issues and needs within the corridor and are framed here in the context of five priority areas: mobility and reliability, safety, social equity, climate action, and economic vitality.

## Mobility and Reliability

Corridor #13, which extends east to the Willamette River including the western portion of Portland's Central City and Corridor #14 extending west from Murray Boulevard to North Plains will account for 22 percent of the region's households, 20 percent of the region's population, and 31 percent of the region's employment by 2040.

Since the Covid-19 pandemic, we've seen changes in travel patterns, including fewer people riding transit, fewer people going to downtown Portland for work, and more people working from home or

on flexible schedules. Meanwhile, jobs that require in-person attendance such as manufacturing, agriculture, retail, hospitality, and maintenance are often not centrally located and may have work shifts that cover 24 hours of the day. These changes have resulted in afternoon traffic congestion occurring earlier in the day and lasting longer than before the pandemic, as demonstrated in ODOT's 2022 Traffic Performance Report.

Corridor #13, which includes the Sunset Highway and its array of complementary parallel arterial roadways (Cornelius Pass Road, Germantown Road, Cornell Road, Barnes/Burnside Road, and Beaverton-Hillsdale Highway), carries approximately 229,150 vehicles per day comprising roughly 390,000 person-trips per day. Of the total vehicle trips, Sunset Highway carries 160,000 vehicles per day, including 6,000 trucks, and Cornelius Pass Road serves approximately 11,000 vehicles per day.

TriMet's ridership data from Fall 2022 and Spring 2023 show that ~~At present,~~ transit carries approximately 18,000-710 person-trips per weekday on the MAX Blue Line, the MAX Red Line, and multiple bus routes serving the parallel arterials in the corridor. Of those total trips, approximately 11,500 occur on the MAX Blue and Red Lines. Bus lines serving the Sunset Highway corridor include Line 47 (720 average weekday boardings), Line 48 (1200 average weekday boardings), Line 57 (5,240 average weekday boardings) and Line 59 (50 average weekday boardings). This is a decrease from pre-pandemic transit use. TriMet plans to open the western extension of the MAX Red Line to Hillsboro's Airport/Fair Complex Station in fall 2024.

The existing transit network in the westside of the Metro area has limited north-south bus routes, some routes experience lengthy headways, have infrequent service, and may require multiple transfers to reach a destination. Efforts such as TriMet's Forward Together concept, the Washington County Transit Study, and Metro's High-Capacity Transit Strategy include plans for transit enhancements and future investments to meet existing transit needs and accommodate future growth in the Westside Corridor.

### **Economic Vitality**

The Sunset Highway corridor is a major employment center in the region. Many of the region's top private employers call the area home including Intel, Nike, Tektronix, Reser's Fine Foods, Qorvo, and Salesforce, among others. Top public sector employers include local school districts, city and county governments, hospitals, and health care providers.

The US26 corridor provides critical transportation infrastructure for the area often referred to as Oregon's "Silicon Forest." ~~The Expansion of the semiconductor industry expansion~~ presents Oregon with an unique opportunity to create the kind of jobs and investment the state needs for a strong economy, ~~and this area is often referred to as Oregon's "Silicon Forest."~~ In July 2022 Congress passed the \$52 billion CHIPS Act to boost domestic semiconductor manufacturing and design and Oregon's Senate Bill 4 (SB-4) was designed to support significant additional high-tech/manufacturing development that could potentially be located near the US 26 corridor. ~~This creates~~ These actions provide an opportunity to solidify Oregon's position as a world leader in semiconductor innovation and expand semiconductor design and manufacturing development in Washington County. New industrial development will place additional demand on our transportation system and a greater need for freight mobility and reliability through the Sunset Highway corridor.

Outreach ~~done~~ conducted during the Westside Multimodal Improvements Study reinforced freight-related concerns identified during the 2013 Westside Freight Access and Logistics Analysis. Oregon's export economy relies heavily on the computer and electronics industry, which accounts for over 60%

of the state's exports and was valued at \$15 billion in 2021. This industry is primarily located in the Portland region's Westside and depends on a tightly managed supply chain to efficiently bring products to markets that are mostly outside of the greater Portland area. Addressing freight mobility challenges experienced by the Westside computer and electronics industry will likely also benefit the footwear, apparel, medical/dental, biopharma and agriculture industries in Washington County.

Freight movement between the Westside industries and the PDX freight consolidation area and the Portland International Airport depends on two routes:

- US 26 eastbound to I-405 northbound to I-5 Northbound to Columbia Boulevard eastbound; and
- Cornelius Pass Road northbound to US 30 southbound to Columbia Boulevard eastbound via the St. Johns Bridge.

US 26 eastbound between Highway 217 and I-405 ranks in the top bottlenecks in the region. Travel times can vary up to 20 minutes or more for a typical trip from Hillsboro's employment areas to PDX, due largely to traffic on US26. This lack of reliability means that freight haulers and commuters can't be certain how long a trip will take them, leading to lost productivity. US26 has the highest freight volume of all non-interstate highways in the region, but freight trips make up just five percent of total trips on US26. Meanwhile, freight trips account for sixteen percent of total trips on Cornelius Pass Road, indicating it is a preferred route for many freight haulers.

Work commute estimates based on Street Light Data indicate that a significant number of people commute into the area for work. Data shows that about 97,000 people per weekday commute to the Westside Multimodal Improvements Study area. About 27,000 both live and work in the study area and have local commute trips, while another 62,000 people live in the study area and commute to jobs elsewhere in the region.

### Safety

Many of the key arterials in the Westside Corridor are identified among Metro's 2016-2020 High Injury Corridors. These are roadways in the greater Portland area where the highest concentrations of serious crashes involving a motor vehicle occur. The top five most dangerous corridors within the study area include: Tualatin Valley Highway, Baseline Road, Cornell Road, Cornelius Pass Road, and Farmington Road. A total of 15,000 crashes occurred between 2015-2019 in the study area, with 53% of crashes resulting in injury. Of these, 223 crashes involved pedestrians and 188 crashes involved bicyclists. With congestion becoming more pervasive on US 26 ~~in the area of near~~ the Vista Ridge Tunnels and the I-405 interchange, traffic crashes have continued to increase. ~~Cumulatively, there are 10 discreet locations on US 26 between I-405 and Highway 217 that rank in the state's top 10 percent of crash high priority locations statewide.~~

Sunset Highway at the Vista Ridge tunnels prohibits the hauling of hazardous materials. Petroleum products used to fuel vehicles in the Tualatin Valley and chemicals, including but not limited to industrial gases used in the manufacturing of silicon wafer products, commonly use Cornelius Pass Road with Highway 217 as ~~the secondary~~ an alternative route.

Both the Sunset Highway corridor and the secondary freight route of Cornelius Pass Road are susceptible to recurring delays due to congestion and incidents such as crashes, landslides, and fallen trees blocking the roadways. In both cases, the regional transportation system lacks "redundancy" to accommodate any unforeseen impediments to travel. Similarly, both corridors (and their Willamette River bridges) are not likely to prove reliable and sustainable in the event of a Cascadia earthquake.

### Social Equity

People living within the Westside corridor are more racially diverse than the region and state, with over 37% residents of color. Forty-five percent of households are renters, which is higher than the region.

Many areas throughout the Westside Corridor score high on TriMet's transit equity index, reflecting higher concentrations of people of color, low-income households, people with low English proficiency, people with disabilities, older adults, youth, households with poor vehicle access, access to affordable housing, access to low/medium wage jobs, access to services. Higher scores indicate a potential for higher need for increased transit service, particularly in areas south of US 26.

## Climate

Since the 1990s, robust population and employment growth within Washington County has substantially increased travel demand on the US 26 corridor. Land use patterns and past infrastructure investments in the study area prioritized auto vehicle travel, which contribute to Despite substantial multi-modal investments in the County, the combination of land use development patterns and limited transportation funding have resulted in system inefficiencies and continued reliance on personal vehicles to meet people's daily travel needs. This pattern results in high vehicle miles traveled (VMT) and recurring traffic congestion that contribute and contributes to greenhouse gas emissions from gasoline and diesel powered vehicles on US 26. Furthermore, frequent congestion on US 26 and nearby facilities also contributes to traffic diversion rerouting to other routes nearby roadways, increased vehicle miles traveled (VMT), inefficient vehicle operation, and vehicle idling, all of which contribute to greenhouse gas emissions in the region.

## Recommended Transportation Investments

The Westside Multimodal Improvements Study produced a list of transportation investments that are likely to address the identified issues and needs in the Sunset Highway corridor. Investment options were evaluated based on how well they addressed mobility and reliability, safety, social equity, climate action, and economic vitality. The ~~Westside Multimodal Improvements Study developed an~~ resulting implementation plan that outlines priority investments for the region to advance for future project development and funding, including project descriptions, lead agencies, cost ranges, benefits, issues, and dependent projects. Partner agencies agreed that future refinement in the Westside Corridor will need to be sequenced to account for the differing size and scope of recommended investments. There is broad agreement that short term actions should focus on smaller-scale investments that can minimize existing, ongoing demand on the transportation network. Mid-term and long-term investments will build incrementally towards top-priority, larger scale improvements that could provide significant multimodal improvements into the future.

Contact Kate Hawkins ([kate.hawkins@oregonmetro.gov](mailto:kate.hawkins@oregonmetro.gov)) with any questions about the proposed revisions.

---

**From:** Katie McDonald <[REDACTED]>  
**Sent:** Friday, August 25, 2023 4:54 PM  
**To:** Trans System Accounts <transportation@oregonmetro.gov>  
**Cc:** [REDACTED]  
[REDACTED]  
**Subject:** Metro Tribal Affairs - Tribal Consultation recommendations memo notification

To:

Metro Planning  
600 NE Grand Ave.,  
Portland OR 97232

**Subject: Metro Tribal Affairs Program tribal consultation recommendations memo**

**Background:**

Per 23 CFR 450.316, Metro is required as a Metropolitan Planning Organization (MPO) to consult with Tribes on the development and adoption of the Regional Transportation Plan.

As an MPO, Metro works collaboratively with cities, counties and transportation agencies to develop an overall transportation plan for the greater Portland region and decide how to invest federal highway and public transit funds within its service area.

Metro Council shares decision-making authority for these plans and responsibilities with the Joint Policy Advisory Committee on Transportation (JPACT). Metro sees interested sovereign Tribal Governments as important partners in development of these transportation planning and policy documents to:

- Support partnership and relationship development between Metro and interested Tribal Governments in recognition of tribal sovereignty and in service of the greater public and environment in regional long-range transportation planning.
- Understand and address Tribal interests and priorities in regional transportation projects and planning.
- Increase Metro's awareness and subsequent opportunities to meet transportation needs of tribal members and urban Indigenous communities residing in the MPO planning

area.

- Ensure compliance with our MPO consultation requirements under federal law, 23 CFR 450.316.

In addition, Metro also recognizes the importance of consulting and engaging with interested Tribes so their sovereign and time immemorial interests and connections to the greater Portland area can be considered in public transportation planning.

The lands now known as the greater Portland metropolitan area are part of the aboriginal homelands, traditional use areas and trade networks of numerous Tribes. For millennia, Indian people resided throughout the Willamette Valley and along the Willamette and Columbia Rivers and their tributaries in traditional villages, permanent communities, and seasonal encampments. The relationship of Tribes, their lands and interests extend from time immemorial to the present day and beyond. Each Tribe's interests are distinct. These interests may overlap and intersect with the static boundaries of Metro's MPO planning area and the urban region's transportation system in various ways.

### **2023 RTP Update:**

Metro invited consultation with the seven Tribes to inform Metro's 2023 update to the Regional Transportation Plan and Metropolitan Transportation Improvement Program. In alphabetical order, these Tribes included: Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Cowlitz Indian Tribe, and the Nez Perce Tribe. After this invitation to consultation, staff and representatives from multiple Tribes engaged formally and informally with Metro staff regarding the updates to the RTP and MTIP respectively.

Input from participating Tribes highlighted the importance of natural resources restoration and conservation for First Foods such as salmon. Multiple Tribes also shared a desire to see transportation planning and consultation work done properly, and for Metro to take into account potential impacts to not only historic resources but also cultural and archeological resources important to Tribes. Tribes also requested to be engaged earlier in the process and not strictly at the outset of the call for projects and environmental assessment decision making processes. More specifically Tribes shared priorities, concerns and requests to Metro including better definition and understanding around which government agencies, i.e. local city and county governments or Metro, are responsible for proactively notifying Tribes and engaging in consultation with them regarding individual proposed projects in the RTP and MTIP plans. They also requested clarification of when in the process archeological compliance and protection activities would occur for projects, and which agency is responsible for leading tribal notification and consultation for these efforts. Informal consultation comments also highlighted and expressed an interest and desire for Metro to examine conflicting outcomes of various transportation policies that are embedded within the RTP that make it challenging to 1) assess proposed projects for potential impacts to tribal interests and 2) assess proposed projects for inclusion in the adopted RTP. Additional summary information on the outcomes, themes and requests identified through tribal consultation will be provided by Metro Tribal Affairs and

transportation planning staff elsewhere.

**Tribal Consultation recommendations memo:**

In response to the priorities, concerns, themes, and requests identified through tribal consultation and engagement with participating Tribes, the Tribal Affairs program will be proposing a suite of recommendations in a forthcoming memo for improving Metro's consultation process for regional transportation planning and processes including future updates to the RTP and MTIP.

Tribal Affairs program staff are endeavoring to draft and review the proposed recommendations with interested tribal staff and representatives to ensure they are responsive to their respective interests and needs from Metro as an MPO and responsible agency for the RTP and MTIP plan updates. An additional communication from the Tribal Affairs program will be provided to the transportation planning team soon detailing these specific recommendations and identifying key resources (e.g., funding, staff time, etc.) that will be required to adaptively manage and realize these recommendations to create a more thorough and meaningful consultation approach for Tribes to engage in with Metro in the future.

Please let me know if Metro Planning and the transportation planning team require additional information in advance of the follow-up recommendations memo after receipt of this email and comment for the 2023 RTP public comment period. Tribal Affairs program staff are available to meet with transportation planning team members at your earliest convenience to discuss any questions you may have.

Sincerely,

Katie McDonald

Tribal Liaison

My gender pronouns: she, her, hers.

C: 503-351-9764

Metro | [oregonmetro.gov](https://oregonmetro.gov)

600 NE Grand Ave.  
Portland, OR 97232-2736

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**Metro**

 600 NE Grand Ave.  
 Portland, OR 97232-2736

# Memo

Date: August 16, 2023  
 To: Kim Ellis, RTP Project Manager  
 From: Elizabeth Mros O'Hara, Investment Areas Project Manager  
 Subject: Technical Revision to 82<sup>nd</sup> Ave transit project narrative in RTP section 8.3.1.11

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## Purpose

This memo requests technical revision to Section 8.3.1.11 of Chapter 8 of the public review draft 2023 Regional Transportation Plan (RTP). Identified by Metro Investment Areas staff, this technical correction adds a sentence to reference a recent FTA grant awarded to the 82<sup>nd</sup> Avenue transit project. Revisions are shown in ~~strikethrough~~ and underscore.

## Requested Revisions

**(1) Revise Chapter 8, Section 8.3.1.11 82<sup>nd</sup> Avenue Transit project (3<sup>rd</sup> to last paragraph of narrative) to read as follows:**

"...The need is urgent with an unprecedented opportunity for an 82nd Avenue bus rapid transit project to leverage and complement a \$185 million investment that the City of Portland, the State of Oregon, and regional partners are making as part of the 82nd Avenue jurisdictional transfer. These investments provide the opportunity to reimagine the corridor to improve safety and pedestrian facilities in conjunction with high-quality, frequent, reliable Bus Rapid Transit service. The City of Portland and ODOT are already making near-term safety, paving, and maintenance fixes that will improve access to transit. A second phase of that work is underway through the City's Building a Better 82<sup>nd</sup> Avenue program to identify additional improvements within Portland for the corridor. These improvements would complement/support the transit investment and could be delivered with the transit project. The project will be further bolstered by receiving a \$630,000 planning grant from the FTA's Areas of Persistent Poverty program..."

Contact Elizabeth Mros O'Hara ([elizabeth.mros-ohara@oregonmetro.gov](mailto:elizabeth.mros-ohara@oregonmetro.gov)) with any questions about the proposed revisions.


**Metro**

 600 NE Grand Ave.  
 Portland, OR 97232-2736

# Memo

Date: August 16, 2023  
 To: Kim Ellis, RTP Project Manager  
 From: Eliot Rose, Senior Transportation Planner  
 Subject: Revision to add Regional EPA Climate Pollution Reduction grant to RTP Chapter 8

## Purpose

This memo requests a technical revision to Section 8.2.3 of Chapter 8 of the public review draft 2023 Regional Transportation Plan (RTP). In response to a request at the August 4 TPAC meeting, this technical correction adds a narrative to describe a recently awarded EPA planning grant. Revisions are shown in ~~strikethrough~~ and underscore.

## Requested Revisions

### 8.2.3.X Regional EPA Climate Pollution Reduction Grant

| Lead agency  | Partners                                                                                        | Proposed timing |
|--------------|-------------------------------------------------------------------------------------------------|-----------------|
| <u>Metro</u> | <u>Public agencies throughout the 7-county Portland-Vancouver Metropolitan Statistical Area</u> | <u>2023-27</u>  |

In early 2023 the U.S. Environmental Protection Agency (EPA) announced the [Climate Pollution Reduction Grant \(CPRG\) program](#), a new funding program dedicated to helping public agencies across the U.S. take significant actions to reduce greenhouse gas emissions in the near term. Metro is leading a CPRG planning grant for the Portland-Vancouver Metropolitan Statistical Area (the which includes Clackamas, Clark, Columbia, Multnomah, Skamania, Washington, and Yamhill Counties) focused on identifying near-term opportunities for agencies within this 7-county region to lead projects that will significantly reduce greenhouse gas emissions. Actions identified through the grant deliverables will be eligible for follow-up implementation grants that will help put the plans developed through the first round of grants into action, including \$4.6 billion dollars in competitive grants that EPA plans to make available in late 2024.

Under the CPRG grant the region is responsible for producing three deliverables:

- A Priority Climate Action Plan (PCAP), due in March 2024, that is focused on identifying high-impact climate actions that can readily be implemented by Metro and its local / regional agency partners using funding that EPA plans to make available in late 2024.
- A Comprehensive Climate Action Plan (CCAP), due late summer 2025, that accounts for all major GHG emissions and sinks in the region and recommends a broader set of implementation actions that can be funded by a variety of state and federal sources.
- A status report, due late summer 2027, that provides an update on the implementation actions and identifies any changes to the actions or results of the PCAP and CCAP.

In addition to reducing emissions and aligning with the authority of agency partners within the region, the plans created under the CPRG grant are expected to prioritize actions that advance equity and workforce development. CPRG funding will support the technical analysis and engagement necessary to identify the actions that best meet EPA's criteria. CPRG grantees are required to address all GHG emissions and sectors. Though CPRG deliverables are not limited to the transportation issues that are the focus on the Regional Transportation Plan, transportation is expected to be an area of focus for the grant given that transportation accounts for the plurality of Oregon's greenhouse gas emissions and agency partners in the region have strong authority over the infrastructure and land use decisions that influence transportation emissions.

Contact Eliot Rose ([eliot.rose@oregonmetro.gov](mailto:eliot.rose@oregonmetro.gov)) with any questions about the proposed revisions.


**Metro**

 600 NE Grand Ave.  
 Portland, OR 97232-2736

# Memo

Date: August 10, 2023  
 To: Kim Ellis, RTP Project Manager  
 From: Grace Stainback, RTO Grant Program and Evaluation Coordinator  
 Marne Duke, Regional Travel Options Commute Program Coordinator  
 Subject: Technical Revisions to 2023 RTP Chapter 6, Section 6.3.9

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## Purpose

This memo requests technical revisions to Section 6.3.9 of Chapter 6 of the public review draft 2023 Regional Transportation Plan (RTP). Identified by Metro Regional Travel Options program staff, these technical corrections are proposed to better reflect the regional travel options programs and related activities assumed in the draft 2023 RTP project list. Revisions are shown in ~~strikethrough~~ and underscore.

## Requested Revisions

### (1) Revise Chapter 6, Section 6.3.9 Transportation demand management projects to read as follows:

Public awareness, education and travel options programs are cost-effective ways to improve the efficiency of the existing transportation system through increased use of travel options such as walking, biking, carpooling, vanpooling and taking transit. Local, regional and state agencies ~~all have responsibilities for developing and delivering these programs.~~ They work together with businesses and non-profit organizations to implement programs in coordination with other capital investments. Metro coordinates partners' efforts, sets strategic direction, evaluates outcomes and manages grant funding ~~through the Regional Travel Options (RTO) Program.~~

RTP Transportation demand management (TDM) projects are focused on:

- ~~Public awareness strategies~~ Events and other outreach strategies provide information about and encourage the public's use of travel options.
- **Regional Coordination and local policy, program, and project development:** Metro's Regional Travel Options Program leads regionally significant TDM efforts, including policy development, public outreach and education, provision of direct services and resources, partner collaboration, research, and evaluation. These efforts aim to increase resources and capacity at the local level for policy, program, and project development.
- **Commuter Programs:** Employer-based commuter outreach efforts include: financial incentives, such as transit pass programs and offering cash instead of parking subsidies; facilities and services, such as carpooling programs, bicycle parking, emergency rides home and work-place competitions; and flexible scheduling such as working from home or compressed work weeks. Led by RTO grantees and other regional partners who provide programming that supports businesses and higher education sites in delivering commute benefit programs to their employees and students. Many commute partners assist employers in reaching compliance with DEQ's ECO Rule requirements to reduce SOV trips to their worksites. Metro provides funding to Transportation Management Associations, local jurisdictions and other partners doing this work.
- **Safe Routes to School Program:** School districts, local jurisdictions and other regional and state partners provide programming that supports vehicle trip reduction for K-12 school-based trips. Metro provides grant funding, technical support and regional coordination for these programs.

- **Community Program:** Outreach and engagement programs that meet community travel options needs outside of the trip to school or work, which can include health, recreation, food access, and more. These programs are designed in collaboration directly with community members across the region. Metro supports these efforts through a variety of grant programs.
- Individualized marketing. Focused outreach encourages individuals, families or employees interested in making changes in their travel choices to participate in a program. A combination of information and incentives is tailored to each person's or family's specific travel needs. This outreach can be part of a comprehensive commuter program.
- Travel options support tools. Reduce barriers to travel options and support continued use with tools, such as online rideshare matching, trip planning tools, wayfinding signage, bike racks and carsharing.

**(2) Replace Table 6.11 (Summary of Constrained RTP transportation demand management projects) with the updated table below:**

| Information/TDM Projects and Programs                                           | Near-term Constrained (2023-2030)                                                                                                                                                                           | Long-term Constrained (2031-2045)                                                                                                                                                                |
|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TDM projects                                                                    | 6                                                                                                                                                                                                           | 7                                                                                                                                                                                                |
| <u>Regional Coordination and local policy, program, and project development</u> | <u>Local jurisdictions and TDM service providers are coordinating with each other and with Metro to adopt local TDM policy and identify priority TDM projects and programs based on local needs.</u>        | <u>Local jurisdictions and TDM service providers continue to refine TDM policy, and are implementing TDM projects and programs, collecting data, measuring outcomes, and iterating programs.</u> |
| <u>Commute Program</u>                                                          | <u>RTO grant-funded and regional partners collaborate to deliver coordinated programming to support commute benefit programs at worksites and higher education sites and assist in ECO Rule compliance.</u> | <u>RTO grant-funded and regional partners deliver comprehensive multi-modal programming and outreach to most regional businesses and higher education sites.</u>                                 |
| <u>Safe Routes to School (SRTS) Program</u>                                     | <u>SRTS programs collaborate regionally to deliver education and encouragement programming.</u>                                                                                                             | <u>All school districts in the region have clearly identified SRTS programs, plans and policies that support student transportation.</u>                                                         |
| <u>Community Program</u>                                                        | <u>Community programs are designed and delivered in collaboration with community members and community-based organizations to meet a variety of travel options needs.</u>                                   | <u>Community programs are responsive and iterate to meet the transportation needs and challenges of community members as they evolve over time.</u>                                              |
| Estimated capital cost in YOE dollars                                           | \$102 million                                                                                                                                                                                               | \$195 million                                                                                                                                                                                    |

Contact Grace Stainback ([grace.stainback@oregonmetro.gov](mailto:grace.stainback@oregonmetro.gov)) or Marne Duke ([marne.duke@oregonmetro.gov](mailto:marne.duke@oregonmetro.gov)) with any questions about the proposed revisions.

Date: August 25, 2023  
 To: Kim Ellis, RTP Project Manager  
 From: Jessica Zdeb, Principal Regional Planner, Investment Areas  
 Subject: Revisions to RTP Chapter 8, section 8.2.4.4

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### **Purpose**

This memo requests revisions to Section 8.2.4.4 of Chapter 8 of the public review draft 2023 Regional Transportation Plan (RTP). Identified by the TV Highway Safety and Transit Project team, these corrections are proposed to enhance clarity and update likely implementation actions to reflect current planning efforts that have superseded prior project work. Revisions are shown in Microsoft Word tracked changes.

### **8.2.4.4 Beaverton to Forest Grove (Mobility Corridors 14 and 15)**

*Note – This section will be further updated this Summer and informed by analysis of the RTP project list using the newly updated regional mobility policy.*

Improvements are needed in this corridor to address existing deficiencies and serve increased travel demand for people traveling by all modes. One primary function of this route is to provide access to and between the Beaverton and Hillsboro regional centers, as well as to town centers in Aloha, Cornelius and Forest Grove. Tualatin Valley Highway also serves as an access route to Highway 217 from points west along the Tualatin Valley Highway corridor. As such, the corridor is defined as extending from Highway 217 on the east to Forest Grove to the west, and from Farmington Road on the south to Baseline Road to the north.

### RTP Design and Functional Classifications

The Tualatin Valley Highway Corridor Plan (TVCP), completed by ODOT, Metro, the Cities of Hillsboro and Beaverton, and Washington County in 2013, gave policy direction to maintain the design and function of TV Highway as an urban arterial that will not exceed motorized vehicle capacity of two through travel lanes in each direction. TV Highway is classified as a “Major Arterial” on the Arterial & Throughway map and a “Regional Street” on the System Design map.

The corridor has been included on the high-capacity transit network since 2010 and remains a Tier 1 corridor which is currently under study to determine the most appropriate transit investment.

### Corridor Plans and Priorities

While access and mobility are key functions of this corridor, many prior planning efforts by Metro, Washington County, ODOT, TriMet, and the cities along TV Highway have identified multimodal safety as a critical need. The roadway has nearly double the fatal crash rate compared with the rest of the region's roadways, and while crashes impact people traveling by all modes, people walking are disproportionately impacted by fatal crashes. Community input in these processes has consistently pointed to safety, especially for people walking and accessing transit, as a community priority as well.

Recent planning efforts include Washington County's Moving Forward TV Highway Plan (2019), studying improvements to multimodal networks for the segment from 106<sup>th</sup> Ave to Cornelius Pass Rd, and the East Forest Grove Safety Action Plan (2022) which examined the portion of OR 8 between Cornelius and Quince St/OR 47. The East Forest Grove plan identified multi-modal improvements to address safety along this section of the corridor. Forest Grove is actively pursuing funding to implement recommendations from this planning effort, and new sidewalk in this area and crossing at A & B Row will be constructed by ODOT starting in 2025. Aspects of the Moving Forward TV Highway Plan form the basis of the current transit and roadway study being led by Metro.

Additional intersection and crossing projects are ongoing in the corridor, both in construction and in design and planning by ODOT from the 2021-24 STIP and 2024-27 STIP and by Washington County and the City of Hillsboro.

Mobility for people walking and biking in corridor 15 from Hillsboro to Forest Grove is being addressed by creation of a parallel facility, the Council Creek Trail. This multiuse regional trail is in design and will move to construction in 20XX providing an off-street, low-stress way for people to walk and bike between the Forest Grove and Cornelius town centers, and to connect to the western end of the Hillsboro regional center, including the MAX Blue Line. While this facility will provide mobility among these centers, it does not provide direct access to destinations along TV Highway for people walking and biking.

A high-capacity transit solution for TV Highway has yet to be identified. The current study is investigating means for delivering a corridor-based bus rapid transit (BRT) line to TV Highway that would replace TriMet's existing line 57 with high-capacity service. This service would improve transit speed and reliability, as well as provide improved pedestrian access to station locations and improved rider experience through investments in stations, such as weather protection. This project focuses on enhancing transit and transit access and does not address the wholesale multimodal mobility needs of the corridor. Future planning and design will be necessary to identify implementable strategies to construct corridor-wide enhancements that meet the specifications of ODOT's context-

sensitive design approach for multimodal mobility.



To:  
Metro Planning  
600 NE Grand Ave.,  
Portland OR 97232  
Subject: Suggested Updates to HCT Strategy

Amend paragraph 3 under section 8.2.2.5 as follows and move to a new section as indicated: 8.2.3.14 Frequent Express Strategic Implementation Plan  
~~Additionally, Metro and TriMet~~ and Metro will be developing a Bus Rapid Transit Strategic Implementation Plan as part of regional bus rapid transit planning efforts. The Plan will further advance work in the High-Capacity Transit Plan and will outline a vision for how FX investments can enhance existing and future frequent bus service corridors to serve our region's goals. It will identify a network of BRT routes, prioritize routes for implementation, develop a delivery efficiency strategy and identify potential regional funding strategies.

Amend Appendix A to add the High Capacity Transit Community Vision Survey Summary and OPAL Community Survey Results. These summaries were not yet available at the time the HCT Strategy Public Review Draft was released.

Amend Appendix L, pages 35-47, to update the federal TAM and PTASP performance measures reported to add missing information for prior years and new data related to 2022 performance and 2023 targets where applicable. Make additional technical corrections as needed.

Thank you,  
Ally Holmqvist

## Department of Community Services

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### Transportation Division

August 25, 2023

Kim Ellis  
Metro Planning  
600 NE Grand Ave.  
Portland, OR 97232

Re: 2023 Regional Transportation Plan (RTP) Public Review Draft

Dear Kim Ellis,

Multnomah County staff have appreciated the many opportunities to ask questions and provide input on the drafting of the 2023 RTP that the Metro Planning team has provided to partner agencies over the past year through TPAC, MTAC, and East Multnomah County Transportation Committee meetings. As we review the public draft with Multnomah County colleagues in Sustainability and Public Health, there are a few areas we'd like to provide some additional feedback to suggest future work and refine language.

### **Continue improvements to evaluate investments and implement strategies to meet our Vision Zero goals**

The RTP draft clearly states how we as a region are not on track to meet our Vision Zero goals: "By every safety measure that the RTP tracks, the region's streets are getting less safe, and the RTP is not meeting the interim 2020 targets that it established to maintain progress toward the 2035 Vision Zero goal"(Section 7.7.16). The data shows that this is particularly true for pedestrians and that people of color are disproportionately impacted. The system analysis showed that almost three quarters of the proposed RTP investments in the constrained plan are considered safety projects by the nominating agency but only about a quarter of those are on high injury corridors or intersections. As we implement the 2023 RTP, it would be useful to review how the region is defining safety projects and ways that we can use strong safety criteria as part of the RTP and MTIP review process to ensure that investments will reduce risk to the most vulnerable users. For the purposes of evaluating our ability to meet our Vision Zero goal, we suggest defining safety projects, or identifying a subset of projects in the RTP, that use proven safety countermeasures to reduce risk to pedestrians and bicyclists, such as controlling speeds and separating modes. As more jurisdictions develop Safety Action Plans over the next few years, these plans should also help us evaluate and focus on projects that will have the biggest impact on reducing fatalities and serious injuries. It could also be useful to take a deeper look at why some RTP projects

## Department of Community Services

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### Transportation Division

planned for high injury corridors are not considered safety projects - is it just inconsistencies in how projects are categorized or are there missed opportunities in adding safety countermeasures to those projects?

We look forward to participating in the upcoming work funded by the Safe Streets for All grant referenced in Chapter 8 to use additional data analysis to focus on the most effective safety strategies for our region. Additionally, we suggest developing greater partnerships with county health departments to provide more in-depth analysis and surveillance systems to operationalize methods from [traffic safety reports](#) into Metro planning and analyses.

### Review RTP equity performance measures

The system analysis reports that pedestrian and bicycle networks are more complete and that there is better access to transit in equity focus areas than in non-equity focus areas. However, the Multnomah County Health Department's [2023 Environmental Justice Snapshot Report](#) found that areas within Multnomah County home to the highest proportion of Black, Indigenous, and people of color (BIPOC) on average have lower intersection density and transit access than the average for areas with primarily white, non-Hispanic people and for the entire County. These RTP performance measures do not provide a meaningful way to determine if we are meeting our equity goals since we have data that shows that members of equity communities are disproportionately impacted by traffic crashes, have lower health outcomes due to less opportunity for safe active transportation, and provide feedback that better and safer access to transit is needed. Missing the regional modal targets has health consequences. Physical activity through active transportation prevents most of the leading causes of death and offers substantial health and monetary benefits, as documented by the 2018 RTP and Climate Smart Strategy processes.

It also could be helpful to include metrics focused on access to middle-income jobs in monitoring and evaluation to sharpen the equity analysis and better inform how the transportation system addresses growing wage inequality.

We support suggestions that have been made by TPAC representatives to add a project to Chapter 8, or more information in Section 8.4.5.3 on Performance monitoring measures and targets, that would focus on improvements for the next RTP update process. We would like to see work that includes earlier inclusive engagement and identifying measures that better evaluate if the RTP is addressing needs expressed by equity community members.

## Department of Community Services

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### Transportation Division

#### **Support Region's ability to identify needed climate investments**

The discussion in Chapter 7 outlining the possible scenarios for meeting the region's climate targets does a good job of stating the uncertainty of any of the assumptions that augment currently adopted plans and draft RTP constrained plan. We appreciate Metro staff recommending "More discussion of the role of state-led pricing actions in meeting the region's climate targets and mobility goals" in that section. We did not see a project in Chapter 8 that includes this additional follow up and think it would be beneficial to call out a need to determine whether the regional strategies are doing enough to reach the targets if state assumptions change.

The takeaway from the analysis that reinvestment of new pricing programs' revenue into GHG reduction strategies can achieve results while also providing more affordable options for users, is also important information as we move forward (pg. 7-7-26). Pricing strategies will only reduce GHG if they are designed with a clear goal to do so, above all other goals - this is supported by the Regional Mobility Pricing Study and should be highlighted in the RTP.

We also suggest referencing in Chapter 8 the opportunity to advance RTP climate strategies through the Metro led effort to seek regional funding under the Climate Pollution Reduction Grant Program. In addition, we support the draft Regional Mobility Policy and the next steps of refining the measures and implementation as a step toward better addressing the multimodal needs of the community and our goals of reducing vehicle miles traveled.

#### **Partner on evaluating air quality impacts**

The air quality analysis included in the RTP is not sufficient to understand the health impacts or potential benefits of investments. Mass-based estimates of pollution (e.g. tons per year) at the scale of the whole airshed are not enough to determine how health is affected, or whether benefits and burdens are equitably distributed. Below are a couple of methods that could result in more specific data to help guide investments. Moving forward, we recommend that Metro reach out to the three county health departments prior to or at the beginning of the RTP update planning process to discuss ways to build capacity and partner with agencies for monitoring and evaluating potential air quality impacts related to RTP projects.

- Dispersion modeling for large projects would provide adequate information to determine health impacts. This could include a range of pollutants such as PM2.5, Diesel PM, and NO2 as indicators of transportation-related disparities to help guide investment prioritization. These metrics can be measured over time to evaluate investment efficacy.

## Department of Community Services

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### Transportation Division

- Use the World Health Organization's most recent Air Quality Guidelines and the Oregon Air Toxics Benchmarks to track how often local air quality goes above guidelines/benchmarks at a subregional level to assess more granular differences in outcomes and project impacts

### **Continue to develop resilience policies for the region**

The County is looking forward to continuing the next phase of the Regional Emergency Transportation Routes (RETR) planning with Metro and regional partners that is referenced in Chapter 8. This work is important in ensuring we have a functioning network after a disaster and are strategic in making investments and tracking progress to improve our system's resilience.

While we anticipate that there may be the ability to work more on the preparedness and resilience policies in the next RTP update after the RETR project is completed, we would like to propose some minor additions to Policy 1 under 3.2.4.5 Transportation preparedness and resilience policies. Our suggested edits are to reference the need to mitigate or retrofit many of the designated RETRs to be operational after a disaster and support regional recovery:

Policy 1 Designate, ~~and maintain,~~ and strengthen the resilience of regional emergency transportation routes that, in the case of a major regional emergency or natural disaster, would be prioritized for rapid damage assessment and debris-removal and will be critical to response and recovery of the region.

### **Funding Strategies**

Chapter 8 includes a project to develop a Funding Strategy for Regional Bridges (8.2.3.8). This is a project Multnomah County strongly supports and that was also in the 2018 RTP but has not yet been accomplished. The downtown Willamette River bridges are critical connections for the entire region but there is not an adequate and sustainable fund to ensure necessary maintenance and improvements for these mostly aging facilities. Recent TPAC discussions have proposed broadening the 8.2.3.8 project to develop an overall funding strategy for all types of transportation infrastructure. We support adding a project to have these broader discussions but would like to maintain the specificity of the Regional Bridges project in Chapter 8 as well and suggest keeping them as separate but related projects.

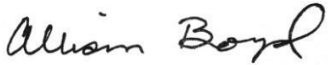
## Department of Community Services

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### Transportation Division

Thank you again to Metro staff for your collaboration and hard work to develop the 2023 RTP. We would be happy to meet with you to discuss any of the comments or concerns raised in this letter.

Sincerely,



Allison Boyd, Transportation Planning Manager, Multnomah County Transportation Division

CC: Cynthia Castro, Chief of Staff, Office of Commissioner Meieran  
Sara Ryan, Chief of Staff, Office of Commissioner Jayapal  
Margi Bradway, Director of Multnomah County Department of Community Services  
Jessica Berry, Transportation Deputy Director, Multnomah County Transportation Division  
Brendon Haggerty, Healthy Homes & Communities Manager, Multnomah County Health Dept.  
Tim Lynch, Senior Policy Analyst, Multnomah County Office of Sustainability



**Date:** August 15, 2023

**To:** Metro RTP Public Comment [transportation@oregonmetro.gov](mailto:transportation@oregonmetro.gov)

**Copy:** Metro Council by email  
JPACT by email

**From:** Chris Smith, No More Freeways  
Joe Cortright, No More Freeways  
Aaron Brown, No More Freeways

**Subject: No More Freeways' Comments on 2023 RTP Public Review Draft**

*"Some highway engineers have a mentality ... that would run an eight-lane freeway through the Taj Mahal. That is our problem."*

*– Oregon Governor Tom McCall, 1970*

No More Freeways appreciates the enormous effort, technical skill and public outreach that has gone into developing the 2023 Regional Transportation Plan Public (RTP) Review draft. We also appreciate the effort to develop new directions in pricing policy and mobility policy.

**Metro is Planning to Fail to meet our necessary climate and safety improvements.**

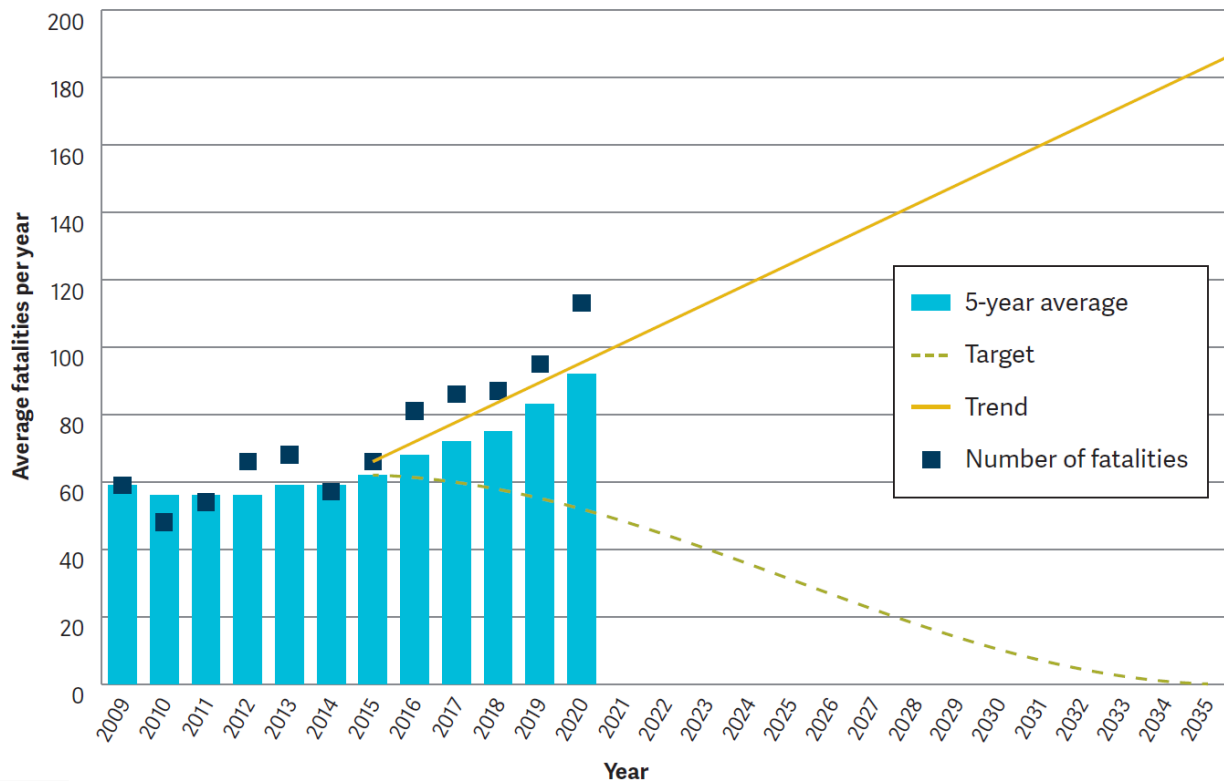
Nonetheless our review concludes that the old paradigm of prioritizing private automobiles, generally supported as much or more by State of Oregon policies than Metro policies, continues to drive our transportation system in the wrong direction. We appreciate the fact that the RTP honestly concludes that we fail to achieve regional goals in three critical areas: Safety, Climate and Mode Split. The failure on Climate is much worse than the plan indicates because it relies on a fictional model of vehicle fleet characteristics provided by the state, which is clearly belied by real world data.

In our comments we will specifically address these three failure areas and will comment on the new pricing and mobility policies as well as the issue of vehicle size, which we believe is a critical area for new policy, even though Metro currently lacks legislative authority in this area.



## Safety Failure

We cannot describe this issue more starkly than Figure 4.10 does:



Chapter 4 documents how this is a critical equity issue on a number of dimensions, including race and housing status. We don't disagree that the causes are complex, but would call out specifically the alarming trends in vehicle size and weight, which we believe is an issue Metro must pursue (see policy discussion below).

But we must call out the conflicting pattern of investments. ODOT's Rose Quarter freeway expansion (\$1.9B) is billed as a "safety and operations" project, but there have been no fatalities there for over a decade. A region in which billions of dollars were applied to our high crash corridors instead of to adding freeway lanes would be a much safer region. While we appreciate the investments in jurisdictional transfer like outer Powell and 82nd Avenue the pace of efforts to address these corridors must be radically accelerated. It's our region's most vulnerable residents who suffer from this gravely significant misallocation of funds, and the Metro Council and JPACT have an opportunity to rectify this injustice by directing more revenue into safety projects by removing multibillion dollar freeway expansions from our plans.



We also acknowledge that there are “cultural” issues around the safety issue. We were very disappointed to recently hear a Portland Police Bureau leader admit publicly that the Bureau messaged to the community that they would not enforce traffic laws as a ploy to seek larger budgets.<sup>1</sup> We hope Metro leaders will use their bully pulpit to address cultural factors that are making our public realm less safe.

Finally on this topic, we’d like to call out a ray of hope, Multnomah County’s direction to view traffic safety as a public health issue.<sup>2</sup>

### **Climate Failure**

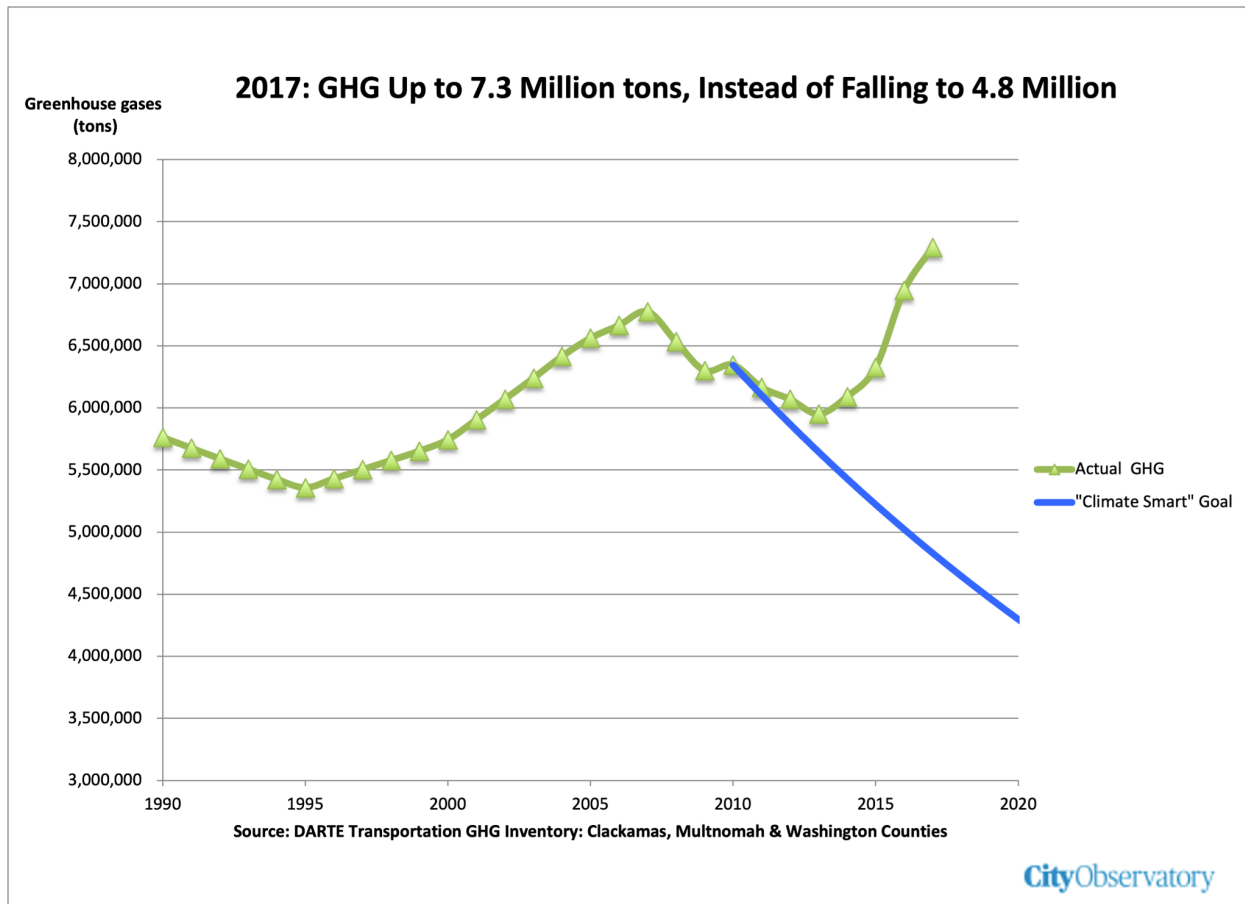
The RTP and the Climate Smart Strategy that forms the basis for the RTP climate policy take ownership of a relatively narrow slice of transportation contributions to Greenhouse Gas (GHG) emissions: the amount of vehicle travel per person (VMT per capita). Even with this limited responsibility, the plan still predicts that we will fail to meet these goals (Table 3 of Appendix J) with the combination of this RTP and other adopted plans.

But by only looking at VMT per capita, the plan ignores the fact that the underlying vehicle fleet (the state’s responsibility under Climate Smart) is completely unreflective of the reality of vehicle size, fuel consumption and age. Our colleagues at City Observatory have charted this based on DARTE GHG inventories:

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<sup>1</sup> Portland Police Bureau officer admits traffic enforcement messaging was politically motivated  
<https://bikeportland.org/2023/08/08/portland-police-bureau-officer-admits-no-traffic-enforcement-messaging-was-politically-motivated-377939>

<sup>2</sup> Public Health Data Report: Traffic Crash Deaths in Multnomah County  
[https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/Revised\\_Final\\_MultCo%20traffic%20deaths%202020\\_2021.pdf](https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/Revised_Final_MultCo%20traffic%20deaths%202020_2021.pdf)



When it adopted its Climate Smart Strategy in 2014, (and again in the 2018 RTP, and yet again in the draft 2023 RTP), Metro promised to update its modeling to reflect actual progress in reducing vehicle GHG emissions, and to adjust its policies accordingly. The GHG analysis contained in the RTP shows just the opposite: The RTP ignores the increase in Portland area transportation greenhouse gasses over the past five to ten years, and also relies on assumptions about vehicle age and fleet composition that are exactly opposite of recent trends: today's vehicle fleet (and tomorrow's) is vastly older, larger and dirtier than assumed in the RTP modeling.

Nothing in the RTP prioritizes the spending of the region's scarce and limited resources on those investments that will produce the greatest reductions in greenhouse gasses. The RTP lacks any project-based GHG emission criteria. In essence, Metro says the GHG policy only applies to the overall *plan*, not the individual *projects*. As long as Metro can (based on obviously erroneous ODOT modeling) claim that the plan is on track to meet comply with the



LCDC rule, (which by the way doesn't do enough to get to the state's 75% GHG reduction by 2050 goal), then the RTP is "good" from a climate perspective.

What the RTP does do, in contrast, is prioritize projects that improve vehicle speeds (i.e. the standard that no throughway should have speeds of less than 35 MPH for four hours per day). The RTP says that if these projects do increase GHG, that there will be mitigation. But as we know, ODOT regularly claims that its freeway widening projects don't increase VMT or GHG (in spite of science to the contrary), so no mitigation is actually required. This policy of allowing projects that increase VMT and GHGs, and then spending even more to mitigate these emissions increases adds insult to injury, because we'll spend our limited resources on projects that increase GHG emissions, and then spend even more money on "mitigating" those increased emissions, instead of reducing the current level of GHGs.

### **Mode Split Failure**

Chapter 7 makes it clear that the region's ambitious mode split goals will not be met with the pattern of investment in this RTP. Only a major shift in investment strategy can achieve our mode split goals. Of course mode split is only a means to the goal of a safer and more sustainable transportation system. While we strongly support additional investment in transit we note that building out the region's active transportation network would be the single most cost-effective investment we could make.

### **Pricing Policy**

There is much to like in the policies outlined in Section 3.2.5 and in the research conducted by Metro in recent years that helped formulate this policy. A few notes on the policy:

- We are curious that table 3-3 omits mention of parking pricing since it lives at the intersection of policies that effectively drive our regional priorities and which can be implemented by the local governments within the region.
- The callout box on p. 3-46 notes the potential constitutional limitations on how revenues from roadway pricing might be used but fails to note a strategy that could be used to offset this: swapping pricing revenues with Federal dollars - now often spent on uses allowed to the Highway Trust Fund - but allowed to be used much more flexibly. Such a swap could greatly advance transit and active transportation efforts.



Our major criticism of the pricing policy is that it is not being applied rigorously to project selection. The inclusion of ODOT's I-205 and RMPP tolling projects would appear to fly in the face of major components of policy 3.2.5:

- “Revenues collected through pricing programs should be reinvested in a manner that helps meet state, regional and local goals related to reductions in greenhouse gas emissions and congestion while improving mobility and safety.”
- “Revenue should not be reinvested solely for single occupancy vehicles but should be invested to improve the entire multimodal transportation system.”

RMPP and I-205 both appear to be motivated in large part to fund further freeway expansions. Starting tolling in other corridors like I-84 or Highway 26 with strong transit alternatives would be more equitable and more likely to shift travel to modes that align with regional goals.

We would also note the strong diversion concerns being expressed in relation to the I-205 tolling project and point out that a VMT fee would be a stronger program that would alleviate many diversion concerns.

## **Mobility Policy**

We are ecstatic to see the end of LOS, but question whether we have selected the right set of replacement measures. System completion is a useful measure for our transit and active transportation systems, but throughway vehicle throughput is likely to reinforce existing unproductive investment patterns. We are disappointed to see that there is no “people throughput” measure and especially that there is not a focus on accessibility to jobs, education and other sources of opportunity rather than simply on mobility. Accessibility measures would better reflect the combination of Metro’s planning responsibility for both land use and transportation.

## **The Missing Policy - Vehicle Size and Weight**

One common element links the failures in both safety and climate - the arms race for larger and larger vehicles driven by fear-based marketing. This arms race benefits the profits of the automobile industry but is devastating to our communities and the health of our planet.

Electrification actually makes this issue worse as batteries increase the weight of these large vehicles. The full life cycle carbon footprint of a heavy electric vehicle can actually be greater than that of an internal combustion sedan.



We understand that this is a national failure, but that does not mean we cannot begin to address it locally. A variable VMT fee or registration fee based on vehicle height and weight would be an important signal and economic inducement to consumers to consider more reasonable vehicles.

We understand that Metro and local jurisdictions currently lack legislative authority to implement this, but Metro should add this to its legislative agenda for both 2024 and critically for the major transportation package anticipated for the 2025 session.

Creatively structuring such fees as a privilege tax for operating an oversized vehicle in an urban environment could be a potential path around Highway Trust Fund limitations on revenue use. Even failing that, these revenues could contribute to addressing the issues on our high crash corridors.

## Conclusion

If the elected officials who comprise the Metro Council and the Joint Policy Advisory Committee on Transportation are serious about reducing carbon emissions and traffic fatalities, we have to make a plan. The RTP as currently proposed is a plan to fail to deliver to Oregonians the safer, healthier, more equitable, and climate-smart transportation that our region deserves. The policy recommendations provided above, coupled with the direction expressed by our advocacy peers at Verde, 1000 Friends of Oregon and the Street Trust, are necessary paradigmatic changes for any local government interested in not just talking about climate action but actually delivering on it. With heat waves continuing to pose significant health threats to our community and ever growing fires, floods, droughts and storms becoming ubiquitous around the planet, it is beyond time for our regional government to demonstrate bold leadership and make a new plan that does not sentence current and future generations to planetary havoc.

This review of the Regional Transportation Plan also provides an opportunity to remind the local elected officials of the opportunities that await to raise revenue for transportation projects in the 2025 legislative session. By all accounts, legislators are gearing up to propose a substantial investment in new infrastructure - with your leadership and lobbying, we can collectively push legislators to demand prioritization of investment in traffic safety and climate that will allow the best parts of the RTP to not just stay lines on a map but in fact be implemented, executed and built. No More Freeways and our robust membership are eager to support any local elected officials eager to collaborate on efforts to ensure the state invests in the transportation system we deserve.

**Climate leaders don't widen freeways. Climate leaders don't keep plans to widen them, either.** We hope the Metro Council will demonstrate in action the climate and traffic safety



leadership that they use in rhetoric by adopting these aggressive and necessary changes to the Regional Transportation Plan.

August 24th, 2023

Joint Policy Advisory Committee on Transportation  
Planning, Development and Research  
Metro Regional Center  
600 NE Grand Ave. Portland, OR



*Sent via email to [REDACTED] on August 25th, 2023*

RE: 2023 Regional Transportation Plan

Dear Joint Policy Advisory Committee on Transportation and Metro Planning team:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on Metro's 2023 Regional Transportation Plan (TSP). Department comments will mainly be on the Draft Environmental assessment and potential mitigation strategies (APPENDIX F, July 10, 2023).

It is policy of the state of Oregon to manage wildlife to prevent serious depletion of indigenous species and to provide the optimum recreational and aesthetic benefits for present and future generations of the citizens of this state (ORS 496.012). The Department's role is to provide technical guidance with the goal of avoiding and minimizing adverse impacts to fish, wildlife and their habitats consistent with the Department's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415). In accordance with our mission, the Department has completed a preliminary review of the plan and offers the following preliminary comments and recommendations for consideration:

The Metro region lies at the northern end of the Willamette Valley, which is the fastest growing ecoregion in the state<sup>1</sup>. Several important priority habitats identified in the Oregon Conservation Strategy face severe habitat loss and fragmentation from development including oak woodlands, grasslands (including oak savanna), wetlands, riparian and aquatic. Oregon Conservation Strategy species in need of action include western gray squirrel, northern red-legged frog, northwestern pond turtle, Oregon vesper sparrow, fringed myotis, acorn woodpecker, and Pacific lamprey. Lower Columbia River fall chinook, coho and steelhead as well as upper Willamette River spring chinook are strategy species in addition to being listed fish species. Thoughtful, climate informed, collaborative development of transportation in the

<sup>1</sup> ODFW Conservation Ecoregions <https://www.oregonconservationstrategy.org/ecoregions/>

region is critically important to the survival of Oregon's most imperiled species. The Department and Metro<sup>2</sup> share a common goal of protecting and enhancing Oregon's fish and wildlife and their habitats for enjoyment by present and future generations, and we look forward to working together to achieve this.

### **Applicable Department Rules and Policies**

The Department appreciates the thorough and extensive list of federal and state regulations included in the plan. Please find below a listing of the most applicable statutes, administrative rules and policies administered by the Department that would pertain to the TSP. Several of the below have been mentioned in the plan, however, the applicable statute or administrative rule number may be missing.

### **Oregon Revised Statutes (ORS)**

- ORS 496.012 Wildlife Policy
- ORS 506.036 Protection and Propagation of Fish
- ORS 496.171 through 496.192 Threatened and Endangered Wildlife and Fish Species<sup>3</sup>.
- ORS 498.301 through 498.346 Screening and By-pass devices for Water Diversions or Obstructions
- ORS 506.109 Food Fish Management Policy
- ORS 509-140 Placing Explosives in Water
- ORS 509.580 through 509.910 Fish Passage; Fishways: Screening Devices<sup>4</sup>

### **Oregon Administrative Rules (OAR)**

OAR Chapter 635, Division 100 provides authority for adoption of the State sensitive species list and the Wildlife Diversity Plan and contains the State list of threatened and endangered wildlife and fish species<sup>5</sup>.

<sup>2</sup> The preamble of the 1992 Metro Charter states that "Metro's most important service is to preserve and enhance the quality of life and the environment for ourselves and future generations."

<sup>3</sup> A listing of State and Federal threatened, endangered and candidate species can be found on ODFW's website at:

[http://www.dfw.state.or.us/wildlife/diversity/species/threatened\\_endangered\\_candidate\\_list.asp](http://www.dfw.state.or.us/wildlife/diversity/species/threatened_endangered_candidate_list.asp)

<sup>4</sup> A listing of requirements under ODFW's Fish Passage Program can be found on the Department's website at <http://www.dfw.state.or.us/fish/passage/>

<sup>5</sup> A current list of State sensitive species can be found on ODFW's website at: [http://www.dfw.state.or.us/wildlife/diversity/species/docs/SSL\\_by\\_category.pdf](http://www.dfw.state.or.us/wildlife/diversity/species/docs/SSL_by_category.pdf)

OAR Chapter 635, Division 415 is the Department's Fish and Wildlife Mitigation Policy<sup>6</sup>, which describes six habitat categories and establishes mitigation goals and standards for each habitat ranging from Category 1 (irreplaceable, essential, limited) to Category 6 (habitat that has low potential to become essential or important).

The Policy goal for Category 1 habitat is no loss of either habitat quantity or quality via avoidance of impacts through development alternatives. Categories 2-4 are essential or important but not irreplaceable habitats. Category 5 habitat is not essential or important habitat but may have a high restoration potential. The application for a transportation project should identify the appropriate habitat category for all affected areas of the proposed project on mapping; provide basis for each habitat category selection; and provide an appropriate mitigation plan to compensate for any adverse impacts which will then be reviewed by the Department.

The Department recommends applicants initiate mitigation planning early within the permitting effort. For project impacts that cannot be avoided, the Department will readily work with the applicant to identify minimization opportunities and potential mitigation options to offset those impacts that will occur outside of avoidance and minimization measures.

### **In-water Work Period**

The Department recommends all in-water work be planned for and completed during the Oregon Guidelines for Timing of In-Water Work<sup>7</sup> and that coordination of this in water work is one of the first considerations for the project. These guidelines are to assist the public in minimizing the potential impacts to fish, wildlife and habitat resources.

### **Lower Columbia River Conservation and Recovery Plan**

There are several fish passage barrier sites in the Metro region, which were identified by the Department and other partners (Metro, City of Portland) during the Lower Columbia River Conservation and Recovery Plan development<sup>8</sup>. The current TSP update may be an opportunity to complete those actions including daylighting streams and reconnecting channels as mitigation of new transportation impacts. Please reach out to Jim Brick, Lower Columbia Implementation Coordinator, [Jim.D.BRICK@odfw.oregon.gov](mailto:Jim.D.BRICK@odfw.oregon.gov) for more information.

<sup>6</sup> Mitigation Policy [http://www.dfw.state.or.us/lands/mitigation\\_policy.asp](http://www.dfw.state.or.us/lands/mitigation_policy.asp)

<sup>7</sup> This link provides the most up to date list of in water work guidelines.  
<https://www.dfw.state.or.us/lands/inwater/2023%20Oregon%20In-Water%20Work%20Guidelines.pdf>

<sup>8</sup> The Lower Columbia River Conservation and Recovery plan, which is currently going through periodic review, can be found at:  
[https://www.dfw.state.or.us/fish/crp/lower\\_columbia\\_plan.asp](https://www.dfw.state.or.us/fish/crp/lower_columbia_plan.asp)

## Habitat Connectivity

Barriers to animal movement has been identified as a Key Conservation Issue by the Oregon Conservation Strategy and represents one of the top 7 threats to fish and wildlife conservation in Oregon. Linear features like transportation networks can impede fish and wildlife movement, and in-water construction can easily block or alter the movement of fish species. The direct result can be mortality or injury to individuals. The indirect result can be fragmentation of fish and wildlife habitat, putting populations at risk and increasing stress on ecosystem services. Avoiding barriers to animal movement and restoring connectivity where possible will greatly reduce the impact of any transportation plan.

The Department recognizes and appreciates that Metro has already incorporated the Conservation Opportunity Areas identified in the Oregon Conservation Strategy, the fish passage priority list, and other sources of biological data. In addition, the Department recommends including The Oregon Connectivity Assessment and Mapping Project (OCAMP) on Priority Wildlife Connectivity Area's in Appendix F section 2.3.2, page 28 (pg 32/86)<sup>9</sup>. OCAMP was a multi-year, collaborative effort to analyze and map statewide wildlife habitat connectivity at fine resolutions for 54 species. Initiated in 2019 and completed in 2022 this multi-agency collaborative effort used the best science available to identify Priority Wildlife Connectivity Areas (PWCA) which represent that portion of the landscape best able to facilitate fish and wildlife connectivity. In many cases, the PWCA's include regionally important riparian areas; managing for connectivity in these areas will help conserve wildlife and biodiversity and, in some cases, may be legally required due to the fish passage rules referenced earlier.

Focused investments in habitat within PWCA's can increase the likelihood of long-term maintenance of wildlife connectivity in Oregon, maximize effectiveness over larger landscapes, improve funding efficiency, and promote cooperative efforts across ownership boundaries, resulting in interconnected movement pathways for wildlife in the state.

The network of PWCA's serves as a science-based tool that can be used as a resource, in conjunction with other sources of information, to support habitat enhancement, restoration, and protection, transportation mitigation, and conservation planning efforts, as well as future research and monitoring. They complement other landscape-scale conservation maps, such as Oregon's Conservation Opportunity Areas<sup>10</sup>, indicating areas of the state that are disproportionally important to wildlife connectivity, and can serve as a foundation for future analyses that address specific conservation challenges, such as energy development, human population growth, and climate change.

<sup>9</sup> RTP Appendix F page 28 <https://www.oregonmetro.gov/sites/default/files/2023/07/10/RTP-Appendix-F-public-review-draft-20230710.pdf>

<sup>10</sup> OR Conservation Opportunity Areas <https://oregonconservationstrategy.org/conservation-opportunity-areas/>

## Transportation Mitigation Areas

Please consider including an abbreviated summary from the “Interpreting and using PWCAs” guidance document such as the following “Roadways and vehicular traffic are a significant contributor to fragmentation of habitat and impacts to wildlife connectivity. Most species face at least some level of mortality risk associated with roadways, and many species display behavioral avoidance of the activity, noise, lights, vibrations, and smells associated with roads. Any location the PWCA network intersects with a roadway is a potential site for transportation mitigation. However, some roads pose a greater risk to wildlife connectivity than others, based on road width/number of lanes, traffic volumes, traffic speed, driver sightlines, and proximity to higher-quality habitats. Hexagons attributed with a Recommended Conservation Action of ‘Transportation Mitigation’ are areas of the PWCA network that are particularly susceptible to fragmentation from roadways, as determined both by the value of the surrounding habitat for facilitating movement, as well as known areas of high densities of wildlife-vehicle collisions. Areas designated as needing Transportation Mitigation would benefit from installation of wildlife crossing structures or autonomous animal detection systems that would improve wildlife passage across the road.”<sup>11</sup>

In conclusion, the Department appreciates the opportunity to comment on this TSP and looks forward to working with Metro and transportation providers on these important transportation projects. Please reach out with any questions or concerns.

Respectfully,



Ariana Scipioni  
Regional Habitat Biologist



Cc: Joy Vaughan, Steve Niemela ODFW

<sup>11</sup> Priority Wildlife Connectivity Areas <https://oregonconservationstrategy.org/success-story/priority-wildlife-connectivity-areas-pwcas/>

Joint Policy Advisory Committee on Transportation  
Transportation Policy Alternatives Committee  
600 NE Grand Ave  
Portland OR, 97232

Dear JPACT and TPAC members,

On behalf of the Oregon Department of Transportation Urban Mobility Office, I would like to express our appreciation for the leadership and visioning of the Joint Policy Advisory Committee on Transportation and the additional committees who have worked diligently over the last several months to develop the 2023 Draft Regional Transportation Plan (RTP). This is a critical plan that provides an opportunity for communities across the Portland Metro area to come together to create a strong vision for the region.

The recently presented plan reflects a comprehensive and forward-thinking approach to addressing the transportation challenges faced by our region. We support and are a committed partner to achieving the vision and goals laid out in the plan, specifically around managing congestion, improving safety and achieving equitable outcomes. We've appreciated your partnership in the past to craft state policies that shape our transportation system. The goals outlined in the 2023 RTP also align with our agency's Strategic Action Plan as set forth by the Oregon Transportation Commission (OTC) and the broader State goals of reducing overall emissions.

Pricing our roads is a new undertaking for our State, and requires a great deal of analysis, extensive outreach, and complex policy decisions. There are several critical decisions that remain to be made as it relates to pricing on our state roads. For Oregon, tolling is an important resource that must be considered to fund an efficient, safe, and well-maintained transportation system. In 2017, with the passage of House Bill 2017, the legislature made clear that ODOT needed to exercise its tolling authority. House Bill 2017 directed the OTC to pursue and implement value pricing on I-5 and I-205 in the Portland metropolitan area. In 2021, the Oregon Legislature passed House Bill 3055, further supporting the implementation of a tolling program. Tolls remain a high priority for the State, and its inclusion in the 2023 RTP update is imperative for us to continue working together toward creating a comprehensive tolling system.

ODOT is currently in the environmental review phase for the Regional Mobility Pricing Project and the I-205 Toll Project, and these analyses will help us further understand the modeling and effect of our proposed comprehensive congestion pricing program. Additionally with direction from Governor Kotek to delay toll collection until 2026, and commencement of the Special Subcommittee on Transportation Planning, there are several State level discussions occurring over the course of the coming years that will shape how we price state roads.

Toll collection is scheduled to begin in 2026. Toll rates will be set approximately six months prior to toll collection and will be based on a detailed Level 3 Toll Traffic and Revenue Study. Early financial analysis will be a component of the environmental analysis in 2024 to inform regional conversations about how revenue may be allocated. ORS 383.001(1) designates the OTC as the toll authority to adopt toll rates

and rules for tolling on state highways. The OTC also establishes state transportation policy, including those related to tolling, and is responsible for ODOT's budget.

Lastly, to align with the Urban Mobility Strategy Finance Plan that was submitted to Governor Kotek in July 2023, adjustments to the 2023 RTP are needed to better describe how the multiple phases of the I-205 Toll Project will be implemented. The first phase of the I-205 Toll project will implement a toll at the Abernethy Bridge in the fiscally constrained near-term time period that covers the 2023 – 2030 timeframe. The second phase of the I-205 Toll Project will include the Tualatin River Bridge toll, seismic improvements, and a third lane on I-205 from Stafford Road to OR213. Because this work is not expected to occur in the near-term, it should be moved to the fiscally constrained list covering the 2031 – 2045 timeframe. ODOT staff will provide updated modeling and financial assumptions and other related project details for inclusion in the 2023 RTP.

The Oregon Department of Transportation is committed to the shared goals of a sustainable transportation system that is safe and reliable for Oregonians. Thank you for your continued partnership and we look forward to supporting the adoption of the 2023 Regional Transportation Plan.

Sincerely,



Mandy M Putney  
Strategic Initiatives Director  
ODOT Urban Mobility Office

Kim Ellis  
 Metro  
 600 NE Grand Ave  
 Portland, OR 97232

Dear Ms. Ellis,

Metro has implemented a process for developing a regional transportation plan (RTP) update that that delivers upon the requirements of the Code of Federal Regulations, providing the path forward for maintenance and operation of and investments in the region's transportation system. Further, the draft RTP presents advances in policy resulting from earnest community engagement and in service to the Secretary of Transportation's Planning Emphasis Areas (PEAs). Such innovation should serve well in positioning the region for acquiring discretionary grants from the programs connected with the PEAs.

The Oregon Department of Transportation (ODOT) is generally supportive of the draft RTP as proposed, with a few critical adjustments needed. This letter conveys several important requests in time for inclusion in the TPAC conversation on August 16. ODOT will be sending subsequent correspondence prior to the August 25 deadline, addressing policies on auxiliary lanes and pricing.

As requested by Metro staff, ODOT has utilized the online comment form to also submit proposals for modified language or graphics with the goal of developing a high-quality plan for the region. We will also send Metro technical updates to correct or update project specific information.

### **Requested Improvements to the Draft RTP**

1. **Representation of Regional Priorities:** ODOT fundamentally agrees that that there is a pressing need to invest more in multimodal projects that support transit and active transportation to address key outcomes such as equity and climate. The draft RTP makes a strong case for this, and ODOT is proud to be a part of this work. The agency incorporates features to safely advance modal choice in its policy and projects. However, the RTP does not make an equally strong case for the need to maintain our current transportation infrastructure to maximize safety and the operational efficiency of the existing system and avoid costly repairs in the future. There are no goals related to system maintenance and preservation in Chapter 2. Similarly, Goal 5 should specifically cite seismic resiliency in addition to climate resiliency.

Maintaining this infrastructure, including making it resilient, is the largest share of non-operations transportation expenses in the region and is ever more important as our infrastructure continues to age. ODOT requests including goals and objectives that are more aligned with the full suite of planned investments associated with the RTP to provide a more clear linkage between policies and these expenditures. ODOT also requests greater integration of goals around system preservation in Chapter 2. Preservation of the system also touches on aspects of several Goals 4 and 5.

To address the above concerns, ODOT requests the addition of the following new objective to Goal 4: Thriving Economy

*Objective 4.5: Maintain or bring facilities up to a state of good repair and avoid deferred maintenance to prevent future more costly and resource intensive repairs to the system and impediments to moving goods.*

ODOT also suggests these additional opportunities to add objectives tied to preservation of the system and seismic resilience:

- *Objective 2.3: Maintain or bring facilities for all modes up to a state of good repair to prevent traffic deaths and serious crashes related to poor infrastructure conditions.*
- *Objective 5.5 Adaptation and Resilience – Increase the resilience of communities and regional transportation infrastructure to the effects of climate change and natural hazards including seismic events, helping to minimize risks for communities.*
- *Objective 5.6: Maintain or bring facilities up to a state of good repair and avoid deferred maintenance to prevent future more costly and resource intensive repairs.*

**2. Measures used to produce charts and tables do not accurately reflect Multimodal Investments:**

The analysis, text and graphic in Chapter 6, pages 6-18 to 6-19, “ODOT Projects” do not accurately reflect the multi-modal nature of the projects listed, as ODOT staff previously expressed at TPAC and JPACT. Publishing a chart that appears to show ODOT is only spending \$3 million on active transportation over the 20-year life of this Regional Transportation Plan is misleading and inaccurate. The analysis methodology, defining transportation projects by one element instead of their multi-modal reality, produced charts that do not reflect the actual outcomes the projects are intended to produce.

Almost all of ODOT’s RTP projects would construct active transportation elements in addition to roadway improvements. In fact, two ODOT projects in this RTP – the I-5 Rose Quarter Improvement Project and the Interstate Bridge Replacement – are investing more than \$100 million dollars each in active transportation infrastructure. This inaccurate reporting of multi-modal projects also affects the other agencies’ investments, and means some substantial walking and biking investments planned for the region are not reflected.

All ODOT modernization projects include active transportation features. However, because our projects are primarily throughways or roadways, these investments are not reflected in the analysis. For example, Outer Powell includes a substantial investment in enhanced and safer bike/pedestrian facilities and a “pavement preservation project” on Hwy 99W (I-5 to McDonald) includes ADA ramps, bike lanes and enhanced pedestrian facilities.

Also many of our safety and active transportation investments will come from within ODOT's Safety & Operations program, yet they are not capacity increasing projects and are not reported in Metro's analysis. For example, \$3 million dollars shown as ODOT's total active transportation investment is the cost of one Rectangular Rapid Flashing Beacon, and yet ODOT is building several of those across the region every year. The Safety and Operations improvement bucket has \$1.23 Billion YOE set aside for investments that include active transportation improvements in priority locations across the Region. ODOT plans to allocate more than \$58 million for active transportation projects in 2024 alone, a 48% increase over total amounts spent in 2021. The 24-27 STIP includes \$165M in ADA ramps alone within Region 1 and another \$24 million in bike/ped specific projects, plus additional bike/ped investments on many other projects. None of these multi-modal project elements are reflected in the current methodology or graphics.

To correct this misrepresentation, ODOT requests that Metro update the text to reflect these investments and explains the limitations of the RTP methodology.

Suggested new text is below:

~~Figure 6.7 shows the cost of RTP investments submitted by ODOT broken down by investment category. The I-5 IBR Program comprises nearly half of ODOT's \$12.61 billion constrained project list with less than 1% being allocated towards walking and biking. While ODOT's constrained list includes mostly roadway projects, these are often multi-modal in nature and incorporate active transportation features that are part of a complete multi-modal roadway system. In addition, over \$1.2 billion of ODOT's investments are in non-capacity safety and operations projects, many of which will provide active transportation improvements in priority locations: the 24-27 STIP includes \$165 million in ADA ramps and another \$24 million in active transportation specific projects within Region 1, plus additional active transportation investments on many other projects. Nearly half of ODOT's \$12.61 billion constrained project list is comprised of the I-5 IBR Program, which includes a light rail high-capacity transit element and over \$100 million dollars of accompanying bike and pedestrian access investments. See Section 6.3.14 for more information on region-wide road operations, maintenance and preservation costs.~~

3. **Mobility Policy:** Through the update to the region's mobility policy, ODOT and Metro have collaborated to shift an outdated policy that was no longer accurately identifying needs on the region's throughways. The proposed new policy and its metrics is a significant undertaking.

ODOT appreciates that Metro staff have continued testing the proposed metrics with the travel demand model. Much has been accomplished, and the mapping associated with the RTP provides evidence that the proposed new reliability metric is better suited to identifying and communicating undeniable needs on the throughway system than the previous volume to capacity ratio metric. That said, the figures in the RTP are derived from a travel demand model and such models excel at comparative analysis but may not capture detailed performance in all locations. ODOT therefore requests addition of the text below to the Table notes on page 3-59, as supplied by Metro and ODOT for the August 4 TPAC packet with slight modification:

To clarify, this measure and the maps indicate clear and undeniable transportation needs on throughways designated in the RTP. Other analysis that agencies may conduct at a more detailed scale, such as during development of a facility plan or TSP, may also be used to document the need for operational investment in order to improve performance. When a need is identified using this measure, via observed data or traffic simulation models, transportation agencies should then follow the adopted congestion management process and ODOT's OHP Policy 1G to evaluate the need using field data and identify solutions to address the need.

Additionally, preliminary examination of data from the regional model hints that the measure when applied to non-limited access throughways may not be identifying the performance issues that facility users are observing. Behavior on limited access freeways is more easily monitored and predicted than it is on highways with traffic signals and driveways. This permeability creates barriers to establishing effective segment lengths for analysis. ODOT requests continued collaboration with Metro to develop effective metrics for non-limited access throughways including an entry in chapter 8 communicating a forthcoming effort. Options for next steps include revised metrics and reviewing the RTP throughway designations applicability to some of these facilities.

Thank you for considering these requests. With much appreciation,

A handwritten signature in black ink, consisting of a stylized 'C' followed by a horizontal line.

Chris Ford  
Policy & Development Manager, ODOT Region 1

Kim Ellis  
Metro  
600 NE Grand Ave  
Portland, OR 97232

Dear Ms. Ellis,

ODOT staff greatly appreciate the collaborative discussions with Metro staff over the past few months related to regional motor vehicle network policies. This letter documents these conversations and requests the relevant additions and edits to the draft Regional Transportation Plan (RTP). ODOT believes the language and processes spelled out below will help provide for a safe and efficient freeway system in accordance with federal guidance.

### **Changes requested to Section 3.3.3.2 Regional motor vehicle network policies**

Updates to the Transportation Planning Rule (TPR) adopted by the Land Conservation and Development Commission requires enhanced review of select roadways projects (OAR 660-012-0830), including auxiliary lanes in some circumstances. In that context, Metro staff proposed a new RTP policy (Policy 6) focused on auxiliary lanes, added new Chapter 3 language on the purpose and analysis of auxiliary lanes (page 3-93) and adjusted several related definitions in the Glossary.

### AREAS OF CONCERN AND AGREEMENT

Some of the proposals are understandable, but others create substantial challenges – see ODOT’s letter to Metro included in the June TPAC materials and **attached** to this letter. ODOT believes changes to the draft RTP language are required to ensure:

- Consistency with the updated Oregon Transportation Plan (OTP), new OAR 660-012-0830 rules and the Oregon Highway Plan (OHP).
- A clear neutral process based on technical and engineering analysis using established processes and standards.
- RTP language based in fact.
- ODOT can comply with federal requirements to operate and maintain a safe and efficient highway system.

ODOT appreciates its productive conversations with Metro staff over the past few months to understand concerns and thoughts about the RTP throughway policy and auxiliary lanes. In our conversations, Metro staff’s concerns with auxiliary lanes appear to center around:

- Ensuring ODOT abides by the planned throughway network completion policy.
- Improving documentation and clarity around demonstrating the need for adding new auxiliary lanes to ensure they are effective and in compliance with the OTP, OHP, OAR 660-012-0830, and the RTP.
- Integrating the new 0830 regulations.

ODOT and Metro also agree on many key issues related to auxiliary lanes:

1. Throughways are considered complete with three general purpose through lanes in each direction plus auxiliary lanes.
2. Auxiliary lanes are a useful tool for addressing localized operational and safety problems on throughways, where appropriate and when compared to other options such as adding general purpose capacity, braided ramps and collector-distributor roads.
3. The OTP, OHP and the RTP are aligned in prioritizing measures to protect the existing highway through operational and travel demand strategies<sup>1</sup>, when feasible and effective.
4. Throughways are primarily intended to serve longer distance trips and the movement of people and goods to major employment and commerce locations.
5. TPR Section 0830 requires an enhanced review, documentation and adoption process for auxiliary lane projects under certain conditions.
6. Truck climbing lanes may be called for in locations where topography affects the ability for large vehicles to maintain throughway speeds. The special circumstances and regional freight needs of these special purpose lanes call for them to be treated differently than auxiliary lanes.

ODOT and Metro also agree that the RTP will defer to OAR 660-012-0830 and not add additional process or requirements and will work together to determine how to apply the new rules in the Portland area. Specifically, that means:

- ODOT may develop auxiliary lanes of one-half mile or less through following standard processes and analysis implementing the OTP and OHP.
- Auxiliary lanes may also be implemented without the TPR's enhanced review when an exception listed in Section 0830 is applicable and documented as such, or the project can be shown to only restore the capacity of the existing through lanes and not add capacity.
- Auxiliary lane projects already in the 2018 RTP financially constrained list that meet one or more 0830 exemption criteria are not subject to enhanced review described by the 0830 process.

## PROPOSED APPROACH

Metro staff is concerned with whether an auxiliary lane adds capacity beyond the planned system of three lanes. Section 0830 requires an assessment of vehicle miles per capita for certain projects. ODOT proposes the following approach to auxiliary lanes, merging the RTP congestion management function and the TPR:

1. Document when an auxiliary lane is exempt from enhanced review under Section 0830.
2. When not exempt, ODOT will use statewide published guidance to analyze and document whether the proposed auxiliary lane would add capacity beyond existing general purpose travel lanes. If not, the auxiliary lane is allowed without further review or process.

<sup>1</sup> See Oregon Highway Plan section on Transportation Demand Management and Analysis Procedures Manual Appendix 18A.

3. If the auxiliary lane will add capacity, ODOT will undertake a public process – such as through a facility plan, NEPA or similar documentation – in accordance with the RTP Congestion Management Process (CMP) and TPR requirements. Once any auxiliary lane is adopted into a Transportation System Plan and has undergone enhanced review under Section 0830, no further CMP or RTP process is required.

For further clarification:

- ODOT agrees that OAR 660-012-0830 applies when existing auxiliary lanes are extended to more than one-half mile in length.
- ODOT agrees the one-half mile limit applies to a single auxiliary lane beyond the planned system of 3 general purpose lanes; a second (dual) auxiliary lane is not eligible for the length exemption.
- ODOT will document a Section 0830 exemption with findings ready for incorporation into a transportation system plan (TSP) or facility plan.
- Several projects that incorporate auxiliary lanes were adopted in the current 2018 RTP and were part of its CMP finding. These projects include Boone Bridge, Rose Quarter, I-205 Phase 2, and I-5 Northbound Braided Ramps from I-205 to Nyberg Road; the modified LPA for Interstate Bridge Replacement was also deemed consistent with the CMP. ODOT expects that these projects will again be found consistent with the CMP for the 2023 RTP.

The table below summarizes the above proposal:

| <b>Auxiliary Lane Details</b>                         | <b>Action Steps</b>                                                                           |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| 1/2 mile or less total length (single auxiliary lane) | No action required, but ODOT will abide by OHP Action 1G.1 and RTP Motor Vehicle Policy 5     |
| > 1/2 Mile (or dual aux lane) addressing safety       | Document need and follow APM                                                                  |
| >1/2 Mile (or dual aux lane) for operations           | APM Screening to determine no capacity increase                                               |
| > 1/2 Mile adding capacity                            | Additional engineering analysis to determine if a facility plan or TSP amendment is warranted |

Ultimately our agencies agree that a defined path for auxiliary lane implementation is necessary to ensure consistency with RTP policies, including the Thoroughway Network Completion Policy, new Regional Mobility Policy and the Congestion Management Process.

## REQUESTED CHANGES TO DRAFT RTP

ODOT requests several changes to draft Section 3.3.3.2 in Chapter 3, detailed below. These changes are intended to address both ODOT and Metro’s concerns and mutual interests.

### *Change 1: Edits to draft RTP policies*

ODOT requests removing auxiliary lanes from Policy 5 and updating Policy 6 with a more simplified approach, with details spelled out in the Chapter 3 text. Note that ODOT applauds the integration of the Regional Mobility Policy into motor vehicle network policies.

Policy 5: Prior to adding new throughway capacity beyond the planned system of motor vehicle through lanes, ~~including adding or extending an auxiliary lane of more than one-half mile,~~ demonstrate that system and demand management strategies, including access management, transit and freight priority, pricing, transit service and multimodal connectivity improvements cannot adequately address identified needs consistent with the Congestion Management Process and Regional Mobility Policy.

Policy 6: ~~Prior to adding or extending an auxiliary lane of one-half mile or more, determine whether the new individual auxiliary lane alone or in combination with auxiliary lanes in the same corridor will collectively influence capacity, or alternatively whether each of the auxiliary lanes operate independently and address localized safety issues consistent with the Congestion Management Process and Regional Mobility Policy.~~ When enhanced review of select roadway projects is required under OAR 660-012-0830, including auxiliary lanes, the project will first be analyzed using established statewide methods for determining whether it increases capacity and, if so, then a facility plan, refinement plan, TSP amendment or similar documentation that demonstrates need, function, impacts and alternative options evaluated to address the identified need will be prepared and publicly adopted consistent with the OTP, OHP, Congestion Management Process, and OAR 660-012-0830; or a qualifying exception will be documented.

### *Change 2: Updates to Chapter 3 language*

ODOT requests the following changes to the “Throughways and auxiliary lanes” and “Analysis of throughway and auxiliary lanes” sections of draft Chapter 3, on pages 3-92 through 3-94. These edits will remove subjective language and describe the agreements, concerns, and documentation approach described above. Note that “Appendix XYZ” is used as a placeholder location, with the best place for this language to be determined.

#### **Throughways and auxiliary lanes**

Throughways span several jurisdictions and often are of statewide importance linking the greater Portland area with neighboring cities, other parts of the state, other states, and Canada. Throughways are planned to consist of six through lanes (three lanes in each direction) with grade-separated interchanges or intersections, and serve as the workhorse for regional,

statewide, and interstate travel. ~~Additional through travel lanes may be needed in some places based on the importance of a facility to regional and state economic performance, excessive demand and limitations or constraints that prevent creation of a well-connected street network due to topography, existing neighborhoods, or natural resource areas.~~

Throughways carry between 50,000 to 100,000 vehicles per day, providing higher-speed travel for longer motor vehicle trips and serving as primary freight routes, with an emphasis on mobility. Throughways help serve the need to move both freight trucks and autos through the region. Throughways connect major activity centers within the region, including the central city, regional centers, industrial areas and intermodal facilities.

The RTP Throughway functional classification corresponds to the Expressways functional classification in the Oregon Highway Plan. There are two types of Throughway designs as described in Table 3-8. Freeways, which are limited-access and completely grade separated interchanges and Highways, which include a mix of separate and at-grade access points. Throughway interchanges that are designated as Freeways in the OHP should be spaced no less than one mile apart in urban areas.

#### **Use of auxiliary and other special purpose lanes**

Additional throughway travel lanes, as well as auxiliary lanes and other special purpose lanes, may be warranted in some locations, including those with a high number of serious or fatal crashes, excessive demand from a facility important to regional and state economic performance, substandard interchange spacing, connecting throughway systems that are relatively close but not directly linked, geometric constraints, slope, and limitations or constraints that prevent creation of a well-connected street network due to topography, existing neighborhoods, or natural resource areas.

An auxiliary lane is the portion of the roadway adjoining the through lanes for speed change, turning, weaving, truck climbing, maneuvering of entering and leaving traffic, and other purposes supplementary to through-traffic. ~~An auxiliary lane is intended to provides a direct connection from one interchange ramp to the next.~~ The lane separates slower traffic movements from ~~the mainline through traffic~~, helping smooth the flow of traffic and reduce the potential for crashes and is not intended to function as a general purpose travel lane. ~~Auxiliary lanes add additional motor vehicle capacity.~~

Auxiliary lanes can be used to keep regional trips on the throughway system instead of diverting them to local roadways. These system-to-system interchange connections currently exist on I-5 between OR-217 and I-205. The intention is not to “add capacity” to the six through lanes, it is rather to serve trips that are traveling from one interchange to another and can stay in the same lane without merging with through traffic.

#### **Enhanced review Analysis of throughway and auxiliary lanes**

Auxiliary lane projects that meet the exemption criteria of OAR 660-012-0830 are not subject to further review. That exemption will be documented in accordance with the details in Appendix

XYZ, using ODOT's Analysis Procedures Manual. Otherwise, auxiliary lanes will be evaluated to determine whether they would add additional vehicular capacity beyond the existing general purpose travel lanes, documented in accordance with the details in Appendix XYZ. If an auxiliary lane will not add capacity, no further review is required. If an auxiliary lane is not exempt and would add capacity, then enhanced review will be conducted through a TSP amendment, refinement plan or facility plan, documented in accordance with the details in Appendix XYZ.

~~Prior to adding new throughway capacity beyond the planned system of motor vehicle through lanes, or adding or extending an auxiliary lane of more than one-half mile in length, or re-striping an auxiliary lane to serve as a general purpose through lane, transportation agencies must demonstrate that system and demand management strategies, including access management, transit and freight priority, pricing, transit service, and multimodal connectivity improvements cannot adequately address identified needs consistent with the Congestion Management Process and Regional Mobility Policy.~~

~~When a series of auxiliary lanes are added in the same corridor or one or more existing auxiliary lanes are extended through one or more interchanges, the auxiliary lanes may begin to function more like a general purpose travel lane. Therefore, prior to adding or extending an auxiliary lane of more than one-half mile, transportation agencies must determine whether the new individual auxiliary lane alone or in combination with auxiliary lanes in the same corridor will collectively influence capacity and measurably increase vehicle miles traveled, or alternatively whether each of the auxiliary lanes are operate independently and only address localized safety issues. Chapter 8 defines the parameters for future corridor refinement planning work specific to each regional mobility corridor, consistent with the Congestion Management Process and Regional Mobility Policy.~~

### *Change 3: Updates to draft RTP glossary*

ODOT's attached letter to Metro staff (dated May 3, 2023) requested several changes to the RTP glossary to better align the RTP definitions with TPR Section 0830 and remove unnecessary language. Metro already incorporated most of the requested changes into the public review draft 2023 RTP, and ODOT expresses its gratitude for those adjustments. The definition of Auxiliary lane, however, needs an update to language to be consistent with the above edits requested in this letter:

**Auxiliary lane** – An auxiliary lane is the portion of the roadway adjoining the through lanes for speed change, turning, weaving, truck climbing, maneuvering of entering and leaving traffic, and other purposes supplementary to through-traffic. ~~An auxiliary lane provides a direct connection from one interchange ramp to the next.~~ The lane separates slower traffic movements from through traffic ~~the mainline~~, helping smooth the flow of traffic and reduce the potential for crashes and is not intended to function as a general purpose travel lane. ~~Auxiliary lanes add additional motor vehicle capacity. New or extended auxiliary lanes with a total length of one-half mile or more, or existing auxiliary lanes being considered for conversion to general purpose lanes through restriping, must be reviewed as provided under the Congestion Management Process (RTP Section 3.55) and OAR 660-012-0830 (unless exempted as provided by the rule)~~

~~due to the potential for these facilities to increase motor vehicle travel per capita. See also definition for Congestion Management Process.~~

*Change 4: Auxiliary Lane review process explained in a technical appendix of the RTP*

ODOT requests adding the following language to a technical appendix of the RTP to explain the exemption, screening and enhanced review approach described above:

ODOT's Analysis Procedures Manual (APM) establishes methods for evaluating roadway investments and apply to all agencies in Oregon. The APM states that an auxiliary lane is expected to restore the function of the through lane and address existing and future safety issues related to unique geometric and operational factors (e.g., intersections, grades, ramp spacing, and queuing build-up). In the Portland Metropolitan area, auxiliary lanes are primarily used to buffer the operational impacts of ramps with disproportionately high traffic volumes, sufficient enough to impact through traffic operations. These ramps with high traffic volumes may be singular, or in close succession, necessitating complex auxiliary lane analysis and placement in locations that may exceed one-half a mile.

Auxiliary lane projects that meet the 0830 exemption criteria are not subject to further review; no process, review or documentation is required for implementing an auxiliary lane with one of the following features:

- Single auxiliary lane up to one-half mile in total length,
- With a capital cost of less than \$5 million,
- To address safety needs, or
- Any other exemption in the OAR.

If an auxiliary lane is determined necessary to address safety needs, ODOT will document the Section 0830 exemption with findings ready for incorporation into a TSP or facility plan showing a) that the throughway segment is a top 10% Safety Priority Index System (SPIS) site, b) analysis that the project will reduce serious injuries and fatalities and that an auxiliary lane is more effective in addressing safety than the measures in Motor Vehicle Network Policy 5, OHP Policy 1G.1, OTP Policy MO.2.1, and APM Appendix 18A.

In cases where an auxiliary lane is greater than one-half mile, APM analysis can demonstrate that the project is compatible with the RTP as an operational investment and not a capacity adding capital project. Such a project would therefore not be subject to CMP or TPR analysis. Appendix 10A of the APM includes guidelines and sketch modelling tools on weaving lanes and other types of auxiliary lanes.<sup>i</sup> The APM states that these are lanes added between closely spaced interchange on and off-ramps which improve operations by reducing impacts of weaving, entering and exiting traffic flows. These typically extend from one interchange to the next or through several interchanges. While weaving lanes can improve operations and safety on freeways by providing the space needed to adequately accommodate the entering, exiting, and through lane traffic, the APM acknowledges that longer weaving lanes may operate as additional general purpose through travel lanes.

The APM Appendix 10A provides tools to identify the length of a weaving lane supported by data and subsequently, where excess length could operate more like a general purpose through lane. When applied in the operational circumstance explained above, an auxiliary lane is not expected to generate a statistically significant increase in vehicular capacity to the adjacent (i.e., upstream/downstream) throughway system, and the APM's sketch model can quickly evaluate that expectation, at a high level. In the event that an auxiliary lane appears to operate as a general purpose lane, additional in depth analysis should be conducted, in accordance with APM Appendix 10A guidance, to fully understand the technical operating characteristics and determine whether design changes can be made to reduce or eliminate additional capacity. ODOT will document the Section 0830 and CMP exemption with findings.

When an auxiliary lane is not exempted from review due to the circumstances above, then a TSP amendment, refinement plan or facility plan will be prepared that:

- documents the operational and/or safety need for the project, including transportation needs consistent with the Regional Mobility Policy [note that such documentation and analysis may also be provided by NEPA, if applicable];
- utilizes the APM (see above) to model the length needed to restore but not add to operational capacity;
- evaluates alternative options to an auxiliary lane consistent with OTP, APM Chapter 10, the RTP congestion management process, and OAR 660-012-0830;
- undergoes the appropriate process for adoption into a local or regional transportation system plan, including public review and evaluation of impacts on vehicle miles per capita;
- demonstrates consistency with all applicable plans, including the TPR, OTP, regional functional transportation plan and RTP;
- follows all other requirements of OAR 660-012-0830; and
- once adopted constitutes approval for implementation in the RTP and the MTIP.

Alternative options that may be implemented instead of, or in addition to, an auxiliary lane may include transportation demand management (TDM) and transportation system management (TSM) elements identified in Motor Vehicle Network Policy 5, OHP Policy 1G.1, OTP Policy MO.2.1, and APM Appendix 18A, such as an interchange area management plan, adjustments to ramp meters, TSMO, ITS, tolling, congestion pricing, or multi-modal capital projects such as arterial and collector street connectivity—including overcrossings—braided ramps, collector-distributor frontage roads, and closure of interchanges.

Thank you for considering these requests. With much appreciation,



Chris Ford  
Policy & Development Manager, ODOT Region 1

<sup>i</sup> [https://www.oregon.gov/odot/Planning/Documents/APMv2\\_App10A.pdf](https://www.oregon.gov/odot/Planning/Documents/APMv2_App10A.pdf)

Transportation Policy Alternatives Committee  
600 NE Grand Ave  
Portland OR, 97232

May 3, 2023

RE: Motor vehicle and auxiliary Lane policies in draft 2023 RTP update

Dear Chair Kloster and TPAC members,

I want to express appreciation to Metro staff for their responsiveness to ODOT's letter on the March 8 version of draft Chapter 3 of the 2023 Regional Transportation Plan (RTP) update. The edits on Motor Vehicle Network, Pricing and Mobility policy in the "4/11/23 Track Changes" version largely addressed ODOT's concerns.

The 4/11 version also contains new language on the Motor Vehicle Network, however, with no analysis of the possible effects of the proposed new policies to the system and the RTP goals of economy, mobility, safety, equity and climate. This letter responds to those unanticipated changes by reviewing the intent and application of state and regional policies on the throughway system, and requests specific edits to Metro's proposed language.

Given the substantive and unexpected nature of the Motor Vehicle proposals, please view this letter as an initial response. Additional or adjusted responses may be forthcoming. ODOT is also preparing materials on auxiliary lanes to be shared with TPAC and JPACT soon.

## STATE AND REGIONAL THROUGHWAY POLICIES

The ultimate purpose of the planned regional motor vehicle network is to support the 2040 Growth Concept, which identifies the locations, types and intensities of land use in order to maintain the urban growth boundary even as the region grows its population and economy. An adequate, multi-modal transportation system is necessary to support this planned development, as reflected in Division 12 of the OARs dedicated to transportation planning and applied in TSPs. The regional throughway system must also accommodate statewide and interstate travel needs, as acknowledged in the RTP.

ODOT's throughway investments are guided by Oregon Highway Plan (OHP) Policy 1G: *"It is the policy of the State of Oregon to maintain highway performance and improve safety by improving system efficiency and management before adding capacity."* Policy 1G lists measures to maintain performance and improve safety in order of priority: (1) protect the existing system, (2) improve efficiency and capacity, (3) add capacity, and (4) add new facilities.

ODOT also adheres to and supports the longstanding RTP policies on the build out and operation of the planned regional motor vehicle network. These policies focus on a network that is efficient and effective rather than expansive. The direction in the existing RTP motor vehicle policies is to:

- Preserve and maintain...in a manner that improves safety, security and resiliency (Policy 1)
- Actively manage and optimize capacity (Policy 3)
- Strategically expand....to maintain mobility and accessibility and improve reliability (Policy 5)

- Address safety needs...[through] implementation of cost-effective crash reduction engineering measures (Policy 10)

Policy 12 then restates OHP Policy 1G's measures to protect the existing system, reinforcing that is the first approach.

These measures to protect the existing system are not always adequate to *maintain highway performance and improve safety* (OHP) or *preserve, maintain, optimize and improve safety* (RTP). The OHP directs ODOT to then apply measures to improve efficiency and capacity through "minor improvements to existing highway facilities such as widening highway shoulders or adding auxiliary lane." The existing RTP reinforces this approach in Policy 5: "Strategically expand the region's throughway network up to six travel lanes plus auxiliary lanes between interchanges..." Neither the OHP nor the existing RTP define auxiliary lanes as inherently resulting in new motor vehicle capacity. Instead the existing RTP is in alignment with the OHP in its policy that auxiliary lanes are a measure to *preserve, maintain, optimize and improve* the network.

#### *Climate Friendly and Equity Communities*

In 2022, the state Land Conservation and Development Commission adopted new and amended rules known as Climate Friendly and Equity Communities (CFEC). Among other changes, the new OAR 660-012-0830 calls for enhanced review of select roadway projects, listing facility types as well as a set of exceptions. Metro has proposed RTP updates that would link the definition of capacity to those select roadway projects. Metro's January 25, 2023, letter to DLCD acknowledges that "Metro considers projects in an adopted RTP or TSP exempt from additional review as described by this section [0830]," and Metro staff confirmed that during the April 19 MTAC-TPAC workshop.

## POLICY APPLICATION AND USE OF AUXILIARY LANES

ODOT's approach to *preserve, maintain, optimize and improve safety* in the Portland region has focused entirely on 1G measures 1 (protect) and 2 (improve). ODOT has no planned or anticipated projects that would expand beyond the planned system of six general purpose travel lanes on throughways. The regional population jumped by around 12% between 2010 and 2020 (266,403 new residents in the Portland-Vancouver-Hillsboro MSA) and projections show the Metro area adding substantial population growth by 2040, up to 3 million residents up from 2.5 million today. Even among that growth, ODOT has been able to maintain and improve the throughway system in part by utilizing data-driven strategic investments such as intelligent transportation systems (ITS), HOV lanes, bus on shoulder and soon congestion pricing.

Those measures are not always adequate or appropriate, however. In accordance with state and regional policy, ODOT then considers the application of auxiliary lanes in order to actively manage and optimize capacity of the existing network. An auxiliary lane is an additional lane segment designed to effectively manage and restore existing capacity currently degraded by operational performance. An auxiliary lane is expected to **restore existing system capacity** caused by poor operations and address existing and future safety issues related to unique geometric and operational factors (e.g., intersections, grades, ramp spacing, and queuing build-up). These are locations where ODOT does not expect a statistically significant increase in vehicular capacity to the adjacent roadway system.

In other words, the purpose of freeway auxiliary lanes is to optimize the existing capacity of six through lanes, by providing adequate space for merging, diverging, and weaving traffic without negatively impacting the capacity of the adjacent through lanes that are moving longer distance statewide and regional trips. A freeway auxiliary lane also greatly improves safety (documented through years of studies) by providing the space needed for these movements. Even with auxiliary lanes, the through capacity of the facility does not increase as the number of lanes entering the auxiliary lane section is the same as the number of lanes leaving (3 through lanes in each direction).

Auxiliary lanes can also provide another function, which is to accommodate local trips in constrained locations such as river crossings. This is not a desired function of throughways, but can be the most cost and resource efficient and least impactful option to maintain mobility and accessibility. For example, local traffic uses I-5 to cross the Tualatin River because there is no bridge on the local roadway network at SW 65<sup>th</sup> Avenue. These local trips created congestion on the throughway, impacting regional, statewide and interstate travel. Rather than a city or county constructing a new bridge, the more efficient option for the network was to add an auxiliary lane to I-5, thereby restoring the capacity of the throughway.

Similarly, auxiliary lanes can be used to keep regional trips on the throughway system instead of diverting them to local roadways. These system to system interchange connections currently exist on I-5 between OR-217 and I-205, and is the impetus for the uncommon application of auxiliary lanes that extend beyond one interchange. The intention is not to “add capacity” to the six through lanes, it is rather to serve trips that are traveling from one interchange to another and don’t want to be on the mainline Interstate. In these locations, trips in auxiliary lanes are not seeking through trips in general travel lanes on I-5, but are either local trips trying to cross a river, or regional trips seeking to get from Highway 217 to I-205. Forcing these trips to merge into the through lanes of I-5 in the past created safety and operational impacts.

To better explain the purpose and use of auxiliary lanes, here are answers to some likely questions:

#### *How does ODOT identify and plan auxiliary lanes?*

As explained above, in line with OHP Policy 1G and RTP Motor Vehicle Policy 12, ODOT seeks to first protect the existing system, but may need to also improve the system operations to address bottlenecks and restore capacity of the existing system. The process by which ODOT pursues an auxiliary lane option is to a) apply the regional mobility policy to identify deficiencies on the throughway system and b) to undertake an analysis of system improvement options such as those in the Corridor Bottleneck Operations Study (CBOS).

#### *What conditions degrade throughway capacity?*

The proposed regional mobility policy will be an improved tool to identify locations where an undeniable need exists in the throughway system, using a speed threshold of 35 mph over 4+ hours, to flag locations where congestion has degraded operations. The main causes of these conditions are high volumes and interchange friction.

High volumes are caused by local trips using the throughway network, such as in locations where limited roadway networks are available, substandard interchange spacing, and areas around high demand land uses. Interchange friction occurs where closely spaced interchanges necessitate merging and weaving reduce that capacity, causing crashes and delays. This condition reduces the efficiency of the existing through lanes and forces local traffic to make longer trips on the local system to get where they need to go and avoid freeway congestion – in other words, diversion.

ODOT's highway design manual has interchange spacing standards—a minimum of one mile in urban areas and three miles in rural areas—to minimize this type of friction and maintain safe highway operations and mobility. These standards can be at odds with accessibility demands in dense urban areas, however. In the case of multiple closely spaced interchanges with high demand, or system to system or interstate to interstate connections with local interchanges in between, auxiliary lanes can serve as a strategic intervention to “maintain mobility and accessibility” as called for in RTP Policy 5.

*What are the consequences of not maintaining throughway capacity?*

The 2040 Growth Concept relies on the planned transportation network, including the throughway system as well as other modes such as transit, walking and biking. Degraded operations on throughways decreases transportation efficiency for regional, statewide, and interstate travel, and may impact the region's planned land use development. It also diverts regional travel to local roadways which support the bulk of transit, bicycle and pedestrian trips, creating challenges for the safe and effective use of those modes. In other words, when the throughway system is not operating safely and effectively as planned, all travel modes are impacted.

A roadway network that is not functioning as planned also has economic impacts, running contrary to Regional Freight Network policy 2 which says, “Manage the region's multimodal freight network to reduce delay, increase reliability and efficiency, improve safety and provide shipping choices.” Delayed and inefficient freight has effects on statewide and regional economic activities that need to get goods and services to locations throughout the Metro area.

*What are alternatives to auxiliary lanes?*

As called for by OHP Policy 1G and RTP Policy 12, the prioritized options for protecting throughways are system and demand management strategies. Examples of these include TSMO and ITS investments and land use regulations such as an interchange area management plan (IAMP). ODOT does not operate transit yet seeks to provide transit facilities when possible—such as our Bus on Shoulder programs with C-TRAN and SMART—and participates in multi-agency planning efforts such as the Southwest Corridor Plan, Interstate Bridge Replacement light rail, and the 82<sup>nd</sup> Avenue bus rapid transit project.

When these options are not effective, ODOT will seek to improve the existing facilities. There are options beyond auxiliary lanes. One option is a collector-distributor, or CD road, that runs parallel to but separate from the general travel lanes. ODOT is currently constructing a CD road along OR-217 between Allen Boulevard and Denney Road, and another exists along I-205 between Division Street and Powell Boulevard. The CD road approach takes up more land and is more expensive than auxiliary lanes.

Another option is to close interchanges to reduce friction between close interchanges and “restore” throughway operations. In some areas, this option is feasible, for example, ODOT's most recent CBOS report identifies possible closure locations along I-405 in downtown Portland. In many areas, however, close interchanges result in longer, less efficient trips and reduced accessibility to 2040 centers.

*When does an auxiliary lane become a general purpose travel lane?*

OAR 660-012-0830 calls for enhanced review of new or extended auxiliary lanes with a total length of one-half mile or more, but also exempts “modifications necessary to address safety needs.” ODOT supports Metro's efforts to link RTP capacity definitions to 0830. The pertinent discussion, however, appears to be determining when an auxiliary lane restores capacity and/or improves safety, and when does it add capacity beyond the planned or existing system.

As noted above, some auxiliary lanes address local trips diverted onto the throughway system (as on I-5 at the Tualatin River) or system to system interchange connections (as on I-5 between OR-217 and I-205). These auxiliary lanes do increase the effective capacity at the location of the auxiliary lane by

improving flow efficiency that in turn improves the effective capacity reductions created by congestion. However, while the traffic flow and throughput at the location of an auxiliary lane increase, the effect does not mean there is additional capacity above the maximum capacity of the existing through general purpose lanes – as if there are three lanes approaching and three leaving, there is no additional through lane capacity than what those lanes can provide.

In addition, ODOT has just updated its Analysis Procedures Manual, which has a new sketch analysis tool to evaluate all types of auxiliary lanes (more than just freeways, but it includes freeways too). This tool can help identify situations where more discussion is needed. The analysis process will help document the length that is needed to accommodate the various planned volumes just for a weaving conflict area. This means that if the proposed length of the auxiliary lane is less than required to fully and safely handle the merging, diverging, and weaving traffic then it is only meeting the operational and safety need and not adding through capacity benefit. This analysis will help determine the point where a proposed improvement may act more like a system capacity increase than for addressing point operation and safety. This new section (Appendix 10A) was published and now is available on the APM web site as of 4/6/23: [https://www.oregon.gov/odot/Planning/Documents/APMv2\\_App10A.pdf](https://www.oregon.gov/odot/Planning/Documents/APMv2_App10A.pdf)

## REQUESTED CHANGES TO METRO STAFF PROPOSALS

The 4/11 draft included substantial edits from Metro not previously discussed, and we wish Metro staff had engaged ODOT directly on this possibility. Extensive changes were proposed to the Glossary as well as the policies and text of the Motor Vehicle Network section.

ODOT's general responses to these proposals are:

- We support the RTP utilizing OAR 660-012-0830 for definitions and process.
- The RTP needs to remain factual and not become editorial in the absence of facts, data or analysis.
- Major changes to policy should be requested and discussed by TPAC and JPACT as the MPO policy boards, and not initiated staff without analysis or prior discussion.
- The regional transportation network must nimbly adjust to create improvements in operations and mobility that advance the RTP goals of equity, climate, safety, mobility and economic development. Being overly prescriptive in a way that limits operational responsiveness suggests a lack of trust in the cities, counties, and transportation agencies operating the regional system.

### *Glossary*

Metro staff updated several definitions related to motor vehicle network. Some of the edits directly mirror OAR 660-012-0830, while other changes add value based language that may not be factual.

- **ODOT Response #1:** Linking RTP definitions to OARs is appropriate and helpful, ensuring policy consistency among the OAR, OTP and RTP when following both state regulations and the regional plan. ODOT recommends citing the OAR, in case it is revised, to ensure continued linkage.

The Auxiliary lane definition was updated to include OAR 0830 language. Metro staff also added, “By design, auxiliary lanes add additional motor vehicle capacity and even more capacity is added if auxiliary lanes extend through an interchange.”

- **ODOT Response #2:** Adding language above and beyond 0830 goes against the linkage with state regulations and creates a situation out of sync with the rest of the state. In addition, the statement, “by design, auxiliary lanes add additional motor vehicle capacity” is problematic and not inherently

true, as thoroughly spelled out in this letter. This language fails to account for the type of capacity and the operational impacts to through traffic without such improvements. ODOT requests a simplified definition that cites the OAR:

*Consistent with OAR 660-012-0830, auxiliary lane means the portion of the roadway adjoining the traveled way for speed change, turning, weaving, truck climbing, maneuvering of entering and leaving traffic, and other purposes supplementary to through-traffic movement.*

The Capacity definition was updated to use OAR 0830 language that defines proposed roadway projects that must undergo enhanced review, in Section (1)(a). The glossary however does not cite the exceptions to this review also included in 0830, in Section (1)(b).

- **ODOT Response #3:** ODOT supports tying the definition of capacity to OAR 0830, Section 1, which links together state policy with the regional planning and CMP process. To be fully consistent with state policy, however, the glossary must also cite the exceptions listed for safety, multi-modal and operational improvements. ODOT requests the following addition with the full list of exceptions:

*“...OAR 660-012-0830 includes exceptions for enhanced review for certain motor vehicle facilities, which are therefore exempt from this definition of capacity: (A) Changes expected to have a capital cost of less than \$5 million; (B) Changes that reallocate or dedicate right of way to provide more space for pedestrian, bicycle, transit, or high-occupancy vehicle facilities; (C) Facilities with no more than one general purpose travel lane in each direction, with or without one turn lane; (D) Changes to intersections that do not increase the number of lanes, including implementation of a roundabout; (E) Access management, including the addition or extension of medians; (F) Modifications necessary to address safety needs; or (G) Operational changes, including changes to signals, signage, striping, surfacing, or intelligent transportation systems.”*

The Capacity Expansion definition was substantially updated.

**ODOT Response #4:** This is an unneeded entry in the RTP Glossary:

- The term “capacity expansion” does not appear otherwise in draft Chapter 3.
- The addition of “typically adding a general-purpose through lane or auxiliary lane” is unnecessary given more specific definition of Capacity now included.
- The added language starting with “Section 3.3.4...” belongs in the body of Chapter 3 and not a Glossary of Definitions. In fact, it repeats the text at the start of Section 3.3.4.
- A reference to the Functional Plan is not appropriate, as this policy plan directly influences that implementation ordinance, not vice versa. In other words, it creates a circular reference.

Given the above, ODOT requests deletion of this definition. Barring that, ODOT requests simplification along the lines of, *“Constructed or operational improvements to the regional motor vehicle network that increase the capacity of the system, as defined in OAR 660-012-0830. See Sections 3.3.3 and 3.3.4 for related policies and procedures.”*

## Policies

Metro staff updated several Motor Vehicle Network policies and added a new one.

Policy 3 was altered to include the phrase, “to maintain mobility and accessibility and improve reliability” which was removed from Policy 5. Policy 5 was adjusted to change “strategically expand” to “complete” and clarifies that the planned throughway network is up to six lanes, and now references the 2040 Growth Concept. Metro also removed auxiliary lanes and the reference to “regional, statewide, and interstate travel” which does appear in Policy 3.

- **ODOT Response #5A:** Moving the “maintain” language to Policy 3 is supportive of TSMO strategies. The change highlights the shared desire to make the best use of the network, with strategic investments necessary for active optimization. ODOT also supports the reference to the 2040 Growth Concept in Policy 5.
- **ODOT Response #5B:** Removing “auxiliary lanes where appropriate” is a major policy shift not raised at any other point in the RTP update process over the past year. As explained earlier in this letter, “auxiliary lanes where appropriate” are key to optimizing capacity on the planned throughway system. Degraded operations due to congestion and safety problems means that there are bottlenecks where throughput effectively drops below three travel lanes, and investments are needed to restore capacity as planned and anticipated in the 2040 Growth Concept and in TSPs, and to support the RTP goals. ODOT requests that phrase be restored to Policy 5, or updated to “and auxiliary lanes to restore throughway capacity”.

Metro struck proposed Policy 6 and replaced it with a rewritten Policy 12. The newly proposed Policy 6 keeps the list of “protect” measures from OHP Policy 1G, now specifically calls out auxiliary lanes over one-half mile, and replaces “adequately address throughway deficiencies and bottlenecks” with “adequately address identified needs consistent with the Congestion Management Process and Regional Mobility Policy.” Metro staff have also proposed a new auxiliary lane policy, without prior discussion and not based on JPACT direction or system analysis.

- **ODOT Response #6A:** ODOT appreciates Metro restoring “the planned system” to the policy language, in both Policy 6 and 12, and linking Policy 6 to the Regional Mobility Policy, as requested.
- **ODOT Response #6B:** The proposed language in Policy 6 and the new policy specifically calls out auxiliary lanes and equates them to new capacity. As discussed earlier in this letter, in many circumstances auxiliary lanes are used to restore capacity, improve safety and maintain local accessibility. It is also unclear why Metro is singling out auxiliary lanes and not also addressing other roadway projects listed in OAR 0830 such as interchanges, nor not taking the 0830’s exceptions into account. The reference to “localized safety issues” is unclear and unexplained as well. Overall these changes are puzzling, unanticipated, and inconsistent with other policy approaches within in RTP. Given these challenges, ODOT requests that Metro staff:
  - Remove the phrase, “including adding or extending an auxiliary lane of more than one-half mile” from proposed Policy 6.
  - Engage directly with ODOT on its policy intentions, so that we may work together on a clear, consistent and agreed upon approach in the RTP.

*Other new language*

Metro staff added two paragraphs related to auxiliary lanes to Section 3.3.3.2. Some of the content reflects agreed upon or factual language, but some is speculative and value laden.

- **ODOT Response #7A:** ODOT requests several additions to the first paragraph:
  - Add this language after the second sentence: An auxiliary lane is designed to effectively manage and restore existing capacity degraded by operational performance and to address existing and future safety issues related to unique geometric and operational factors.
  - Add to the list of the uses of auxiliary lanes, “improving the existing system”, “restoring planned capacity” and “maintaining local accessibility” as uses of auxiliary lanes.
- **ODOT Response #7B:** For the second paragraph, it appears Metro did not utilize its modeling group to undertake a traffic analysis, or consult with ODOT roadway or traffic engineers on this issue. Assertions are inappropriate for a document such as the RTP. For example, the statement, “by design, auxiliary lanes add additional motor vehicle capacity” is problematic and not inherently true, as thoroughly spelled out in this letter. ODOT requests that Metro strike the second paragraph and work directly with ODOT, and potentially WSDOT, to further explain its intentions, modeling work and analysis undertaken, and ways to best align 0830 with the Congestion Management Process.

ODOT is hopeful that further discussions on policy and implementation will lead to improved and agreed upon outcomes.

Sincerely,



Chris Ford  
Policy & Development Manager  
ODOT Region 1



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Metro Planning  
600 NE Grand Ave Portland, 97232  
*Transmitted via email: [transportation@oregonmetro.gov](mailto:transportation@oregonmetro.gov)*

Dear Project Manager Ellis and Metro Staff,

Thank you for the opportunity to comment on Metro's draft 2023 Regional Transportation Plan. Oregon Environmental Council (OEC) is a nonprofit, nonpartisan, membership-based organization that for over 50 years has worked to advance innovative, collaborative and equitable solutions to Oregon's environmental challenges for today and future generations. This written comment builds on my verbal testimony at the July 17th Metro Council public hearing on the draft 2023 RTP.

OEC is excited by the vision statement of the RTP: "by 2045, everyone in the greater Portland region will have safe, reliable, affordable, efficient, and climate-friendly travel options that allow people to choose to drive less and that support equitable, resilient, healthy, and economically vibrant communities and region." There are many great policies in the plan to achieve this vision - the updated policies in Chapter 3 are crucial for moving this vision forward and we support them being passed as written in the draft. We particularly want to highlight 3.2.5 Pricing Policies, 3.2.6 Mobility Policies, and 3.3.3.2 Regional Motor Vehicle Network Policies.

Pricing roadways can be a powerful tool for reducing congestion and vehicle miles traveled and Metro's pricing policies, 3.2.5, are such that these tools would be used equitably to reduce carbon emissions, air pollution, and vehicle miles traveled. We appreciate the work that has gone into creating this policy framework for the region and the alignment and focus of using pricing to achieve the stated RTP vision and not just as a revenue stream.

We support Metro in establishing a new mobility policy and moving away from volume-to-capacity ratio. The mobility policies, 3.2.6, focusing on system completeness, VMT reductions, and reliability, allow for all users of our transportation system to be considered and expand the toolbox beyond the options of increasing road capacity or limiting density. By taking a more holistic approach, these new policies will allow us to track and respond to challenges pertaining to all modes and will produce transportation plans that will help us reach our region's climate, housing, and equity goals.

OEC appreciates that the Regional Motor Vehicle Network Policies, 3.3.3.2, have been updated to align with the CFEC rules. Metro is setting up the region to be more transparent and thoughtful in its evaluation of projects by requiring that, before a project can receive an exemption to increase vehicle capacity, the project must demonstrate that there is no other avenue to fix a safety need. This will result in a safer transportation system.

These policies set a great foundation for the region to meet its climate, safety, and equity goals but these goals can not be reached without proper implementation. It's crucial that these



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policies are implemented equitably to truly align projects and future RTP revisions with reducing carbon emissions, air pollution, and vehicle miles traveled. Projects in the RTP and future transportation plans should be prioritized in alignment with Chapter 3 policies, using the system analysis in Chapter 7, and with partnership and collaboration with communities most impacted by the inequities and historical harm of the transportation system- lower income communities and communities of color.

In order to prioritize projects, get community feedback, and hold the goals and policies of this RTP accountable, “bundled” safety projects such as the \$1.2 billion in ODOT’s Safety and Operations projects, submitted under line items RTP IDs 12095 & 12299, should be broken down and listed out. With the current information provided by ODOT, it is unclear what projects this huge investment in our region will include or how they will be prioritized. The current definition of what projects this money can be spent on is incredibly broad, making it challenging to provide feedback on project prioritization. With such a huge investment in our region, it is critical that these projects be aligned with achieving the vision and goals of this RTP and be held accountable to the policies included here.

The vision and policies of this draft RTP will help us achieve our safety, climate and air pollution reduction, and mobility for all goals if implementation is aligned with the policies. Accountability and follow through is key to building community trust and seeing the world we envision become a reality. Thank you for all your work on the draft RTP and for the opportunity to comment. We look forward to continuing to work with Metro and follow this RTP update.

Sincerely,

Jacqui Treiger  
 Campaign Manager: Climate and Transportation  
 Oregon Environmental Council



Date: August 25, 2023

To: Members of the Metro Council / Regional Transportation Committee

From: Scott Bruun, OBI

RE: Comments on Proposed 2023 Metro Regional Transportation Plan / Opposition to new tolling of existing infrastructure

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Members of Metro / Regional Transportation Committee:

Oregon Business & Industry (OBI) is a statewide association representing businesses from a wide variety of industries and from each of Oregon's 36 counties. In addition to being the statewide chamber of commerce, OBI is the state affiliate for the National Association of Manufacturers and the National Retail Federation. Our 1,600 member companies, more than 80% of which are small businesses, employ more than 250,000 Oregonians. OBI's offices are in Salem and Portland.

We appreciate the work and planning that has gone into the Proposed 2023 Regional Transportation Plan. We also appreciate the myriad considerations, including social, economic, quality-of-life and budgetary, that must be accommodated in any successful plan. We are concerned, however, with the proposed plan's recommendations for new tolling of existing infrastructure.

OBI is not opposed in principle to tolling for new infrastructure. Tolling, for example, may be an appropriate source of funding for new bridges or replacement bridges, new highways or freeways, or new roadways/by-passes that create alternative transportation corridors to circumvent historic bottlenecks.

However, we are concerned that new tolling of existing infrastructure (including infrastructure where improvements have not or will not materially increase capacity), as currently recommended in the Proposed 2023 Regional Transportation Plan, is likely to cause significant and costly disruptions to established freight transit and employee commute corridors.

We would note that the Portland region currently faces significant economic headwinds. Business and personal taxes are among the highest in the nation, and in fact Portland has the second highest in the nation marginal tax rate. The region is also experiencing unprecedented levels of street crime and homelessness, both of which have shown to have adverse impacts on retail, commercial and industrial businesses. Growing regulatory burdens are another impediment to regional economic growth, while regulatory costs and structural impediments are also the primary cause of high workforce housing costs and supply shortages.

These headwinds will become more burdensome economically if new tolling of existing infrastructure is added to the mix. We strongly urge you to work to strengthen the region's economic competitiveness in all areas, including rejecting proposals for new tolling of existing infrastructure.

Thank you.

Scott Bruun  
Vice President of Government Affairs  
Director of Tax, Fiscal and Manufacturing Policy  
[REDACTED]



August 23rd, 2023

RE: Regional Transportation Plan Written Testimony

Metro Councillors,

My name is Zachary Lauritzen and I am the interim executive director at Oregon Walks. We are an organization that advocates for pedestrian access and safety and we believe that all people should be able to move around their community, on foot, safely. Please accept this written testimony with regard to the Regional Transportation Plan (RTP).

We are writing with profound concern that we are nearing adoption of this RTP knowing full-well that it does not set us on track to achieve our climate, safety, vehicle miles traveled (VMT), and mode share goals. In developing the 2018 RTP, the models at that time indicated the plan would not meet these goals. And yet, here we are five years later, in the same situation. We challenge Metro to act boldly in preparation for the 2028 RTP to change the project selection processes that have, to this point, delivered us RTPs that fail to meet our goals. We cannot continue to think the same process will return different results. Let us change the RTP process so as to achieve different results in 2028.

In addition to this call for change, below are seven specific comments:

1. When it comes to adopting new policies with regard to pricing, mobility, and network completeness, it behooves us to be on the cutting edge that gives planners and electeds justification to prioritize multimodal projects and deemphasize lane expansions as a solution to congestion. Further, this will better align us with Federal planning emphasis areas which will make us more competitive in winning Federal funding opportunities.
2. Currently, ODOT submitted projects numbered 12095 and 12299 that are described as "Safety and Operations Projects" totalling more than \$1.2 billion dollars. We request that you require ODOT to unbundle these safety projects, articulate what each one is, and prioritize those projects. Of course, we support safety projects! However, hiding them behind vague descriptions does little to inspire confidence.
3. Heavy investment in freeway expansion is the macro example of trying to solve congestion through road widening. The same concept applies to local projects that add lanes for anything other than transit priority. Adding turn lanes and widening roads (slip lanes, auxiliary lanes, right turn only lanes, etc) are not long term solutions to congestion and are simply further investment in a transportation system that is failing on climate, safety, *and*

congestion. As you review RTP projects, we ask that you deprioritize or remove projects in this vein. While not an exhaustive list, some examples of projects that should be revised/removed are:

- a. 11758 that adds vehicle lanes without adding comparable active transportation facilities with the stated goal to achieve a “free flow acceleration lane.”
- b. 10119 that adds a “third through lane in both northbound & southbound directions” without adding comparable active transportation facilities.
- c. 11350 that adds a third lane in what is already a dangerous section of roadway instead of investing in safety improvements. Safety and access improvements should be made independent of the road widening project.
- d. 11582 which widens the road with an attempt at congestion mitigation rather than climate or safety. Again, adding lanes is not a long term solution to congestion and fails to move us closer to achieving regional goals.

These projects, and others, could be modified to keep the pedestrian, transit, and bicycle improvements while cutting the roadway widening components. This is the type of surgical approach that is required in order to meet our climate and safety goals.

4. Currently, it is our understanding that the RTP does system-wide GHG emissions projections. In the name of transparency, we ask that rather than an RTP-wide approach, each project be given a GHG emissions score. In this way, we can see which projects are getting us closer, and which are moving us further, from meeting our emissions goals.
5. Strengthen policies that stop jurisdictions from using safety as justification for adding lane miles, especially in the form of auxiliary lanes. If we are serious about safety, then we should be investing heavily in orphan highways where people are maimed and killed regularly throughout the region. Hiding roadway expansions behind the guise of safety is disingenuous.
6. While the State of Oregon has given Metro fleet characteristics for modeling purposes, those fleet descriptions do not accurately represent our true fleet makeup. Please run additional models of our projected greenhouse gas emissions using accurate and up to date descriptions of our vehicular fleet. We already know the projects in this RTP will not meet our emissions goals, but we can at least be honest about the numbers.
7. Simply because our completion policy says we *can* expand freeways to three lanes does mean we *should* expand them. We are not Los Angeles or Houston, we are Portland Metro. Let’s never forget that and, rather, aggressively adopt policies to avoid that future.

More than anything, we encourage the Metro Council to think about who we are as a region. We are people who care about the environment and who care about safety. According to Metro staff—and this resonates with what we hear day in and day out—these two topics were continually prioritized by citizens during their outreach. And yet, this RTP includes projects that are diametrically opposed to those values. No one can, with a straight face, say that spending billions

on doubling the width of the I5 bridge and adding lanes to Highway 217, I5, and I205 are moving us closer to those goals.

What's worse is that communities across the globe have tried to solve congestion through adding lanes to freeways and never once has it led to long term congestion relief. Never. Rather than sink evermore dollars into trying to pave our way out of congestion, let's grapple with congestion by deeply investing in multi-use paths, sidewalks and crossings, and transit improvements. Let's implement pricing policies that encourage fewer miles traveled. Additionally, beyond the RTP, let's adopt the policies and robust pricing structures that capture the full costs of driving, such as noise, air pollution, tire particulate, and greenhouse gas emissions. We must be making intentional investment in development patterns that create communities where people can meet their daily needs with few or no trips in their personal automobile. These are the long term solutions that will meet our goals, not sinking more dollars into wider roads.

While some of these calls to action are beyond your jurisdiction, you do stand in a position of leadership to be a voice for change. Who are we in Oregon? We are a people who do not want to live in what Joni Mitchell famously called a "paved paradise." No doubt, it will take courage and energy to change the direction of our transportation investments. Thankfully, as Metro Councillors, you hold power and positions of leadership. I hope you feel inspired to flex those leadership muscles right now as you adopt policies in this RTP that will guide our transportation future and, again, in the coming years as we need your leadership to move away from the status quo of dirty and dangerous transportation infrastructure.

Sincerely,

A handwritten signature in black ink, appearing to read 'Z Lauritzen', with a stylized flourish at the end.

Zachary Lauritzen  
Oregon Walks



## PROTECTING YOUR RIGHT TO ROAM

August 25, 2023  
Metro Council,

As the Oregon Walks Plans and Projects Committee, we appreciate the opportunity to comment on the current draft of the Regional Transportation Plan. We thank staff including Lake McTighe and Marielle Bossio, as well as Councilor Simpson, for connecting with us, sharing resources, and discussing our questions and concerns.

### **Falling Short on Our Region's Goals and Policies**

Your Executive Summary gets to the heart of the matter: The RTP *“does not meet the region's targets to triple transit, walking and bicycling mode share.”* As we face down startling high rates of deaths on our roads, with disproportionate harm impacting communities of historical disinvestment, the limits to investment in walking and biking are distressing. While we acknowledge and look forward to many worthy projects on this list, we know that our region needs to go much further to course-correct and bring our investments in line with Metro's own policies and goals. A simple look at the budget distribution shows that identified walking and biking projects, transit projects, and complete streets projects are fighting for a small share of our region's overall transportation investments. Additionally, we know that historically these projects are too often the first on the chopping block, and the reality ends up even worse than what projections predict.

### **Supporting Areas of Progress**

To be clear, we are supportive of the many strong projects in the walking and biking category. While this category only represents 4% of total capital funding, these projects punch above their weight to make progress toward our regional goals. Bringing in complete streets, safer crossings, and filling infrastructure gaps will improve health and quality of life in many areas of our region, create robust communities, and almost certainly save lives. We are glad to see projects in areas that are particularly lacking in safe streets, including Clackamas County and the east side of our region. To meet Metro's stated goals, we need significantly more of these kinds of projects, but to the extent they are present, we encourage priority implementation and construction throughout the region.

Among projects, we would also like to see more attention given to 12095 and 12299: ODOT projects described as a bundle including pedestrian crossings, filling sidewalk gaps, illumination, bicycle lanes, and other measures that are sorely missing on ODOT facilities throughout our region. The conditions on urban arterials managed by ODOT are responsible for a striking and disproportionate number of road deaths, and these types of projects are vitally needed in our

communities. We would like to see ODOT better identify the locations proposed for these projects, share greater detail with the community, and prioritize implementation of these kinds of improvements.

### **How Do We Move Forward to Meet Our Goals?**

Where we are now, however, state highway megaprojects demand a lion's share of our public resources while our region's streets remain deadly for people walking, rolling, and connecting to transit. Metro's policies for reducing vehicle miles traveled, reducing greenhouse gas emissions, improving safety, and completing multimodal networks are ultimately undermined by the range of projects that jurisdictions and the state legislature have brought to the table. While this funding is not simply available to be redistributed, there are opportunities within the implementation of listed projects and in planning efforts moving forward to seek better outcomes.

We understand it is already too late to change many aspects of the current RTP, but Metro Council should use the opportunity now to set the groundwork for a new, updated and forward-thinking process for how projects are solicited and accepted. In future planning efforts, we would like to see the RTP do more to include parameters that push ODOT and other jurisdictions to focus on complete streets, transit connections, and other elements such as street trees and resource preservation throughout the design and implementation process. Jurisdictions should also need to demonstrate accountability to their public engagement and civil rights obligations through the project submittal process.

Even if Metro Council is limited in what it can do to shape our current regional funding balance now, the future planning work outlined in Chapter 8 is an area where leaders can set down clearer guidance and parameters for what it will accept from regional partners in future planning efforts. Metro leaders should also use this plan to bring greater resolve in working toward regional policies in future transportation planning and investment work, from Metro's role in monitoring for consistency of changes to city TSPs and other plans like the Oregon Highway Plan, as well as plans for urban reserves and other growth areas. This can include more stringent challenges when state and local agencies present plans that don't themselves hold promise for reducing VMT and eliminating pedestrian deaths. Within Corridor Refinement Planning, that can include efforts to center and prioritize needs for missing and substandard bike, pedestrian, and transit infrastructure, including long overdue safety improvements on urban arterials including Powell Boulevard and TV Highway.

Metro can set expectations now to better leverage your role in project development to ensure that opportunities for transit and active modes are prioritized at the earliest project stages. The changes Metro Council makes now can still set us up for better success for implementation and future RTP phases.

*Dawn Walter*

Oregon Walks Plans and Projects Committee

Metro Planning  
600 NE Grand Ave  
Portland OR 97232

RE: 2023 Regional Transportation Plan Comments

Dear Metro RTP Team:

Thank you for the opportunity to provide additional feedback on the 2023 Regional Transportation Plan (RTP) public comment draft, following multiple years of collaboratively developing the draft Plan with us and other jurisdictional, community and business partners.

We look forward to hearing about additional public comment received from stakeholders across the region, and we commit to working closely with Metro to provide thorough and thoughtful responses to any comments that relate to projects nominated by the City or where we are otherwise clearly involved in implementation. In addition, we continue to work with community and agency partners on significant emergent near-term opportunities and may have some additional tweaks to the project list to reflect those conversations in ways that best align with the significant funding opportunities currently available from our federal partners under the Bipartisan Infrastructure Law and the Inflation Reduction Act.

From a policy perspective, we are broadly supportive of the work to date, from the updated Vision, Goals and Objectives to the important ongoing work identified in Chapter 8 to ensure that we continue to actively refine our implementation of the updated Regional Mobility Policy and coordinate around pricing policies as the state and region work together to advance our work around congestion pricing and the future of transportation revenue and financial stability more broadly.

Thank you for your continued leadership in building and delivering a shared regional vision that advances the outcomes we have agreed to prioritize and ensuring that the work is grounded in the vision of the communities we serve.

In partnership,

A handwritten signature in dark ink, appearing to read 'Millicent Williams', with a stylized, flowing script.

Millicent Williams  
Director, Portland Bureau of Transportation

August 25, 2023

[Transportation@oregonmetro.gov](mailto:Transportation@oregonmetro.gov)

**RE: Comments on Draft 2023 Regional Transportation Plan & High Capacity Transit Strategy**

The Southwest Washington Regional Transportation Council thanks you for the opportunity to review and comment upon Metro's draft 2023 Regional Transportation Plan (RTP) and the draft High Capacity Transit Strategy. Metro's 2023 RTP is a comprehensive blueprint to policies, strategies, and projects for the Greater Portland area. RTC commends the effort by Metro staff in the development of impactful foundational pieces, which will shape the region's multimodal investments and programs in the years to come.

Regarding the RTP in whole, we look forward to working closely with Metro on many program elements that benefit our joint goals of improved mobility, safety, and economic development. Among those programs that we feel coordination can be expanded upon are regional travel option/commute trip reduction programs, regional traffic safety planning and public awareness initiatives, and regional transportation system management & operations planning. We also foresee expanded collaboration with regional economic development and freight planning partners, as well as on strategic initiatives such as the developing *Cascadia Rail* program. Over the RTP's implementation cycle, we can jointly assist our regional partners in moving these types of initiatives forward.

In furthering our agreement to coordinate closely on regional transportation planning issues as noted in the 2021 Memorandum of Understanding between Metro and RTC, we would like to consult and coordinate further in the development of the following policy areas: regional mobility policies, high capacity transit policies, and pricing policies.

**Regional Mobility (Throughway) Policies:**

The regional mobility policy update offers an updated framework for corridor project development and system performance monitoring through the Congestion Management Process. Prior to adoption we request additional review for how those and interrelated policies (for example, auxiliary lanes) will be applied to Throughway segments of bistate significance. Throughway segments of I-5 and I-205, in proximity to the Columbia River, are unique within the region and compel unique consideration. Those Throughway segments facilitate interstate and international commerce, provide connections to our region's major port and aviation centers, and serve major industrial/distribution and employment districts.

Additional consultation on the system development and monitoring policies for those Throughway segments is needed. We see value in setting in place a regional policy framework for how we collectively plan projects and monitor system performance for those Throughway segments. We request consideration that a policy definition for I-5 and I-205 Throughway segments (in proximity to the Columbia River) be defined with their own category and that relevant procedures for joint project development and performance monitoring/reporting be applied.

#### Regional High Capacity Transit Strategy:

The updated strategy provides a strong framework for how regional transit investments may serve future travel and growth demands. For both MPO areas, state laws and federal policy emphasis compel an expansion of travel options that advance our unique climate greenhouse gases (GHGs) and vehicle miles traveled reduction targets. Among the travel options, interstate transit services are a key component of bistate travel options. RTC is evaluating an action to update the Clark County high capacity transit strategy in the near future. We would like to increase coordination on the further development of Project ID C8 – *Gateway to Clark County in the vicinity of I-205 corridor* and corresponding planning efforts as identified in the draft *High Capacity Transit Strategy*.

#### Pricing Policies:

The updated policies advance regional tolling/pricing. We understand that ODOT's Regional Mobility Pricing Project (RMPP) is in the project development phase and that I-5 and I-205 pricing assumptions used for the 2045 *Fiscally Constrained* Plan are based on outputs from prior ODOT studies. RMPP is a very significant regional project, with a broad range of impacts across the Portland-Vancouver metropolitan area. The 2045 *Constrained* RTP system performance—in particular, the interstate (Throughway) system performance—reports demonstrable change from that single project. Project effects will be observed over the entire regional system (roadway, transit, active transportation, etc.) and will affect Clark County regional system demands and performance, in yet unknown ways.

The Pricing policies and specific RMPP project will change the very nature of bistate travel and commerce. Given RTP's reported system performance changes, we are just now considering possible implications for changes to regional system project and program needs within Clark County. In order to develop a compatible regional transportation plan across state lines, we request more in-depth consultation to assess future changes, effects, and implications for interstate travel demand/commerce and project/program needs within the I-5 and I-205 bistate corridors.

Thank you for the opportunity to comment, and we suggest a consultation meeting between our agencies prior to the adoption of the 2023 RTP.

Sincerely,

Judith Perez  
Principal Planner

JP/kjd



August 25th, 2023

To: Metro Council. JPACT, Metro Staff

Re: Draft 2023 Regional Transportation Plan Update

Dear President Peterson, Councilors, JPACT Members, and Team Metro:

Thank you for providing the opportunity to comment on the 2023 Draft Regional Transportation Plan. We appreciate your dedication to improving transportation in our region.

Since July 2021, The Street Trust has been focused on executing an equity-focused, community-centered strategy predicated on building relationships, partnerships, and coalitions to improve transportation for our most vulnerable system users across the Portland metro region.

We work at the literal intersections of an ongoing transportation crisis. Every day, our region's unsafe and incomplete public streets threaten our lives and livelihoods. We are driven by a passion for complete streets, rooted in the belief we can stop preventable death resulting from inequality, lax safety, and climate change. There are universal benefits when we prioritize transportation safety, accessibility, equity, and climate: we must refuse to settle for an inequitable and outdated regional transportation system that worsens disparities and sacrifices our future.

This draft 2023 RTP update is a step in the right direction for our region and we are confident that with slight modification between now and November 2023, we will have transformed policy and steered major investments to measurably save lives, reduce barriers, and expand opportunities to the people and neighborhoods our current system neglects.

We aim here to highlight things about the plan that we like and want to ensure remain firmly centered within it, as well as outline the improvements to the plan update that The Street Trust would like to see made. But first, I will share with you feedback from our community engagement efforts, which informs these comments.

## Uplifting Community Voices

Sincere thanks to Metro staff, including Kim Ellis and Molly Cooney-Mesker, for their innovative and dedicated work ensuring that diverse members of the community were engaged and centered in this work. We applaud the model of enlisting community organizations to increase Metro's reach. We encourage the Council to outline and elaborate in the current RTP update how we will continue to build on this progress by increasingly centering historically marginalized communities and their needs and priorities in our policies, plans, and investments.

Our two-pronged engagement strategy was designed to engage and elevate priority community members' voices in conversations about the transportation investments that are most needed across greater Portland and to deepen RTP decision-makers, staff, and other community members' understanding of these needs and ultimately to inform the RTP investment strategy. These communities include Black/African American, Hispanic/Latine, and households with incomes under \$80,000, with a focus on those communities residing in East Multnomah County, Clackamas County, and Washington County.

The Street Trust conducted a series of impactful listening sessions between April and June 2023. These sessions involved BIPOC undergraduate four-year and community college students, Afghan immigrants, health equity advocates, BIPOC small business owners, and more, with the aim of amplifying the voices and experiences often excluded from transportation decision-making.

A total of 63 participants participated in the listening sessions, spanning a range of age, race, and income groups. Notably, 94% identified as non-white and 65% identified as Black, underlining the continuing need for equitable, qualitative engagement models. Participants represented over 16 different zip codes: 53% in Multnomah County, 30% in Washington County, and 17% in Clackamas County. Stipends for participation were offered, which was appreciated by the people we engaged.

Participants expressed the following priorities for the 2023 RTP update consistently and unanimously across all listening sessions:

- **The need for a more equitable transportation system:** Participants underscored that equity is both a process and an outcome, demanding a transportation system that offers equal access and opportunities for all, irrespective of identity. This involves addressing safety concerns, geographic barriers, and the specific needs of marginalized communities, ensuring equitable access for everyone.

- **The need for a safer transportation system:** Safety emerged as a critical concern, with unsatisfactory lighting and issues around cleanliness discouraging transit usage. Participants voiced concerns about safety streets and public transportation, particularly the MAX, emphasizing the necessity for better infrastructure like sidewalks and lighting to enhance user safety.
- **The need for greater multimodal mobility options:** Participants stressed the importance of diverse and accessible transportation choices that cater to various preferences, requirements, and schedules. They highlighted the dominance of private vehicle infrastructure in the region and expressed a desire for enhanced transit access and cleaner, more protected bike lanes.

The insights gathered from these listening sessions should be integrated into the updated Regional Transportation Plan, reflecting the needs and priorities of communities often overlooked. Continued community engagement, research, and stakeholder collaboration will be essential in shaping transportation policies and investments aligned with equity, safety, and accessibility values.

### What we like in the Draft 2023 RTP Update (and what could be improved)

The updated policy guidelines outlined in Chapter 3 of the 2023 RTP update can play a pivotal role in steering our region towards progress in terms of climate, safety, and equity. It is our analysis that the 3.2.5 (Pricing policies); 3.2.6 (Mobility policies); 3.3.3.2 (Regional motor vehicle network policies) are well-suited to help meet the region's goals and must be retained in the final version.

However, it's important to acknowledge that **these policies alone may not be sufficient to achieve our objectives unless executed in a timely fashion, and universally across the proposed projects in the RTP.** The upcoming projects detailed in this RTP, as well as those in subsequent updates, must be held to the standards of these policies **at the project level without exception or delay.**

#### - Pricing policies

The greater Portland metro area needs to urgently implement equitable, systemwide pricing of the right of way (including parking) to manage demand, reduce carbon emissions (GHG), air pollution, and vehicle miles traveled (VMT) rather than to generate revenue for expanded polluting infrastructure. Combined with strategic investments to increase equity, safety, and options desired by the community voices above, this approach would not only alleviate congestion and reduce infrastructure costs, but also prioritize accessibility for all communities, particularly historically marginalized ones. When equitable pricing is accompanied by robust community engagement, data-driven decision-making, and a focus on outcomes, we can

transform the transportation landscape, ensuring a sustainable, efficient, and inclusive future for our region.

**- Mobility and Regional Motor Vehicle Network policies**

We applaud that in this 2023 RTP update, Metro is taking a bold departure from the traditional volume-to-capacity ratio (V/C ratio) framework and introducing innovative mobility policies to achieve system completeness, reductions in vehicle miles traveled (VMT), and enhanced system reliability. Historically, the V/C ratio has dominated transportation planning, and we know that this is a leap for Metro staff and its jurisdictional partners which will take ongoing collaboration, cooperation, and support.

This update signifies a significant evolution for Metro, enabling our region to assess mobility comprehensively and more equitably for all users within our transportation network, transcending the historic prioritization of people operating cars above other road users. Moreover, this new mobility policy broadens Metro's approach for addressing mobility challenges beyond mere road expansion or density restrictions. By encompassing all modes of transportation prevalent in our region, these mobility policies will lead to more holistic, streamlined, sustainable, secure, and community-responsive transportation plans, aligning with Metro's commitment to serving the diverse needs of our community.

This signals a progressive shift that recognizes the evolving landscape of transportation, equity, safety, and climate adaptation. Success, however, will hinge on implementation undergirded by more inclusive, quantitative and qualitative analyses that consider the myriad ways people move throughout the region, accommodating diverse needs and fostering equitable access.

We appreciate the emphasis on aligning with new state-level regulations in Oregon, which require thorough reviews of proposed transportation projects that might increase motor vehicle capacity, including auxiliary lanes. We want to make sure that exceptions to these rules are granted only for projects on the rarest occasions and to address genuine safety concerns, demonstrated by data in places where human beings are being seriously injured or killed in traffic, and not including property damage such as fender benders.

To this end, **Metro must take responsibility for holding RTP project sponsors accountable for itemizing and prioritizing their safety projects, rather than allowing the bundling of safety projects, as is being done in this RTP update.** The burden should be on the project sponsor to convincingly demonstrate to Metro planners and the public the specific human health and safety needs that cannot be met through alternative methods without expanding motor vehicle capacity.

Metro must serve a regulatory function in these cases and ensure transparent and rigorous evaluations of such projects, ultimately contributing to a safer transportation system. Likewise, the public needs project details in order to provide valuable feedback on their alignment with critical safety and operational needs in local communities.

For this reason, Metro should explore updating Chapter 8 by introducing a funded process allowing impacted community members to contribute to project prioritization and feedback. Additionally, Chapter 8 should emphasize allocating resources to enhance Metro staff's ability to conduct thorough project-level assessments. This approach will better inform project acceptance and prioritization across different goal areas.

Overall, the proof will lie in implementation, which is why The Street Trust will continue to advocate for broader community engagement and innovative and comprehensive ongoing assessment of projects to ensure that they prioritize safety while considering broader impacts. Incorporating these guidelines into the RTP will enable a well-informed evaluation process, leading to transportation solutions that prioritize safety while meeting the demands for safety coming from the community.

#### **- Transit policies**

The Street Trust largely supports the transit policies outlined in the draft 2023 RTP update as well as the High Capacity Transit strategy accompanying it. We understand that not all of the corridors identified in the vision are ready for high capacity transit and that the region must make hard choices about prioritizing where to invest first by considering which corridors will provide the most benefit now and in the future. We generally support the proposed pipeline of near- and long-term regional HCT investment tiers, understanding that a great deal of research and engagement across communities and government partners has gone into its development.

However, we would be remiss if we did not highlight the persistent and pervasive needs expressed by participants throughout our listening sessions for a safe, clean, affordable, reliable, and complete transit system both on the HCT corridors and in local neighborhoods. The demand for transit safety investments (in addition to high capacity capital projects) was high among the people we engaged.

Safety on transit was emphasized as a crucial component of accessible transportation for participants. Their concerns focused on feelings of unsafety around transit stations and bus stops due to poor lighting and lack of safe sidewalks, and long distances between transit and their homes and jobs. Several participants also expressed feeling unsafe on public transportation, specifically the MAX, which was a

deterrent from them using the mode. Frequent transit users also noted the lack of cleanliness around MAX stations. They asked for better bike lanes to transit centers, improved lighting around transit stations, and increased transit access closer to affordable housing developments.

## Conclusion

*“What worries me is that, if so little is spent on walking and biking, that, you know, if you don't transform that particular infrastructure, then how do you expect people to use it? And so, you know, we already have, I mean, the state is going to continue to grow and [Portland] is going to grow. And if we're spending so much on sort of those roads, roads and bridges and things. It's great to upkeep that, but how are we going to divert people to the other modes if the infrastructure isn't up to their standards? And so I'd like to see more [money] go to the other modes as well.” - Listening Session Participant*

In conclusion, it is crucial that the projects outlined in this RTP and upcoming transportation plans reflect a prioritization that addresses safety gaps, promotes equity, and focuses on enhancing public and active transportation networks, especially those used by marginalized communities. This approach should align with the policies detailed in Chapter 3 and involve ongoing collaboration with the communities most affected by these disparities in our transportation system, as outlined in Chapter 7's system analysis.

To achieve this, we recommend that Metro staff provide further specific details in Chapter 8 and that Council allocate resources for preliminary work in advance of the next RTP update. This will ensure that as a region we are well-poised, with robust tools and measures, to comprehensively assess project delivery in line with the proposed policy updates, and move forward with requisite urgency to meet our GHG, VMT, safety and equity goals.

I hope that in light of the findings from our community engagement, Metro policymakers opt toward a future in which equitable transportation, safety improvements, and accessibility investments are our unassailable and unwavering priorities. Our report underscores the need to balance infrastructure that primarily serves vehicles by strengthening other transportation modes as viable options for communities. Ultimately, inclusion and prioritization of historically marginalized communities in transportation planning processes remains the missing link to realizing an equitable, safe, accessible, and pleasant transportation system for the entire region.

Sincerely,

A handwritten signature in black ink, appearing to read "Sane", with a long horizontal stroke extending to the right.

Sarah Iannarone  
Executive Director, The Street Trust  
[sarah@thestreettrust.org](mailto:sarah@thestreettrust.org)



# THE STREET TRUST

# LISTENING

# SESSION REPORT

## REGIONAL TRANSPORTATION PLAN

## SPRING 2023





# 2023 METRO REGIONAL TRANSPORTATION PLAN UPDATE

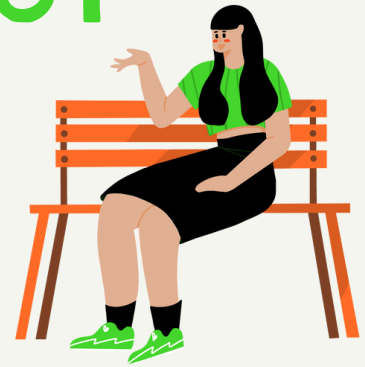
Community Engagement Report



Revised August 2023

DRAFT 2023 Regional Transportation Plan Public Comments  
July 10 - August 25, 2023

# ABOUT THE STREET TRUST



The Street Trust is a membership advocacy organization representing street users across Greater Portland. We work to address unsafe and incomplete public streets that threaten lives and livelihoods. The Street Trust wins policy changes and investments that save lives, reduce barriers, and expand opportunities to the people and neighborhoods our current transportation system neglects.

# THE REGIONAL TRANSPORTATION PLAN BACKGROUND

## METRO

The Regional Transportation Plan (RTP), managed by Metro, guides public investment for all forms of travel including driving, taking transit, biking and walking, and the movement of goods and services through the Portland metropolitan region. In 2018, Metro updated the RTP, emphasizing strategies of high-capacity transit, increased safety, enhancing freight and goods movement, advancing transportation technology, and strengthening pedestrian and bicycle policies.

Metro updates the plan every five years with input from various community members and leaders, businesses, and governments. By December 2023, Metro will complete the updated RTP, which will guide investment decisions for the next several decades. In the meantime, Metro has worked to include local community members, listening to their transportation needs, via public forums, public comment periods, and listening sessions.

## OUR PURPOSE

Through federal funding, Metro has asked local community based organizations and advocates to engage with different communities across the region. The Street Trust deployed \$30,000 of this funding to uplift the voices and experiences of historically and contemporarily marginalized groups in the area. These groups included BIPOC residents, people living on low-incomes, LGBTQIA2S+ residents, older/younger residents, people experiencing disabilities, immigrants, and refugees. Whereas these communities have previously been excluded from conversations around transportation and its impact, we look to change the narrative and engage in meaningful dialogue.

The Street Trust community engagement took the form of 5 listening sessions, which were carried out between April and June of 2023. We sought to understand their mobility vision, needs, and priorities - what is and isn't working in their day-to-day experiences. This document summarizes the information gathered in these sessions in order to elevate the stories of local community members.

# OUR PROCESS

Between April and June 2023, The Street Trust conducted 4 listening sessions across Multnomah County, Washington County, and Clackamas County. The 5th session was rescheduled at the request of the cohost.

## 1. Portland State University

BIPOC undergraduate Engineering Majors at Portland State University.

## 2. Immigrant and Refugee Community Organization

Afghan immigrants connected with the Immigrant and Refugee Community Organization (IRCO)'s Greater Middle East Center (GMEC).

## 3. ACHIEVE Coalition

Action Communities for Health, Innovation and Environmental Change (ACHIEVE) Coalition. A group of multi-sectoral partners who have a collective vision of ending health inequities in chronic diseases for African-Americans and African immigrants/refugees in Multnomah County.

## 4. Clackamas Community College

Students from Clackamas Community College participating in a Fare Relief Program.

## 5. BIPOC Small Business Owners\*

A group of BIPOC small business owners in Washington County.

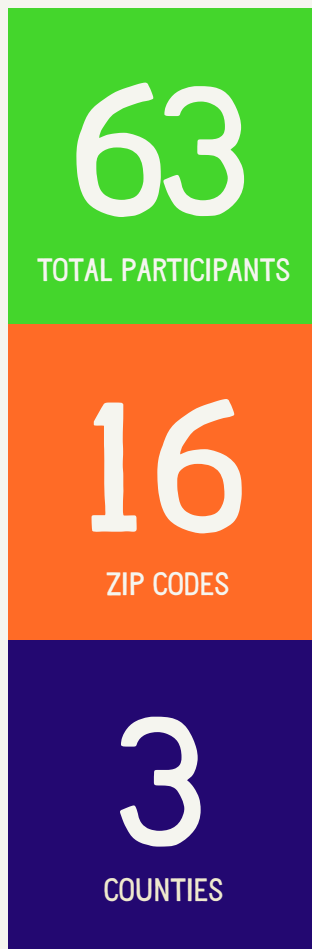
\*Scheduled for August 28, 2023

## Overview of the Listening Session Process

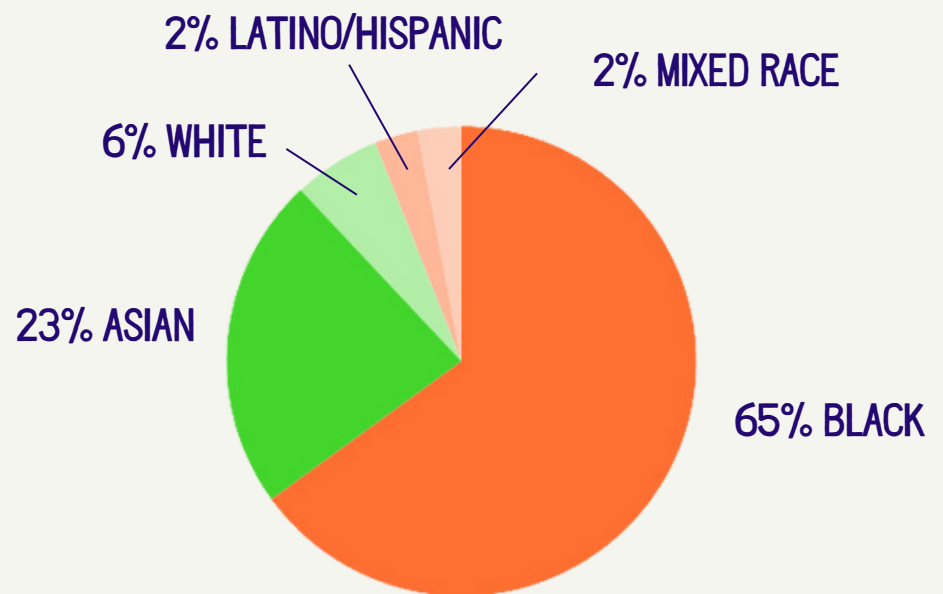
- Sessions lasted between an hour and an hour and a half.
- Sessions began with a fifteen-minute presentation about the Regional Transportation Plan, its influence and importance in the region.
- With the remaining time, The Street Trust asked participants a series of informal interview-style questions about their daily commute, experience with different modes of transportation, interpretation of Metro's draft goals, and their thoughts on funding distribution.
- In the final ten minutes of the session, participants were asked to fill out a survey rating their experience with different modes of transportation. Findings are included below.
- Each participant was compensated for their time and input during the session.

# DEMOGRAPHICS

Between April and June 2023, The Street Trust conducted 4 listening sessions across Multnomah County, Washington County, and Clackamas County.



## RACE/ETHNICITY



**AGE** PARTICIPANTS RANGED FROM 16 TO 45.  
AVERAGE AGE OF 30 YEARS OLD.

## ANNUAL INCOME

LESS THAN \$15,000: 17%  
 \$15,001 - \$30,000: 44%  
 \$30,001 - \$45,000: 17%  
 \$45,001 - \$60,000: 9%  
 PREFER NOT TO ANSWER: 13%

# SUMMARY

Metro has identified six key goals to be applied to the RTP. Participants were provided summaries of each goal and asked which aligned most closely with their interests. Of these goals, participants selected **Equitable Transportation, Safe System, and Mobility Options** as most important to them.

**Equitable Transportation** - Enhancing transportation investment in marginalized communities.

**Climate Action and Resilience** - Reducing greenhouse gas emissions and air quality impacts.

**Thriving Economy** - Improving the region's economic health through transportation.

**Safe System** - Reducing the amount of death and serious injuries of users in the transportation.

**Mobility Options** - Providing a broader range of affordable and reliable transportation options.

These **three** priority goals will set the foundation for the following findings, as they were topic areas most frequently discussed during the listening sessions.

# EQUITABLE TRANSPORTATION

Participants described equity as both a process and an outcome. They emphasized that an equitable transportation system is one where an individual's identity, such as race or socioeconomic status, does not impact their transportation experience. Such a system should provide equal access and opportunities for all individuals, regardless of their background. The conversation also highlighted the intersectionality of equity and race, acknowledging that communities of color often experience higher rates of traffic violence and face geographic and income-related barriers to transportation. Conversations also noted the role policymakers have in prioritizing equitable transportation and allocating funding accordingly.

## WHAT DOES EQUITABLE TRANSPORTATION MEAN TO YOU?

**“Equitable transportation to me is an even distribution of affordable and reliable transportation to meet the needs of all community members.”**

-Participant

**“We have prioritized transportation for people with financial resources to get downtown. Most people with lower incomes live their lives outside the downtown corridor. Where do average people and those without cars need to go, and how well is the transportation system set up to accommodate that?”**

-Participant

**“People that have lower incomes, they often use transit, they rely on transit a lot. Transit capital should be for covered waiting areas, or signalized crossings near these areas, so that people are able to feel safe. These things are important, I feel.”**

-Participant

**Accommodation for “all abilities. Intersectional analysis is needed because Black & brown people are more likely to have disabilities, “disability needs” are not a separate box from “racial equity.”**

-Participant

**“In terms of equity, security is asking for certain people’s fare because of what they might look like. There is bigger fish to fry than fare. Focus on people’s safety.”**

-Participant

**“For me, equitable transportation, no matter your socio-economic status, where you live, its all the same and equal. Just being inclusive with everyone. You can get from point A to point B without worrying a lot.”**

-Participant

# SAFE SYSTEM

Safety was emphasized as a crucial component of transportation. Discussion focused on feelings of unsafety around transit stations and bus stops due to poor lighting and distance from their home. Several participants also expressed feeling unsafe on public transportation, specifically the MAX, which was a deterrent from them using the mode. Frequent transit users also noted the lack of cleanliness around MAX stations. Bike users expressed a need for clear bike lanes, as they are sometimes being used for houseless encampments. Participants expressed a need for increased infrastructure for pedestrian, bike, and transit users, specifically improving lighting around transit stations, making clearly identified bike lanes, and increasing transit access closer to housing developments.

**“I live in East Portland in the Parkrose area and the lack of sidewalks out here makes walking difficult and unsafe. Kids have to walk in the street to get to school. There's also really poor lighting on busy streets.”**  
-Participant

**“One of the biggest concerns we have, I should be seen walking with my kid on the sidewalk just as much as we see a car. So yeah, and being able to develop the infrastructure for walking. I mean, all road users should have the same access to the road, as much as cars.”**  
-Participant

**“It seems you need to have a safe system first, so people who have a choice will choose active and local transportation options and not just hop into a car.”**  
-Participant

**“I’ve had a knife pulled on me and my friends. People doing drugs on the bus and yelling and screaming. I think safety is the big thing.”**  
-Participant

# MOBILITY OPTIONS

Participants expressed the importance of having the ability to choose one's mode of transportation. They advocated for diverse and accessible transportation options that cater to different preferences and needs. Participants frequently highlighted the dominance of infrastructure for automobiles in the region. As a whole, participants expressed interest in increased transit capacity and access. For the majority of vehicle users, the convenience and efficiency of commuting by car was the largest deterrent to using another mode of transportation.

## WHAT ADDITIONAL TRANSIT MOBILITY WOULD BENEFIT YOU?

**“Transportation that goes 24 hours and all throughout the day. At night time there should be more safety and security throughout the night. Also, more transit near the new housing developments.”**

**-Participant**

**“It can be kind of difficult, given the traffic on US-26, coming back, and just having to specifically go back to my residence, park my car, then go to a MAX stop. Rather than just taking one mode. It's the transfer that's kind of the limiting factor for me with my schedule.”**

**-Participant**

**“Accessibility for me is just being able to choose my mode of transportation. If going somewhere is just roads, then, yeah, I'm gonna take a car, right. But if I'm able to take something else, and it might be more economical for me then sure, I'll take it.”**

**-Participant**

**“I think about this as being inclusive about not only cars but also different types of transportation.”**

**-Participant**

# ON METRO SPENDING

Participants viewed the distribution of Metro's capital spending. Several participants redrew their ideal project spending.

## \$25.3B

### CAPITAL PROJECT SPENDING

Participant 1



|                      |                      |
|----------------------|----------------------|
| 16% Walking + Biking | 20% Throughways      |
| 33% Transit Capital  | 10% I-5 IBR Program  |
| 17% Roads + Bridges  | 2% Freight Access    |
|                      | 2% Info + Technology |

Participant 2



|                      |                       |
|----------------------|-----------------------|
| 27% Walking + Biking | 4% Throughways        |
| 18% Transit Capital  | 3% I-5 IBR Program    |
| 18% Roads + Bridges  | 3% Freight Access     |
|                      | 27% Info + Technology |

**“What worries me is that, if so little is spent on walking and biking, if you don’t transform that particular infrastructure, then how do you expect people to use it? The state and city is going to continue to grow. And we’re spending so much on roads and bridges and things. It’s great to upkeep that, but how are we going to divert people to the other modes if the infrastructure isn’t up to their standards?”**

**-Participant**

**“It’s definitely skewed towards [certain] kinds of vehicles.”**

**-Participant**

**“I think, walking, biking and transit should be given at least 30%. I agree, because the upkeep of roadways is important, you don’t want to have too many potholes, because that’s a safety issue.”**

**-Participant**

**“In other places, they like walking, different types of transportation. With America, their cars are part of the culture.”**

**-Participant**

# CONCLUSION

The listening sessions provided valuable insights into the transportation needs and priorities of the community members involved. Recommendations include enhancing transportation investment in marginalized communities, reducing greenhouse gas emissions and air quality impacts, improving safety measures, providing a broader range of affordable and reliable transportation options, and developing inclusive and accessible infrastructure.

To address these findings, policymakers must prioritize equitable transportation and allocate funding accordingly. Investments should focus on improving safety measures, such as improving lighting around transit stations and ensuring clear bike lanes, while also expanding transit access closer to multi-family housing developments. The dominance of infrastructure for vehicles in the region needs to be rebalanced by investing in other modes of transportation and improving their accessibility.

Overall, this report underscores the importance of actively involving historically marginalized communities in transportation planning processes and decision-making. By listening to their voices and addressing their concerns, we can work towards a transportation system that is equitable, safe, and provides diverse mobility options for all residents. The insights gathered from these listening sessions should be considered in the update of the Regional Transportation Plan, as they reflect the needs and priorities of the communities that have been traditionally neglected in transportation discussions.

Moving forward, it is crucial to continue engaging these communities, conducting further research, and incorporating the perspectives of diverse stakeholders to ensure that transportation policies and investments reflect the values of equity, safety, and accessibility for all residents in the Portland metropolitan region.

## PRESENTED BY

Author

**Burgin Utaski**

**The Street Trust**

**Community Engagement Coordinator**

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Creative Specialist

**Kayla Kennett**

**The Street Trust**

**Communications Manager**

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Multimedia Project Videographer

**Nick Mendez**

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# 2023 METRO REGIONAL TRANSPORTATION PLAN UPDATE



## PRESENTED BY

Author

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# REGIONAL TRANSPORTATION PLAN

## LISTENING SESSION REPORT

DRAFT 2023 Regional Transportation Plan Public Comments  
July 10 - August 25, 2023



City of Tigard

August 25, 2023

Kim Ellis, Principal Transportation Planner  
Metro Planning  
600 NE Grand Ave.  
Portland, OR 97232

Dear Ms. Ellis,

On behalf of the City of Tigard, I'd like to express my appreciation for Metro's leadership, detailed technical analysis, and robust community engagement on the significant task of updating the Regional Transportation Plan (RTP). I'd like to acknowledge the importance and weight this plan carries in supporting our shared regional transportation investments for the foreseeable future.

The comments I offer today are based upon a foundation of adopted Tigard transportation policy, Tigard's Strategic Vision, our 2023-2025 City Council Goals, as well as relevant, ongoing local project and program work. When it comes to transportation in Tigard, our highest priorities are focused on improving safety, creating equitable mobility options, promoting carbon-responsibility, and improving community livability. My hope is for the 2023 RTP to advance priority transportation investments that result in a more equitable, walkable, healthy, and accessible region.

My comments focus on two aspects of the draft 2023 RTP: **(1) System Analysis;** and **(2) High-Capacity Transit Strategy.**

### 1. System Analysis

I appreciate Metro's transparency in sharing the results of this detailed analysis. Although the region is meeting its targets in some areas, the failure and worsening of conditions of others is a stark reminder that we need to shift our approach to solve collective regional mobility challenges. By highlighting and focusing on these failures, the 2023 RTP will influence future regional transportation policy and planning work for the better.

#### Mobility

The draft system analysis indicates the region is falling far short of meeting our transit, walk, and bike mode share targets. This failure is a strong indication that individuals are unable or unwilling to make optimal travel mode choices based on trip length or purpose. I believe this is due to infrastructure deficiencies, safety concerns, lack of reliable and frequent transit options, financial burden, and/or systems built to favor auto travel.

#### System Completeness

The draft 2023 RTP indicates the planned motor vehicle network is nearly (99%) complete whereas other modal networks remain far from complete (58% - 73%). While congestion makes motor vehicle travel frustrating at times, attempting to meet daily travel needs using other modes is often not possible due to missing links or nonexistent transit service. As such, the motor vehicle network is likely oversubscribed which leads to our region's well known congestion issues. Providing people with viable alternatives to driving is often the most cost-effective and efficient way of 'solving' these issues.

#### Safety

Safe systems are a key goal and core principles of many jurisdictions in the region; the idea that no transportation-related fatality or serious injury is acceptable is both national and international best practice.

I am disappointed there is a target rate of 52 fatalities a year in the draft RTP document; I am even more discouraged our actuals are nearly double that, with 93 traffic fatalities in the base-year analysis. As a region, we need to place a greater emphasis on reducing dangerous driving behavior and on creating safer facilities to separate more vulnerable roadway users in time and space from heavy and fast-moving vehicles.

Of upmost interest in our community is increased funding to address documented safety deficiencies on high-crash corridors. These include, but are not limited to, ODOT-owned and operated urban arterials such as Hall Blvd (OR141) and Pacific Highway (OR99W). The RTP should provide a clear strategy, roadmap, and committed funding to address safety deficiencies on urban arterials throughout the region. Further, the RTP should address and identify an investment plan to support recent state legislation setting up a process for jurisdictional transfer of state-owned roadways to local agencies.

### Equity

Metro's analysis offers mixed results. In equity focus areas, poor safety outcomes remain a problem; however, completeness of the ped/bike system and access to jobs (by driving or transit) score well. In the future, the RTP should take a broader look at equity in terms of the expense of transportation/mobility costs relative to income. Lower income households spend a much higher proportion of their income on transportation, the RTP should plan for our most vulnerable community members, so they have access to affordable, safe, and efficient travel options.

### Economy

The mixed results described by Metro's analysis are signaling the need to better link housing and employment through a more coordinated approach with land-use planning, improved mobility options, or even better – both. Tigard has demonstrated leadership in this area with integrated transportation and land use planning in areas such as the Tigard Triangle.

### Climate and Environment

Although Metro's analysis is incomplete and still pending consultation with state agencies, it appears that climate and air quality goals will be met based on current assumptions. However, I was surprised to learn the region may fail to meet climate targets if road pricing elements of ODOT's Statewide Transportation Strategy (STS) are not implemented.

It's critical for this RTP to prioritize investments that will support our ability to live, work, and play with low and no-carbon mobility options given the transportation sector contributions to regional GHG emissions and the introduction of new state-mandated Climate Friendly and Equitable Communities (CFEC) rules.

## **2. High -Capacity Transit Strategy**

The City of Tigard has a decade-long track record of creating and implementing policies and tools to support land uses conducive to transit and high-capacity transit. In a recent display of this commitment, Tigard's charter review committee recommended the elimination of charter language that had been in detrimental to high-capacity transit planning efforts in the past.

Tigard's carefully curated relationships with the private development community and agency partners have resulted in significant equitable development activity in designated high growth areas such as the Tigard Triangle, Downtown Tigard, and the Washington Square Regional Center. Our community promotes and encourages Transit Oriented Development that can catalyze and sustain planned future high-capacity transit routes identified in the draft 2023 High Capacity Transit (HCT) Strategy.

The draft 2023 HCT Strategy categorizes the planned Southwest Corridor Light Rail project as a “Tier 1” near-term priority corridor. Tigard teammates and our elected officials dedicated significant time and resources during development of the planned Southwest Corridor Light Rail project. Tigard continues to support this planned project and looks forward to a future scenario in which local matching funds are identified and secured to enable project implementation.

Similarly, Tigard is supportive of newly identified “Tier 3” HCT routes C4 and C6 that would provide new and improved transit connectivity to destinations and cities within Clackamas County. As the HCT report indicates, these potential future routes would support travel for Tigard residents employed in and around Clackamas County as well as Clackamas County residents employed in Tigard. We look forward to collaborating with regional partners on these developing corridors.

The HCT Strategy identifies two “Tier 4” vision corridors running through our community. Although we are disappointed that C2, the Pacific Highway corridor between Tigard and Sherwood, received the lowest tier ranking, we understand opportunities exist to lay the groundwork necessary for future implementation of HCT on Pacific Highway. It’s worth noting Tigard teammates, agency partners, and business interests were heavily involved in advocating for a more comprehensive corridor planning process for Pacific Highway that would support future HCT to be included in the Get Moving 2020 transportation funding package. The second “Tier 4” corridor, C3, suggests a future HCT route within the existing Westside Express Service (WES) commuter rail line corridor. We look forward to conversations and coordination that could result in a more productive and viable transit option connecting housing, commercial destinations, and employment along the WES corridor.

Thank you for your consideration of my comments and for Metro’s commitment to advancing a safe, equitable, and carbon-responsible transportation system in our region and within our communities.

Best,



Heidi Lueb, Mayor  
City of Tigard



August 23, 2023

Kim Ellis  
Metro Planning  
600 NE Grand Ave.  
Portland, OR 97232

Dear Ms. Ellis,

Thank you for your comprehensive work on the 2023 Regional Transportation Plan. We appreciate the extensive research, engagement and iterative process that Metro has led in this regional conversation and plan update.

Work began on this RTP when we were still in the most turbulent times of the Covid-19 pandemic, and the impacts to transit from that period have continued. Though our agency's ridership and service levels are recovering, the financial impacts, workforce challenges and travel pattern changes continue to impact agency budgets, capital projects and service plans for years to come. Though these challenges are recognized throughout the RTP, they continue to hamstring our ability to restore service, advance major projects and attract new riders, and it impacts our region's ability to achieve our transit aspirations. This is especially true as our transit system ages. The costs of improving our system's state of good repair continue to grow. In addition to expanding the transit network, we must also ensure the system we have is safe, reliable and resilient.

We know that the growth of the transit network and of transit modes share in this RTP does not meet regional aspirations, and doesn't show enough progress towards the goals and policies. The expansion of TriMet bus service and the High Capacity Transit Network will not be possible without new revenue or a change in revenue allocation. Though there are historical amounts of federal funding available to support transit capital, we don't have new revenues to invest in service or capital as hoped. Any expansion to the HCT network will require new annual operating and maintenance revenue to increase frequencies beyond currently budgeted levels. These costs are significant and the new revenue needed to grow the transit network has not been identified – this will take true regional collaboration to identify and raise or reallocate revenue to support our transit aspirations and climate goals.

We have provided some suggestions below of how we can continue to work together to meet our shared aspirations.

*Our coordinated efforts to address climate change*

Climate change is impacting our communities now and regional, state and federal policies support the transportation system's transition away from diesel and fossil-fuel powered vehicles of all types. Chapter 8 is an opportunity to spell out our strategies and actions to address climate pollution from transportation. Regional coordination on the transition of the entire transportation system to zero-emissions is a regionally significant effort that we are all working on and is critical to meet our climate goals, but not a new planning effort. A new working group or regular coordination group convened by

Metro would be a useful addition to reference in Chapter 8, section 8.2.2.8. This section should also include reference to the ongoing regional planning efforts to take advantage of federal Climate Pollution Reduction funds as well.

#### *Regional Transportation Funding Strategy*

The need for more dedicated regional transportation funding to support transit and transit-supportive improvements was a theme of many discussions in this RTP and HCT Update. There were not known available funds to include many future transit projects in the constrained RTP project list. The need for a funding strategy for Regional transportation is broader than just for bridges (8.2.3.8). We propose the creation of a transportation funding sub-committee of JPACT. We do not need another funding study or planning effort but coordinated action among regional JPACT leaders to develop an action plan to raise or reallocate funds that can help us build, operate and maintain the system we envision.

#### *Implementing congestion pricing and roadway pricing*

Though there has been many discussions at JPACT and among partners throughout this RTP update about how congestion pricing can support our shared goals, more work must be done. Section 8.2.2.13 calls out the ongoing planning efforts underway, and section 8.3.1.7 describes ODOT's Regional Mobility Pricing Project, but our coordinated efforts must be broader than what is described. We know that pricing revenue cannot fund many transit improvements, and also that congestion pricing will not be effective at leading to modeshift without increased transit investment. The new pricing policies in this RTP provide a good framework for our vision for how pricing could support regional goals. But how pricing revenue is allocated requires more ongoing coordination, and should be a part of the new JPACT funding sub-committee suggested above.

#### *2040 Growth Concept Refresh Coordination*

The expansion of transit will not work to increase transit ridership without improvements to safety, crossings, pedestrian environment, parking reductions and land use changes. As part of the 2040 Refresh (8.2.3.12) and Climate Smart Evaluation we need to do more to evaluate and support local jurisdictions to ensure that transit supportive investments are happening in our centers and along corridors, otherwise transit ridership won't grow. Transit-supportive actions in our centers and corridors and urban expansion areas to support future growth needs to be more of a priority in order for transit to be successful, and to reduce our emissions. This planning effort, paired with TriMet's own Forward Together 2.0 bus network planning, will help set expectations about what types of transit service may be most feasible and affordable across the TriMet service network.

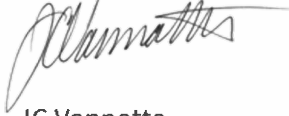
#### *The HCT Strategy and FX Plan*

Throughout the development of the HCT Strategy we acknowledged the challenges of assuming that transit projects could address the many needs of urban arterials and corridors. TriMet will begin development of an FX Plan to build on and complement the HCT Strategy. Through the FX2-Division, TV Highway and 82<sup>nd</sup> Avenue projects, TriMet and Metro have learned important lessons about what benefits Small Starts projects can feasibly deliver. We hope this will provide opportunities to work with partners in a coordinated way on this plan to more clearly identify the scope of FX projects and look to

future corridors for development.

Again, thank you for your coordination and extensive work on this RTP update and HCT Strategy.

Sincerely,

A handwritten signature in black ink, appearing to read 'JC Vannatta', with a long horizontal flourish extending to the right.

JC Vannatta

TriMet Executive Director of Public Affairs

August 24, 2023

Metro Planning  
600 NE Grand Ave.  
Portland, OR 97232  
*Via Email*

**RE: Regional Transportation Plan Comments from the City of Tualatin**

Metro Councilors and Staff,

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We appreciate the amount of work involved in preparing a plan update of this nature and recognize the need to move quickly to adopt this Regional Transportation Plan Update before the federal deadline. We support the basic goals of the proposed Regional Transportation Plan: good, reliable options for all modes, a safe system, equitable transportation, a thriving economy, and climate action and resilience, and are eager to work with Metro, ODOT, and our partners around the region towards these goals. However, while we are thankful for all of the effort to develop this RTP, we see areas where the proposed RTP could pull our region away from these goals and are concerned with some of the policy proposals, analysis choices, and basic philosophies forming the RTP. Our concerns include:

**Tolling:** The RTP assumes tolling is implemented on all of I-5 and I-205 through the Oregon Metro area with the revenue primarily going to transit or other 'alternative' transportation programs. These are consequential policy decisions that must be transparently considered by the entire community. Tolling will result in increased diversion of freeway traffic onto Arterials and Collectors (including those we manage), which is in turn likely to increase incidents of fatal and serious-injury crashes, increase conflicts with pedestrians and cyclists, result in additional congestion, GHG emissions, and air-quality impacts to marginalized populations, and overall, will be a negative impact to the livability of our community. Tualatin has been actively engaged in the tolling discussions and will continue to be; given that, we are very concerned that the RTP commits the region to tolling and use of the funds without a robust dialogue with engaged partners.

**Regional Mobility Policy:** The RTP includes a policy that defines an average travel speed of 35 mph as adequate on freeways and 20 mph as adequate for throughways (with signals, etc.). The proposed policy says that a roadway is functioning adequately if its speeds fall below these standards for no more than an average of 4 hours per day (typically the busiest 4 hours). The result is that these critical roadways become non-functional during the four hours that we need them the most. This increases GHG emissions (stop-and-go or diverted traffic has several times the GHG

emissions of flowing freeway traffic) impacting on our roadways and quality of life as drivers wanting to use the freeway instead cut through our city. Staff estimates significant safety impact from this diversion: if half of the traffic using the freeways finds them non-functional (due to reduced capacity in a congested state) as allowed by this policy, and instead uses Arterials where they have six times the fatal/serious-injury crash rate, the result would be an average of more than one additional fatal or serious-injury crash per week. This seems to be antithetical to the stated goal of a safe system. We respectfully put forward that this part of the Regional Mobility should be revised to keep the standards in effect for the whole day.

In particular, I-5 through the cities of Tualatin and Wilsonville is severely congested for much of the day, resulting in thousands of vehicles each day using roads like Boones Ferry Road and 65<sup>th</sup> Avenue to divert around this congestion. This diverted traffic has safety and livability impacts in Tualatin and the communities around us; it was confounding to see the analysis results indicate that this is not a problem. We respectfully ask that the RTP acknowledge the recurrent traffic congestion on I-5 through Tualatin and Wilsonville and include projects such as an auxiliary lane between the Wilsonville interchanges and an auxiliary lane through the North Wilsonville interchange and improvements to facilitate southbound traffic from Boones Ferry Road entering I-5.

**Equity:** The symbol used to denote the equity vision (bike, bus and pedestrian but no car) seems to reflect an underlying assumption that equity populations are more focused on biking, walking, or transit. Our experience here in Tualatin reveals a much more mixed bag. Many, if not the majority drive to their jobs and essential needs, often commuting to multiple work sites or jobs each day. They are disproportionately affected by congestion and safety issues stemming from congestion on major roadways, and would be disproportionately affected by tolls. We agree with and support the equity goals; however we are concerned that a number of the proposed policies in this Draft RTP would have consequences that would work against those same goals by increasing the time and the expense to get to jobs, school, medical care and other essential services for our equity populations.

**Regional Equity:** Many of the policies and planning decisions made in developing this Draft RTP have the net effect of bringing more services and funding to the central part of the region at the expense of the suburban areas near the edges of the region. Examples of this include requiring suburban drivers to pay tolls funding transit service and/or walk/bike projects in the central city area. Another example is travel and transit modeling that only considers trips within the region and doesn't consider the trips into/out of the region. Modeling of that nature disproportionately affects cities like Tualatin where more of these trips go through, thereby underestimating the need for travel and transit improvements in Tualatin. Another example is the safety analysis leading to the Regional High Injury Corridors and Intersections map that considered injuries for people walking and biking but didn't consider the same level of injury for people in motor vehicles, leading to more representation (and thus analysis and funding) for areas like the central city with higher walking and biking.

**Climate Action Analysis:** Tualatin agrees with and supports the vision of taking action to reduce the region's effect on climate change by reducing carbon emissions and other pollution, and we support efforts to reduce greenhouse gas emissions (GHG) in the transportation realm. It is our understanding that in development of the RTP a decision was made to not use actual carbon emissions, or close proxies like fuel consumption or even vehicle-hours traveled (VHT), all of which could easily be modeled. If modeling was based on GHG emissions, fuel consumption, or VHT, it would model factors like stop-and-go traffic emitting many times more GHG per VMT than free-flowing traffic, or that traffic moving on freeways emit far less GHG per VMT than traffic on Arterials

and local streets. This results in some ‘climate action’ policies that will increase carbon emissions and other pollution rather than help achieve the overall goal.

In addition, the decision was made to use home-based vehicle-miles-traveled, which only considers home-based trips starting (and ending) within the region. There are several consequences of that decision: 1) it leaves out many of the trips in the region, particularly trips affecting suburban areas like Tualatin; 2) it misses the people who have moved outside the region and then commute into the region for work, shopping, or entertainment, increasing overall VMT; and 3) it misses the many companies relocating their headquarters outside the region that then need to drive more in the region for jobsites, deliveries, etc. All of that resulting in ‘climate action’ policies that have the unintended consequences of increasing carbon emissions and other pollution.

The climate analysis also seems to ignore the ongoing and future shift in efficiency of the vehicle fleet from its current mix to cleaner vehicles (such as electric) in the future. Many drivers have already chosen to reduce their emissions by driving electric rather than internal combustion vehicles, and many more are anticipated to do so in future years. We believe this fleet shift should be considered in modeling whether this region meets the emissions reduction goals such as in the Transportation Planning Rule. We respectfully request that the climate analysis be revised to show this shift and how it affects the climate goals.

**Land Use/Transportation Connection:** The Draft RTP seems to miss important aspects of the connection between land use planning and transportation planning. A person's transportation mode choice is symptomatic of their context, i.e., where they are, the trip they need to make, and their destination. With much of the region having been built in a car-centric way, it is not practical to tell a person to just not drive when they have to go several miles to work, pick up groceries, and get the kids from day care, particularly in the many parts of the region, such as Tualatin, with little to no transit service. While the Region seems to be taking the approach that if traffic gets bad enough people will shift to walking/biking/transit, that shift is not practical for many trips in much of the region. If we expect people to use modes other than driving, they need to have key destinations nearby and/or transit service that goes where they want to go frequently enough that they can depend on it.

It is our observation that much of the new development is occurring in areas, like Urban Growth Boundary expansion areas, near the urban fringe with little to no transit service. Many of these areas are a good distance away from essentials like living-wage jobs and grocery stores, causing people to travel long distances, usually by car. While these areas are being built with densities that could support transit, there is typically no transit service when the homes become occupied, so people become set in driving habits, reducing the potential ridership to justify transit service under traditional metrics. RTP policies that make it more difficult for these residents to drive seem to hurt these residents and the region. If these areas are designed with residences, living-wage jobs, and other essentials in close proximity and adequate transit service from the beginning, new residents would be more likely to develop patterns of walking, biking, and transit ridership.

**Thriving Economy - Future Development:** Tualatin is fully supportive of the RTP goal of a Thriving Economy. We are grateful for the many employers who have made the choice to locate their operations in the Portland region and the hundreds of thousands of living-wage jobs and economic resources they have brought to the region. As companies evolve, new companies emerge, and some older companies fade away, it is critical for our Region to be place companies want to be. Our educated and creative population, natural beauty, and proximity to key transportation corridors

draw businesses to our region, but the prospective employer needs to find suitable land and must be able to navigate the approval process. In most cases, this means the land needs to be planned for that type of development. The Regional Mobility Policy stating that plans must not increase VMT per capita would be problematic for these plans because a large employer (such as a new chip fab) would draw workers from all over the region which would increase VMT per capita. We respectfully request that the RTP policies be reviewed and revised to not keep large employers out of the region.

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In conclusion, Tualatin supports the goals of transportation system safety, equity, greenhouse gas (GHG) emission reduction, and mobility for all, and we are eager to work with Metro, ODOT, and our partners around the region towards these goals. We are thankful for the opportunity to make comments on the draft RTP, and respectfully request that Metro consider our comments that we believe will have supportable positive results for the Region.

Sincerely,



Frank Bubenik  
Mayor, City of Tualatin  
On behalf of the Tualatin City Council

August 24, 2023

Metro Planning  
600 NE Grand Ave.  
Portland, OR 97232  
*Via Email*

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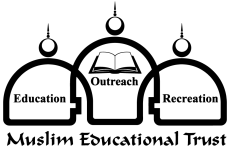
Sincerely,



Frank Bubenik  
Mayor, City of Tualatin  
On behalf of the Tualatin City Council

August 23, 2023

Metro Planning  
600 NE Grand Ave.,  
Portland, 97232



### **Comments on the Regional Transportation Plan & High Capacity Transit Strategy**

The TV Highway Equity Coalition (TEC) is a community-focused group of Community Based Organizations and civic leaders that has been working over the past 1.5 years to create an Equitable Development Strategy (EDS) for the TV Highway Corridor, where investments in transit improvements are expected in the next few years.

The EDS (see report attached) is the result of thoughtful community engagement through monthly meetings of TEC and a Community Leadership Cohort, in addition to a series of public workshops. The Strategy outlines a set of priority actions to advance racial justice and equitable socio-economic development with special focus on:

- Preservation and expansion of affordable housing
- Transit safety and accessibility for all
- Continued involvement of the most impacted communities
- Healthcare service quality and affordability
- Co-located services and community gathering spaces
- Support for small businesses and workforce development programs
- Climate and environmental justice

We believe that while transit investments have the potential to lead to substantial economic growth, they can easily cause grave damage in the form of displacement and gentrification as well as social and economic impacts on community groups that have been historically denied the benefits of these investments, particularly Black, Indigenous, People of Color (BIPOC), immigrants, refugees, as well as low-income and mobility impaired individuals.

Realizing the importance of developing a plan that addresses inequities and closes racial and wealth equity gaps, our Coalition has been observing the process of updating the 2023 Regional Transportation Plan (RTP). It's good to see Metro's commitment to engaging various stakeholders in the process. In addition to the feedback received during the regular TEC meetings, two Coalition partners namely [The Street Trust](#) and [Unite Oregon](#) conducted community engagement events focused on the RTP.

That said, we would like to share the following comments and concerns that we and our communities have with reference to different aspects of the RTP including it's content and the development process:

## 1. Pricing Policies

- Certain pricing mechanisms such as tolling are being promoted as tools to develop transportation systems and address traffic congestion. However, they can harm different groups of the community if they were not designed and implemented in a thoughtful way that protects the most vulnerable communities.
- We ask Metro to consider equity concerns when it comes to pricing policies, and would appreciate a thorough examination of current and future policies to ensure the communities that are most impacted by these changes can equitably benefit from them.
- Specifically, we and our communities would like to see the funds generated from these policies reinvested in building safer, more reliable, and environment-friendly modes of transportation.

## 2. Climate Protection

- It's significant for the RTP projects to comply with Climate Friendly and Equitable Development requirements. Several projects on the RTP list call for widening the roadway and that's concerning since it allows more greenhouse gasses to be released.
- Some of these projects (For example: projects 11350 and 11582) were envisioned or committed before the region's priorities shifted from congestion mitigation to focusing on climate and safety.
- Roadway widening should not happen for reasons other than safety or priority access for buses. The funds budgeted for building new lanes will be better spent on improving bus, bike and sidewalk networks.

## 3. Safety and Accessibility

- More than 36% of the projects that are currently on the RTP list do not offer "Safety Benefits" and it's unclear how transportation agencies will ensure compliance with safety measures in the other set of projects that outline safety elements.
- It's important that Metro holds implementing agencies accountable to actual needs rather than their own discretion. A clear path for continued community engagement needs to be established.
- TV Highway is one of the most dangerous corridors especially for pedestrians and bicyclists. Our community has been repeatedly expressing safety concerns and we would like to see improvements taking place in the soonest time possible.
- Furthermore, many of our community members would rather use public transit than driving their own cars if the services were safer, more reliable, and accessible.

## 4. Keeping the Community Informed/Engaged

- A consistent feedback from our communities indicated that they don't feel informed about infrastructure development projects, and even when they hear about them these projects are already approved and ready for construction.
- It's important that Metro requires transportation agencies to not only be more transparent about their projects, but also to ensure community participation in decision making at all stages of project development and implementation.
- Clear indicators must be identified to measure the extent of community involvement including active partnership with community-based organizations and civic leaders to engage the diverse communities using multilingual, culturally sensitive tools.

## 5. Project Prioritization

- With more than 1,000 projects on the RTP list, it's important to clearly define and explain the prioritization process first by transportation agencies (before they are moved to the RTP) and then by Metro to decide which projects get funded.
- The fact that over 37% of the projects on the current RTP list are not in equity focus areas and nearly the same percentage of projects are not in lower income focus areas is concerning to our communities.
- Changes in the amounts and timeline of anticipated funding streams should not impact how needed projects are prioritized. In case changes need to be made, the community must be looped in.

## 6. RTP Implementation

- Chapter 8 of the RTP needs to be more specific and upfront about how Metro will track progress to make sure the outcomes of each project respond to the community needs that resulted in the project being on the list and approved for funding.
- The RTP, particularly with respect to High Capacity Transit projects, needs to have clear strategies that transportation agencies need to implement to address the impacts on small businesses before, during and after project construction. This includes potentially providing financial assistance to compensate for loss of revenue.
- More importantly, implementers must comply with equity policies to ensure neither residents nor businesses are displaced during, or as a result of, project development.

Once again, we thank Metro for coordinating the process of updating the 2023 Regional Transportation Plan and look forward to reviewing a revised draft that incorporates community feedback and paves the road for equitable project development and implementation.

Sincerely,

On behalf of the TV Highway Equity Coalition  
Mohanad Alnajjar | TEC Facilitator | Unite Oregon

[REDACTED]

August 25, 2023

Metro Planning  
600 NE Grand Ave.  
Portland, 97232

## **Comments on the 2023 Regional Transportation Plan**

I am writing this letter in my capacity as a community member and as the Southwest Equity Coalition (SWEC) Manager to uplift community concerns related to the 2023 Regional Transportation Plan.

SWEC is a community-centered coordinated effort between community-based organizations, residents, businesses, philanthropic partners, neighborhood associations, as well as state and local government bodies. The Coalition was established in 2020 to advance the implementation of the [Southwest Equitable Development Strategy](#) (SWEDS), which was convened as part of planning for transit improvements and light rail extension along the Southwest Corridor.

The failure of the Get Moving 2020 transportation measure put many projects that are dependent on the light rail investment on hold, making it more challenging to meet the needs of the diverse communities due to limited resources. However, SWEC continued to advocate for equitable development in the Southwest Corridor to protect our communities, many of whom have already been displaced from other parts of the regions as a result of unfair planning and implementation of infrastructure projects.

Our Coalition has been carefully following the development of the 2023 Regional Transportation Plan (RTP). While we appreciate the great efforts by Metro to lead a thoughtful process to update and prioritize the project list, we and our communities have a number of concerns related to different aspects of the plan including certain projects and policies that could lead to additional harm for many households. We hope that Metro will work closely with transportation agencies in the region to make changes in their proposed projects/policies particularly around:

**Safety and Equitable Access:** Southwest Portland had two fatal crashes last month (July 2023) alone. Most of the SW Corridor residents who participated in the community engagement events organized by Unite Oregon earlier this year reported that they don't feel safe whether they are driving their own vehicles, biking, walking, or using transit services. Although some improvements were made to a few roads in the area, many other roads are in need of significant safety changes including sidewalks, crosswalks, and ADA adjustments.

**Environmental Protection:** Must be considered in all projects on the RTP list. There are several projects on the current list that call for road expansion and tolling as ways to mitigate traffic congestion. However, adding more lanes will only make the climate crisis worse, and congestion

pricing would only be effective if the generated funds offered riders, especially low-income historically disadvantaged people with clean, reliable, and affordable alternatives such as high capacity transit options.

**Community Involvement:** Most of the community members we talked to were not aware that the RTP existed! They only learn about these projects when they are in the final design stages or after construction starts. Metro must require transportation agencies to involve the communities impacted by their projects at all stages of design and construction. Furthermore, clear measures need to be in place to assess the extent to which diverse community members participated in these processes.

Making an announcement on the agency's website or putting a flyer in transit centers is not enough to inform and engage people. A more comprehensive approach to community engagement must be practiced specially to reach people who are not tech-savvy as well as those who cannot read or speak English. For the RTP update process itself, we ask Metro to continue to engage everyone in the process and also to provide regular updates about the progress made beyond the public comment period.

**Project Selection & Prioritization Process:** It's important to design this process to effectively reflect the needs in the region. It's possible that certain factors, including availability of funds, could make this process challenging and more complicated. However, we encourage Metro to use community needs as the first prioritization criteria and adjust funding streams to meet those needs. For example, putting the SW Corridor Light Rail on the list of strategic projects brings several uncertainties to the future of other projects. In the SW Corridor, these include:

- Improvements to the Barbur Crossroads to enhance safety and accessibility especially for people who choose to walk and bike.
- Sidewalks on SW Taylors Ferry Rd. which will not only make it safe for pedestrians and bicyclists, but also will help affordable housing projects planned in the area.
- Redevelopment of Barbur Transit Center into a multicultural center and potentially the development of affordable housing on the site.

We want the SW Corridor to become a place that naturally draws many people rather than cars to the area, with more reliable transit services as well as safer sidewalks and bike lanes built for everyone to use. Thank you for considering these comments and we look forward to reviewing the next RTP draft.

Sincerely,

Mohanad Alnajjar  
Southwest Equity Coalition Manager  
Unite Oregon  
[mohanad@uniteoregon.org](mailto:mohanad@uniteoregon.org)

# TV Highway Equitable Development Strategy

## Unite Oregon

"It's not just about the destination. It's about the journey.  
Let's make that journey equitable, accessible, prosperous,  
safe, and joyous" - Community Leader

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## Acknowledgments

Thank you to Native American Youth and Family Center, and the Southwest Equity Coalition (SWECC) for the following statement: *We would like to respectfully acknowledge that the land on which we are gathering today is the traditional homelands of a diverse array of indigenous tribes and bands.*

*Multnomah County and Washington County rests on traditional village sites of the Multnomah, Kathlamet, Clackamas, bands of Chinook, Tualatin, Kalapuya, Molalla, Atfalati, and many other Tribes who made their homes along the Columbia River, and which is now home to a vibrant native community representing over 400 different tribal nations.*

*We recognize Indigenous peoples as the traditional stewards of this land and acknowledge the enduring relationship between the land and the people since time immemorial.*

## A Note from Metro

Metro supported the community-led creation of this EDS with technical expertise and financial backing through a Federal Transit Administration HOPE (Helping Obtain Prosperity for Everyone) grant. It is now agency standard practice to support creation of an EDS alongside planning for major regional transportation investments because Metro believes that public agencies have a responsibility to ensure that benefits accrue to existing residents and businesses in communities where public investments are made, thus helping to prevent displacement.

Moving this work into the implementation phase is key to shoring up corridor communities in advance of roadway and transit investments. As the coalition pursues funding for ongoing operations and partnerships, Metro will continue to provide technical expertise when requested to identify funding sources or contribute to grant applications and funder conversations. As the EDS transitions into the implementation phase, Metro remains committed to supporting the coalition's vision of community growth and development by providing technical expertise, acting as a champion and liaison with government partners in implementing community priorities, and supporting the coalition's pursuit of further funding for ongoing operations. By partnering together in this way, Metro and the Coalition are changing the approach to community development in our region and showing that the focus can be on community first, while still making our public infrastructure the best it can be.

Respectfully,

## Summary and Project Overview

### Overview - Now is the time!

As our region plans its roads, storefronts, public transportation, and other important parts of our communities, new and current developments need to support community resiliency, growth, and address economic inequities in the region. When community voices lead in informing this process, our communities thrive, and we are able to avoid harmful impacts of inequitable economic, transportation, and other development planning. This report puts forward an equitable development strategy—a plan that identifies opportunities in housing, education, jobs, transportation, and a healthy environment—which will benefit all community members, especially communities most impacted by racial inequities that have been historically left out of large scale planning and investment in the region. This document is the starting point for conversations with other partners to move these ideas forward into implementation.

### Who implements this strategy?

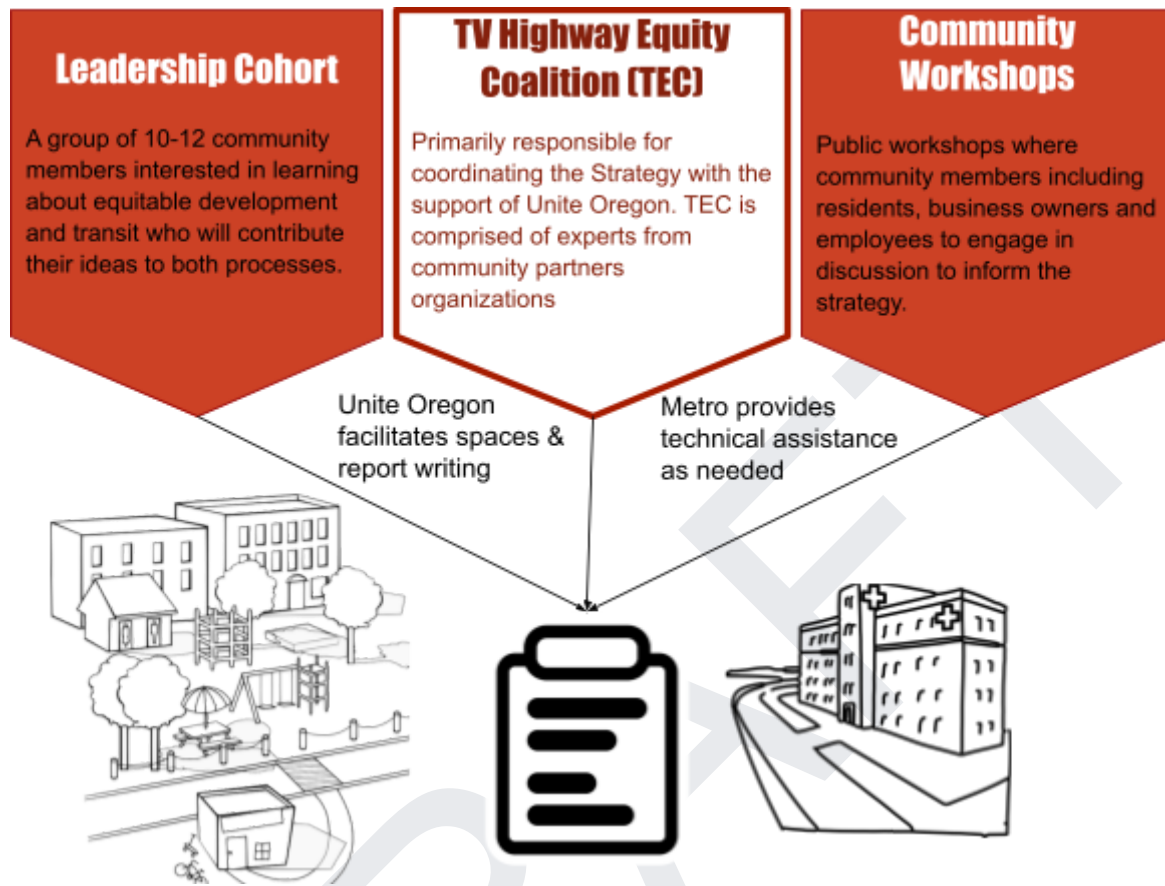
This Equitable Development Strategy calls for public and private investments, programs, and policies in neighborhoods to meet the needs of residents, including communities of color, and reduce racial disparities, taking into account past history and current conditions. We hope Metro, TriMet, Washington County, and local jurisdictions all play a role in implementation, alongside the guidance and support of community members, leaders, and experts in the Corridor.

### We are many communities united for change

We want to acknowledge that the term “Black, Indigenous, and communities of color” do not capture the breadth and depth of the many communities living along the TV Highway corridor. There are overlapping and unique challenges facing communities along the TV Highway and we have done our best to strategize around local solutions that speak directly to the challenges.

The process to create the strategy has been guided by community experts, facilitated by Unite Oregon, a nonprofit serving Oregon’s immigrant, refugee and people of color communities, with government participation as requested by community participants. Metro has supported community participation in strategy creation and continues to provide technical support as requested.

## Who informed this report?



**For More information on our TEC Members, the project's decision-making process, and roles and responsibilities, see end of report!**

## Why We Need a Plan: Our Communities' Vision for Change

*Through our workshops, TEC meetings, and Leadership Cohort meetings, we heard about why we need a community-grounded plan. We share this feedback not only as a long-term guide for what we hope to get out of this strategy, but also as a way to begin creating metrics for success. This report aims to address the concerns voiced by our community members.*

### Community voice and empowerment

It is critical for the community to have a voice at the planning tables. Ensuring the ideas proposed are integrated into planning will help to put in place effective solutions that speak directly to community concerns

### Safety for our children and families

In order for development to promote a safe environment for our children and families, it is critical that community centered input from families of all cultural and ethnic backgrounds help to define what that looks like.

around pedestrian safety, growing pollution and development. It will also help to prevent pushout (through gentrification, displacement, and economic pressures) of immigrant, refugee, and BIPOC communities in the area.

## Invest in the cultural vibrancy of the region

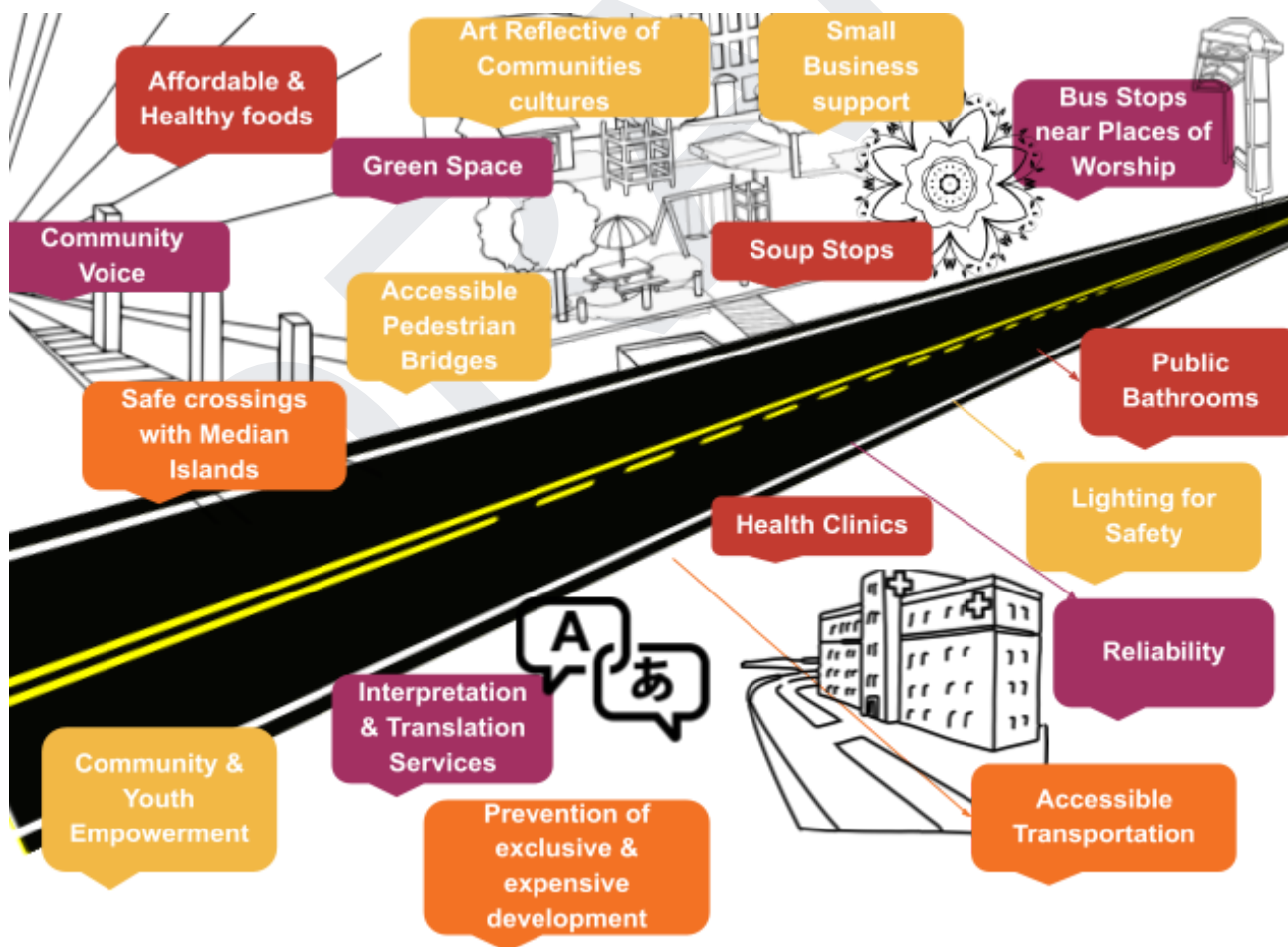
This plan is an opportunity to support the growth of culturally relevant businesses in the area. Ensuring grocery stores, restaurants and other businesses that reflect and are owned/ run by the communities they serve feels vital to belonging in the region. As many of our communities are growing in the region, we need to ensure we are investing in growth opportunities for small businesses.

Centering community members in these conversations will ensure people are able to identify what makes them feel most safe in their homes and neighborhoods. This also includes places our children go between school and home.

## Transportation

Equitable transportation means our communities are able to travel where people live, work, play, and pray. This means a reliable transportation system, especially for families and community members without cars, that feels safe, dignified and consistent.

## What might that vision look like?



## What does the data tell us?

### A Note on the Data

Data can be a powerful storytelling tool, in ways that can be either uplifting or harmful, depending on how it is used. We know that the TV Highway Corridor is home to many diverse, vibrant, and resilient communities whose experience in cost-burdened households and barriers in accessing resources vary. Some of the strengths and challenges are shared among different communities, but many are different. We do not want to present quantitative data that is not disaggregated—or community-specific—in a way that truly reflects our communities. The outreach efforts of this project engaged many diverse cultures and communities; our recommendations speak to that diversity of resource as well as need.

For this report, we have chosen to only highlight data that helps to tell the stories of some of our most impacted communities. This includes the larger cost-burdens facing housed and unhoused individuals, but tells the stories of specific untapped strengths and/or barriers through community members, community leaders and partners reflections and voices. We believe this approach must be accompanied by strategies that seek to improve our quantitative data collected as well as a requirement that metrics be drawn from both quantitative and qualitative data sources. In other words, we need to measure success based on both, for example, a reduction in cost-burdened households, as well as the removal of barriers for many specific communities and an improvement in most impacted communities' self reported health and well-being.

### Learning from Our Community: Muneeb's Story

Muneeb (He/They) lives in a largely muslim community, identifying as a transmale. We met Muneeb through our leadership development housing cohort, where they were able to share both their personal experiences in community engagement spaces as well as learn about advocacy opportunities. Muneeb has shared many of the challenges they face in accessing stable housing, transportation to medical appointments, and the general day to day of living with poor transportation and housing infrastructure.

Right now, commute times and paths impact the course of Muneeb's week's. Medical appointments are important and their only means is transit as a power chair user. Due to access issues, they have to use the Beaverton Transit Center to access line 57, which adds a half hour to their commute. They have noticed that access issues extend beyond physical barriers, but also language services. Signs are usually in English and people will sometimes come to Muneeb for help with translations.

**"Housing is a main source of creating generational wealth, but a lot of people cannot buy a house. They still receive rent assistance. For me homeownership is never going to happen."**

Muneeb points out that a lot of people can't access other critical resources because of language or cultural barriers. It's not just about the importance of opportunities to own a business, but simple things

like doing uber, doordash, etc. A lot of people look to cultural centers for information. For example, Islamic social services (ISOS) and the mosque, Muslim Educational Trust (MET), located on Scholls Ferry, is a place where people can get information about the resources. There is also a free food market 2x/month at Bilal Masjid, on 160th avenue, and is open to all members of the community. These resources could be more readily available along the Corridor and these organizations supported to continue to be a cultural bridge.

They've also noticed the health services they are accessing aren't always welcoming or culturally competent spaces. Muneeb even mentioned that two people who are doctors from Egypt and Palestine are doing entirely different things because they cannot work as doctors here. They are trying to save money to go to school all over again and many grants and scholarships are not available to non-citizens.

Muneeb envisions a Corridor where transit is frequent, accessible to all, and welcoming; where their fellow neighbors can access the health care services they need, and be able to vision dreams of housing stability and home ownership are reachable.

### Important factors to consider

TV Highway (Oregon Route 8) serves communities in Forest Grove, Cornelius, Hillsboro, Aloha, and Beaverton regions, and is home to over dozens of diverse communities. Next to Spanish and English, the most common languages spoken are Vietnamese, Korean, Arabic, Tagalog, and Chinese. The age range within the TV Highway Corridor being a lower percentage of older adults and a higher population of 20.6 percent being young adults. The corridor has more

### ACCESS: From Community members and leaders...

"We need to prioritize access. Language access, physical access, safety access..."

"Public transit levels need to increase so that people choose to use transit not wait for folks to use transit and then increase transit."

"When we have changes everybody doesn't hear about it. When people don't speak the language they get left out. Only time I had heard about a TriMet event was when it was at Muslim Educational Trust. Language barrier is a major problem. People may also not hear about outreach opportunities. Building community engagement really resonates."

"More bus stops with better lighting or bus update tablets. I feel safer knowing when buses are coming at night."

households of large families with five-plus members and families with single mothers than the rest of the region. Looking into the demographics currently residing within the TV Highway Corridor is crucial as the population growth within the area is projected to increase up to 38 percent by 2040 and help identify equitable needs.<sup>1</sup>

Access was a consistent theme of all community members, leaders, and experts engagement.

### Housing

<sup>1</sup> Metro Report- citation needed

The whole TV Highway region covers a wide range of income levels and housing needs. We heard over and over again that affordable housing needs far outweigh the available units. The housing cost burden is higher in the corridor compared to the rest of the region and renters are more cost-burdened than owners. There is a lower rate of homeownership and a higher rate of renters in the corridor compared to the county and the region- leaving many more people at risk of displacement. The Hillsboro to Beaverton section has the highest rate of renters and occupants within a unit of 5 or more people, especially for multiple generations who tend to live together under one roof.

### **HOUSING: From Community members and leaders...**

"A lot of people don't have emergency savings. Can't expect people to come up with 10-20% down payment for a house. ..."

"People are moving to Clark County because it is more affordable. People would invest in our communities if we could be owners in our communities."

"We need affordable housing for seniors and disabilities. ...What about people that have mobility issues and need affordable housing?"

"How many units are in the pipeline? Are the planned units are enough to accommodate the growth of the corridor?"

"The waiting periods for housing are too long! There is currently a 63-month waiting period to get a unit."

"It is a human right to have housing and food and there should be no barriers to access those."

"Let's not forget that undocumented people jeopardize their safety when applying for assistance."

### **Safety**

We also heard from most community spaces how dangerous many of the TV Highway crossings are. TV Highway is recognized as a highly dangerous zone on 25 of the most dangerous corridors in the region. We define dangerous sites as places where there are serious injury crashes, fatal car and pedestrian accidents, and pedestrian safety. TV Highways Corridor and a portion of the highway in Aloha and Beaverton have caused fatal and severe injury crashes.

### **SAFETY: From Community members and leaders...**

"Signs are not placed in visible places or often along TV HWY and I was hit by a Car in broad daylight. the ""no right turn on red"" was not visible enough in time and there was no signage before the intersection"

"Being visible to cars is really important, I was hit by a car along TV HWY and I can no longer sit up and I was crossing with a pedestrian light by someone running a light. We need more crosswalks and measures put in place to protect pedestrians."

When I was in middle school, they only added a cross walk because a girl got hit by a car trying to cross TV HWY. it took a young child getting hit by a car for the city or county to put in a cross walk by the car dealerships Dick hannah maybe? or by the cemetery close to the sunset esplanade. "

When it comes to walking I don't feel safe on the Corridor because there is limited lighting in some places and in some places there's no sidewalks at all.

"It also feels unsafe to walk on TV highways in construction zones because most of the time they don't take into consideration pedestrians on foot or bike and how that they will make their way through the construction zone safely.

Sometimes, I'm scared to go to a bus stop because the lighting is so dimmed, so I'm constantly looking around..."

TV Highway also has nearly double the fatal crash rate than the region.<sup>2</sup> Between 2016-200, there were 15 fatal crashes and 50 serious injury crashes on TV Highway. Of those, 60 percent of crashes were people walking in a corridor where they make up far less than 60 percent of the people traveling. The portion of TV Highway in Aloha and Beaverton is also one of the 25 most dangerous corridors in the region when looking at both number and severity of crashes.

Local street connectivity and overall safety are poor for transit users who walk to and from the Line 57 stops.

### **Healthcare, Education, and Economic Prosperity**

Community members, leaders, and experts also highlighted repeatedly the importance of health, education, and economic investment as critical components of community well-being.

### **HEALTHCARE: From Community members and leaders...**

" Education and health in the US are very expensive. It's a lot of stress on us to think about what we would do if we get sick and have big bills. Sometimes we don't prevent illness because we don't have access to a doctor."

"For those who have health insurance, it would be nice to have access to different providers. It's hard to get access to in-network providers sometimes, like if Kaiser is in-network instead of Providence."

"Everyone should have access to healthier foods. It is easier to buy fast foods because it is cheaper. Salad for \$7 vs burger combo \$5. It is harder to find healthier foods. Should be more available for people that are lower income. Eating healthy is what we need. Not as much fast food."

"Not just food but access to affordable healthcare. If you are low income you don't have health insurance."

<sup>2</sup> 1.7 people/100 million vehicle miles traveled vs. 0.9 people/100 million vehicle miles traveled.

**EDUCATION:** From Community members and leaders...

“When you are an immigrant you start from 0. I didn’t have the skills needed to work from home, it is a white collar job. For some, I was educated in French, so I had to learn how to use what I have now. For communities of immigrants, they don’t have that opportunity unless you are a software developer. Instead you are working in a restaurant or hotel. Many of these jobs require a college degree...”

“There needs to be a look at recertification, because there are a lot of people who are doctors or engineers from other countries but can’t practice those professions. They have to recertify, or go through the whole program again. We heard of an example of a doctor from Egypt that is working as a delivery driver. It is a waste of his skills.”

“My grandmother immigrated here and was a housekeeper for 20+ years and there wasn’t a way to finish school. Maybe that is something else to have, an avenue that will give a path for further education like trade school or certification.”

DRAFT

## Priority Action Plan

|          | <b>ACTION</b>                                                                                                                                                                                                                                                                                                                                                            | <b>Potential Lead</b>   | <b>Status/ Strategy</b>                                                                                                                                                                                             |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> | <b>“By the time we hear of projects it is too late to provide feedback or any input. We usually find out once construction has already started.”</b>                                                                                                                                                                                                                     |                         |                                                                                                                                                                                                                     |
|          | <b>Fund ongoing Community Collaborative (continuation of TEC and Leadership Cohort) to take on the following roles and responsibilities:</b> <ul style="list-style-type: none"> <li>- How implementation happens</li> <li>- Funding Strategies</li> <li>- Accountability structure</li> <li>- Support evaluation efforts</li> </ul>                                      | TEC, Unite, Metro       | Metro explores funding for Year 1 with goal of developing an ongoing funding source                                                                                                                                 |
| <b>2</b> | <b>“Do we know how many affordable units are in the pipeline? My comment is whether the planned units are enough to accommodate the growth of the corridor. If not, how can we increase them?”</b>                                                                                                                                                                       |                         |                                                                                                                                                                                                                     |
|          | <b>Support Creation of a Corridor Affordable Housing Strategy</b> <ul style="list-style-type: none"> <li>• Integrate anti-displacement, home ownership, and tenant education community recommendations into local housing strategies</li> <li>• Align with other community-based efforts to improve affordable housing in the region, including the corridor.</li> </ul> | Unite                   | Identify lead government partner(s) and advocate for funding in 2024 budget.                                                                                                                                        |
| <b>3</b> | <b>“The best way to improve the mental health is create more places for physical activities like dancing, sports or music for the community, more during the winter season.”</b>                                                                                                                                                                                         |                         |                                                                                                                                                                                                                     |
|          | <b>Fund Community Gathering Spaces</b> <ul style="list-style-type: none"> <li>• Create Cross cultural spaces for families and community members to come together along the corridor to have community spaces, inside and outside. See full recommendation in <a href="#">Appendix A: Community Recommendations</a></li> </ul>                                            | Community Collaborative | Create a development & advocacy plan that considers the development of publicly-owned parcels and promotes a model of public development that requires community input in RFPs or program/ site plans for a parcel. |
|          | <b>“Some bus stops are just a post with a small seat on it. waiting for public transportation feels scary and there is debris often along the corridor ”</b>                                                                                                                                                                                                             |                         |                                                                                                                                                                                                                     |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                         |                                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>4</b> | <b>Plan and Implement a Bus Rapid Transit project that integrates community recommendations</b> <ul style="list-style-type: none"> <li>Identify resources to fund free transit access for low-income community members</li> <li>Ensure physically accessible public transportation</li> </ul>                                                                                                                                                                                                           | Metro, TriMet, ODOT     | Frame and structure future transit study engagement as building on themes heard from community during EDS creation                                                            |
| <b>5</b> | <b>“All parts of the population should be equally considered when budget planning.”</b>                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |                                                                                                                                                                               |
|          | <b>Expand community engagement in the TV Hwy corridor to increase participation in TriMet’s Access Transit Programs</b>                                                                                                                                                                                                                                                                                                                                                                                 | TriMet                  | Support through Fare Programs & Community Engagement Team                                                                                                                     |
|          | <b>“We need a place everyone can go to get the services they need. That sort of exists in some places, but not comprehensive services that meet all of our needs.”</b>                                                                                                                                                                                                                                                                                                                                  |                         |                                                                                                                                                                               |
| <b>6</b> | <b>Create One Stop Shops for wrap around services</b> <ul style="list-style-type: none"> <li>Advocate for more complete wrap around services that integrate transportation, child care, food, work clothes, books, meals, exams, school costs, etc) (Look at OSU’s Future Ready Oregon for model)</li> </ul>                                                                                                                                                                                            | Community Collaborative | Identify existing spaces (such as mobile units, health clinics, libraries, advocate to integrate service recommendations)                                                     |
| <b>7</b> | <b>“Education and health in the US are very expensive. It’s a lot of stress on us to think about what we would do if we get sick and have big bills. Sometimes we don’t prevent illness because we don’t have access to a doctor.”</b>                                                                                                                                                                                                                                                                  |                         |                                                                                                                                                                               |
|          | <b>Coordinate and Align with WashCo’s Community Health Improvement Plan and Local health plans</b> <ul style="list-style-type: none"> <li>Specifically align with Access to Care Priority of WashCo’s 2021 CHIP</li> </ul>                                                                                                                                                                                                                                                                              | Community Collaborative | Build relationship with WashCo’s Health Department to identify points of alignment and commitments                                                                            |
| <b>8</b> | <b>“One thing that ties these together is how we do this development: a community benefit agreement is one of the first things we need to do to stop/mitigate gentrification.”</b>                                                                                                                                                                                                                                                                                                                      |                         |                                                                                                                                                                               |
|          | <b>Integrate affordable housing units, local hiring, and other community benefits into all new housing and construction projects</b> <ul style="list-style-type: none"> <li>Secure commitment from business stakeholders (developers as well as construction) to require community benefits agreements, focused on zoning for affordable housing (See Jade District CBA) as well as ensuring development requires a majority of hires are directly from neighborhoods surrounding TV Highway</li> </ul> |                         | Explore policy options for integration of community benefits into development<br><br>Build power and capacity of existing community engagement efforts through targeted goals |

|           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                        |                                                                                                                                                                            |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                        | and strategies for developments                                                                                                                                            |
|           | <p><b>“Transportation organizations are responsible for spreading information and other shareholders like the cities, counties, state, and other organizations. We pay for taxes, and road services, and they have an obligation to let us know what is being down with our money”...</b></p>                                                                                                                                                                                                                                                                                                                                                |                                        |                                                                                                                                                                            |
| <b>9</b>  | <p><b>Work with TriMet, ODOT, Cities and County to ensure Healthy Communities Communications Campaign can accomplish the following goals:</b></p> <ul style="list-style-type: none"> <li>• Improves transit navigation for diverse residents</li> <li>• Fosters accessible, safe, and welcoming spaces through signs</li> <li>• Advance Clean Environment, Education, Health messages Community Recommendations through messaging campaign</li> <li>• Highlight small businesses and convening spaces</li> </ul>                                                                                                                             | Community Collaborative                | <p>Identify opportunities within four agencies to integrate recommendations into existing signage/communications, etc.</p> <p>Campaign to expand translation standards</p> |
| <b>10</b> | <p><b>“A lot of areas are lacking in culturally diverse shopping and food spaces.”</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                        |                                                                                                                                                                            |
|           | <p><b>Partner with Washington County Economic Development to ensure shopping centers are culturally diverse, support small business, and invest in local communities’ culture and foods</b></p> <ul style="list-style-type: none"> <li>• identifying funding for ways to make safer physical connections between transit stops and the front doors of businesses through parking lots,</li> <li>• work with the County and Cities to revise development code that encourages redevelopment to be designed in a way that interfaces with the pedestrian environment/invites pedestrian access to businesses, not just automobiles.</li> </ul> | Washington County Economic Development | Identify most impactful projects for alignment                                                                                                                             |
| <b>11</b> | <p><b>“I am passionate about building relationships and connections with local school districts because it can create a conversation around alternatives to getting to school for students who miss their public school buses, especially if their parents do not have cars to bring them to school if they are late.”</b></p>                                                                                                                                                                                                                                                                                                               |                                        |                                                                                                                                                                            |
|           | <b>Build relationships and connections with local school districts</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Community Collaborative                | Invite education liaison to join collaborative                                                                                                                             |
| <b>12</b> | <p><b>“We’re the only country that does not want people to become parents. Other countries offer financial and community support. Do I stay broke and have a kid or do I want to progress? Communities need to come together to build their own groups, but you need money, a space, staff, requires cleaning and licenses.”</b></p>                                                                                                                                                                                                                                                                                                         |                                        |                                                                                                                                                                            |

|           |                                                                                                                                                                                                                                                                                                                                                                                        |                         |                                                                                |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------|
|           | <b>Advocate for a parent organizing space, similar to BUILD model, where parents have a space to convene and grow their skills as parent organizers</b>                                                                                                                                                                                                                                | Unite Oregon            | Identify funding to support replication of Unite's BUILD model                 |
| <b>13</b> | <b>“Public bathrooms should be available at all stops. This would meet a basic need that helped so many folks.”</b>                                                                                                                                                                                                                                                                    |                         |                                                                                |
|           | <b>Explore integration of public bathrooms into all existing and new TV Highway developments</b> <ul style="list-style-type: none"> <li>Identify short-term strategies such as mobile units and coordinate their placement</li> <li>Work toward understanding necessary public-private partnership to provide public bathrooms, and ongoing maintenance, in new development</li> </ul> | Community Collaborative | Create a campaign plan that identifies key stakeholders and plan for advocacy. |

## Community Recommendations

[Link to Appendix A FULL Community Recommendations, including issue area recommendations.](#)

### Report Cross Issue Recommendations

#### Welcoming and Safe Spaces

##### **Recommendation: Create Community Gathering Spaces**

Use cross cultural spaces for families and community members to come together along the corridor to have community spaces, inside and outside, that include:

- Opportunities for youth and parents to connect
- Parents to learn how to be advocates
- Collaborative technical learning spaces that expand libraries' current programming
- Getting involved on voting and school board process
- Leadership Development opportunities, including Government 101 needed
- Community squares that are common in many other parts of the world.
- Identify ways to support participation in the voting process
- Support get out the vote efforts, with voter education opportunities
- Inter-/multi-generational financial education around wealth-building, value systems around money
- Education about economic prosperity: Home ownership, city grants, access to low interest loans, etc.
- Create opportunities for cross-cultural enrichment
- Recruit artists/ Incentive programs for artists

##### **Recommendation: Ensure Transit and Development Plans continue to prioritize safe and accessible services**

The following areas were highlighted as important components for transit and other planners:

##### ☐ **PRIORITIZE SAFE CROSSINGS**

- Walkability and more frequent crosswalks so that people can more easily get to buses, businesses on the other side of the highway. (ESP 17th/Baseline stop)
- between cars and pedestrians

##### ☐ **IMPROVED LIGHTING**

- Improve lighting in all poorly lit transit areas. Ensure that lighting maintenance is done

equitably.

☐ **ENSURE WELCOMING AND SAFE SPACES**

- Making stops of higher quality and places (shelter, seating, lighting, cell phone charging outlets, screens for bus status, etc.)
- Art/murals, that reflects cultures of diverse communities
- Warming/ Cooling stations for people.

☐ **PUBLIC BATHROOMS**

- Accessible public bathrooms for shoppers and transit riders, including diaper changing stations
- Bathrooms are cleaned every 24 hours.

## **Recommendation: Create a Healthy Communities Communications**

### **Ensure communications and messaging integrates the following:**

#### **IMPROVE TRANSIT NAVIGATION FOR DIVERSE RESIDENTS**

- Improve transit navigation for newer residents (especially with limited-English proficiency) to get to healthcare appointments, navigate the area, and access resources
- Establish trust in diverse communities through outreach: Ex.Disclaimer specific to refugees/immigrants, etc.
- Hire Community Transit Leaders

#### **ACCESSIBLE, SAFE SPACES AND COMMUNITY SUPPORT**

- Integrate Wifi access into planning and service along the corridor
- Advertise to recruit more BIPOC educators
- Improved outreach strategies, including flyers in multiple languages, that connect people to opportunities, address fears/concerns around immigration status, etc.
- Clear advertisement on discount opportunities, etc.
- Ensure communications for folks of all abilities
- Social media outreach to inform about services, opportunities and events

#### **CLEAN ENVIRONMENT**

- Promote walking and biking in service of decreasing greenhouse gas emissions.
- Ensure Clean Environment

#### **HEALTH**

- Partner with OHP, OHA, Office of Equity, Virginia Garcia Health Center, Asian Health Services, as well as community organizations for healthcare advocacy, improved communications around available resources
- Ensuring access to health services is clearly communicated through transit system
- Bike and scooter rentals/ ride shares

### **SCHOOLS**

- Advertise to recruit more BIPOC educators and administrators
- Afterschool programming and community center activities
- Parent engagement outreach

### **BUSINESS DEVELOPMENT**

- Outreach to new communities to diversify the business community
- Encourage visit to local businesses promoting local services, for businesses

## **More about the Report and Process**

### **Meet the TV High Equity Coalition**

The TV Highway Equity Coalition (TEC) met twelve times between May 2022 and May 2023. Community Coalition members from various nonprofit sectors such as healthcare, education, housing, community advocacy, and finance live, work, and play along the Tualatin Valley Highway. Those organizations are: Unite Oregon, APANO, Adelante Mujeres, Binestar, Centro Cultural de Washington County, Muslim Educational Trust, The Street Trust, 1,000 Friends, Community Housing Fund.



Anouksha Gardner previously served as Strategic Partnerships Manager at The Street Trust. She was responsible for coordinating with partners across sectors and building relationships. Being on the TV Highway Equity Coalition was important to her because she lives in Washington County and has a vested interest in improving the area and also as part of The Street Trust's vision in creating complete, safe, low-carbon, multimodal transportation system that contributes to equity in access, opportunity, health, and prosperity for people and communities across the Portland Metro Region and beyond.



Sushmita is an Entrepreneur, Founder, a Tireless, Fearless & Relentless Civic Leader passionate about Racial Justice, Serving Humanity with Equity in Dignity, Multidisciplinary Cultural Artist, & Small Business(s) Owner. She is an avid Listener, Learner, Advocate, Educator & Consultant for Diversity, Equity & Inclusion in Action.

She started her advocacy and civic leadership journey with transportation and is deeply involved with the TvHwy project amongst other committees. She is currently serving as the Washington County Planning Commissioner (At Large) along with designing curriculum and training future BIPOC leaders as well as serving on statewide committees for housing, health, energy, small business, arts and culture, climate, politics, transportation and more. The joy of Cross Cultural representation, interactions and celebration is another reason why she continues her passion and purpose to serve the community through all aspects of Civic Leadership.



Maria Dolores Torres is a Mexican National who is a mother of three, all are married now. She has lived in Beaverton Oregon for over 28 years now and has been involved in community work for over 30 years. She loves serving others! She currently works at Adelante Mujeres.



Nansi Lopez has been a Washington County resident for nearly 25 years. She is currently the Policy Director for Centro Cultural. For almost twenty years, she has worked in both the private and public sectors in supporting Latino and marginalized communities. Her passion for the community was modeled by her parents, who guided her in finding a life mission. When she isn't in the trenches with others doing the work, she's enjoying the company of her family and her German Rottie, Rocko.



Mandie Ludlam is the Lending and Relationships Manager for Community Housing Fund (CHF). She has been with CHF, a certified CDFI affordable housing loan fund serving Washington County, Oregon, for a little over six years. Mandie has worked in different aspects of affordable housing for nearly 14 years, including as a member of the Community Investment Department at the Federal Home Loan Bank of Seattle. She has lived her whole life in the Pacific Northwest, having grown up in Washington County, attended Whitman College in Walla Walla, and lived for many years in Seattle, prior to returning to the Portland area in recent years. In her free time Mandie enjoys spending time with her husband Paul, attending live theater, and visiting the gorgeous Oregon coast. She is honored to be a part of the TV Highway Equitable Coalition.



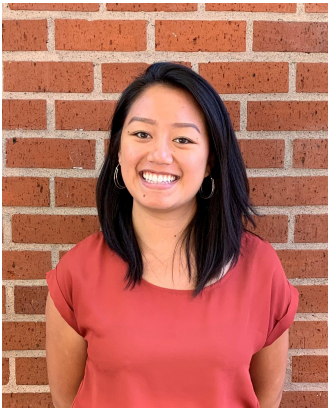
Jawad Khan is currently the Chief Programs Officer at the Muslim Educational Trust (MET) and a member of MET's Board of Directors. He was born in Houston, Texas, to Indian immigrant parents. He has spent 22 years with MET as a teacher, guidance counselor, and administrator. He has delivered workshops about Islam and about combating Islamophobia to numerous colleges, schools, government agencies, and non-profits throughout the Portland metro area. Before joining MET, Jawad previously worked in the high-tech industry including Kavi Corporation, before starting his own startup, AI Graphics, along with his classmates from college. He has degrees in Business Administration and Economics from Portland State University and currently resides in Beaverton, Oregon.



Itzel Hernandez Spehar is an experienced program Director of Policy and Advocacy at Bienestar, with a demonstrated history of advancing equity and working in the non-profit and public schools administration industry. Skilled in Asset Building, Homeownership Support, Community Engagement, Policy Analysis, and Program Development. Strong community and social services professional with a Bachelor of Arts in Social Anthropology from Oregon State University and two years of Law School from Universidad Autónoma Benito Juárez in Mexico. Itzel is an experienced, bilingual, community advocate, and HUD-certified housing counselor, who previously worked with Hacienda CDC, Neighborhood Partnerships, and the Portland Housing Center.



Jahed Sukhun was born in Palestine, was raised in Kuwait and spent the last 40 years in the North West. Although my professional career was spent in the IT field, I am passionate about immigrant and refugee issues: food justice and security, equal and affordable housing as well as equal work opportunities. While I am not working, I enjoy cooking, traveling and learning about other cultures. Jahed was the Chief Operating Officer of the Muslim Education trust, and is now happily retired and volunteering in his spare time.



Karmen Chavez-Sam (she/her/hers) is a Community Development Manager at APANO Communities United Fund. Karmen is a second-generation Chinese American, born and raised in Southern California. She moved to Oregon in 2015 to study Environmental Science and Anthropology at Willamette University, where she helped organize her peers around environmental justice issues. Since joining APANO CUF's team in 2019, she has been working on housing and transportation issues and building relationships with AANHPI community members and other stakeholders in Washington County. In her free time, Karmen enjoys playing soccer, bouldering, creating art, getting outside, and hanging out with her friends, family, and dog.

## Roles, Responsibilities and Decision Making Process

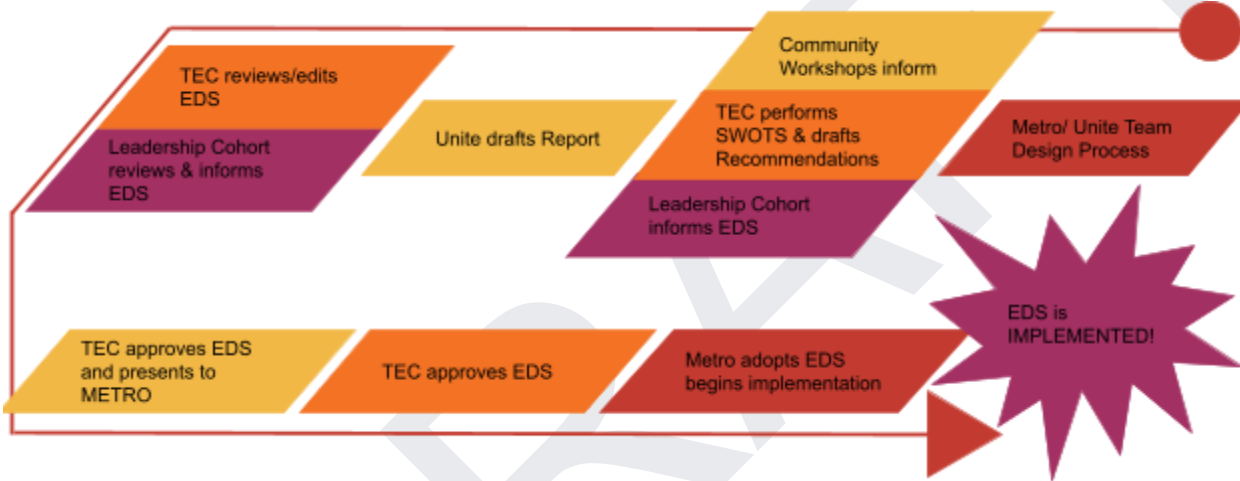
The charge of the committee is as follows:

- **Represent the community:** Provide information to and from constituents, and represent their perspectives, concerns, and priorities.
- **Partner with local government organizations** by inviting their participation in the TEC as a way to move forward the goals of the community.
- **Document opportunities and constraints:** Create common acknowledgment of regulatory, physical, and strategic issues for the project to address and/or improve, by conducting an analysis that examines strengths, weaknesses, opportunities, and threats to the landscape along the highway corridor (also known as SWOT analysis).

- **Advance the project through key decision points:** Follow decision-making protocols as established by the committee to make key decisions.
- **Recommend an equitable development strategy:** Compile and review the information gathered through the feedback given from the SWOT analysis. Include areas of improvement, potential partners and areas of funding future equitable development goals and objectives, and create a sustainable partnership with community members by preparing them for civic leadership and engagement. Leveraged partnerships with government agencies.
- **Recommend sustainable funding for coalition work:** Estimate funding needed for further planning and design efforts related to the strategic equitable development investments. Identify sources of funding for planning, implementation and sustainability.

*Further define Roles of Unite Oregon, Metro, TEC, Leadership Cohort, etc.*

#### Decision Making Process



| <b>Working Table: Data Sources, Notes, Links, etc</b> |                                                                                                                |
|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>Section</b>                                        | <b>Content/ Event Source</b>                                                                                   |
| Summary and Project Overview                          | <a href="#">Cheat Sheet</a>                                                                                    |
| Why we need a plan                                    | Leadership Cohort <a href="#">Meeting #1</a>                                                                   |
| Vision for change, Project Goals and Values           | Community Workshops #1: <a href="#">Vision Jamboard</a> and <a href="#">Notes Leadership Cohort Meeting #2</a> |
| Decision Making Process                               | December/ January internal Meetings (Add Dec 13 notes here)                                                    |
| Priority Areas                                        | Community Workshop #2 ( <a href="#">notes</a> , <a href="#">Jamboard</a> )                                     |

|                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                              | TEC Final Meeting<br>Leadership Cohort Meeting #6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Context and Data</b>                      | Data on leading racial inequities (may or may not want to use ACA given limitations) <ul style="list-style-type: none"> <li>• Independent research</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>SWOTs (CONSIDER MOVING TO APPENDICES)</b> | ½ summaries pulled from SWOTS <ul style="list-style-type: none"> <li>• SWOT #1: Affordable Housing - REF: <a href="#">TEC Meetings August 23, 2022 (Doc)</a>, <a href="#">LC Meeting #3</a></li> <li>• SWOT: <a href="#">Education (Doc)</a></li> <li>• SWOT: <a href="#">Healthcare (DOC)</a></li> <li>• SWOT: <a href="#">Transportation and Climate (Doc)</a> (Notes <a href="#">TEC #7</a>)</li> <li>• SWOT: Economic Prosperity - (1, 2) (<a href="#">Doc1</a>, <a href="#">Doc2</a>) - Notes TEC (<a href="#">#8</a>, <a href="#">#9</a>) - <a href="#">Notes LC</a></li> <li>• Integrate How climate affects transportation (Link <a href="#">LC January 17th Meeting notes here</a>)</li> </ul> |
| <b>Recommendations</b>                       | Pulled from Opportunities Discussions Meetings <ul style="list-style-type: none"> <li>• <a href="#">Affordable housing drafted recs</a></li> <li>• Education pull <a href="#">Oct meeting jamboard</a></li> <li>• <a href="#">Healthcare (DOC)</a></li> <li>• </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Strategic Actions</b>                     | Need to identify! (Recommendation for 2 day retreat in Spring)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Commitments and Accountability</b>        | We can integrate Mohanad's visual                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

[Link to Appendix B: Full SWOT Analysis](#)



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August 24, 2023

Dear Metro Councillors, JPACT Members, and Metro planning staff,

Thank you for the opportunity to comment on the draft 2023 Regional Transportation Plan. My name is Indi Namkoong; I am a resident of Southeast Portland, a renter, a cyclist, a TPAC community representative, and the Transportation Justice Coordinator for Verde. Verde is a community-based organization by and of Black, Indigenous, and other people of color rooted in the Cully neighborhood of Northeast Portland. Our mission is to serve environmental justice communities like ours by building environmental wealth through social enterprise, outreach, and advocacy. When it comes to transportation, this context leads us to pursue solutions that challenge the status quo to expand affordable and accessible options for clean and equitable transportation in our communities. These written comments will expand on my verbal comments at the July 17th Metro Council public hearing on the draft 2023 RTP.

We enthusiastically support the updates made to the policies in Chapter 3 and urge that they be passed as written in the public comment draft. I'd like to highlight the following policies particularly:

- *3.2.5, Pricing policies:* We greatly appreciate the work done to establish this pricing policy and lay out a framework for their effective use in our region. We believe these policies can ensure that pricing tools are used equitably to reduce carbon emissions, air pollution, and vehicle miles traveled rather than to generate revenue for new carbon-intensive infrastructure and capacity expansions.
- *3.2.6, Mobility policies:* Metro is right to be establishing new measures for mobility than the volume to capacity ratio that we've historically used. The v/c ratio is a hammer that makes every mobility issue look like a nail, leaving us few options to address deficiencies on thoroughways or arterials outside of increases to capacity or limits to growth and density. We cannot afford to restrict ourselves to these options any longer if we want to meet our climate, housing, equity, and economic goals as a region. The new mobility policies will help us track and respond to mobility challenges for all modes and all networks more holistically and effectively.
- *3.3.3.2, Regional motor vehicle network policies:* We appreciate Metro's work to capture the state CFEC rule changes and ensure they're implemented well for our region. We believe that the updates to the policies regarding safety treatments and arterial lanes in particular will ensure that we are using the best tools for the job when it comes to safety. Passage of these policies will promote a safe system without relying on unplanned and unaffordable capacity expansions where another response would be more durable or better advance our goals.

These policies will be necessary for this and future RTPs to make meaningful progress towards our regional goals. However, these policies on their own will not be sufficient to reach those



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goals without proper implementation.

Our region is in a traffic violence epidemic and a transportation funding crisis at the same time; this means we need to be more thoughtful and deliberate about our investments in safety, not less. A disproportionate number of people dying in traffic crashes are in neighborhoods like Cully where people experience multiple overlapping inequities in transportation, socioeconomic status, investment, and infrastructure. This is our constituency at Verde and the reason the top priority for the community members we spoke to in our RTP engagement was safety.

We are therefore concerned that while more than two-thirds of capital funding in this RTP goes to projects that have been identified by their sponsors as safety projects, Chapter 7's system analysis sounds the alarm that our streets in the Metro area are projected to continue to grow more deadly, particularly for pedestrians and people in equity focus areas. It is confusing to affirm that the majority of funding in the RTP will go towards projects that advance safety while also reporting that the project list as a whole will fail to do so. This leads us to conclude that Metro needs better analysis and oversight tools regarding project impacts on safety, particularly serious and fatal crashes, than what self-reported data from project sponsors has provided. We recommend the following revisions to the current draft of the 2023 RTP to address this concern:

- “Bundled” safety projects like the \$1.2 billion in Safety and Operations projects submitted by ODOT under two line items, RTP IDs 12095 & 12299, should be disaggregated so they can be assessed and held accountable to the goals and policies of this RTP. These items represent a massive investment for our region but it’s unclear from the information provided by ODOT what projects will be funded, how they’ll be prioritized, who will have a say, and whether these projects will effectively address our most urgent safety concerns regarding serious and fatal crashes. This information is essential to our ability as stakeholders to provide meaningful feedback on the RTP and to our ability as a region to turn a corner on the safety crisis on our streets.
- To the greatest extent practicable, the projects in this RTP should be analyzed & prioritized based on their compliance with the policies included in Chapter 3 and their ability to address our deepest shortfalls on climate, mobility, safety, and equity. Where projects or investments do not comply with current policy, a pathway to rectify this and bring projects into compliance should be clearly identified in the plan. If more resources or capacity are needed for Metro to accomplish this, Chapter 8 should clearly identify these needs and establish a process to meet them during this RTP’s implementation and before planning for the next RTP update begins.
- Chapter 8 should include a pathway to fund thorough, comprehensive, ongoing research and analysis regarding the implementation of the RTP and the effects of various policy changes, housed at Metro or in partnership with independent experts such as those at Portland State University. This work should not rely solely on the analysis and reporting of project sponsors. Metro will be trying some bold new things in the coming years; let’s



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ensure that our successes are documented, replicated, and celebrated, and that where further adjustments are needed, they're made promptly and effectively.

If we can follow through on these policies and goals, this RTP can make significant progress to close the gap between our vision and our reality when it comes to safety, equity, and mobility for all—and we must, because people's lives are falling through that gap as long as it remains open, and so is the faith of the communities who are losing a neighbor every week. If you have questions or would like to follow up, please don't hesitate to reach out; I'm happy to discuss any of these comments further and look forward to continued partnership in finalizing this RTP and beyond.

Warmly,

Indi Namkoong  
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August 21, 2023

*Submitted via email to:*

Lynn Peterson, President, and Metro Council  
Councilor Juan Carlos Gonzalez, Chair, and JPACT  
c/o Metro Planning  
Ally Holmqvist, Senior Transportation Planner  
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**RE: Comment on the Draft 2023 Regional Transportation Plan and High Capacity Transit Strategy: *Study of North Willamette Valley WES Extension from Portland Metro Region to Salem/Keizer Metro Area***

Dear President Peterson, Chair Gonzalez, and members of the Metro Council and JPACT:

The City of Wilsonville and our public-transit agency South Metro Area Regional Transit (SMART) appreciate the opportunity to provide comment on the Draft 2023 Regional Transportation Plan and High Capacity Transit Strategy.

**In particular, Wilsonville/SMART seek to raise the profile and priority of the draft RTP's High Capacity Transit Strategy in terms of the Westside Express Service (WES) Commuter Rail potential service extension.** Currently, the draft 2023 RTP lists potential WES extension as part of the inter-city transit system in the plan that is a distinct classification (or "layer") in the network map and therefore ***not*** part of the High Capacity Transit Strategy (based on the transit spectrum: inter-city rail, high capacity transit, frequent bus, regional bus and local bus).

The inter-city rail system includes other connection considerations such as Portland to Astoria, Portland to Newberg and Portland to Eugene. As far as priority within the inter-city network, the 2023 RTP does note: "When developing inter-regional rail service, this corridor alignment [WES extension] should take priority for improving passenger rail service between Eugene and Portland in the nearer-term future."

**We recommend that Metro classify the potential extension of WES *not as* "inter-city" rail system; rather, we recommend a special classification of "inter MPO TMA" or MPO TMA to MPO TMA.** That is, high-capacity transit that connects two Metropolitan Planning Organizations Transportation Management Areas. An MPO TMA encompasses an area larger than a city; rather an MPO is usually a collection of cities, especially in a smaller state like

Oregon. An MPO is a federally mandated body for any urban area over 50,000 in population that directs the flow of federal transportation funding to the Transportation Management Area.

The Joint Policy Advisory Committee on Transportation (JPACT) acts as the Policy Board for the Portland Metro MPO TMA that requires Metro Council concurrence. The Salem-Keizer Area Transportation Study (SKATS), operated by the Mid-Willamette Valley Council of Governments, is the designated MPO for the Salem-Keizer area.

**Our understanding is that WES was originally planned to connect the two MPO TMAs—Portland Metro and Salem/Keizer Metro—as opposed to connecting several cities within the Portland MPO TMA.** In this sense, the current operation of WES may be aptly classified as an “inter-city” transit system. And while the proposed extension of WES from Wilsonville to Salem could in microcosm appear as “inter-city” transit, the reality is that this extension would actually connect the Portland MPO TMA with the Salem/Keizer MPO TMA.

**By connecting only relatively close-by each other suburban cities within the Portland MPO TMA, some observers believe that WES was doomed to failure from the start in terms of meeting ridership targets.** No other commuter rail system in the United States connects two suburbs of a city; all other commuter rail systems connect suburbs to major cities’ downtowns; or in other words, connecting the location of where many workers live to where they are employed.

**Over the past decade, the economic reality is that Salem/Keizer and the North Willamette Valley has become a key component of the Portland metro area “laborshed”; that is, the Salem/Keizer/North Willamette Valley region provides a substantial portion of the Portland metro area workforce – which commutes to jobs in Portland from Salem/Keizer/North Willamette Valley.** During the past 10 years, nearly every major corporate headquarters has relocated from Salem to a city in the greater Portland metro area; the corporate employees, however, by and large still reside in Salem/Keizer area and commute to work in the Portland metro region via roads and especially I-5. Thus, we have seen the I-5 Boone Bridge bottleneck become an even greater impediment to mobility with greatly increased traffic congestion both northbound (from North Willamette Valley to Portland Metro) in the AM commute and southbound in the PM commute.

**By creating a new classification of “inter MPO TMA” high-capacity transit, Metro would be able to greatly raise the profile and importance of studying a potential extension of WES that connects Portland MPO TMA with Salem/Keizer MPO TMA.** This kind of designation could improve the ability of the region and state to leverage federal funds for the study and any improvements for new service that may be recommended.

**During the 2023 legislative session, the Oregon Legislative Assembly considered House Bill 2662, “Relating to a study on extending the Westside Express Service commuter line to Salem.”** With bi-partisan sponsorship by Representatives Courtney Neron (D-Wilsonville), Khanh Pham (D-Outer SE Portland), Kevin Mannix (R-Keizer) and Senator Aaron Woods (D-Wilsonville), HB 2662 unanimously passed out of the Joint Transportation Committee and was referred to the Joint Committee On Ways and Means.

**The amended version of HB 2662-A would create a multi-jurisdictional task force composed of state legislators, local governments, transit agencies and railroad interests to study extending the current rush-hour-only Westside Express Service (WES) commuter train from the current southern terminus in Wilsonville for 31 miles to Salem, with stops in Donald, Woodburn and Keizer.** The bill called for the Willamette Valley Commuter Rail Task Force to report back to the legislature in 2024 with study findings and recommendations. However, while the bill had no fiscal impact to the state or controversy, HB 2662-A died along with hundreds of other bills that both chambers were unable to consider timely during the session.

**HB 2662 enjoyed considerable support, including from:**

- The North Willamette Valley cities of Aurora, Donald, Hubbard, Keizer, Salem, Wilsonville and Woodburn.
- Portland & Western Railroad, operator of WES.
- Salem Mass Transit District (“Cherriots”), SMART (South Metro Area Regional Transit), Tri-Met, Woodburn Transit and Yamhill County Transit.
- American Planning Association (OPA) Oregon Chapter, Association of Oregon Rail and Transit Advocates (AORTA), Rail Passengers Association (RPA) and The Street Trust.
- Oregon state legislators, including Representatives Tracy Cramer (R-Woodburn), Jeff Helfrich (R-Hood River), Kevin Mannix (R-Keizer), Courtney Neron (D-Wilsonville), Senator Chris Gorsek (D-Gresham) and Aaron Woods (D-Wilsonville).

See attached documents and testimonies in support of HB 2662; see also <https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/HB2662>.

Former Northwest Portland legislator Representative Mitch Greenlick (now deceased) sponsored several WES extension study bills from 2013 to 2019 that Wilsonville and SMART supported: HB 2338 (2013), HB 2553 (2015) and HB 2219 (2019) all would have created a “Task Force on Extending the Westside Express Service Commuter Line to Salem.”

**During the June 2023 JPACT trip to Washington, D.C., representatives of the Offices of Congresswoman Salinas, whose district WES extension would serve, and Senators Wyden and Merkley all expressed interest in a study for the extension of WES high-capacity transit service from the Portland MPO TMA to the Salem/Keizer MPO TMA.**

Although the City of Wilsonville's South Metro Area Regional Transit (SMART) agency and Salem Area Mass Transit District share the Monday through Friday commuter "1X Express" bus route on I-5 between Wilsonville and Salem, as traffic congestion on the South Portland Metro and North Willamette Valley I-5 corridor continues to worsen, commuters could welcome a public-transit alternative unaffected by ever increasing highway traffic congestion.

**As ODOT undertakes the I-205 Toll Project and Regional Mobility Pricing Project (RMPP) for tolling all lanes of I-5 and I-205 in the Portland metro region from the I-5 Boone Bridge to the Interstate Bridge, issues of impacts to low-income populations of tolls to North Willamette Valley commuters will surface.** To-date, most of ODOT's RMPP outreach has been to Portland-area communities. The lack of sufficient alternative, public-transit commute options along I-5 from Salem/Keizer area to the Portland area makes a non-highway mobility option more attractive.

**Additionally, major new traffic-generators along I-5 south of Wilsonville are projected to increase traffic on the South Metro/North Willamette Valley portion of I-5.** For example, a new 3.6-million-square-foot Amazon warehouse in Woodburn—the largest in Oregon—under construction that opens in 2024 is to be served by hundreds of delivery trucks and with anticipated employment of over 1,500 workers. Additionally, over 800 new residential units are now under construction in Woodburn.

The proposed study of extending WES commuter-rail service would also engage local transit agencies in addition to TriMet to include SMART, Salem Area Mass Transit District, Woodburn Transit and Yamhill Transit that would provide bus connections to the WES rail stops in Wilsonville, Woodburn, Donald, Keizer and Salem. **The transit agencies would be charged to develop "last-mile" connections from WES station stops to each of the communities that they serve, providing a key connection link to high-capacity WES transit.** Both Salem Area Mass Transit and SMART would be in a position to redeploy bus assets from the 1X I-5 Salem-Wilsonville run to providing higher-quality last-mile connections from WES to residential home or employment destinations.

**Utilizing the old Oregon Electric Line right-of-way now licensed by Portland and Western Railroad provides the opportunity for a reliable transit-commute solution independent of I-5 highway traffic conditions.** Extension of WES would provide a reliable car-free commute option for the North Willamette Valley/South Metro I-5 Corridor that also provides more highway capacity for trucks and the timely movement of freight.

Even before WES began operating, regional planners and mid-Willamette Valley public officials talked about possible expansion of the proposed WES line. An April 2010 study by the Oregon Department of Transportation's Rail Division estimated that it would cost between \$327 million and \$387 million (in 2008 dollars) to extend commuter rail service to Salem, and an estimated \$5–\$7 million each year to operate the expanded rail line between Wilsonville and Salem, according to the ODOT report. Most of the construction costs for possible expansion included in the ODOT report involved improving existing tracks and bridges between Wilsonville and Salem, and building stations in Woodburn, Keizer and Salem.

The route north of Salem would follow the tracks of the old Oregon Electric Railway, which began operating more than 100 years ago and included 122 miles of track across the northern part of the state, from Gresham to Forest Grove, and from Portland to Eugene. Between 1908 and May 1933, Oregon Electric trains carried passengers up and down the Willamette Valley every day. Sections of TriMet's MAX Blue Line follow Oregon Electric rights of way.

Today, many of the Oregon Electric routes are used by freight trains. Amtrak's Empire Builder, Coast Starlight and Cascades trains run on some of the track from California to the Canadian border. Amtrak is working with state rail planners on possible expansion of its daily rail service through the Willamette Valley.

**The Mid-Willamette Valley Council of Governments—a voluntary association of over 40 local governments that include Marion, Polk, and Yamhill counties, 32 cities, 7 special districts, and the Confederated Tribes of the Grand Ronde—is now planning to launch in September 2023 the Willamette Valley Commuter Rail WES Extension Work Group to advance the principles outlined in HB 2662.** Participants are to include all of the active supporters of HB 2662, and will include invitations to Metro and TriMet.

In totality, connecting the Portland Metro MPO TMA and Salem/Keizer MPO TMA with high-capacity WES commuter-rail transit service would provide Portland and North Willamette Valley commuters, seniors and others with a valuable public transportation mobility option while reducing vehicle miles traveled and consequent greenhouse gas emissions.

Thank you for your time and consideration of these comments.

Sincerely,



Julie Fitzgerald, Mayor  
City of Wilsonville, operator of South Metro Area Regional Transit (SMART)

cc: Clackamas County Coordinating Committee  
Washington County Coordinating Committee  
Mid-Willamette Valley Council of Governments  
Representative Courtney Neron  
Representative Kevin Mannix  
Senator Aaron Woods

Enc: *One-Pager Summary* — Support HB 2662-A – Task Force to Study Connecting Portland Metro-Area WES Commuter Train to Salem/Keizer Metro, Extending from Wilsonville to Salem

*Background Information* — HB 2662 (2023 Regular Legislative Session): ODOT Public Transportation Division Study of TriMet's WES Commuter Train North Willamette Valley Extension from Wilsonville to Salem, with Stops in Donald, Woodburn and Keizer

*Testimonies regarding HB 2662:*

- *Cities of* Aurora, Donald, Hubbard, Keizer, Salem, Wilsonville and Woodburn
- *Transit agencies:* Salem Mass Transit District ("Cherriots"), SMART (South Metro Area Regional Transit) and Tri-Met
- *Organizations:* American Planning Association Oregon Chapter (OAPA), Association of Oregon Rail and Transit Advocates (AORTA), Rail Passengers Association (RPA) and The Street Trust
- *Oregon state legislators:* Representative Courtney Neron (D-Wilsonville); Representatives Tracy Cramer (R-Woodburn), Jeff Helfrich (R-Hood River), Kevin Mannix (R-Keizer), Courtney Neron (D-Wilsonville), Senator Chris Gorsek (D-Gresham) and Senator Aaron Woods (D-Wilsonville)

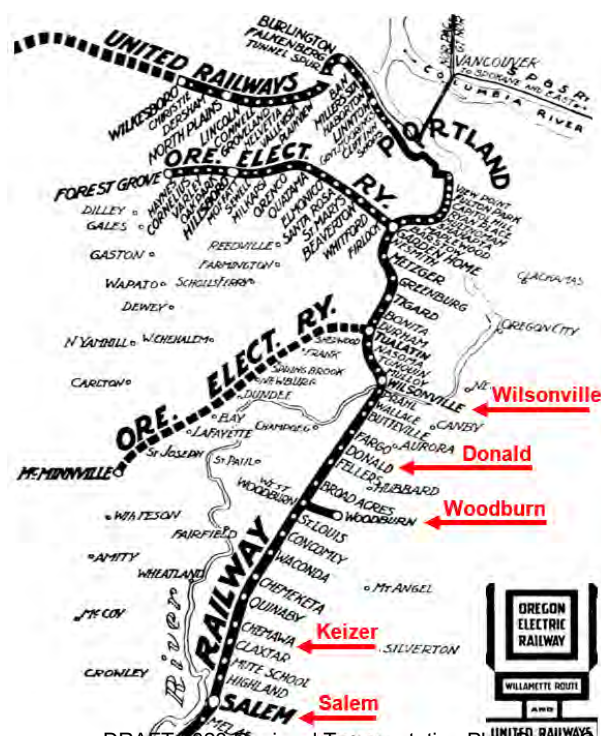
*Legislative documents* — HB 2662A-Engrossed (2023 Regular Session); HB 2662 A Staff Measure Summary (SMS); Fiscal Impact of Proposed Legislation

# Support HB 2662-A – Task Force to Study Connecting Portland Metro-Area WES Commuter Train to Salem/Keizer Metro, Extending from Wilsonville to Salem

Appendix C: Letter Public Comments

Passed unanimously by the Joint Transportation Committee on May 18, 2023, HB 2662-A is a bipartisan bill to create a multi-jurisdictional task force composed of state legislators, local governments, transit agencies and railroad interests to study extending the current rush-hour-only Westside Express Service (WES) commuter train from the current southern terminus in Wilsonville for 31 miles to Salem, with stops in Donald, Woodburn and Keizer. The bill calls for the Willamette Valley Commuter Rail Task Force to report back to the legislature in 2024 with study findings and recommendations.

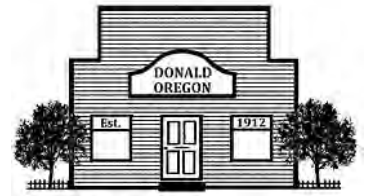
- **Increasing population** of Portland metro and North Willamette Valley region needs mobility options, especially for commuters and seniors, many who require transportation for jobs and medical appointments.
- **I-5 traffic congestion continues to worsen** and prospective ODOT tolling of I-205 and I-5 in Portland metro area requires a reliable public-transit alternative unaffected by highway traffic congestion.
- **Additional Federal Transit Administration (FTA) support** for high-capacity WES commuter rail service connecting METRO and SKATS—two federally-designated Metropolitan Planning Organizations (MPOs) Transportation Management Areas (TMAs)—that can increase ridership.
- **Transit commuting and shopping option supports economic-development efforts** of North Willamette Valley communities.
- **Use of former Oregon Electric Railway line**, now owned by Portland & Western Railroad which supports the WES extension study, that operated 1908 – 1933.



Western Railroad which supports the WES extension study, that operated 1908 – 1933.

- **HB 2662-A is supported** by the Cities of Aurora, Donald, Hubbard, Keizer, Salem, Wilsonville and Woodburn; Salem Mass Transit (“Cherriots”), SMART (South Metro Area Regional Transit) and Yamhill County Transit; and P & W Railroad.

**FOR MORE INFO, CONTACT:**  
 Greg Leo at 503-804-6391  
[gleg@theleocompany.com](mailto:gleg@theleocompany.com)



## **HB 2662 (2023 Regular Legislative Session)**

### **ODOT Public Transportation Division Study of TriMet's WES Commuter Train North Willamette Valley Extension from Wilsonville to Salem, with Stops in Donald, Woodburn and Keizer**

#### **ISSUE:**

Although the City of Wilsonville's South Metro Area Regional Transit (SMART) agency and Salem Area Mass Transit District share the Monday through Friday commuter "1X Express" bus route on I-5 between Wilsonville and Salem, as traffic congestion on the South Portland Metro and North Willamette Valley I-5 corridor continues to worsen, commuters could welcome a public-transit alternative unaffected by ever increasing highway traffic congestion.

Additionally, as ODOT undertakes the I-205 Toll Project and Regional Mobility Pricing Project (RMPP) for tolling all of I-5 and I-205 in the Portland metro region, issues of impacts to low-income populations of tolls to North Willamette Valley commuters will surface; to-date, most of ODOT's outreach has been to Portland-area communities. The lack of sufficient alternative, public-transit commute options along I-5 from Salem/Keizer area to the Portland area makes a non-highway mobility option more attractive.

**To date, the City Councils of Aurora, Donald, Hubbard, Keizer, Salem, Wilsonville and Woodburn and the Salem-Keizer Mass Transit District board have voted in support of the ODOT study of extending WES as a high-capacity transit option.** Major new traffic-generators along I-5 south of Wilsonville that projected to increase traffic on the South Metro/North Willamette Valley portion of I-5 are now underway:

- a new 3.6-million-square-foot Amazon warehouse in Woodburn under construction that is to be served by hundreds of delivery trucks and with anticipated employment of approximately 1,500 workers set to open in 2023;
- a new 180,000-square-foot Siletz Tribe Casino/Hotel entertainment complex is planned in North Salem/Keizer area with 1,473 direct jobs at the casino-hotel complex, where a vast majority of patrons are anticipated to come from the Portland metro region traveling I-5, resulting in over 7,800 new weekday trips.

#### **FOR MORE INFO, CONTACT: City of Wilsonville / South Metro Area Regional Transit (SMART)**

- Mark Ottenad, Public/  
Government Affairs Director  
503-570-1505;  
[ottenad@ci.wilsonville.or.us](mailto:ottenad@ci.wilsonville.or.us)
- Greg Leo, Public Affairs  
Consultant, The Leo Co.  
503-804-6391;  
[greg@theleocompany.com](mailto:greg@theleocompany.com)

Long-term population projections indicate that the Portland Metro / North Willamette Valley region will continue to be one of Oregon's fastest-growing areas.

The old Oregon Electric Railway, a 122-mile passenger rail line between Portland and Eugene, was an interurban railroad that operated from 1908 to 1933. The rail line passes through Wilsonville and has a dedicated right-of-way that is not affected by traffic congestion on the highway or local roads, allowing the provision of reliable public-transit service no matter the roadway traffic conditions.

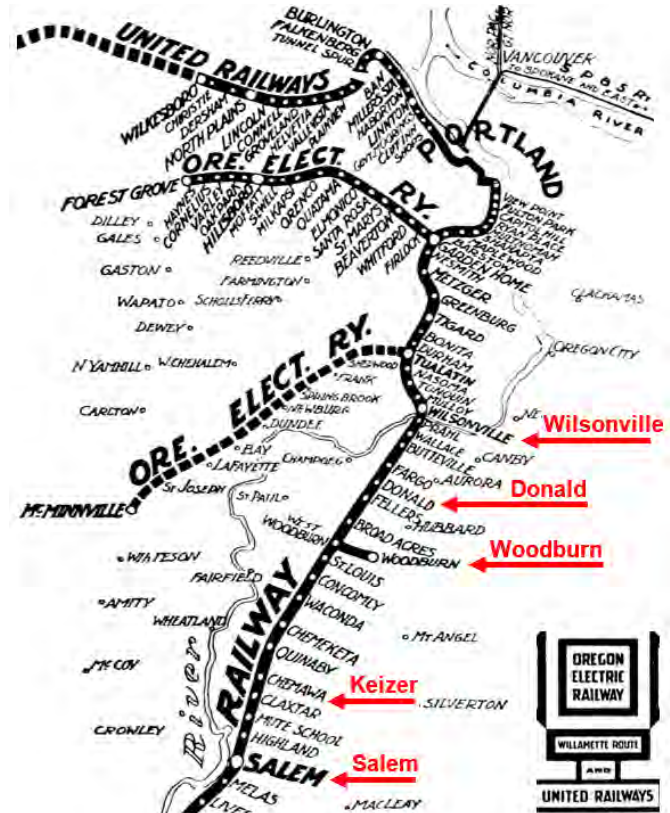


TriMet's Westside Express Service (WES) commuter train began

service in 2009, with stops along the 14.7-mile run at the transit centers of Beaverton, Tigard, Tualatin and Wilsonville. WES runs Monday through Friday during the morning and evening commute "rush hours." WES operates on a portion of the old Oregon Electric Railway now owned by Portland and Western Railroad.

### The Legislative Concept

House Bill 2662, co-sponsored by Representative Courtney Neron (HD 26) and Senator Aaron Woods (SD 13), was pre-session filed for the 2023 regular legislative session. The bill directs the Oregon Department of Transportation (ODOT) Public Transportation Division, Rail Operations & Statewide Multimodal Network Unit — in conjunction with WES sponsor TriMet and WES train operator Portland &



Western Railroad — to study and document the various costs, benefits and operational issues of extending the current rush-hour-only Westside Express Service (WES) commuter train from the current southern terminus in Wilsonville to Salem, with potential stops in Donald, Woodburn and Keizer. The bill calls for ODOT to report back to the legislature in 2024 with study findings and recommendations.

Similar legislation was proposed unsuccessfully over multiple legislative sessions by the late Rep. Mitch Greenlick of Portland:

- [HB 2338 \(2013\)](#), [HB 2553 \(2015\)](#), and [HB 2219 \(2019\)](#): Creates Task Force on Extending the Westside Express Service Commuter Line to Salem

Each of these bills would have created large task forces composed of legislators, community leaders along the route and transit/transportation agency representatives. When provided the opportunity, the City of Wilsonville presented testimony in support of the proposed legislation.

A 2010 limited study by ODOT of extending WES from Wilsonville to Salem was conducted that reviewed preliminary issues, but did not engage local city governments and transit agencies.

Rather than set-up a large task force that involves considerable effort on behalf of many parties as prior legislative efforts attempted, the proposed legislation sponsors a technical study led by ODOT Public Transportation Division in conjunction with WES sponsor TriMet and WES operator Portland & Western Railroad. The technical study would review the specific operational and locational issues for extending and operating WES on the old Oregon Electric Railway to provide inter-city passenger-rail service for commuters of the North Willamette Valley and South Metro Region using the existing WES trains and Oregon Electric Line/Portland & Western railroad tracks.

**Consultants hired by ODOT would be directed to engage with the City Managers' Offices** of cities to be potentially served by the WES service extension—including Wilsonville, Donald, Woodburn, Keizer and Salem—in order to better understand local-access and other related issues.

**The study would also engage local transit agencies** in addition to TriMet to include SMART, Salem-Keizer Mass Transit District and Woodburn Transit that would provide bus connections to the WES rail stops in Wilsonville, Woodburn, Donald, Keizer and Salem. The transit agencies would be charged to develop “last-mile” connections from WES station stops to each of the communities that they serve.

The legislation calls for ODOT to present the results of the WES North Willamette Valley Extension from Wilsonville to Salem Study to the legislature during September 2024 legislative days prior to the 2025 legislative session. Depending on the results of the study, the legislature may wish at that time to convene a larger task force composed of multiple interests to further advance potential WES extension planning efforts. In order to fund the study, a general fund or other appropriation is required, with a recommended allocation of \$500,000.

## **Background Information**

The 2018 Portland Metro Regional Transportation Plan (RTP) recommends extending WES commuter-rail service from the Portland metro region—including Beaverton, Tigard, Tualatin and Wilsonville—to Salem/Keizer with a stop in Woodburn. Original WES plans called for the high-capacity WES train to connect the federally-designated Portland Metropolitan Planning Organization (MPO) area with the Salem MPO in order to provide greater ridership potential and access to additional Federal Transit Administration (FTA) funding for mass transit that connects the transportation management areas of the MPOs.

Utilizing the old Oregon Electric Line right-of-way now licensed by Portland and Western Railroad provides the opportunity for a reliable transit-commute solution independent of I-5 highway traffic conditions. Extension of WES would provide a reliable car-free commute option for the North Willamette Valley/South Metro I-5 Corridor that also provides more highway capacity for trucks and the timely movement of freight.

Through a \$10 million grant under Federal Railroad Administration's (FRA) High Speed Intercity Passenger Rail Program, ODOT Public Transportation Division conducted a nine-year-long rail feasibility study between Portland and Eugene for Amtrak train use. In 2021 FRA selected Alternative 1 for the Oregon Passenger Rail alignment that follows the existing Amtrak Cascades passenger rail route and can accommodate increased passenger rail services by improving track, signal and communication infrastructure.

The ODOT *Oregon Rail Plan* of 2020 notes issues with WES, but does not provide any detailed study or recommendations. As noted above, ODOT conducted a limited study in 2010 of extending WES that reviewed preliminary issues, but did not engage local city governments and transit agencies.

Submitter: Stuart Rodgers  
On Behalf Of: Mayor Brian Asher  
Committee: Joint Committee On Transportation  
Measure: HB2662

February 21, 2023

Joint Transportation Committee  
Oregon State Legislature  
900 Court St. NE, Room 453

RE: Aurora City Council Votes in Favor of WES Extension Study (HB 2662)

Attention: Co-Chairs Gorsek and McLain and Committee Members,

This is to notify the Co-Chairs of the Joint Transportation Committee of a Majority Aurora City Council support (3-1) for House Bill 2662 to study the viability of the extension of the Westside Express Service as a long-term solution and alternative to increasing traffic on the I-5 corridor. Also, given increasing pressure on State Highway 99E, Ehlen Road, and other arterial roads, providing access to and through Aurora and the North Marion County region, the City of Aurora determines it of importance to support a study of mass transit options.

Please accept this letter among others committed to investing in the future of our transportation and transit infrastructure.

Thank you,  
Mayor Brian Asher

City of Aurora  
21420 Main Street  
Aurora, OR 97002

Office: 503-678-1283

Submitter: Eric Underwood  
On Behalf Of: Mayor Rick Olmsted and Donald City Council  
Committee: Joint Committee On Transportation  
Measure: HB2662

RE: Support of WES to Salem Extension Study Bill

On behalf of the Donald City Council, I would like to convey full support of HB 2662 which would commission study relating to the feasibility of extending the Westside Express Service commuter line to Salem. Donald joins the other communities on this proposed line expansion in wanting to study the need and usefulness of this service. We see many benefits of an extension of Westside Express Service, not to mention greater mobility options for the Donald community.

The City of Donald requests that the Joint Committee on Transportation move HB 2662 forward with a “do pass” recommendation.

Sincerely,  
Eric Underwood, MPA  
City Manager  
City of Donald  
Office: 503-678-5543

# CITY OF HUBBARD

3720 2nd Street • P.O. Box 380      Hubbard, Oregon 97032

503-981-9633 Fax: 503-981-8743  
[www.cityofhubbard.org](http://www.cityofhubbard.org)



February 21, 2023

Hubbard City Council  
Mayor Charles Rostocil

Attention Co-Chairs of the Joint Committee on Transportation

Regarding: HB 2662

The City Council of Hubbard has voted to support HB 2662, a study on the feasibility of expanding the WES service from Wilsonville to Salem. The support for this effort can be linked to the following goals the Hubbard City Council would like to address:

- Help relieve the congestion on the I5 corridor between 217 and past Woodburn during peak commuting hours.
- Help relieve the congestion along the 551 cutoff and 99E during peak commuting hours. Congestion along 99E in Canby, Aurora, Hubbard, and Woodburn has become extremely congested.
- Provide alternative transportation options for those unable to afford future tolling along I5.
- Provide alternative transportation options for individuals and families that cannot afford private transportation.
- Help expand mass transit to a rural community.

The desire of the Hubbard City Council would be to have HB 2662 define a plan to expand mass transit to the rural communities via WES (and a yet-to-be-defined last mile connection to Canby, Aurora, and Hubbard), and tax impacts to our rural communities (the cost for this effort).

Kind Regards

**Charles Rostocil**  
Mayor of Hubbard  
[Charles.Rostocil@gmail.com](mailto:Charles.Rostocil@gmail.com)  
503.951.3448



# City of Keizer

Phone: (503) 390-3700 • Fax: (503) 393-9437  
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

Mayor Cathy Clark

Councilor Laura Reid

Council President Shaney Starr

Councilor Kyle Juran

Councilor Soraida Cross

Councilor Robert Husseman

Councilor Dan Kohler

February 7, 2023

Joint Committee on Transportation  
Oregon State Legislature  
900 Court St. NE, Room 453

Dear Co-Chairs Gorsek and McLain and Fellow Committee Members,

At its regularly scheduled meeting on February 6, 2023 the Keizer City Council received testimony and unanimously voted to support HB 2662 which would commission a study about the feasibility of extending the Westside Express Service commuter line to Salem. Keizer joins the other communities on this proposed line expansion in wanting to study the practicality of this service extension.

We believe this study is congruent with Oregon's values by investing in mass transit. Our hope is that this service expansion would provide Oregonians with additional choices for living and how more choices on how to get themselves to their places of employment and recreational opportunities. This service has the potential to impact housing choice, transportation congestion, and green house emission goals.

Keizer is well positioned to receive this service with the commuter line already available at Cherriots regional bus transfer station on the north side of the Salem Keizer metropolitan statistical area. The City of Keizer requests that the Committee pass HB 2662 with a do pass recommendation.

Sincerely,

Mayor Cathy Clark

CC: Sen. Brian Boquist, Rep. Shelly Boshart Davis, Sen. Lyn Findley, Sen. Lew Frederick, Sen. Aaron Woods, Rep Paul Evans, Rep. Jeffrey Helfrich, Rep. Kevin Mannix, Rep. Nancy Nathanson, Rep. Khanh Pham, Sen. Kim Thatcher, Rep. Courtney Neron, Sen. Aaron Woods



**Testimony by City of Wilsonville Mayor Julie Fitzgerald Supporting HB 2662:**

***Legislation Provides Opportunity to Improve I-5 Commuting Between Portland Metro Area–North Willamette Valley With Reliable High-Capacity Transit Option***

Scheduled for public hearing on Feb. 21, 2023, before  
the Joint Committee On Transportation

Co-Chairs Gorsek and McLain, Vice-Chairs Boquist and Boshart Davis, and Members of the Committee:

I am testifying in strong support of HB 2662, which sponsors an ODOT study of extending TriMet’s WES commuter train from Wilsonville to Salem, with stops in Donald, Woodburn and Keizer — growing communities aspiring to improve transportation options.

The City of Wilsonville operates the South Metro Area Regional Transit (SMART) agency, which collaborates with the Salem Area Mass Transit District to share the Monday through Friday commuter “1X Express” bus route on I-5 between Wilsonville and Salem. SMART buses also meet each WES train to provide the last-mile connection to employers.

**As traffic congestion on the South Portland Metro and North Willamette Valley I-5 corridor continues to worsen**, commuters, shoppers and those with medical appointments would welcome a public-transit alternative unaffected by ever increasing highway traffic congestion. **As a commuter train, WES is unimpeded by highway traffic congestion**, offering the potential for a reliable transportation option that connects to major metro areas.

As ODOT undertakes the I-205 Toll Project and Regional Mobility Pricing Project (RMPP) for tolling all of I-5 and I-205 in the Portland metro region, equity issues of impacts to low-income populations of tolls to North Willamette Valley commuters are of concern. **The lack of sufficient reliable, public-transit commute options along I-5 from Salem/Keizer to Portland area makes a non-highway mobility option more attractive.**

The City understands that both the WES study and potential extension provide the state an opportunity to leverage federal transit funds for commuter service connecting Portland METRO and Salem-Keizer SKATS—two Metropolitan Planning Organizations (MPOs) Transportation Management Areas (TMAs)—and that can increase WES ridership.

The City appreciates your consideration and urges a Do-Pass vote on HB 2662. Thank you.

Sincerely,

Julie Fitzgerald, Mayor  
City of Wilsonville



May 9, 2023

Senator Lew Frederick, Co-Chair  
Representative Susan McLain, Co-Chair  
Joint Committee on Transportation  
Oregon Legislative Assembly

*Sen.LewFrederick@oregonlegislature.gov*  
*Rep.SusanMcLain@oregonlegislature.gov*  
*patrick.h.brennan@oregonlegislature.gov*

**RE: May 11 Work Session on HB 2662-4 — Volunteer task force to study extension of Westside Express Service (WES) high-capacity commuter transit train from Portland Metro Region to Salem/Keizer Metro Area**

Co-Chairs Frederick and McLain and Members of the Committee:

I am writing to respectfully request that the Joint Committee on Transportation advance HB 2662-4 to the floor of each chamber for vote.

The -4 amended bill creates a volunteer, multi-jurisdictional task force composed of state legislators, local governments, transit agencies and railroad interests to study extending the current rush-hour-only Portland metro Westside Express Service (WES) commuter train from the current southern terminus in Wilsonville for 31 miles in the North Willamette Valley to Salem, with stops in Donald, Woodburn and Keizer.

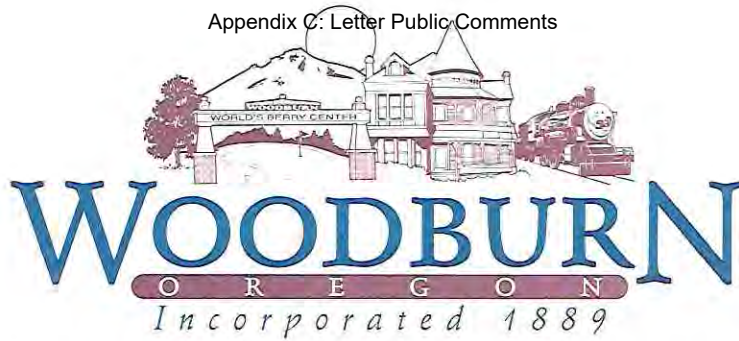
The increasing population of the Portland metro and North Willamette Valley region requires mobility options, especially for commuters and seniors, many of whom require transportation for jobs and medical appointments. Intensifying traffic congestion on I-5 and prospective ODOT tolling of I-205 and I-5 in the Portland metro area demands a reliable public-transit alternative unaffected by highway congestion. Federal Transit Administration (FTA) support for high-capacity WES commuter rail service connecting METRO and SKATS—two Metropolitan Planning Organizations (MPOs) Transportation Management Areas (TMAs)—can greatly increase ridership.

**HB 2662-4 is supported by the Cities of Aurora, Donald, Hubbard, Keizer, Salem, Wilsonville and Woodburn; Salem Mass Transit (“Cherriots”), SMART (South Metro Area Regional Transit) and Yamhill County Transit. The City appreciates your consideration and urges a Do-Pass vote on HB 2662-4. Thank you.**

Sincerely,

A handwritten signature in blue ink that reads "Julie Fitzgerald".

Julie Fitzgerald, Mayor  
City of Wilsonville, operator of South Metro Area Regional Transit (SMART)



February 21, 2023

Joint Committee on Transportation  
Oregon State Legislature  
900 Court St. NE, Salem, OR 97301

**RE: Letter in Support of HB 2662 in 2023 State Legislative Session:  
ODOT Study of Extending WES Commuter Train from Wilsonville to Salem**

Dear Co-Chairs Gorsek and McLain and Committee Members:

The Woodburn City Council supports Representative Courtney Neron and Senator Aaron Woods to pre-session file HB 2662. This proposed legislation would fund an Oregon Department of Transportation (ODOT) Public Transportation Division study of extending TriMet's Westside Express Service (WES) commuter train into the North Willamette Valley from Wilsonville to Salem, with stops in Donald, Woodburn, and Keizer.

The old Oregon Electric Railway, a 122-mile state-operated rail line between Portland and Eugene that passes through Salem, has a dedicated right-of-way that is not affected by traffic congestion on I-5 or other roads, thereby allowing the provision of reliable public- transit service no matter the roadway traffic conditions. WES operates on a portion of the old Oregon Electric Railway now owned by Portland and Western Railroad.

A significant portion of Salem-area residents commute to the Portland metro area, and vice-versa. As a city located mid-way between Salem and Portland located on I-5, Woodburn is well versed in workforce issues with some 80% of our residents commuting to work on I-5.

With both increasing population and traffic congestion, along with potential tolling of I-5 and I-205 in the Portland metro region, our commuting residents and their employers could benefit from a study regarding the costs and benefits of providing a public transit option for commuting between the Salem metropolitan area and the greater Portland metro area.

Sincerely,

A handwritten signature in blue ink that reads "Frank J. Lonergan".

Frank Lonergan, Mayor  
City of Woodburn

Office of the Mayor

270 Montgomery Street • Woodburn, Oregon 97071

DRAFT 2023 Regional Transportation Plan Public Comments July 10 - August 25, 2023

C - 180

February 21, 2023

Joint Committee on Transportation  
Oregon State Legislature  
900 Court St. NE, Room 453

### **Cherriots Urges Support for HB 2662**

Dear Co-Chairs Gorsek and McLain and Fellow Committee Members:

Salem Area Mass Transit District, locally known as Cherriots, provides fixed route transit and paratransit services within the Salem-Keizer urban growth boundary. In addition, the District operates commuter services to Wilsonville and provides Cherriots Regional service to rural communities in Marion and Polk counties like Stayton & Dallas. SAMTD co-operates the 1X Wilsonville/Salem Express, which is utilized by commuters between the Portland-metro area and Oregon's capital city.

At its January 26, 2023, meeting the Salem Area Mass Transit District voted unanimously to support HB 2662, which would commission a feasibility study for extending the Westside Express Service commuter line to Salem.

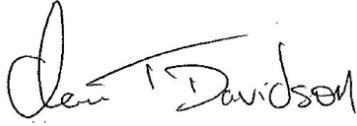
We believe that as traffic congestion on the South Portland Metro and North Willamette Valley I-5 corridor continues to worsen, commuters would benefit from a public transit option unaffected by ever increasing highway traffic congestion.

In 2013, the District opened the Keizer Transit Center adjacent to the Portland and Western rail line in the City of Keizer as part of the greater Keizer Station shopping complex. The District chose this location with the intent that this transit center could be modified and a rail platform built allowing an ideal commuter rail stop in Keizer. The District would then provide feeder service to and from the transit center serving the commuter rail line in order to provide first mile/last mile connector service. The District is also committed to providing first mile/last mile connector service at the Salem rail station.

The Salem Area Mass Transit District Board of Directors requests that the Committee pass HB 2662 with a "do pass" recommendation.

If there is additional information you need, please do not hesitate to contact the District's General Manager Allan Pollock. He can be contacted at (503) 361-2550 or [allan.pollock@cherriots.org](mailto:allan.pollock@cherriots.org).

Sincerely,

A handwritten signature in black ink that reads "Ian Davidson". The signature is written in a cursive style with a large, stylized "I" and "D".

Ian Davidson  
President, Board of Directors



**Testimony by SMART Director Dwight Brashear Supporting HB 2662:**

***Outcomes of Proposed Legislation Could Allow SMART and Other Transit Agencies to Increase Local Area Coverage and Improve 'Last-Mile' Connections***

Scheduled for public hearing on Feb. 21, 2023, before  
the Joint Committee On Transportation

Co-Chairs Gorsek and McLain, Vice-Chairs Boquist and Boshart Davis, and Members of the Committee:

As the administrator of the Portland metro-area's other Federal Transit Administration (FTA)-designated Urban Area Transit Operator, I am testifying in strong support of HB 2662.

South Metro Area Regional Transit (SMART) is an agency of the City of Wilsonville, and was formed over 30 years ago in order to provide increased transit service for business employers' commuting employees, as well as to provide a mobility option for seniors, youth and low-income populations. Additionally, public transit helps to remove single-occupancy vehicles from our highways, thereby providing more roadway capacity for the timely movement of freight essential to our economy.

SMART collaborates with the Salem Area Mass Transit District to share the Monday through Friday commuter "1X Express" bus route on I-5 between Wilsonville and Salem. SMART buses also meet each TriMet WES train to provide the 'last-mile' connection to employers, as well as connections to Salem and Canby.

If WES continued onto Salem, SMART and other transit agencies would be in a position to redeploy assets to provide more local-area service, as well as improved 'last-mile' connections between train stops and major local destinations.

Investing to improve public transit is a smart economic-development strategy recognized by local governments. A study by the American Public Transportation Association found that every \$1 invested in transit generates \$5 in economic return.

SMART appreciates your consideration of this testimony and urges a Do-Pass vote on HB 2662. Thank you.

Sincerely,

Dwight Brashear, SMART Director



February 21, 2023

Representative Susan McLain and Senator Chris Gorsek  
Joint Committee on Transportation  
Oregon State Legislature  
900 Court St. NE  
Salem, OR 97301

**Re: HB 2662**

Co-Chair McLain, Co-Chair Gorsek and Members of the Committee:

TriMet is Oregon's largest transit provider, serving more than 1.6 million people across our 533-square mile service territory. Our service includes 80 bus lines, 1 Frequent Express bus rapid transit line, 5 MAX light rail lines, our LIFT paratransit service, and the WES commuter rail line. TriMet is neutral on HB 2662, but we have several clarifications and requests that we would like to put on the record.

Under TriMet's charter, we cannot operate transit service outside of our service territory, and while we do operate WES, heavy passenger rail is not one of our core competencies as a transit agency. We recommend creating a state-chartered public corporation or some form of rail authority to extend and operate the WES line between Wilsonville and Salem, as TriMet is not the appropriate entity to oversee that project or operate that service.

House Bill 2662 calls for ODOT, in collaboration with TriMet, to study issues related to extending WES including increasing the frequency and hours of service. We currently only run WES on weekdays during the morning and afternoon rush hours, with trains every 45 minutes. Part of the reason for those limited service hours is that we lease the tracks that WES uses from Portland Western Railroad. Under the terms of our lease agreement, we are only allowed to run WES on their tracks during those windows of time on weekdays.

The frequency of WES service is also limited because WES ridership is low and the operations and maintenance costs for heavy commuter rail are high. TriMet has some concerns about the opportunity cost of being directed to increase WES service as a component of extending the service to Salem. Our plans for our limited funds include expanding our bus service with a focus on low-income, high ridership areas, continuing our transition to a zero-emission bus fleet, and a new bus rapid transit line on 82nd Avenue. We want to make sure that pressure to increase TriMet's investment in WES would not result in less funding for these other priorities.

If the state does move forward with extending WES to Salem, TriMet would support having the rail authority or other entity that operates the extension take over the operation of the existing WES line from Beaverton to Wilsonville as well. We believe that WES service would run more smoothly if the entire line is operated by a single entity. Relatedly, since TriMet currently operates WES under a 50-year lease agreement with Portland Western Railroad, we think that exploring the mechanics of transferring that lease to a rail authority or other entity is an important part of study proposed by HB 2662. TriMet supports expanding the high-capacity transportation options available to Oregonians, and we would be happy to consult with ODOT on study that incorporates these considerations.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Miles Pengilly', is positioned below the word 'Sincerely,'.

Miles Pengilly  
State Government Affairs Manager  
TriMet



American Planning Association  
**Oregon Chapter**

*Creating Great Communities for All*

February 21, 2023

Joint Committee On Transportation

Senator Chris Gorsek, Co-Chair

Representative Susan McLain, Co-Chair

Senator Brian Boquist, Co-Vice-Chair

Representative Shelly Boshart Davis, Co-Vice-Chair

RE: Testimony from the Oregon Chapter of the American Planning Association (OAPA) in Support of House Bill 2662

Dear Co Chair Gorsek and McLain, Vice-Chairs Boquist and Davis, and Members of the Committee:

The Oregon Chapter of the American Planning Association (OAPA) appreciates the opportunity to provide comments in support of HB 2662 related to extending the Westside Express Service commuter line to Salem.

OAPA is a nonprofit professional membership organization of over 800 planners and those who work with planning in formulating and implementing development and conservation policies at the state and local level. OAPA works to create sustainable and vibrant Oregon communities through professional development, advocacy for sound planning, providing resources to meet the challenges of growth and change, and embracing and promoting diversity, inclusion and equity.

Our support of HB 2662 stems from the OAPA priority policy that “Oregon Needs To Act Now To Confront Climate Change”. We know that climate change impacts every Oregonian. Oregon is experiencing rising temperatures and extreme heat; drought; extreme precipitation and flooding; wildfires; rising sea levels; vegetation changes; ocean acidification; and slope stability. All over the state these events are impacting homes and businesses; economies; public infrastructure; and public health.

“The rail network, for both passengers and freight, produces lower GHG emissions than roadway and air transportation, which means that shifting trips from road and air to rail in markets where it makes sense can reduce overall transportation emissions” (Federal Railroad Administration - [railroads.dot.gov](https://www.railroads.dot.gov)).

OAPA supports legislation, such as HB 2622, to reduce greenhouse gas (GHG) emissions through increased equitable access to sustainable and reliable transit including commuter and passenger rail.

OAPA recognizes the importance, as described in the American Planning Association Climate Policy Guide (Dec. 2020) of strategically investing in all transit options, including rapid bus transit, self-propelled light rail, streetcars, commuter trains, and heavy rail systems to suit the specific needs of each part

of the region. We would ask this this be a premise of HB 2622.

OAPA also asks that HB 2622 address two critical issues raised by the Federal Railroad Administration - [railroads.dot.gov](https://www.railroads.dot.gov)):

1. "Rail's reliance on diesel fuel leaves a large challenge in reducing GHG emissions from the rail industry. Transforming railroad power to clean and renewable fuels is critical in responsibly protecting the environment. Shifting the propulsion and general operation of locomotives from traditional energy to sustainable fuel sources will be beneficial to the health of the rail industry and our planet."
2. "The rail industry is vulnerable to climate-related weather events and must address the issue of infrastructure resiliency. [Rail] investments should be built to withstand the effects of climate change. Adverse conditions, such as excessive heat, flooding, sea-level rise, tornadoes, hurricanes, and wildfires are exacerbated by climate change and threaten the safety and reliability of the rail network."

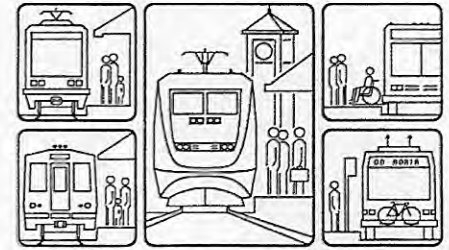
Again, we thank you for the opportunity to express OAPA's support of HB 2622.

Sincerely,



**Aaron Ray, AICP** ([he/him/his](#)) <[president@oregonapa.org](mailto:president@oregonapa.org)>

President, Oregon Chapter of the American Planning Association  
*Relevant Resources, Better Planners, Exceptional Communities*



**House Bill 2662 – Testimony in Support.  
 Presented in person at the Hearing on  
 February 21, 2023**

The Association of Oregon Rail and Transit Advocates (AORTA) supports passage of House Bill 2662 to study extending the WES commuter rail service to Salem. This proposed service would offer many social and economic benefits to the region. Here are some of the reasons to approve HB 2662:

1. As I-5 becomes more congested the train becomes an attractive option to driving. Rail infrastructure comes at a lower cost than building urban freeway lanes to add capacity. Once upgraded, it is easy to add rail capacity with longer trains and additional trains.
2. Addresses equity issues by providing mobility options for low income, disabled, students and others unable to drive and/or own a motor vehicle.
3. Takes advantage of latent capacity by upgrading existing infrastructure without negatively impacting the tax base.
4. Provides access to jobs along the route. Gives businesses a larger region for workforce growth.
5. Connects with local transit linking Marion, Polk, Lincoln and Yamhill counties for better regional access.
6. Train travel is psychologically more attractive than riding buses. People who will not ride a bus will choose to go by train. They will even ride a bus to connect to the train, thus generating more patronage on the connecting bus lines. There will be a significant increase in ridership over the current 1X Bus operated by Cherriots and SMART.
7. It will reduce travel time by eliminating the bus/train transfer at Wilsonville and I-5 congestion.
8. Safety issues will be addressed with infrastructure improvements and more public education. Areas in Salem like Front Street and the Northeast district need to receive special attention.
9. Parking is not required for people arriving by transit. This reduces the employee and guest parking requirements for businesses and public agencies, providing citizen access to the State Capitol and other government offices.
10. Tourism is an overlooked benefit of rail transit. Recreational riders will spend money with local businesses and restaurants.
11. Freight trains will operate more efficiently and safely using the upgraded track and signal system.
12. Supports development of the Port of Willamette freight transload facility at Brooks.

If there are concerns about Tri-Met extending to Salem with WES, this doesn't have to happen. WES is operated by the Portland & Western Railroad under a contract with Tri-Met. The extension to Salem could be under a separate contract with Cherriots and/or SMART or even a new state agency to operate the entire system.

As a passenger transportation/tourism professional with over 50 years of management experience in the industry, I urge passage of this legislation.

Robert E. Krebs, AORTA, Immediate Past President  
Former: Cherriots' Board Director, ODOT Passenger Rail Coordinator and Oregon  
Business Owner

As a council representative for Oregon, to the national rail-advocacy organization Rail Passengers Association (RPA), I am testifying in support of **HB 2662**, which requires the Oregon Department of Transportation (ODOT) to study extending Portland's Westside Express Service (WES) train to Salem and increasing its frequency. RPA's goals include improving and expanding conventional intercity passenger train service, increasing connectivity among all forms of transportation, and improving safety for rail passengers.

This extension of WES service, if implemented, would fulfill all three of those goals. Extending the route would increase the area the train serves, and would connect with local public transit services along the route, most notably Cherriots, Salem's public transit. And when new routes are added, ridership on connecting routes also goes up.

Residents of Portland frequently travel to Salem, and vice versa, and most of this travel occurs on busy highway Interstate 5, creating traffic congestion and delays and increasing the risk of high-speed crashes when traffic is flowing freely. Train travel along this route would be safer, faster, and more environmentally friendly, as rail is the most fuel-efficient form of transportation.

Furthermore, experience has shown that when additional frequencies are added to existing routes, revenues rise faster than costs, showing that in the long run, this extension would actually reduce the cost of running this service, saving taxpayer money.

I urge the Oregon legislature to pass this bill as a first step toward implementing expanded service for WES.



2/21/2023

To: Joint Committee on Transportation

Re: In Favor Testimony - HB 2662 Study Extending WES to Salem

Dear Senators and Representatives,

The Street Trust is a membership advocacy organization representing street users from across Greater Portland, Oregon. We advocate to break the political gridlock to address unsafe and incomplete public streets that threaten lives and livelihoods, and to win policy and investments that save lives, reduce barriers, and expand mobility and opportunities to the people and neighborhoods our current system neglects.

We support HB 2662, which would spend \$500,000 studying the extension of WES Commuter Rail from Wilsonville to Salem; however, it is imperative that this study centrally consider:

- **Equity impacts on priority communities across the greater Portland metro** including communities of color, people with limited English proficiency, youth, transit-dependent people and people with limited vehicle access, residents of affordable housing units, people with low incomes, seniors, people with disabilities, people with low & medium wage jobs, and people working in essential retail/human/social services jobs
- **Climate impacts, greenhouse gas pollution, and air quality impacts** on the greater Portland metro and beyond

Thank you for your continued leadership on improving transportation for Oregonians.

Respectfully submitted,

Sarah Iannarone  
Executive Director, The Street Trust  
sarah@thestreettrust.org

**COURTNEY NERON**  
**STATE REPRESENTATIVE**  
**DISTRICT 26**



**HOUSE OF REPRESENTATIVES**

**Testimony in Support of HB 2662**

February 21, 2023

Co-Chairs Gorsek and McLain, Vice-Chairs Boquist and Boshart Davis, and members of the Joint Committee on Transportation,

For the record, I am Courtney Neron, State Representative for House District 26, here today in support of HB 2662. I want to co-sponsors, Senator Woods and Representative Pham, as well as the leadership of the City of Wilsonville for their partnership in bringing this rail bill forward.

The cities that I represent in the outer SW Portland Metro Region are among the fastest growing communities in the state. As our region grows and changes, we know we need to be proactive and thoughtful about identifying and investing in public transportation solutions. With this bill we have the opportunity to study an additional option for commuters that can help to mitigate increased congestion and carbon emissions. I also want to highlight the growing local economy with major companies like the Amazon warehouse in Woodburn. New developments bring new job opportunities but they also increase pressure on our roads, which is why it is so important for us to research potential transportation alternatives.

HB 2662 requires the Oregon Department of Transportation to study the extension of the Westside Express Service (WES) commuter train from Wilsonville to Salem with stops in Donald, Woodburn, and Keizer in collaboration with TriMET and the Portland Western Railroad.

With Oregonians returning to in-person work, employers struggling to find enough workers, increasing costs of living, and greenhouse gas emissions reductions needed, we need to consider multimodal transportation solutions that connect Oregonians with the economic opportunities offered by our local employers. This study will focus on one option available to achieve our goals.

Thank you for considering my testimony in support of HB 2662. I urge your support and swift passage of the bill.

Sincerely,

Rep Courtney Neron

A handwritten signature in black ink that reads "Courtney Neron". The signature is written in a cursive, flowing style.

House District 26

Wilsonville, including the Charbonneau district, King City, Sherwood,  
Tigard/Bull Mountain, and Parrett Mountain

**KEVIN MANNIX**  
**STATE REPRESENTATIVE**  
**DISTRICT 21**



**COURTNEY NERON**  
**STATE REPRESENTATIVE**  
**DISTRICT 26**

**HOUSE OF REPRESENTATIVES**

June 20, 2023

Speaker Dan Rayfield  
President Rob Wagner  
Co-Chair Elizabeth Steiner  
Co-Chair Tawna Sanchez  
Members of the Joint Committee on Ways and Means

**RE: Please pass HB 2662 A - A Legislative Policy Office Task Force to Study Commuter Rail Service in the Northern Willamette Valley**

Dear Co-Chairs Steiner and Sanchez and members of the Joint Ways and Means Committee:

The Chief Sponsors of this bill carefully reworked the bill from a Study to a Task Force to create minimal fiscal cost. The Legislative Policy Office Task Force approach allows us to research the operations and governance issues with a bipartisan, bicameral approach. HB 2662-4 allows the identification and discussion of issues related to establishing commuter rail in the Willamette Valley between Beaverton, Wilsonville and Salem.

The Legislative Policy Office Task Force comprised of transit districts and cities, including TriMet and Portland & Western Railroad, to document the costs, benefits and operational issues of extending the current rush-hour-only Westside Express Service (WES) commuter train from the current southern terminus in Wilsonville for 31 miles to Salem, with stops in Donald, Woodburn and Keizer. There is minimal cost to this Legislative Task Force.

The amended bill calls for the Task Force to report to the legislature in 2024 with study findings and recommendations for extending commuter rail service in underserved communities in the Northern Willamette Valley. Below are additional points that highlights the need for HB 2662 -4:

- The increasing population of the Portland metro and North Willamette Valley region needs mobility options, especially for commuters and seniors, who require transportation for jobs and medical appointments.
- I-5 traffic congestion continues to worsen, and prospective ODOT tolling of I-205 and I-5 in the Portland metro area requires a reliable public-transit alternative unaffected by highway traffic congestion.
- Additional Federal Transit Administration (FTA) support for high-capacity WES commuter service connecting METRO and SKATS—two Metropolitan Planning Organizations (MPOs) Transportation Management Areas (TMAs)—that can increase ridership.

- Transit commuting and employment options support North Willamette Valley communities' economic and housing development efforts.
- The commuter rail on an existing rail line helps Oregon meet its 2035 Climate goals.
- HB 2662-4 is supported by the Cities of Aurora, Donald, Hubbard, Keizer, Salem, Wilsonville and Woodburn; Salem Mass Transit ("Cherriots"), SMART (South Metro Area Regional Transit) and Yamhill County Transit.

In the closing days of this Legislative session, please act to authorize this LPRO Task Force so that the Cities and Transit Districts who have advocated for this bill can start collaborating on commuter rail planning for the Northern Willamette Valley.

Sincerely,



Representative Kevin Mannix



Representative Courtney Neron



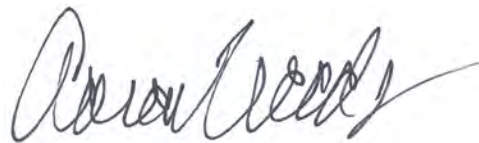
Representative Jeff Helfrich



Senator Gorsek



Representative Tracy Cramer



Senator Woods

82nd OREGON LEGISLATIVE ASSEMBLY--2023 Regular Session

## A-Engrossed House Bill 2662

Ordered by the House May 18  
Including House Amendments dated May 18

Sponsored by Representatives NERON, MANNIX; Representative PHAM K, Senator WOODS (at the request of City of Wilsonville) (Presession filed.)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Requires Department of Transportation, in collaboration with Tri-Met and Portland & Western Railroad to study extending Westside Express Service commuter line to Salem. Directs department to submit findings to interim committees of Legislative Assembly related to transportation not later than September 15, 2024.]*

*[Appropriates moneys from General Fund to Department of Transportation for study.]*

**Establishes Willamette Valley Commuter Rail Task Force.**

**Sunsets January 2, 2025.**

Declares emergency, effective *[July 1, 2023]* on passage.

### A BILL FOR AN ACT

Relating to a study on extending the Westside Express Service commuter line to Salem; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. (1) The Willamette Valley Commuter Rail Task Force is established.**

**(2) The task force consists of 18 members appointed as follows:**

**(a) The President of the Senate shall appoint two members from among members of the Senate, one of whom is registered with the largest political party in this state and one of whom is registered with the second largest political party in this state.**

**(b) The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives, one of whom is registered with the largest political party in this state and one of whom is registered with the second largest political party in this state.**

**(c) The Governor shall appoint:**

**(A) One member chosen from a list of persons recommended by the Aurora city council;**

**(B) One member chosen from a list of persons recommended by the Donald city council;**

**(C) One member chosen from a list of persons recommended by the Hubbard city council;**

**(D) One member chosen from a list of persons recommended by the Keizer city council;**

**(E) One member chosen from a list of persons recommended by the Salem city council;**

**(F) One member chosen from a list of persons recommended by the Wilsonville city council;**

**(G) One member chosen from a list of persons recommended by the Woodburn city council;**

**(H) One member who represents the Salem Area Mass Transit District;**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

LC 1441

- 1 (I) One member who represents South Metro Area Regional Transit;
- 2 (J) One member who represents Woodburn Transit Service;
- 3 (K) One member who represents Yamhill County Transit;
- 4 (L) One member who represents Portland & Western Railroad;
- 5 (M) One member who represents the Association of Oregon Rail and Transit Advocates;
- 6 and
- 7 (N) One member who represents the Tri-County Metropolitan Transportation District of
- 8 Oregon.
- 9 (3) The task force shall:
- 10 (a) Study extending the Westside Express Service commuter line to Salem, including in-
- 11 creasing the frequency and hours of service and establishing a new entity to administer the
- 12 rail service; and
- 13 (b) Identify opportunities to apply for funding under the federal Infrastructure Invest-
- 14 ment and Jobs Act (P.L. 117-58) or other federal funding programs.
- 15 (4) A majority of the voting members of the task force constitutes a quorum for the
- 16 transaction of business.
- 17 (5) Official action by the task force requires the approval of a majority of the voting
- 18 members of the task force.
- 19 (6) The task force shall elect one of its members to serve as chairperson and another to
- 20 serve as vice chairperson. The vice chairperson may act as chairperson in the absence of the
- 21 chairperson.
- 22 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
- 23 ment to become immediately effective.
- 24 (8) The task force shall meet at times and places specified by the call of the chairperson
- 25 or of a majority of the voting members of the task force.
- 26 (9) The task force may adopt rules necessary for the operation of the task force.
- 27 (10) The task force shall submit a report in the manner provided by ORS 192.245, and
- 28 may include recommendations for legislation, to an interim committee of the Legislative
- 29 Assembly related to transportation no later than September 15, 2024.
- 30 (11) The Legislative Policy and Research Director shall provide staff support to the task
- 31 force.
- 32 (12) Members of the Legislative Assembly appointed to the task force are nonvoting
- 33 members of the task force and may act in an advisory capacity only.
- 34 (13) Members of the task force who are not members of the Legislative Assembly are not
- 35 entitled to compensation or reimbursement for expenses and serve as volunteers on the task
- 36 force.
- 37 (14) All agencies of state government, as defined in ORS 174.111, are directed to assist
- 38 the task force in the performance of the duties of the task force and, to the extent permitted
- 39 by laws relating to confidentiality, to furnish information and advice the members of the task
- 40 force consider necessary to perform their duties.
- 41 **SECTION 2.** Section 1 of this 2023 Act is repealed on January 2, 2025.
- 42 **SECTION 3.** This 2023 Act being necessary for the immediate preservation of the public
- 43 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
- 44 on its passage.
- 45

## HB 2662 A STAFF MEASURE SUMMARY

### Joint Committee On Transportation

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**Action Date:** 05/11/23

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**House Vote**

**Yeas:** 7 - Boshart Davis, Evans, Helfrich, Mannix, McLain, Nathanson, Pham K

**Senate Vote**

**Yeas:** 3 - Frederick, President Wagner, Woods

**Abs:** 2 - Boquist, Findley

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Patrick Brennan, LPRO Analyst

**Meeting Dates:** 2/21, 5/11

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#### WHAT THE MEASURE DOES:

Establishes the Willamette Valley Commuter Rail Task Force, consisting of 18 members appointed by the Speaker, Senate President, and Governor. Directs Task Force to study extending Westside Express Service commuter rail line to Salem, frequency and hours of service, establishing a new entity to administer the rail service, and opportunities to apply for funding through federal Infrastructure Investment and Jobs Act. Designates Legislative Policy and Research Office as staff support for Task Force. Directs Task Force to submit report to Legislative Assembly by September 15, 2024. Sunsets January 2, 2025. Declares emergency, effective on passage.

#### ISSUES DISCUSSED:

- Role of rail transportation in reducing carbon emissions
- Role of rail transportation in reducing traffic congestion
- Potential connections of extended Westside Express Service (WES) line
- Which entity should operate an extended WES service
- Need to ensure ability to continue to operate freight rail if on shared corridor
- Potential economic impact

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### BACKGROUND:

TriMet is Oregon's largest provider of public transportation services, operating over 80 bus lines, five light rail lines, paratransit services, and one commuter rail line. The Westside Express Service (WES), inaugurated in February 2009, connects the Beaverton Transit Center to the Wilsonville Transit Center. The WES operates on freight tracks owned by the Portland & Western Railroad, and makes 10 trips north and south each weekday, roughly every 45 minutes. The WES service includes three intermediate stops and provides connections to the South Metro Area Regional Transit (SMART) system in Wilsonville, the Yamhill County Transit Area system in Tigard, and Salem-Keizer Area Mass Transit District, also known as Cherriots, via express bus from Wilsonville to Salem.

House Bill 2662 A creates an 18-member Task Force on Willamette Valley Commuter Rail to study and make recommendations on the potential to extend the WES commuter rail service to Salem.

**FISCAL IMPACT OF PROPOSED LEGISLATION****Measure: HB 2662 - A**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

*Only Impacts on Original or Engrossed Versions are Considered Official*


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Prepared by: Haylee Morse-Miller  
 Reviewed by: Amanda Beitel, Tom MacDonald  
 Date: May 15, 2023

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**Measure Description:**

Creates Willamette Valley Commuter Rail Task Force.

**Government Unit(s) Affected:**

Legislative Assembly, Task Force/Committee/Workgroup, Legislative Policy and Research Office, Cities

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Analysis:**

HB 2662 - A creates the 18-member Willamette Valley Commuter Rail Task Force which is to study extending the Westside Express Service commuter line to Salem, including increasing the frequency and hours of service and establishing a new entity to administer the rail service; and to identify opportunities to apply for funding under the federal Infrastructure Investment and Jobs Act or other federal funding programs. The task force is to submit a report to the interim committee of the Legislative Assembly related to transportation by September 15, 2024. The bill directs the Legislative Policy and Research Office to provide staff support for the task force. The bill declares an emergency and takes effect on passage, and the task force sunsets on January 2, 2025.

Legislative Policy and Research Office

The bill requires the Legislative Policy and Research Office (LPRO) to provide staff support to the task force. LPRO assumes a minimal fiscal impact with existing staff to provide support to this task force. Assuming monthly meetings over 12 months, this will require one Senior Legislative Analyst, one Research Analyst, and one Committee Assistant all assigned part-time to the task force (0.25 FTE), at a total cost of \$257,533 using existing General Fund resources. Although LPRO's current service level budget supports interim committees and task forces, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2023-25 budget, additional General Fund resources may be required.

This fiscal impact statement assumes that the work required of LPRO to assist the task force with the study is limited to work that can be performed using existing staff. However, LPRO notes that if any public outreach and engagement work is required, there may be additional costs related to this measure.

Legislative Assembly

The bill is also expected to have a minimal impact on the Legislative Assembly. Four members of the task force will be legislative members who are entitled to per diem and travel reimbursement. Meetings are set by the chairperson so it is unknown how often the task force would meet; however, assuming that the task force meets nine times, the estimated per diem and travel reimbursement costs will total \$10,100. This amount includes the Federal Insurance Contribution Act (FICA) tax, assumes the per diem remains at \$157 per day, and estimates an average mileage of 171 miles at the current rate of \$0.655 per mile. This estimate could change based on the number of meetings held. The task force would not incur additional costs to the Legislative Assembly budget if the meetings are held at the Capitol building during the Legislative Session, or Task Force or Legislative Days.

Although the 2023-25 Legislative Assembly budget contains funds allocated for interim committees and task forces, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2023-25 budget, additional General Fund resources may be required.

Other entities

There is no fiscal impact for cities.

August 25, 2023

Kim Ellis  
Metro  
600 NE Grand Ave  
Portland, OR 97232

Dear Kim Ellis,

On behalf of the Washington State Department of Transportation (WSDOT), I would like to thank Oregon Metro and Metro staff for the opportunity to comment on the Public Review Draft of the Metro Regional Transportation Plan Update. We are supportive of the update and want to provide some comments related to interstate travel and projects.

1. We concur with Oregon Department of Transportation's comments submitted on this public review draft regarding auxiliary lanes as they relate to regionally interdependent operating interests in crossings of the Columbia River.
2. We understand all projects included in the 2018 RTP and found consistent with its Congestion Management Program (CMP) will be included in the 2023 RTP and anticipate they will continue being consistent with the CMP.
3. We encourage the inclusion of the Interstate Bridge Replacement program in all RTP project lists where program elements will meaningfully contribute including freight access, active transportation, transportation system management and operations and transportation demand management.

We appreciate the opportunity to provide feedback and your consideration of these comments.

Sincerely,



Carley Francis  
WSDOT Southwest Region Administrator

Cc:

Scott Langer, WSDOT Assistant Regional Administrator – Operations and Planning  
Laurie Lebowsky-Young, WSDOT SWR Planning Director



PUBLIC REVIEW DRAFT

2023 REGIONAL TRANSPORTATION PLAN

# Voicemail Public Comments

July 10 – August 25, 2023

[oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)

I'm leaving a comment about your transportation plan, it's August 21st. I am very disappointed in Metro Transportation planning in general. Your leadership is untrustworthy, so that's the only thing I have to say that any survey you do, I don't trust it, because you guys were part of this massive and bloated expansion of Barbur blvd. light rail, I support light rail and heavy rail. But your plan was more car culture than actual transportation, it was a horrible design and that's why the voters turned it down because you couldn't get support from the transportation advocates that I know and you couldn't get transportation from the car culture people, you just please nobody, I don't expect any change on your survey. I just took a PBOT survey and that PBOT survey was a bunch of like, propaganda, and I seen that through Metro and PBOT surveys in the past and PBOT should really be asking "How satisfied are you?" I'll email you the picture I made but I modified the PBOT survey to be something like \*inaudible\* which is "How satisfied are you with wait times to get on transit" and then "How satisfied are you with how long it takes to get from point A to point B on transit" just to give you an example, when I want to go to a Thorns game from my house in North Portland to downtown to Providence Park, the trip times are horrible on transit. The trip times on my car are so fast, I went last night and free parking, you know, it would have cost two adults \$10 to go on transit and it only cost me \$.50 in gas. Until you actually have free transit that's frequent and fast, your just filling out surveys to \*inaudible\*, so I would like a call back from someone who wrote your survey because I feel like I will go through your survey with a fine tooth comb just like I did with PBOT and I want to discuss how bias they are, you're basically just offering people, its like you go to your kids and say, "Do you want to go to the Irish Tavern or the Italian Tavern" and the kids like, "We want to go to Disneyland", and you're like, "Sorry, it's not on our survey" and that's the impression I get from all your surveys. My number is [REDACTED], bye.



**PUBLIC REVIEW DRAFT  
2023 REGIONAL TRANSPORTATION PLAN**

# **Testimony Public Comments**

July 10 – August 25, 2023

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Peterson: Thank you for that update. I will now open the public hearing on the draft 2023 Regional Transportation Plan and draft 2023 high-capacity transit strategy. Connor, will you please describe to the audience our procedures for the public hearing.

>> Connor: So if anyone wishes to testify on the draft 2023 Regional Transportation Plan and draft 2023 high-capacity transit strategy now is the time to do so. Public testimony will be limited to three minutes, and I'll manage a timer to go off at the three-minute mark. If you have not signed up to testify you can do so now by raising your hand in the room once we get through the folks in advance or by raising your hand on Zoom. For those on Zoom I'll be promoting you to a full panelist. I'll call your name, you'll see a window asking you to accept the promotion. You'll rejoin and be able to turn on your camera and unmute yourself. You do not need to give your physical address, however, please identify yourself for the record before testifying. So with that, President Peterson, Councilors, we have had some folks sign up in advance to testify. And up first. On deck we have tony Jordan.

>> All right! Good morning, Metro Councilors. Thank you for the opportunity to comment on the draft 2023 Regional Transportation Plan. For the record my name is Indian Nanpun. The mission is to serve communities by building environmental wealth through social enterprise, outreach and advocacy. We're based in northeast Portland in the Cully neighborhood. Our diverse community was annexed into the city in the 80s, and the neighborhood was built with sub-standard roads. Today that count is about up to 35% of our streets, and we still have multiple streets in the high-end network crisscrossing our community. It's why we partnered with Metro in getting there together coalition in 2020 and why we're here today. Hundreds of people have died in crashes on our streets since the last RTP update. A disproportionate number of these people were black, indigenous and people of color, pedestrians and cyclists, vulnerable system users, and in neighborhoods like ours experiencing multiple overlapping inequities. This is our can she not si -- consistency at Verde. These deaths aren't just a tragedy. They're a tradeoff made by every level of government over the course of decades. It's an accumulation of decisions that time, energy and money that could go to building every sidewalk, protected bike lane, curb ramp or traffic calming device that we need to get that number to zero could be better spent on a new megaproject. With transportation funding challenges at every level of government we're being told to expect more tradeoffs to come. With that said I want to applaud the work done by the Metro planning staff and the many committee members, stakeholders and community members to get us to a draft that illuminates these tradeoffs and sets a hopeful course for the future. I particularly want to highlight the updates to the policies in chapter 3 of the RTP. The pricing policy updates are well tuned and equitable, and the motor vehicle network policies will ensure we're using the best safety tools without adding unplanned or unaffordable capacity. however, it does concern me to see with all the resources and all the policies and visions laid out in this plan the system analysis indicates we're still on track to fall far short of our safety, equity and mobility goals. Why I urge you in your work to ensure projects are prioritized and held accountable to the goals and policies of this plan without exception or delay. This will be particularly important with bundled projects, currently in the financially-constrained list for which that information isn't yet available to the public. By acting with conviction you can begin to bridge the gap between our vision and our reality when it comes to safety, equity and mobility for all, and we have to because people's lives are falling through that gap. Thank you for your time.

>> Connor: Thank you. Up next we have Tony Jordan, and on deck is Ethan Rorback.

>> Good morning, I'm the President of the parking reform network. I'm here -- thank you for holding this hearing, and I'm here to comment on the RTP specifically about pricing and probably predictably

about parking. Pricing is fantastic. Climate friendly and equitable communities that the state has implemented are creating a great need and opportunity for on-street parking prices and other parking management. And to get the most out of that policy, which dovetails with our Regional Transportation Plan, regional parking pricing program could be transformable. This is a big deal that all these suburban communities are doing these reforms. For one, definitely with the RTP, move the parking discussion more back into the pricing area. I noticed it was mentioned. Oh, it's in this climate section. It probably should have quite substantial section. Communities need resources, and I think the Metro governments can get resources from Metro on how to do pricing of their curbs to save them time and effective strategies. We have this booklet I'll leave. It's charging for on-street parking and re-investing that money in walkability. I think that Metro could facilitate Metro-wide mitigations for impacts to low-income communities. They're maybe a regional program so every city doesn't have to reinvent the wheel on how to mitigate impacts. Facilitate and promote operability and pricing applications would be something that could happen. And provide leadership on transportation and demand-management strategies like parking cash out and other commuter parking surcharges. We should keep in mind the strong connections between land use and transportation and how big of an impact specifically car parking has on meeting those goals. If we want to reduce traffic and VMT. We can't keep building parking at current rates. It's impossible and can't keep providing it for so cheap. There's an opportunity here to lead the nation again. What we do is watched and replicated other places, so let's live up to that reputation and do a great job. Thank you.

>> Connor: All right, we now have Ethan Rorback. Ethan, I'm going to promote you up. And on deck we have Sam Herren. Your time will begin when you begin speaking.

>> Excellent, thank you. Madam President, members of the Council, my name is Ethan Rorback, I'm a research associate at the Cascade Policy Institute. I have concerns with Metro's plans in the Regional Transportation Plan. Transit-Oriented development is defined as development built close to transit. Ideally within a quarter mile, which gives people easy access to everything they need. transit is supposed to be fast, reliable and widely used. Some coworkers and I went to the iconic Light Rail station in Hillsboro so observe whether this is based in reality. Every Wednesday the last four weeks we counted all the people going in and out of the Ranko station between 4:00 and 6:00 p.m., the peak traffic areas. We found, to our best ability, that people that use the west train accounted for less than 6% of all passenger trips in and out of Aranco, compared to 82% that traveled car or bus or 12% who biked or walked. This is lopsided mode split. About one in every six people used a bus to get there. And out of 18 total rail trips, half of those never came. This data indicates after 25 years the Light Rail station in Aranco is far from top consumer attraction. It is uncertain whether they will walk or bike straight there. The max is not fast, reliable, or widely used. The data should show low-income residents are largely not taking connects, even with affordable housing for 314 people close to the train. Based on this I am unsure why Metro wants to transition to affordable housing, specifically the requirement in the strategic plan that 50% of TOD units should be 80% or less of the AMI. This can help, and so can housing tax credits, but residents who continue to drive cars might not relinquish them regardless of expectations. I think it is uncertain we targeted subsidies or affordable housing as advocated in policies 1-3 of the transportation equity plan, will increase ridership. More low-income housing could limit parking and the -- [Indistinct]. If parking is phased out of TODs, it might increase the need for subsidies to keep droppers from shying away if residents continue the drive. With this said, I advise the board to defund or delete any further TOD investments from their program budget. The end goal should not be to force residents who already drive and live happily in transit-Oriented

communities to change their mode of transportation. With that, that concludes my testimony. Thank you.

>> Connor: Thank you. All right, we now have Sam Herren and on deck is Micah

>> Good morning, Council members, I'm Sam Herren. According to Metro, high-capacity transit is frequent, fast, direct and needs to move a high volume of people. Metro's RTP calls for the expansion of this high-capacity transit. In my opinion this is a mistake and will hurt taxpayers while providing little benefit. Just like some of the past high-capacity transit project that is do not fulfill any of the previously-mentioned characteristics. Some examples are the slow Portland streetcar, or the max yellow line which underperformed its maximum capacity by 50%. The 82nd avenue transit project, this includes new buses with greater capacity and a possible bus-rapid transit. The 82nd avenue corridor is currently served by TriMet's bus line 72. This is the busiest line, but does it need to be expanded and converted into BRT? First, a BRT project will take away a lane from cars, the most popular form of transportation, making traffic much worse. Second, before the pandemic line 72 had 80,000-90,000 boardings per week. Now it's down to 59,000. That's 65% of its peak usage. Line 72 was operating for years without trouble, and even before COVID ridership was decreasing. Why expand something that's shrinking. Rather than expanding, Metro should focus on terminating lines that are not being used. As of this spring the west commuter rail sees only 450 daily boardings. That's 225 riders, assuming round trip. The least popular of the five max rail lines, the orange line, has more than 5,000 daily boardings. Meanwhile, the most popular line, blue, has almost 30,000. Should west be considered high-capacity transit? It never reached the lower end of its forecast of boardings. This ghost train is not just a waste of space but a waste of money as well. Every ride costs therapies \$103. Multiply by the daily boardings, more than \$46,000 every single day it runs. Metro should urge TriMet to stop running west. With the millions saved you could help provide more effective modes of transportation for lower-income Oregonians, possibly car or ride-hailing vouchers, which are much better than empty buses and trains going to and fro. TriMet's ridership peaked, but it's total operating costs keep increasing. This new plan calls for increased high-capacity transit when existing forms are not even close. I urge Metro to eradicate underperforming lines and reallocate funds before adding new ones. Thank you.

>> Connor: Thank you. All right, we now have Micah Dasilva, and up next on deck is Zachary Lauritzen.

>> Good morning, Council. I'm a research associate at Cascade Policy Institute here in Portland. I'd like to contribute to the discussion on the recent shift in management standards regarding VMT per capita. Using this measure of success is inaccurate and regressive. Many Oregonians already use electric vehicles, which produce zero emissions. And the State of Oregon will completely phase out new non-electric vehicles by 2025. It's not a useful measure going forward. VMT reductions are also intended to measure success in reducing road congestion, but replacing past and proven measures like volume to capacity. But VMT is even less suited for this task. It averages the miles traveled by drivers. If all congestion were relieved today, VMT would not change as people would need to travel the same distance to get to the same destinations. Reducing VMT to reduce congestion is trying to reduce the number of students in a school to resolve less crowding. It would not improve quality of education. In fact, some children would be out of school entirely. Similarly, dealing with congestion by reducing the number of cars on the road may lesson traffic, but it does offer affordable transportation for everyone. It will mean that many who need to travel can find themselves out without affordable options. High congestion impacts equity-focused areas most significantly. People in equity-focused areas drive more. Low income and communities of color commute longer than average than other drivers. As mentioned

in the RTP, housing is cheaper the farther from population centers. The executive summary states in an era when high housing costs make it challenging for many people to live in transportation-rich neighborhoods, the region may need to take new approaches, such as congestion pricing, to meet ambitious, green house gas and VMT reduction targets. Public transit is not a suitable institute for driving -- substitute for driving. Most are accessible by car, and workers live in a different county than I work in. Disadvantaged individuals must make tradeoffs between finding affordable housing and having to commute, with many not having any choice at all. It will simply impose an even higher burden on those least able to afford it. And when success is measured in roads clearing up because some can't afford to drive. It should signal it should veer far off the path of equitable transportation for all.

It does not approximate emissions and does not function as a replacement for volume to capacity. Thank you.

>> Connor: All right, we now have Zachary and on deck is Suli.

>> Thank you for the opportunity to be here to talk about the RTP. You're going to hear from a lot of people about specific policies and projects. I'm going to zoom out and talk about philosophy and reminders about urgency and courage. And so to set the context, you've, I'm sure, seen the news about our record traffic fatalities in the last couple weeks, eight deaths. You've heard about heat waves and heat domes across the United States. Ice melt in the arctic. It's an urgent time, and I say that because when I look at the RTP I see a number of massive projects that double, triple and quadruple down on these exact same patterns of travel that got us here. We're talking about widening the 217. We're talking about doubling of the width of the i-5 bridge. We're talking about adding lanes on 2095 and i-5 -- 205 and the I-5. Yet, these widening projects would relieve congestion in the long term. And there's a grand total of zero examples of adding lanes fixing congestion in the long term. Zero. So unless we're planning to add lanes today and tomorrow and in ten years and 50 years this is not a long-term solution. And I'd also add that widening Freeways is not popular. People don't want interstates ripping through their communities. They don't want the noise, pollution or danger. What they want is to not be stuck in traffic. And there are strategies to achieve that. And they're long-term strategies. It's aggressively building out transit. It's implementing congestion pricing. It's building out protective bicycle lanes. It's development patterns that make it so people don't have to drive everywhere that they go. These are the long-term solutions, and to be totally fair, a lot of these projects and policies are in this RTP. And I want to acknowledge that. But, if you exercise during the day and then you eat two quarts of ice cream in the night, you're not going anywhere. And so that's not progress. And what I see happening here is that ODOT is asking you, and frankly I think they're putting you into a really terrible position to tax through tolls your constituents suck up billions of dollars of revenue from your communities, and then put that money into Freeway-widening project that is will only make our fatality problems and climate problems worse now and harder to solve in the future. So, I'll also note that if safety is indeed the number one priority as noted earlier, then ODOT would be investing in and making safe their dangerous Oregon Highways that are crisscrossing your districts left and right. If that's really what we're trying to achieve. It's going to take courage to do these changes and to push back against the status quo and to end the vicious cycle of death and maiming in our streets. You all hold power and encourage you to inspire this guide RTP so we're taking two steps forward and one step back. Thank you.

>> Connor: Thank you. Up next, we have Sibili, and on deck is Burgan.

>> Thank you for the opportunity to comment on the draft Regional Transportation Plan. My name is Salali Ramirez, a resident of Clackamas County and a student at PSU. I work with the Oregon-friendly driver program at the street trust, and I'm here to share my experiences and thoughts about our transportation system. Growing up in Clackamas County, an area underserved by transportation options, I've experienced firsthand the difficulties and dangers associated with the lack of safe infrastructure. I've seen family members and friends navigate unsafe routes, dodging cars while trying to get to school, work or just trying to cross the street. As a college student I heavily rely on public transportation, and I can tell you that it is not adequate where I live. Our transit system's inefficient disrupt my ability to be successful in school, my career and my sense of safety. The updated policies in chapter three of the RTP will set out our region on a path towards improving climate, safety and equity in our transportation system. However, we must apply them with urgency and ensure that all projects adhere to these policies without exception. This includes bundled projects, like ODOT's safety and operations projects. This \$1.2 billion projects must be transparent. Especially in underserved parts of the region like Clackamas County. We are facing a transportation-safety crisis as a resident, student, safety educator and taxpayer in this community, I urge Metro to prioritize projects based on safety, equity and public transportation needs identified in the system analysis. Our future, my future, is dependent on our ability to ensure safe and accessible transportation for everyone with the urgency this current crisis demands, especially for those in BIPOC and low-income communities who are disproportionately affected by these issues. Consider our needs and experiences when planning for the future of transportation in our county. We are more than statistics. We are individuals whose lives depend on your decisions.

>> Connor: Thank you. We have Bergen followed by Sarah.

>> I serve as a staff member at the street trust, and I conducted listening sessions with people from underserved communities. Through this work I've been privileged to listen and learn about their experiences navigating our transportation system. We're in the midst of a safety crisis on our streets. According to our recent report from the Regional Transportation Plan engagement, our community members have shared experiences and fears about pedestrian safety. One participant said I live in the east area. Kids have to walk in the streets to get to school. There's also really poor lighting on busy streets. Another participant remarked, we have prioritized transportation for people with financial resources to get to downtown Portland. Most people with lower incomes live their lives outside of downtown. Where do average people go and those without cars, apologies, where do those without cars need to go and how is the system set up to accommodate that? These are experiences are not outliers, but symptoms of a deeply-troubled, inequitable system. Safer streets, better transit and more accessible and reliable transportation options. They want to travel without fear. This calls for our community at attention. We're not on track to meet the tactors of reducing serious and injury crashes by zero by 2035. This is lives at stake. We have seen a surge in traffic fatalities with a high impact on BIPOC communities and low-income people. Therefore we urge Metro to prioritize projects based on safety equity and transportation needs identified in chapter 7 analysis. We appreciate the significant investments proposed through this plan update but given the epidemic of traffic fatalities it's not enough and it's not fast enough. We recognize and appreciate the inclusion of historically-disadvantaged community members in this conversation. Including that shared the recent Council and TPAC meetings. Voices like this in our community deserve more than just being heard. They deserve action and accountability. We must ensure that before we come back together to discuss this again later this summer, Metro redefine chapter 8 to include a very real plan and address concerns. This

should be done in continued partnership with the communities impacted by these ongoing inequities. I'm here today as a representative of the street trust but also as a resident of our region. I'm proud of our community's resilience, engagement and drive for change.

>> Connor: Up next, we have Sarah, and on deck is Joe Courtwright.

>> Sarah: Good morning. My name is Sarah. Thank you, President Peterson and Council for the opportunity to comment here today. Sorry. I'm here on behalf of the Street Trust. We've had the opportunity to work closely with various advisory committees over the past two years to inform development of the plan under discussion today, and we're not here to advise you further, but just to emphasize greatest concerns and points and make sure we're carrying forward what we're hearing from our work in the community as well. We see ourselves as a dedicated partner in this work with Metro. We also like to work with organizations liking higher education so we can get empirical studies of transit-Oriented development. I'm hear to share any research on that as well, especially when it's been peer reviewed. But ultimately I'm here as a representative for street users who concerned about the safety of our streets regardless of mood who care about equitable mobility, and they want to see investment that is lead to health and opportunity in our communities. The plan before us represents considerable efforts on behalf of Metro staff, and I applaud them for hard work and care. At the same time this plan sits at the intersection of three really serious crisis. The climate crisis, a surge in traffic fatality and deep-seeded racial inequalities. Projections from the Governor's Highway association are projecting Oregon east going to have the third highest potential spike in pedestrian deaths in 2023. It's clear these statistics translate into tangible, daily trauma for our indigenous and residents of color. This underscores the urgency for implementing the investments in the plan with strict adherence to the very forward-looking policies in chapter 3. While it is essential to aim high with our plans, the most critical factor lies in implementation. We must view this RTP as more than a guideline. It stands as a binding commitment to the community that we are dedicated to achieving the safety goals and access to opportunity that they're demanding. As my colleague previously discussed some of the feedback that we got through our community engagement was that we needed to have deeper relationships and engagement with the community over time. So I hope that between now and when you come back together to decide this later this fall, chapter 8 can elaborated about our actual plan to do that with some investments made so we have a clear pathway between now and the next RTP update. Which leads me to small project that has a special place in our heart. I provided you a little map here. It's known to you as the cross-levy project. This project positioned between Marine Drive and Sandy -- I'm out of time.

>> Peterson: Thank you.

>> Connor: Thank you. All right, we now have Joe Courtwright. I'm going promote you up to a panelist on Zoom. As a reminder to everybody in the audience today if you have not signed up in advance you can do so now by hitting the raise hand button on Zoom or by letting me know if you're here in person. Joe, you'll have three minutes.

>> Joe: Thank you for the record. Joe Courtwright. As you consider the RTP, you know that the climate crisis is manifest. The smoke-filled skies of the last several summers record-high temperatures, boiling seas, melting glaciers and fires are all evidence that the climate crisis is manifest. In the face of that, the Regional Transportation Plan is green house gaslighting this region. Our adopted state goal adopted 15 years ago was reduce green house gases by 70%. Transportation is the largest source of green house gas emissions in the state and region, and we are manifestly failing to reach our target.

Compared to 1990 emissions in Multnomah County are up. They're up 15% in the statewide. Similarly, when we look at the more recent evidence, what's happened since we adopted our climate plans like Metro's 2024 so-called climb smart strategy, transportation emissions have continued to rise. State transportation emissions are up 1.5% per year. Portland Metro green house gases are up 5% per year, and Multnomah County are up 1.4% per year. Every inventory of green house gases from transportation shows increases since you adopted your climate plans. We are now a quarter of a way through the planning horizon for the climate smart strategy. And none of this information about the actual trends in green house gases is contained in the RTP. Instead, the RTP has created its own artificial world based on models that are not calibrated or reflecting of these inventories. Your staff has substituted the model values for the actual scientific measure emissions from this region, and you are making false assumptions about changes in vehicles and fleets. Your modeling assumes that the average age of a car will be about six years in the future up from or down from 10 years. It's increased to more than 12 years and statewide is 14 years. That means many more older cars on the road. Metro assumed that we would stop buying suvs and trucks and two-thirds of vehicles would be passenger cars. 08% of the vehicles -- 80% of the vehicles are third-year trucks and SUVs. as a result, your climate modeling is off by 100%. You're wildly understated the future growth in green house gases. As a result, the modeling that's going into the Regional Transportation Plan fails to reflect what we need to do to achieve our stated and legally-adopted climate goals. And the way that climate is treated in the original transportation plan is to assume that as long as the plan as a whole meets the overall objectives, there's no need to consider how individual projects worsen or improve our climate performance. That's why you end up spending close to \$10 billion on additional Freeway capacity. project that is will make emissions go up, increase car depends and worsen things.

> Connor: Joe, you're over time. Wrap up in the next 10 seconds.

> Joe: This is green house gaslighting in your Regional Transportation Plan. You need to include actual data and show how we're failing to meet those objectives. Thank you.

> Connor: Thank you. Okay. Next up we have Adrian González, and on deck will be Jackie Trigger.

> President Peterson, Councilors, thank you for the opportunity to comment on the draft Regional Transportation Plan. My name's Ariadna González, and I'm on here on behalf of the coalition. A coalition of housing, land use, youth, older adults, environment and justice advocates, aim for investments that support communities most in need of transportation options, drastically increase ridership and improve transit and help people get where they need to go safely and quickly. Eventually becoming Metro's 2020 transportation bond. The member and organizations were critical partners in creating, devaiding and -- [Indistinct] core values from this campaign are carried into our work now and the values created from the 2020 transportation measure were centered around safety, climate action and transportation investments. The engagement with community members in the last four years has highlighted the transportation disadvantaged people are not having their needs met, frequency and security. We're living through a crisis in safety and climate. Our communities require urgent actions of funding to our goals. Appreciates the focus on pricing to -- [Indistinct] demand management program would re-invest in transportation options, especially for those for safety, walking, biking access and transit. Pricing would benefit our region still we must get transportation options between a car and paying a fee to utilize the roads. We must need strategy to address our orphan Highways. We still have so much more work to do as a region to advance jurisdictional transfers. Keeping our road safety and climate crisis in mind, we should ask ourselves how this RTP will help break the status quo and

transportation not supported. We need all to prioritize their investments because the community members serve better metrics for equity impacts. Potentially by tuning the policies in chapter 3. [Indistinct] chapter 8 needs to be flushed out. We need to track ongoing changes in the RTP and establish additional work that needs to be conducted to meet the needs of the community members. A commitment to improve safety, provide multimodal options and achieve equity. Lastly, the feedback and suggestions before Council can return to the public for another hearing sometime before the RTP's fully adopted. The organizations welcome the opportunity to meet with staff and other stakeholders to find critical errors of the RTP. Thank you for this chance to provide testimony today. Thank you.

>> Connor: Next up, we have Jacqui Trigger, and on deck is Brett Morgan. You'll have three minutes and your time will begin when you begin speaking.

>> Jacqui: Thank you for the opportunity to comment on the draft Regional Transportation Plan. My name is Jacqui, and I'm the campaign manager at the Oregon Environmental Council, founded in 1968 and is a non-profit, non-partisan-based organization. We advance innovative solutions to Oregon's environmental challenges for today and future generations. OEC is a member of the coalition and supported the 2020 bond measure. We're excited by the vision of the RTP, everyone in the greater Portland region will have safe, reliable, affordable, efficient and climate-friendly travel options that allow people to choose to drive less and that support equitable, resilient, healthy and economic vibrant communities in the region. With heat waves and wildfires raging across the state, we're constantly reminded that what we face -- sorry. Heat waves and wildfires raging across the state, there are many great policies in the RTP to reduce green house gas emissions, such as the mobility pricing policies, prioritization of transportation investments and implementation of land use plans. It's crucial that these policies are implemented equitably to align -- air pollution and vehicle miles traveled and held accountable to doing so. Let's not let that happen this time around. We know that in order to meet our climate goals we need to both significantly electrify and reduce our vehicle miles traveled. So both prongs are crucial to meeting our goals. Thank you for all your work on the draft RTP and the opportunity to comment today. I look forward to continuing to work with Metro Council.

>> Connor: Thank you. Next up, we've got Brett Morgan, and once again, folks, if you would like to sign up to testify and not already done so, you can do so by raising your hand. Either on Zoom or in person. So, Brett, your time will begin when you begin speaking.

>> Brett: Thank you, President Peterson and members of the Metro Council. And thank you for taking an extended listening session. I have watched quite a few Metro meetings, and this has been a very robust public comments, even the beginning and now, so I appreciate that. My name is Brett Morgan, and I work as the transportation director at 1,000 friends of Oregon, and I'm joining from the edge of the urban growth boundary. I'm here to comment on the draft RTP, and I want to commend staff, partners and the Metro staff who have worked really hard to advance the RTP over several years. As Oregon's land using watchdog, how to use transportation planning and priorities to align policy, investments and community needs. To begin keeping in mind that we need to stay below the 2.5 warming targets within the reports, science dictates we need to reduce VMT below 15% of current levels in order to meet our climate goals, and this is regardless if a vehicle is electric or gas. This summer's been hot, the seven of the hottest global days on record and the last 100,000 years have happened in the last month. Water temperatures in Florida are nearly 100 degrees Fahrenheit. This underscores the need to change even if that change is hard. As an organization as well, as an organization committed to CVEC, how Oregon has gone above and beyond into the implementation of

the RTP, and we think there's lots of good things that will happen from that. Expect more comments from 1,000 friends in the coming weeks, but I did want to emphasize a few things during this public comment period. The RTP needs to prioritize safety in the short and long terms and prioritize in that sentence. In doing so using the framework identified in chapter 7, around communities of color, low-income communities and other underserved communities as the framework for these safety investments is critically needed. I would like to express strong support for the pricing program as it continues to act toward a more equitable pricing scheme for our region while de-linking mega projects from pricing and reinvest those resources into better uses. I also want to speak strong support for the high-capacity strategy within the 2020 measure. There was a robust debate about how to utilize VRT and other resources to increase the transit adoption within the region. We were able to capitalize and bring federal dollars down to our region if we were able to make those investments in bus-rapid transit. I want to speak in favor of transit-Oriented development and the need for anti-displacement investments throughout the RTP. Gentrification is happening throughout our region, and it's a resource to help mid gait this. I'll follow up with a 2023 report we worked on with UC Denver, and far more extensive and reliable at one point in time relative to how DOT's impacting our region, and I think it sets up how critical DOT is meeting our regional transportation and housing goals. Lastly -- I just know we're coming up on a 2025 legislative package as we work through this at the state level and realign priorities we know this RTP needs to set up 2027 RTP to meet these goals. Thank you for your time and, yes, thank you for your time.

>> Connor: Thank you. All right. That concludes everybody who has signed up in advance to testify. Is there anybody in the room who would like to testify still? We ran out of blue cards. I will look on Zoom. I do not see any hands up.

>> Peterson: Thank you. With that I will close the public hearing on the draft RTP and high capacity plans. Also thank everyone for coming in to testify. We had a wide range of comments, and I really appreciate hearing all this since my colleagues are on JPACT. I don't get to revel in the transportation as much as I would like to, so it was good to hear we're moving in the right direction generally with some very specific things to continue to work on. Thank you for everybody's comments. With that, Councilor Nolan, did you want to add anything?

>> Nolan: Thank you, Madam President. I just have a question that I hope is quick for staff. Based on the testimony. The testimony from Mr. Courtwright was that we are using out-of-date information for our model, and I -- if fuel efficiency is going the wrong way, which it has been in way significant ways, I would hate for us to be depending on me being the climate goals of both the RTP and our climate smart policy because we're assuming better performance by the average fleet than is actually happening. Can you address that?

>> Yes, Councilor President Peterson and Councilor Nolan: The assumptions we are using are the assumptions the state has provided us to use in our analysis. Our target that is were mandated to me from the state level are in addition to what was expected by the state to happen from changes or the transition of the fleet and technology of the vehicles and fuels in our system. So, we are using the information that we are required to use in the way that the state has provided them. I think what Mr. Courtwright has said is that those state assumptions, and this is something we have also raised at the state level, there has been rule making by the department of environmental quality that is getting the state on track with some of that transition, but the SUV and some of the other points that Mr. Courtwright was making is true. We are lagging behind as a state in some of those transitions. But we

are using the model and the assumptions that the state has asked us to use and we will continue to work at the state level and advocate at the state level for those other changes that are assumed in the state target setting process.

>> Nolan: I'll take it offline, Madam President. What I'm hearing you to say is the state requires us to use a certain data set, but they don't preclude us from also modeling with actual, more current data. I'd like to talk with you about that.

|         |                          |
|---------|--------------------------|
| Name *  | Jennifer Schloming       |
| Email * | [REDACTED]               |
| Address | <input type="checkbox"/> |

## Your testimony

This is an urgent request that Frog Ferry be included in the Regional Transportation Plan that is up for adoption. Among the many reasons a ferry on the Willamette would improve the quality of life in our beleaguered city, includes the obvious reduction of vehicle emissions that has allowed my neighborhood in St Johns to capture first prize for the worst air in the state. Preliminary studies show that commute times from Cathedral Park to Downtown, or at rush hour, from Cathedral Park to Vancouver, shorten the time in transit considerably. AND, rather than stacked up bumper to bumper, choking on exhaust fumes, folks can be on the water, in the open air--in beauty. What's wrong with that???

In addition to air quality, having the river available for emergency access/egress during a disaster is a no-brainer. If the St Johns Bridge goes down or the Interstate over the Columbia, we're toast. We have one Tri-Met bus that serves the entire peninsula. To be able to have any serious commerce with the rest of the city, you have to drive. For the car to be my only real choice while living in a city this size, is an inexcusable failure of transportation infrastructure.

The costs of a ferry are much less than the asphalt and concrete answers that have cooked our stunning forested landscape to untenable temperatures. It has to stop. We need to think MUCH more creatively about how to move people and goods and get business done easily and without harm. Healing will come to Portland when we feel connected to one another again. The ferry is an egalitarian mode of transportation; experiencing the wonder of the river ecosystem is humbling. We didn't make it, it is larger than we, and its care depends on our knowing that. The intended ferry stops along the Willamette will include information displays that teach Native American history at each location, as well as educate riders about river flora and fauna.

We need a win. It's been a slog for a handful of years now, and the novelty of inexpensive river access provided to folks who have felt the hardship of these past years the worst, will be an incredible boost to the broader city community. It needs to be easier. Friendlier. Less expensive. And, it needs to allow more of us to breathe in the beauty of this place we call home.

Is your testimony related to an item on an upcoming agenda? \* Yes

Submitted as testimony to the Metro Council,  
July 27, 2023

Joe Cortright

[cityobservatory.org /metros-failing-climate-strategy/](https://cityobservatory.org /metros-failing-climate-strategy/)

# Metro's failing climate strategy

By Joe Cortright

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*Metro's Climate Smart Strategy, adopted in 2014, has been an abject failure*

*Portland area transportation greenhouse gasses are up 22 percent since the plan was adopted: instead of falling by 1 million tons per year, emissions have increased by 1 million tons annually, to more than 7 million tons, putting us even further from our climate goals.*

*Metro's subsequent 2018 RTP has watered down the region's climate effort far below what is needed to comply with Oregon's statutory greenhouse gas reduction goal, based on the assumption that 90 percent of emission reductions would be accomplished with cleaner vehicles.*

*All of Metro's key assumptions about transit, vehicle turnover, technology adoption, and driving, have been proven wrong.*

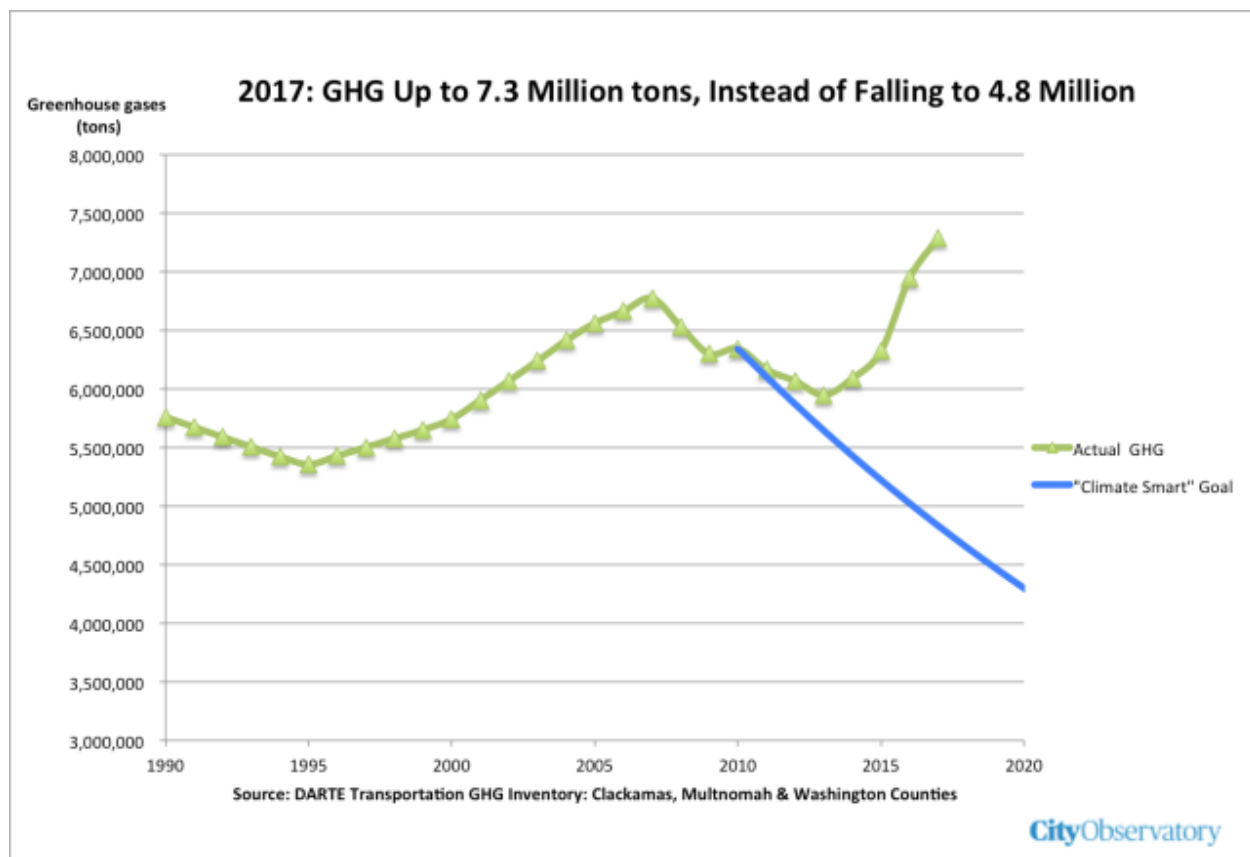
*The plan has set a goal for reducing vehicle miles traveled that is actually weaker than the reductions the region achieved in the decade prior to the adoption of the "Climate Smart Strategy."*

*The agency has not acknowledged the failure of its climate efforts, and is at the same time moving forward to allow the Oregon Department of Transportation to build a series of freeway widening projects that will add more than 140,000 tons of greenhouse gasses per year.*

Metro, Portland's regional government, talks a good game when it comes to climate. It has adopted a so-called "Climate Smart" strategy, and a regional transportation plan that it claims will lead to a reduction in greenhouse gasses. But a close analysis of the Metro's planning documents and other independent information shows the plan is failing, and is far too feeble to come anywhere close to achieving the state's adopted legal goal of reducing greenhouse gasses by 75 percent by 2050.

## **1. We're going in the wrong direction: Portland transportation GHG up 22 percent**

The clearest measure of failure is the one million ton increase in annual greenhouse gas emissions in Portland over the past few years. Carbon emissions accounting is technical and complex, but for Portland, for the past five years, when it comes to transportation greenhouse gas emissions, and whether we're making progress, there are just three numbers you need to know: 6, 5, and 7. In 2010, (the base year for Metro's Climate Smart Plan), the tri-county area produced about 6 million tons of greenhouse gasses from transportation. The plan set a goal of reducing transportation greenhouse gasses by about 63 percent by 2035 (the plan's terminal year), which means that to be on track, the region would need to lower its emissions to about 5 million tons of transportation GHGs by 2017. But the data from the [DARTE national transportation greenhouse gas inventory](#) shows that the region's emissions increased to more than 7 million tons. So instead of reducing greenhouse gasses by at least a million tons, we've actually increased greenhouse gasses by more than a million tons. We're not just "not making progress," we're going rapidly in the wrong direction. Since 2010, we've fallen about 2.5 million tons behind the path we need to be on in order to meet the goal laid out in Metro's Climate Smart Strategy.



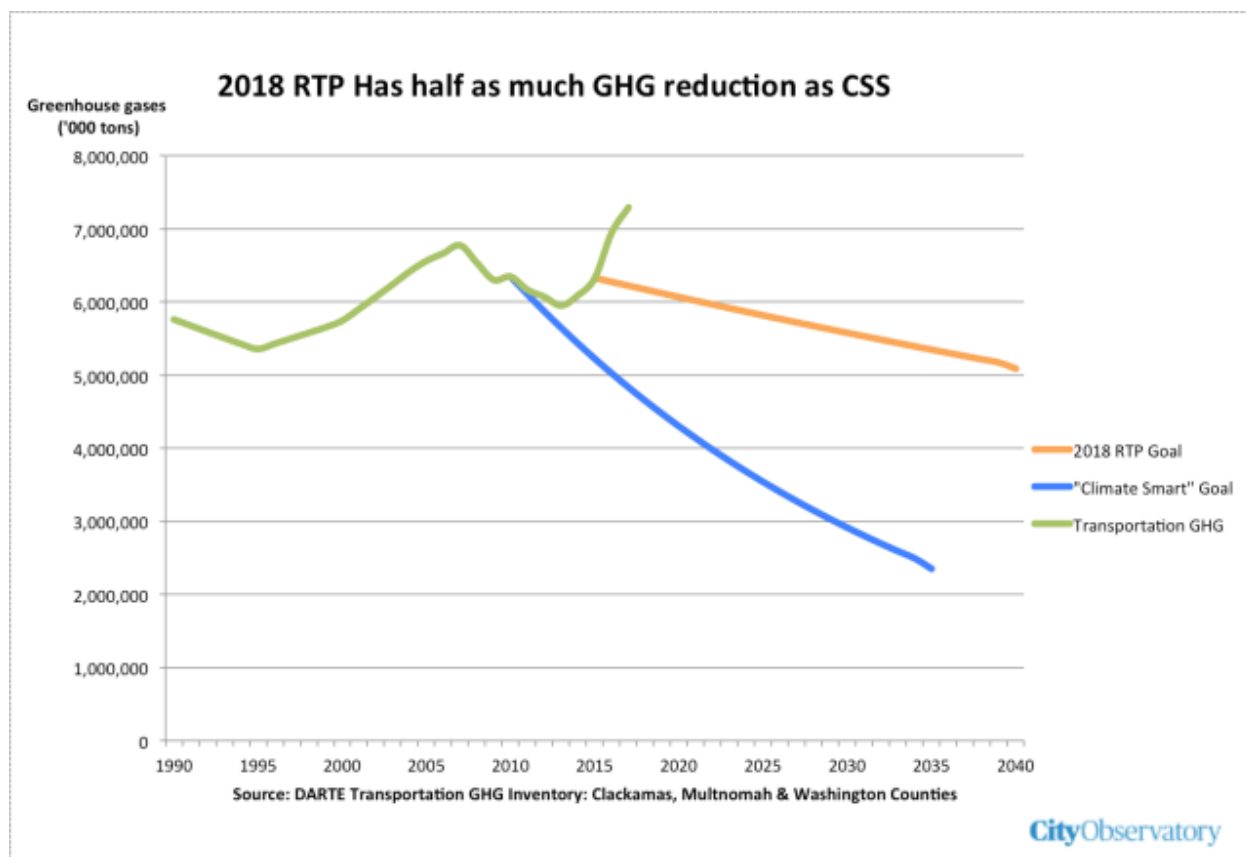
Metro's [monitoring report](#), prepared as part of the 2018 Regional Transportation Plan, fails to acknowledge that the region is manifestly failing to reduce GHGs.

## 2. Metro's 2018 Regional Transportation Plan doesn't even propose to get us to the adopted state GHG Goal

Metro's climate plans are spelled out in two documents, a "*Climate Smart Strategy*" (CSS) adopted in 2014, which proposed a 20 percent reduction in vehicle miles traveled, and a subsequent 2018 *Regional Transportation Plan* (RTP). The adopted 2018 Regional Transportation Plan borrowed much of the rhetoric from the 2014 Climate Smart Strategy, but without any announcement or fanfare, radically watered down the region's greenhouse gas reduction objective. The CSS set a goal of reducing GHG's by 63 percent by 2035; the 2018 RTP modified this to a GHG reduction of only 19 percent by 2040 (RTP Table 7.31 "Projected Mobile Source Greenhouse Gas Emissions by Investment Strategy").

The following chart shows the difference in the two plans. The starting dates for the two plans are set to the base years for their climate calculations (2010 for the CSS, 2015 for the

RTP). The glide slope lines are computed as the average annual percentage reduction in greenhouse gases needed to reach the end year target.



Metro's Climate Smart goal falls far short of what's needed to meet Oregon's statutory greenhouse gas emissions reduction, and even further short of meeting Governor Brown's Climate Emergency Executive Order—which calls for an 80 percent reduction in greenhouse gas emissions by 2050. Metro is relying as its justification for these goals a claim *that is following guidance from LCDC*. But in fact, Metro is planning for a reduction in vehicle miles traveled than is only one-fifth as much as called for in state regulations (see #4 below), and our analysis shows that overly optimistic assumptions used by LCDC mean that VMT reductions actually need to be much larger than specified in the LCDC targets (Appendix B). Not only is it failing to comply with the LCDC regulations (as explained here), those regulations have set planning goals that are now inadequate. Also: LCDC's regulations don't supersede or repeal the state statutory mandate to reach a 75 percent reduction in GHG by 2050, and Metro's Climate Smart Strategy and 2018 Regional Transportation Plan are inadequate to put the region on track to do its share to achieve the 2050 goal of a 75 percent reduction in transport greenhouse gas emissions.

### 3. Metro's plans assumes other people will reduce transport GHGs, not Metro, and its assumptions have been proven wrong

Both the Regional Transportation Plan and the earlier Climate Smart Strategy rely almost entirely on optimistic assumptions about vehicle fuel economy, electrification, fewer trucks and SUVs, and cleaner fossil fuels. Roughly 90 percent of the reduction in per capita greenhouse gasses claimed by Metro come from actions over which it has no control. Its strategy is far less about what it will do to address climate change, and almost entirely wishful thinking about what others will do.

Metro's 2014 Climate Smart Strategy was based on assumptions that other entities (some unspecified combination of the federal government, state government, auto makers, car buyers) would take actions that reduce greenhouse gas emissions per vehicle mile traveled by 38 percent between 2010 and 2035. Metro's plan actually contains no actions that influence per vehicle mile vehicle emissions.

#### FLEET AND TECHNOLOGY ADVANCEMENTS ASSUMED IN THE CLIMATE SMART STRATEGY

|                      |                                                                                                | 2010                                                     | 2035                                             | 2020                          |
|----------------------|------------------------------------------------------------------------------------------------|----------------------------------------------------------|--------------------------------------------------|-------------------------------|
|                      |                                                                                                | Base Year<br><small>Reflects existing conditions</small> | Climate Smart Strategy                           | Actual                        |
| Strategy assumptions |                                                                                                |                                                          |                                                  |                               |
| Fleet                | Fleet mix (proportion of autos to light trucks)                                                | auto: 57%<br>light truck: 43%                            | auto: 71%<br>light truck: 29%                    | auto: 25%<br>light truck: 75% |
|                      | Fleet turnover rate (age)                                                                      | 10 years                                                 | 8 years                                          | 12 years                      |
| Technology           | Fuel economy (miles per gallon)                                                                | auto: 29.2 mpg<br>light truck: 20.9 mpg                  | auto: 68.5 mpg<br>light truck: 47.7 mpg          | Current Fleet: 22.2 MPG       |
|                      | Carbon intensity of fuels                                                                      | 90 g CO <sub>2</sub> e/megajoule                         | 72 g CO <sub>2</sub> e/megajoule                 | NA                            |
|                      | Light-duty vehicles that are electric vehicles (EV) or plug-in hybrid electric vehicles (PHEV) | <u>EV or PHEV</u><br>auto: 1%<br>light truck: 1%         | <u>EV or PHEV</u><br>auto: 8%<br>light truck: 2% | NA                            |
|                      | Electric vehicle battery range (miles)                                                         | auto: 50 miles<br>light truck: 25 miles                  | auto: 215 miles<br>light truck: 144 miles        | NA                            |

(Source: Metro Climate Smart Strategy (2014). Right hand column data supplied by City Observatory; sources noted in Appendix B).

Similarly the 2018 RTP is based on even more aggressive assumptions about cleaner vehicles, drawn from the Oregon Department of Transportation's Statewide Transportation Strategy.

**None of the key assumptions in Metro’s climate plans are being realized.** Federal fuel economy standards are being watered down, SUV and light truck sales are more than double market share assumed in Metro’s modeling, older, dirtier vehicles are lasting longer and being driven further, and vehicle electrification is proceeding too slowly to achieve adopted goals. Further data for each of these points is provided in Appendix B.

- Metro assumed that average vehicle fuel economy would more than double. Actual fuel economy has barely moved in the past decade.
- Metro assumed that people would buy new cars more often, and scrap old cars more quickly causing average vehicle age to decline (get newer) by 25 percent, with average age declining from 10 years to 8 years. Instead, average vehicle life has increased to almost 12 years.
- Metro assumed most people would buy more small and efficient passenger cars, and fewer trucks and SUVs. Metro assumed that lighter more efficient passenger cars would make up 70 percent of the market, outselling trucks and SUVs more than 2-to-1. The opposite has happened: the market for passenger cars has collapsed to less than 30 percent market share.
- Metro didn’t make explicit predictions about vehicle electrification, but data from ODOT show that by 2029, no more than 3 percent of the state’s light duty vehicle fleet is expected to be electric.


#### **4. Metro has a feeble and ever-shrinking goal for reducing vehicle miles traveled.**

There are basically two ways to reduce greenhouse gas emissions: Cleaner cars or less driving. Metro policies have almost no influence on cleaner cars; in contrast, Metro’s policies, including land use planning, permitting more road capacity, and assuring alternatives, like biking, walking and transit, can all influence the amount of driving.

It’s a bit of a simplification, but these two concepts can be reduced to two measures: Grams of carbon per vehicle mile (cleaner cars), and vehicle miles traveled (less driving). As discussed above, Metro’s RTP is overwhelmingly counting on “cleaner cars” as providing roughly 90 percent of the reduction in transportation GHGs through 2040, and counting on less driving to provide only about 10 percent of greenhouse gas reductions.

For any given level of pollution per mile, increases in vehicle miles traveled result in increases in greenhouse gas emissions. Transportation planners focus on “vehicle miles traveled per capita” to measure the level of driving in a metropolitan area.

Metro's initial plan, the 2014 Climate Smart Strategy, set a goal of reducing per capita VMT by 20 percent by 2035. As presented in the original Climate Smart Strategy, Metro identified a goal of reducing VMT per capita by 20 percent from 2010 levels, from 20 miles per person per day to 16 miles per person per day. (This is from page 65 of Metro's 2014 Climate Smart Strategy).



December 2014

**Summary of Key GreenSTEP Inputs & Outputs**

| Input/Output Factor                                                                      | 2010<br>Baseline | 2035<br>SCENARIO A<br>Recent Trends | 2035<br>SCENARIO B<br>Adopted Plans<br>(as of 2010) | 2035<br>SCENARIO C<br>New Plans and<br>Policies | 2035<br>CLIMATE SMART<br>STRATEGY |
|------------------------------------------------------------------------------------------|------------------|-------------------------------------|-----------------------------------------------------|-------------------------------------------------|-----------------------------------|
| <b>Model Inputs in ITALICS; Model Outputs in REGULAR type.</b>                           |                  |                                     |                                                     |                                                 |                                   |
| <b>Streets and highways</b>                                                              |                  |                                     |                                                     |                                                 |                                   |
| <i>Freeway and arterial expansion<br/>(freeway lane miles/arterial lane miles added)</i> | n/a              | 12/31                               | 15/336                                              | 46/409                                          | 52/386                            |
| <i>Percent of delay reduced by traffic management strategies</i>                         | 10%              | 10%                                 | 20%                                                 | 35%                                             | 35%                               |
| <i>Household vehicle miles traveled per capita per day</i>                               | 20               | 17                                  | 16                                                  | 14                                              | 16                                |
| <i>Percent change in daily VMT per capita from 2010</i>                                  | --               | -15%                                | -19%                                                | -30%                                            | -20%                              |

In the [2018 RTP](#), Metro changed the yardstick and twice moved the goalposts on VMT reductions. First, it changed the yardstick, measuring VMT per capita in a much narrower way (looking only at miles traveled by regional residents inside the metropolitan planning area). The new yardstick looked at a base of 13 miles per person per day, compared to 20 miles per person per day. This new system of measurement excludes looking at about one-third of all vehicle travel in the Portland region.

Second, it retroactively changed the reported goals for the Climate Smart Strategy, lowering the baseline level of travel to 19 miles per person per day, and raising the 2035 “monitoring target” to 17 miles per day. So while the as published 2014 Climate Smart Strategy visualized a 20 percent reduction in VMT from 20 to 16 miles per day; the 2018 RTP reported that the Climate Smart Strategy envisioned only about a 10 percent reduction in VMT, by two miles per person per day, from 19 to 17 miles.

Third, the 2018 RTP presented the 10 percent reduction as a goal, but then substituted the new yardstick (i.e. 13 miles per person per day in the base year, now 2015, and pushed out the terminal year for reaching the new goal of 12.4 miles per person per day to 2020. 2018 RTP (Chapter 7 “Outcome Measures”) and Appendix J “Climate performance monitor”).

**Table 2. Climate Smart Strategy Implementation and Performance Monitoring**

This table documents expected progress implementing the Climate Smart Strategy, using observed data sources to the extent possible for the RTP 2015 Base Year, and expected progress that would be achieved by 2040 if planned projects included in the 2018 RTP financially constrained list are fully implemented together with anticipated improvements in fleet and technology. Fleet and technology assumptions used in the analysis are described in the previous section.

|                                                                                                 | Climate Smart<br>Strategy<br>Baseline (2010) | Climate Smart<br>Strategy<br>Monitoring Target<br>(2035) | 2018 RTP<br>Base year<br>(2015) | 2018 RTP<br>Constrained<br>(2040) | 2018 RTP<br>Strategic<br>(2040) |
|-------------------------------------------------------------------------------------------------|----------------------------------------------|----------------------------------------------------------|---------------------------------|-----------------------------------|---------------------------------|
| <b>1. Implement the 2040 Growth Concept and local adopted land use and transportation plans</b> |                                              |                                                          |                                 |                                   |                                 |
| a. Share of households living in a walkable mixed used development in the UGB <sup>1</sup>      | 26%                                          | 37%                                                      | 41%                             | 47%                               | 48%                             |
| b. New residential units built through infill and redevelopment in the UGB                      | 58%                                          | 65%                                                      | 76%                             | 78%                               | 78%                             |
| c. New residential units built on vacant land in the UGB                                        | 42%                                          | 35%                                                      | 24%                             | 22%                               | 22%                             |
| d. Acres of urban reserves                                                                      | Not applicable                               | 12,000                                                   | Not applicable                  | 4,739                             | 4,739                           |
| e. Daily vehicle miles per capita <sup>2</sup>                                                  | 19                                           | 17                                                       | 13                              | 12.4                              | 12.3                            |

But while Metro proclaimed as its *goal* reducing vehicle miles traveled by 10 percent, the plan's *analysis* concluded that the measures included in the RTP would only reduce driving by a fraction of that amount by 2040. The climate analysis contained in the 2018 RTP called for reducing VMT by 10 percent per capita, but the [performance monitoring report](#) in Appendix J of the 2018 RTP concludes that full implementation of the RTP would result in a decrease of more than 5 percent, "not reaching the target." The actual figures shown in the report (a decline from 13 miles per person per day to 12.4 miles per person per day) amounts to a 4.6 percent decline in VMT per capita.

**Target or desired direction:** By 2040, reduce vehicle miles traveled per person by 10% compared to 2015.

**Findings:** Overall travel (person miles traveled – all modes) per capita is increasing in future strategies while vehicle miles traveled per capita decreases over 5 percent between 2015 and the 2040 Constrained strategies – making progress towards the target but not reaching it. That means that other modes such as transit and bicycling are increasing. In

Elsewhere, the RTP concedes that the plan will reduce per capita VMT by about 4 percent.

**2. The RTP makes progress toward the Climate Smart Strategy performance monitoring targets, but is not expected to meet regional policy targets for vehicle miles of travel, mode share and completion of the active transportation network by 2040, as shown in Chapter 7 of the plan.**

- By 2040, the plan is expected to **achieve a 4 percent reduction in daily vehicle miles traveled (VMT)** per person, making progress toward the 10 percent per capita VMT reduction target in the RTP.

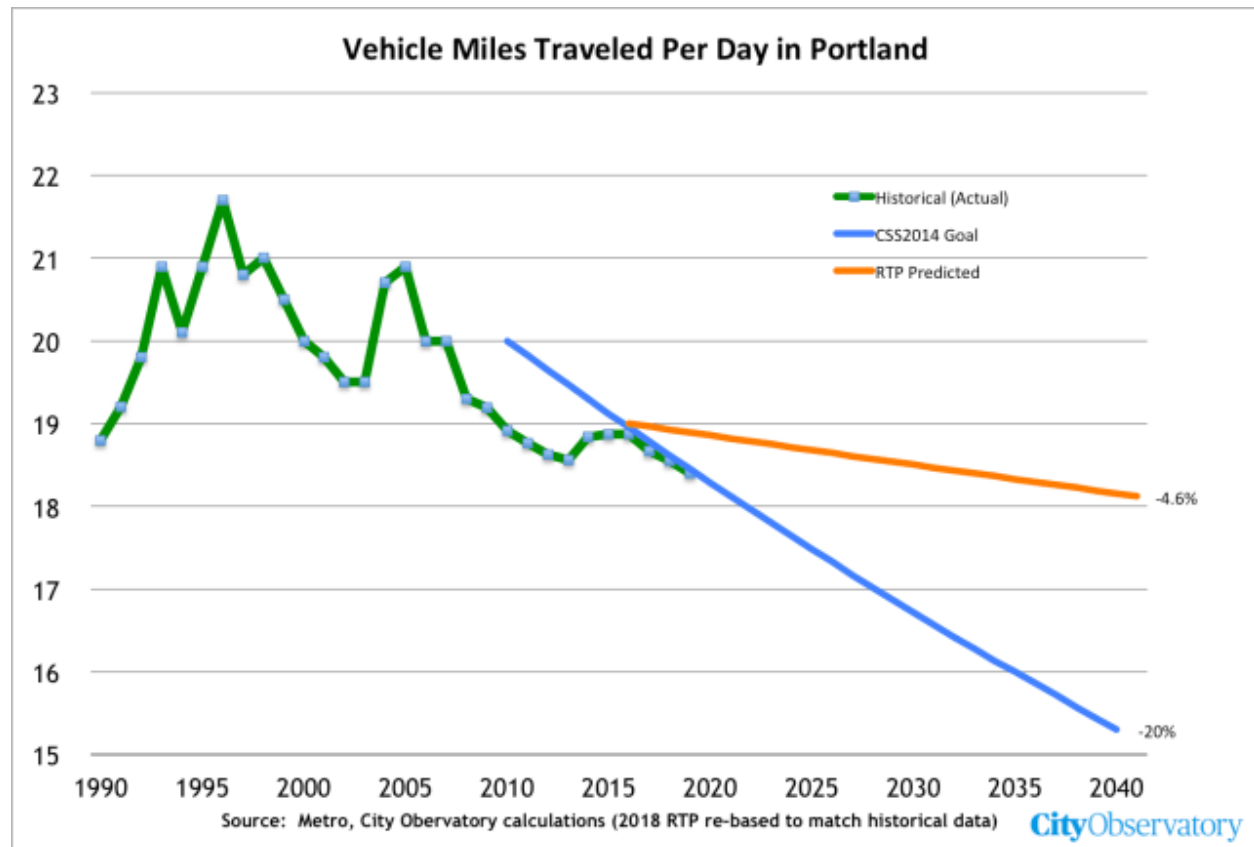
The reductions in vehicle miles traveled anticipated in the 2018 RTP are far smaller than needed to comply with LCDC regulations guiding climate planning. Metro would need to achieve VMT reductions of about 20 percent per capita to comply with these guidelines. The projected 4 percent decline in VMT/capita envisioned in the 2018 RTP is less than one-fourth

the progress needed to meet the state guideline. In addition, as explained in Appendix B, the state target for VMT reduction is far too low to achieve the state's greenhouse gas emission reduction requirements because state and local agencies have dramatically over-estimated likely progress in reducing vehicle emissions.

### Actual Performance Compared to Metro Goals

To evaluate the VMT goal, it is necessary to put the vehicle miles traveled per person per day statistic in context. Metro, using data from the Federal Highway Administration has produced a data series showing historical VMT per capita for the Portland area going back to 1990.

Vehicle Miles Traveled, a core measure of transportation activity, which has been trending down since the late 1990s, has essentially stopped declining. In the decade before the Climate Smart Strategy was adopted, Portland area VMT per capita was declining at a rate of about 1.2 percent per year. The Climate Smart Strategy failed to even plan for continuing that trend; according to Metro's own estimates, since 2014, VMT per capita has almost flat-lined, declining just 0.15 percent per year. The 2018 RTP has even lower expectations, lowering VMT by just 4.6 percent over the 25-year period from 2015 to 2040, which works out to an annual decline of 0.2 percent per year.



Metro's 2018 RTP predicts that the agency's policies will produce a far slower rate of VMT reduction than the region accomplished over the period 2004-2013 (prior to the adoption of the first Climate Smart Strategy). The 2018 RTP lowers the VMT reduction goal set in the 2014 CSS by more than 75 percent, from a 20 percent reduction over 25 years to a 4.6 percent reduction. That's not enough of a reduction in driving to meet the targets called for in LCDC regulations, nor is it enough to achieve the state's goal of reducing greenhouse gas emissions to 25 percent of their 1990 levels by 2050.

### Summary of Metro Area VMT Reduction Performance and Goals

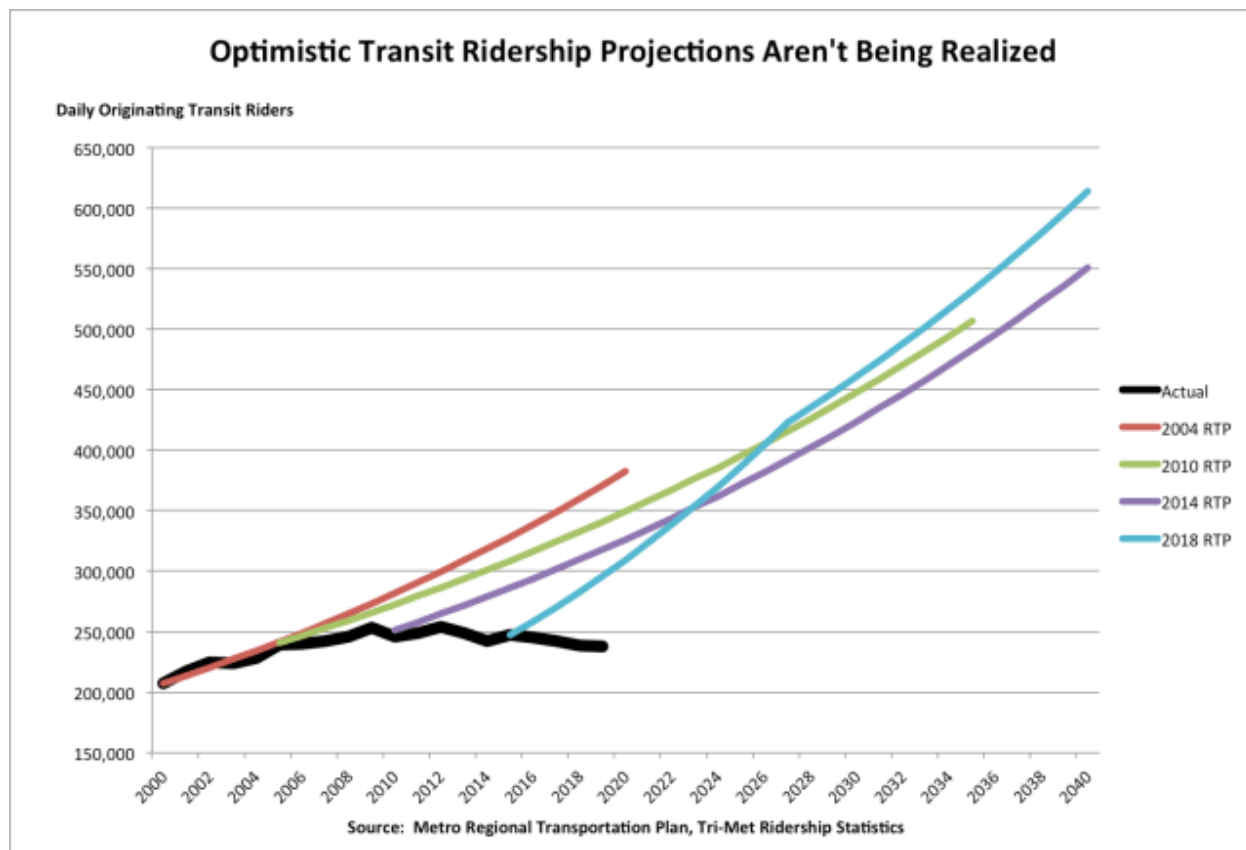
|                       | Actual VMT | 2014 CSS<br>(As adopted) | 2018 CSS<br>(Per 2018 RTP) | 2018 RTP<br>Goal | 2018 RTP<br>Predicted |
|-----------------------|------------|--------------------------|----------------------------|------------------|-----------------------|
| Base/Final Year       | 2004-2013  | 2010-2035                | 2010-2035                  | 2015-2040        | 2015-2040             |
| Geography             | All Metro  | All Metro                | All Metro                  | Intra-Metro      | Intra-Metro           |
| 2004                  | 20.7       |                          |                            |                  |                       |
| 2010                  |            | 20.0                     | 19.0                       |                  | 13.0                  |
| 2013                  | 18.6       |                          |                            |                  |                       |
| 2015                  |            |                          |                            | 13.0             | 13.0                  |
| 2035                  |            | 16.0                     | 17.0                       |                  |                       |
| 2040                  |            |                          |                            | 11.7             | 12.4                  |
| Change from Base Year |            |                          |                            |                  |                       |
| 25-Year Reduction     |            | -20.0%                   | -10.5%                     | -10.0%           | -4.6%                 |
| Annual Rate           | -1.2%      | -0.9%                    | -0.4%                      | -0.4%            | -0.2%                 |

### 5. Transit Ridership, a key factor in reducing GHG, is failing to meet projections.

One key strategy to reduce greenhouse gas emissions is to shift trips from private automobiles to mass transit. Metro's regional transportation plan calls for reducing vehicle miles traveled and decreasing greenhouse gas emissions by increasing the share of the region's trips taken by bus and light rail. Each successive regional transportation plan since 2004 has projected that transit ridership levels under the plan will double in the next ten to twenty years.

Metro's transit ridership projections have been grossly overstated in every Regional Transportation Plan, and TriMet's operating plans show it has no intention (or ability) to carry as many passengers as the RTP assumes in order to make progress. The RTP assumes transit ridership will more than double between 2015 and 2040, from 250,000 originating riders to more than 600,000 originating riders, which shows no signs of happening. Even prior to the Covid pandemic, transit ridership was falling, down 7 percent from its peak in

2012. Rather than growing at more than three and a half percent per year—pre-pandemic—ridership has been declining at about one percent per year.



Every RTP has consistently predicted high levels of transit growth that have not materialized. The 2004 RTP predicted 2020 ridership would be 383,000, the 2010 RTP predicted 2020 ridership would be 349,000, the 2014 RTP predicted ridership in 2020 would be 326,000; actual ridership (as noted) is about 250,000 (pre-Covid).

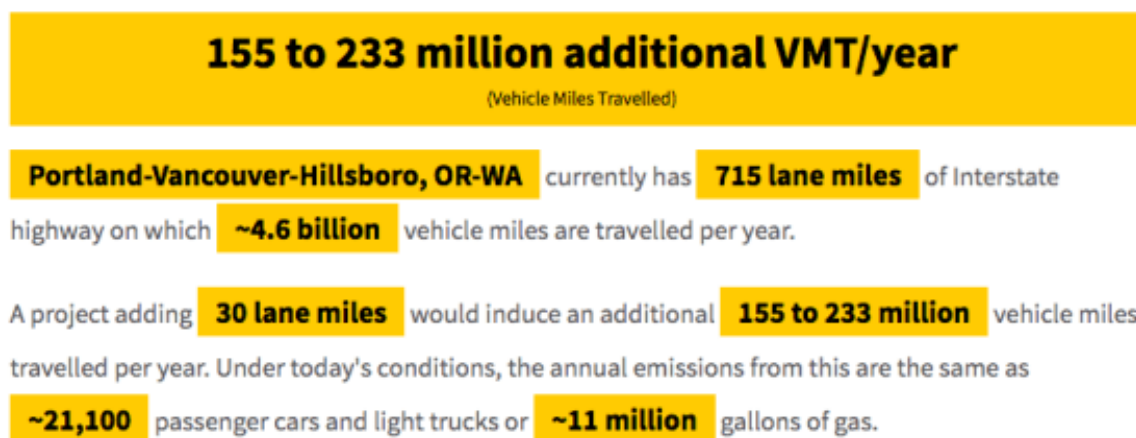
The consistent failure of the region to realize the gains in transit ridership called for in the last four RTPs suggests that we will need to do much more to reduce VMT and greenhouse gasses. It also suggests that Metro's transit ridership model is biased and inaccurate.

## 6. Approving more highway capacity would increase greenhouse gas emissions

Even though its climate plan is failing, Metro is giving the Oregon Department of Transportation the greenlight to spend billions of dollars expanding area freeways that are likely to lead to huge increases in greenhouse gas emissions. The RMI induced travel

calculator, calibrated based on [award-winning, peer-reviewed research from the University of California, Davis](#), estimates that the [Rose Quarter Freeway widening project](#) will produce an addition 40,000 tons of greenhouse gasses per year and the revived Columbia River Crossing will likely produce a further 100,000 tons of greenhouse gasses per year.

The [Induced Travel Calculator](#) shows that revived Columbia River Crossing project (now rebranded as “[I5 Bridge Replacement Program](#)”) would produce an additional 155 to 233 million miles of travel annually, leading to burning an additional 11 million gallons of gas. That in turn would translate into additional annual greenhouse gasses of about 100,000 tons (at roughly 20 pounds of CO<sub>2</sub>e per gallon of gas).



The same calculator shows that the proposed widening of I-5 at the Rose Quarter will likely produce 60 to 90 million additional vehicle miles of travel per year, lead to burning about 4 million additional gallons of gas per year, and generate about 40,000 tons of additional greenhouse gases.

## 62 to 93 million additional VMT/year

(Vehicle Miles Travelled)

**Portland-Vancouver-Hillsboro, OR-WA** currently has **715 lane miles** of Interstate highway on which **~4.6 billion** vehicle miles are travelled per year.

A project adding **12 lane miles** would induce an additional **62 to 93 million** vehicle miles travelled per year. Under today's conditions, the annual emissions from this are the same as **~8,400** passenger cars and light trucks or **~4 million** gallons of gas.

### 7. Metro isn't pursuing pricing, which has been proven to be effective

Metro has taken no action to implement any of the pricing options that its own research rates as “highly effective” in reducing greenhouse gas emissions, including road pricing, gas taxes, vehicle miles traveled fees, parking charges and pay as you drive insurance. It's gone out of its way to [gainsay effective pricing measures](#), and used its public relations budget to promote [false claims about vehicle idling](#).

One key reason for the increase in driving since 2014 has been the [significant decline in oil and gasoline prices](#). Metro's model, calibrated based on behavioral responses to the earlier higher prices, and the assumption that [declining prices wouldn't affect demand](#) for travel, have failed to predict the increase in driving.

### 8. Metro has done nothing to fix its failing climate strategy

In spite of the failure to advance its goals, Metro has proposed no new or stronger measures to reduce GHGs, even though its climate smart initiative says it will do so. Metro's 2014 [Climate Smart Strategy](#) (on page 1) promised to periodically check to see whether progress was being made toward the goals it laid out. It further promised:

If the assessment finds the region is deviating significantly from the Climate Smart Strategy performance monitoring target, then Metro will work with local, regional and state partners to consider the revision or replacement of policies, strategies and actions to ensure the region remains on track with meeting adopted targets for reducing greenhouse gas emissions.

Similarly, the [2018 RTP \(Appendix J\)](#) makes the same commitment on page 10.

### **Recommendations for future performance monitoring**

To monitor and assess implementation of the Climate Smart Strategy, Metro will continue to use observed data sources and existing regional performance monitoring and reporting processes to the extent possible. These processes include regularly scheduled updates to the Regional Transportation Plan and Urban Growth Report and reporting in response to ORS 197.301 and ORS 197.296. When observed data is not available, data from regional or state models may be reported.

If future assessments find the region is deviating significantly from the Climate Smart Strategy performance monitoring targets, then Metro will work with local, regional and state partners to consider the revision or replacement of policies and actions to ensure the region remains on track with meeting adopted targets for reducing greenhouse gas emissions.

In addition, Metro staff will monitor future changes to fleet and technology assumptions in collaboration with DLCD, DOE, DEQ and ODOT and continue to improve emissions analysis methods, data and tools through its air quality and climate change program.

The data from DARTE show that Metro is plainly not meeting the initial greenhouse gas reduction goals set in the initial Climate Smart Strategy, nor is it on track to meet the much watered-down goal laid out in the 2018 RTP. Similarly the “fleet and technology assumptions” built into both the CSS and the RTP have been proven wrong. Yet the Metro has not acknowledged either of these basic facts, nor has it proposed any additional steps to reduce current high levels of greenhouse gasses to get them back on track. Instead, it is going along with proposals from the Oregon Department of Transportation to spend billions widening area highways—which will add to Metro area greenhouse gasses. (As explained in Appendix B, both the Land Conservation and Development Commission and the Oregon Department of Transportation have likewise failed to acknowledge increasing transportation greenhouse gas emissions, and have failed to update their incorrect modeling assumptions, and to revise policy targets, as both have committed to in their plans and regulations).

## **Appendix A. Sources, Data and Methodology**

Metro’s description of its climate strategy is taken from the 2014 Climate Smart Strategy and the 2018 Regional Transportation Plan.

Data on Portland area transportation greenhouse gasses are from the [DARTE](#) national transportation greenhouse gas emissions inventory, which contains estimates covering the years 1990 through 2017 at a very fine geographic scale. [DARTE is the most comprehensive and uniform](#) national estimate of local transportation greenhouse gas emissions. We report DARTE data for Clackamas, Multnomah and Washington counties, the geography most closely corresponding to the Portland “metropolitan planning area” used in Metro’s 2018 RTP. For purposes of comparison, we factor up Metro’s figures by 18-20% (depending on year) to be directly comparable to the larger geography of the DARTE database.

We compute emission reduction trajectories needed to meet state greenhouse gas requirements, and trajectories implied by Metro's plans by computing a constant annual (negative) growth rate—or “glide slope”—needed to move from base year to final year emissions levels. For example, in 1990, Portland area transportation GHGs were 5.7 million tons; a 75 percent reduction from that level (to meet the state goal) implies a 2050 level of emissions of 1.4 million tons. To reach that level from 2013 actual emissions of 6.0 million tons requires a reduction of 3.8 percent per year for each year from 2013 through 2050. We compute glide slopes for other plans (ODOT's STS; Metro's RTP) in the same fashion.

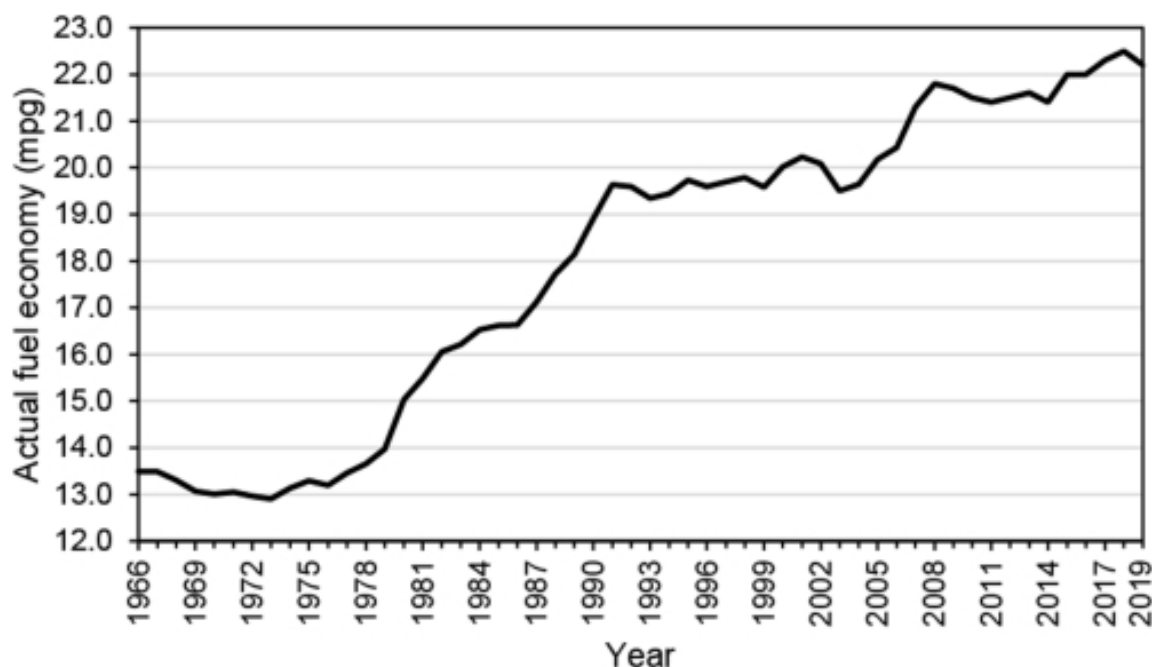
The 2018 RTP contains two conflicting estimates of how much reduction the plan will actually provide. Chapter 7 of the RTP says that the 2015 level was 13 VMT per capita per day, and that the plan would reduce this to 12.3 VMT per capita per day by 2040. The Climate Smart Appendix to the report, Appendix J, says that the 2015 baseline level was 12.7 VMT per capita per day, and would be reduced to 12.3 VMT per capita per day by 2040. Chapter 7 figures imply a 4.6 decline in VMT by 2040; Appendix J implies the decline will be only 2.3 percent. We assume that the correct level of VMT in the base years is 13 VMT per person per day, corresponding to a 4.6 percent decline in VMT by 2040.

## **Appendix B: Metro and State incorrect assumptions about cleaner vehicles**

Guided by state rules, Metro's emissions modeling assumes “cleaner cars” through a combination of improved fuel economy (higher MPG standards), faster vehicle turnover (replacing dirty old cars with cleaner new ones), and smaller, more efficient vehicles (more cars, fewer trucks and SUVs). None of these assumptions have been realized in the time since Metro and state climate plans were published.

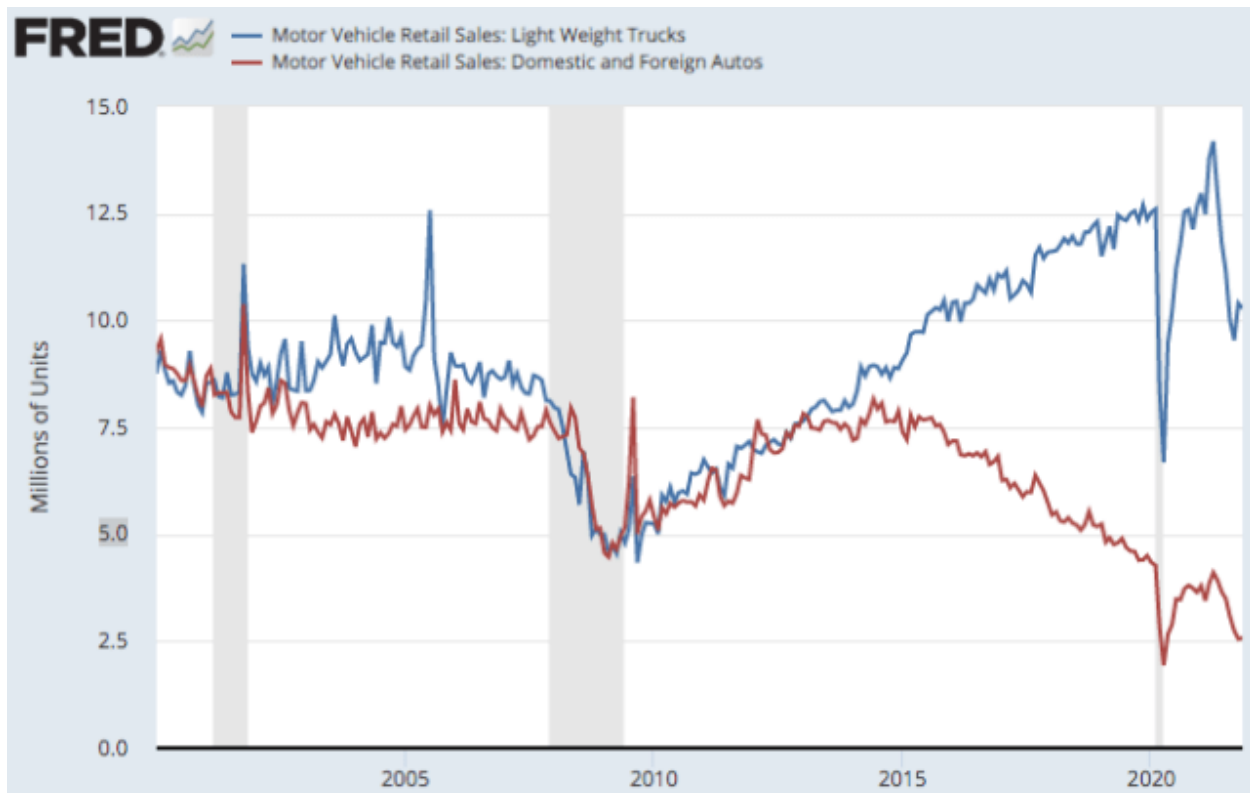
**1. Fleet fuel economy has not measurably improved.** Modeling for the climate smart initiative assumed rapid and prolonged improvements in vehicle fuel economy, due to rising federal fuel economy standards. But the impact of increased new car standards on actual levels of real-world fuel efficiency have been modest. Here is the data on actual average [fuel economy](#) through 2019. Average fleet economy was about 22.2 miles per gallon in 2019, far short of the targets set in the Metro modeling.

The graph below shows the changes in actual vehicle fuel economy from 1966 through 2019.



**2. Average vehicle age is 50 percent *older* than assumed modeling.** According to the [Bureau of Transportation Statistics](#), the average age of an automobile in the United States is now 11.9 years, up from 10 years in 2004. The Metro Climate Smart Plan assumed that the average age of a vehicle would decline by about 25 percent, from 10 years to 8 years; instead, the average age of a vehicle has increased by almost 20 percent, from 10 years to almost 12. The average vehicle today is now 50 percent older than assumed in the Metro climate plan.

**3. Trucks and SUVs are displacing passenger cars, not the other way around.** A critical assumption in the Climate Smart Plan and the RTP is that consumers would buy more and more passenger cars, and fewer trucks and sport utility vehicles. In fact, the opposite has happened: since 2015—when sales of cars and SUVs/Trucks were roughly equal—it's now the case that truck/SUV sales account for roughly 75 percent of all new vehicle sales.



**4. Vehicle electrification is occurring very slowly.** Many like to assume that electric vehicles will quickly and easily reduce carbon emissions. Yet electrification is happening too slowly and on far too small a scale to materially affect transportation greenhouse gas emissions. ODOT's [October 2019 revenue forecast](#) predicts the size and composition of Oregon's light duty vehicle fleet through 2029. They forecast that in 2029 Oregon will have about 3.9 million light duty vehicles, but only about 120,000 of them (total) will be electric vehicles. That's just 3 percent of the fleet; 97 percent will still be internal combustion engines. The slow adoption of electric vehicles, as depicted in ODOT's official revenue forecasts, means the agency believes that its efforts to promote EVs won't have a significant effect on the state's greenhouse gas emissions any time in the next decade, at least.

**5. State forecasts of future vehicle emissions have been proven wrong.** A critical part of any transportation greenhouse gas emission strategy is assumptions about the improvements in the cleanliness of future vehicles.

Metro's climate planning is based, in part, on [rules adopted](#) by the State Land Conservation and Development Commission (LCDCC) directing metropolitan planning organizations around the state to work toward complying with the state's adopted greenhouse gas emission goals.

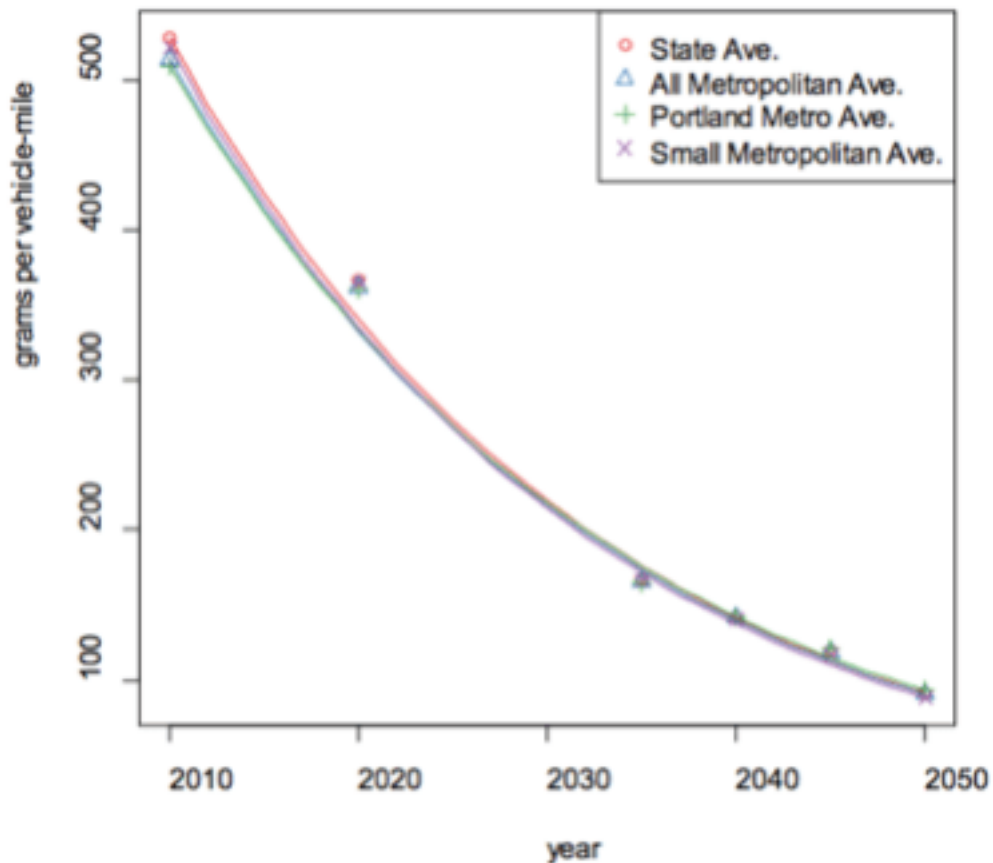
In 2017, LCDCC produced a [report](#) detailing its analysis of how these planning organizations were to plan for reducing transportation-related greenhouse gas emissions. As directed by

the Legislature, the planning process was to give local planners guidelines on the proportion of reduction in greenhouse gasses that could be expected from changes in vehicle efficiency and electrification.

LCDC based its rules on emission reduction assumptions taken from the Oregon Department of Transportation's 2012 [State Transportation Strategy](#) (STS). LCDC constituted a technical committee and retained Brian Gregor (formerly of ODOT) to prepare a technical analysis, drawing on the STS to estimate how much reduction in greenhouse gasses could be expected from improving technology and changing vehicle mix. Gregor's analysis predicted that vehicles would become dramatically cleaner over the next several decades, with a reduction in greenhouse gasses per mile traveled of more than 80 percent by 2050. Gregor's analysis concluded that LCDC should assume that emissions per vehicle mile would decline by 67 percent by 2035, the terminal year for local land use plans. Importantly, LCDC wrote Gregor's assumptions about future vehicle emissions into its administrative rules (OAR 660-044-0020).

Gregor's analysis assumed that average vehicle emissions would decline to about 90 grams per mile by 2050. Gregor reached these conclusions by assuming that fuel efficiency and zero emission vehicle regulations would steadily improve *new vehicle* emissions, and that over time, these would change *overall fleet* emissions. The report assumed that average vehicle age would be 11 years, and that average fleet vehicle economy in any year would be equal to the average new car fuel economy for vehicles sold 11 years earlier. Gregor's calculations imply a base level of emissions of about 520 grams per mile in 2005. New cars would be assumed to achieve 100 grams per mile in 2035, and the fleet as a whole would achieve 100 grams per mile in 2046, and about 90 grams per mile by 2050. Gregor summarized his assumptions in this chart:

Figure 2: Fleet-wide Average Light-duty Vehicle Emissions Rates Modeled for the STS Recommended Scenario and Future Trend Lines

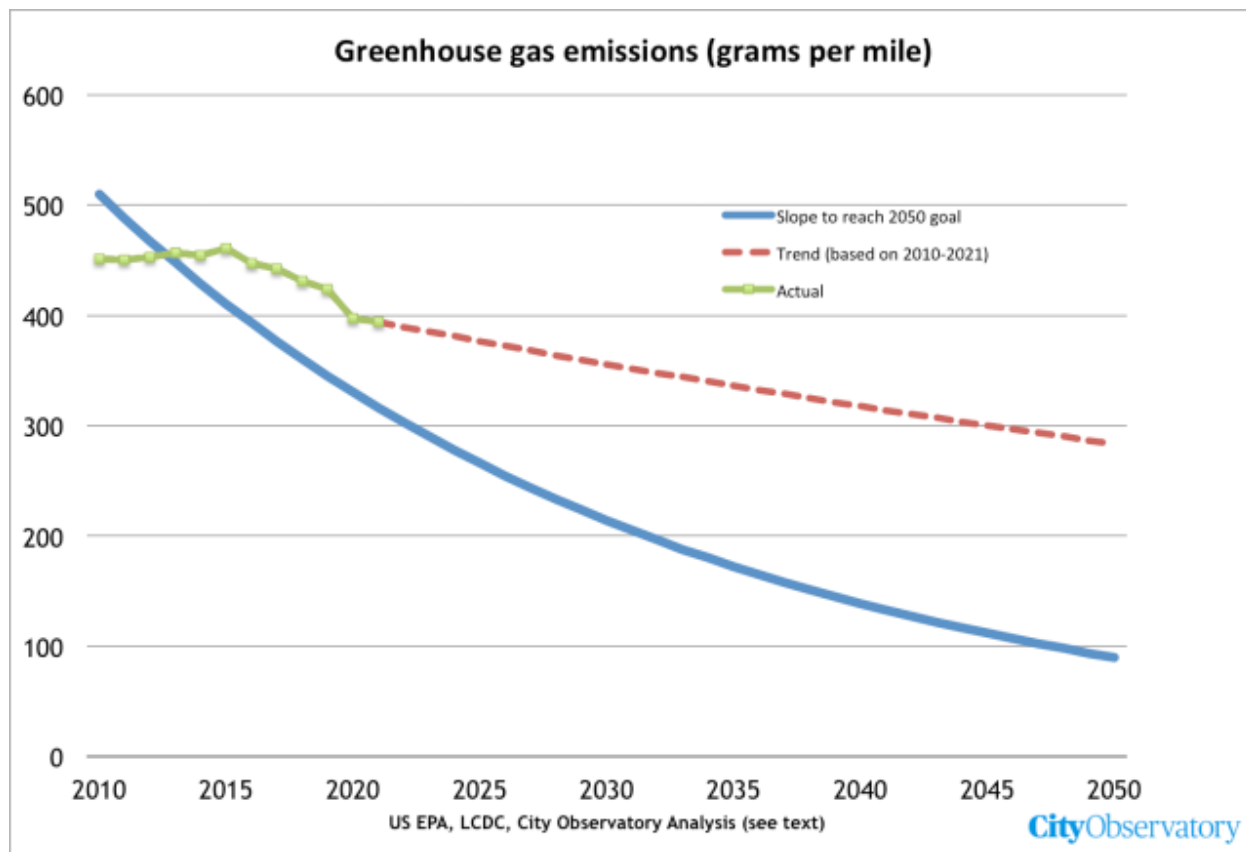


As Gregor writes:

Average vehicle emissions rates would need to decline by a little over 4% per year from the 2010 estimated average in order to achieve the recommended level in 2050.

It is now 2021, and we have roughly a decade of data on the actual rate of improvement in new vehicle emission rates. According to the Environmental Protection Agency, average emissions for new light vehicles have fallen from about 450 grams per mile in 2005 to about 348 grams per mile in 2021. By Gregor's approach, at that rate of improvement, average fleet efficiency in 2032 (eleven years from now) will be about 348 grams per mile. In the past decade (2010 through 2021), the number of grams per mile has declined at about a 1.1 percent annual rate. This is roughly only *one-fourth* the rate of improvement assumed in Gregor's calculation and LCDs target rules.

The following chart shows the difference between Gregor’s estimate of the path of vehicle emissions (blue), and the actual improvement in emissions between 2010 and 2021 (green). The red dashed line shows the trend in vehicle emissions based on the 2010 to 2021 growth rate of -1.1 percent per year extended through 2050.



At current rates of improvement, per mile emissions are likely to be almost three times higher in 2050 than forecast in Gregor’s model, i.e. almost 300 grams per mile, rather than less than 100 grams per mile.

Achieving a reduction in greenhouse gas emissions is driven by the combination of cleaner vehicles and less driving. If vehicles become cleaner at a slower rate, then bigger decreases in driving (VMT/capita) are needed to achieve state goals. Gregor creates an equation showing how these factors determine the expected reduction in emissions.

Equation 2: Relationship between the Goal for Reducing Per Capita Emissions, the Change in the Vehicle Emissions Rate, and the Change in VMT.

$$\text{Goal} = \text{Rate} * \text{Target} \quad (2)$$

$$0.28 = 0.35 * 0.8$$

- A ratio of 0.28 of future to base year per capita emissions is equivalent to a 72% reduction.<sup>11</sup>
- A ratio of 0.35 of future to base year vehicle emissions per mile is equivalent to a 65% reduction.
- A ratio of 0.8 of future to base year vehicle miles traveled per capita is equivalent to a 20% reduction.

Gregor estimates that we need to reduce per capita emissions to 28 percent of base levels (i.e a 72 percent reduction). He assumes that cleaner vehicles will do the lion's share of this work. His assumed 66 percent reduction in the rate of emissions per mile, means miles per capita need to be reduced about 20 percent.

The much lower rate of improvement in cleaning up vehicle emissions that we've actually experienced means that proportionately more of the task of reducing greenhouse gasses will need to be met, per Gregor's own methodology, by reducing vehicle miles of travel. At the current rate of improvement of vehicle emission reduction, in 2035, the average vehicle will still emit about 336 grams per mile, just a 25 percent reduction from base levels. In order to meet the state's target of reducing per capita emissions to 28 percent of base levels by 2035, that means per capita vehicle miles of travel need to fall by 66 percent. (The following table uses Gregor's Equation 2 to compute the needed "target" level of VMT reductions consistent with various rates of improvement in vehicle emissions).

**Reductions from 2005 Levels by 2035**

|                                 | GOAL       | RATE       | TARGET       | Implied annual<br>emission reduction |
|---------------------------------|------------|------------|--------------|--------------------------------------|
|                                 | GHG/Person | grams/mile | miles/capita | Annual rate                          |
| Adopted Gregor/LCDC estimate    | -72%       | -65%       | -20%         | 4.25%                                |
| Trend based on actual 2010-2020 | -72%       | -25%       | -63%         | 1.10%                                |
| Effect of doubling actual trend | -72%       | -34%       | -58%         | 2.00%                                |

As show in the final line of the table, even if the annual rate of improvement doubles from its current rate to 2 percent per year from now through 2035, we would have to reduce vehicle miles traveled per capita by more than 50 percent.

In effect, the dramatic shortfall between Gregor's 2016 report, and the actual 1.1 percent improvement in GHG/mile is the combined effect of the factors described in this section (a heavier, truck and SUV oriented fleet, slow improvements in fuel efficiency, slower vehicle turnover and slow electric vehicle adoption.

### **LCDC and ODOT have failed to re-examine their policies in light of forecast errors**

It is difficult and uncertain to make reliable and accurate projections about the future. That is why analysts typically couch their predictions in terms of the assumptions made to produce them, and why policies and reports relying on such forecasts frequently promise to revise their estimates as more and better information becomes available.

It's important to note that Gregor's predictions are based only partially on current law or policy, and rely heavily on assumptions that federal and state governments will devise, adopt, implement and enforce a whole series of new and more stringent policies to reduce vehicle emissions. Gregor's report made it clear that assumptions about improving vehicle economy were based on optimistic speculation about future federal and state policy.

The members on the Core Tech Team from the Departments of Environmental Quality and Energy agreed that the STS "trend line" is a reasonable reflection of **goals** that California, Oregon, and other states participating in the multi-state ZEV standards **wish** to achieve. They caution, however, that this planning trend **does not reflect recent trends** in vehicle fuel economy. Substantial efforts on the part of states and the federal government will be necessary to make this planning trend a reality. [Emphasis added].

A footnote on page 30 of the report makes this point even more clearly:

It is important to note that these 'trend lines' represent the trend in the model results given the vehicle assumptions in the STS recommended scenario. **They do not represent an extrapolation of past trend.** [Emphasis added].

The LCDC report relying on Gregor's estimates implicitly acknowledges the need to update these forecasts as better information becomes available. The LCDC goals were developed over several years from 2011 through 2016; The final rules were revised from earlier drafts explicitly because of the availability of additional information on vehicles and vehicle emission rates. LCDC elected to tie its estimates of vehicle emission rates to those in ODOT's STS for consistency with state efforts, and so that as the STS was updated, so too would be expectations about local targets.

If the STS is adjusted to account for changing assumptions to vehicles, fuels, and technology, the targets **can be similarly adjusted to compensate** for the updated assumptions. (page 9). [Emphasis added].

However, while the responsible state agencies (ODOT and LCDC) acknowledged the need to change targets as new information became available when targets and the STS were first prepared a decade ago (in 2011 and 2012), they've done little since to respond to new information. ODOT prepared its first [STS Monitoring Report in 2018](#) and found that progress on fleet, fuels and vehicle technology was much less than what it had forecast in the STS in 2012, and as a result that the state was way behind in meeting emissions goals. Since that finding ODOT has done nothing to either revise its estimates of future vehicle emissions rates to reflect this new information or, more importantly, identify actions needed to get the state back on track. Instead, ODOT's Monitoring Report [obliquely concludes that unspecified](#) state policy-makers will need to decide what to do next.

LCDC's decision to tie its targets to the STS—a decision which at least promotes consistency—means that ODOT's failure to update the STS means LCDC policy remains based on outdated, inaccurate estimates until ODOT chooses to update the forecasts in the STS—something not on ODOT's schedule, despite Governor Brown's [Executive Order](#) which directs the agency to do everything in its power to implement the STS. LCDC has also failed to follow its own administrative rules which require it to re-appraise the validity of the emissions assumptions on which the rules were predicated:

[660-044-0035](#)

### Review and Evaluation of Greenhouse Gas Reduction Targets

(1) The commission shall by June 1, 2021, and at four year intervals thereafter, conduct a review of the greenhouse gas emissions reduction targets in OAR 660-044-0020 and 660-044-0025.

(2) The review by the commission shall **evaluate whether revisions** to the targets established in this division **are warranted considering** the following factors: . . .

(e) Additional studies or analysis conducted by the Oregon Department of Transportation, the Department of Environmental Quality, the Oregon Department of Energy or other agencies regarding greenhouse gas emissions from light vehicle travel, including but not limited to **changes to vehicle technologies, fuels and the vehicle fleet**; [Emphasis added].

ODOT's own STS monitoring report concedes that vehicle technologies, fuels and the composition of the vehicle fleet are not changing as anticipated in the STS, making the assumptions underlying LCDC's rules invalid. LCDC (and ODOT) have both ignored data from "other agencies"—in this case, the US Department of Energy, sponsor and publisher of the DARTE transportation greenhouse gas database—showing that Oregon greenhouse gas emissions have increased, rather than decreasing, as called for in both agency's plans, and state statute.

|         |                          |
|---------|--------------------------|
| Name *  | Peter Wilcox             |
| Email * |                          |
| Address | <input type="checkbox"/> |

**Your testimony**

Green passenger ferries add multiple resiliency benefits. First, is that they provide a way to net the city together in the event of a natural disaster like an earthquake. With virtually all the bridges down, there would be no way to get supplies and services to the parts of the city that need it or to reconnect families, businesses, and communities. Second, marine captains, and crews are trained and surveillance of shoreside and in water, facilities and vessels, looking for suspicious activities, and reporting those to the appropriate agencies. They also put qualified rescuers on the water to handle and help in man, overboard, boat, accidents, etc..

|                                                               |     |
|---------------------------------------------------------------|-----|
| Is your testimony related to an item on an upcoming agenda? * | Yes |
|---------------------------------------------------------------|-----|

|                |                                                                                                                                                                                                                                                                                       |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name *         | Susan Bladholm                                                                                                                                                                                                                                                                        |
| Email *        |                                                                                                                                                                                                                                                                                       |
| Address        |                                                                                                                                                                                                                                                                                       |
| Your testimony | Metro Council–<br>We all agree that it's time to act with urgency to reduce GGE's, increase community resilience, and help revitalize Portland's downtown core. Frog Ferry, a green public passenger ferry service is included in the CEDS-- now please add it to the RTP. Thank you. |
| Attach a file  |                                                                                                                                                                                                                                                                                       |

# Ferry Service Overview

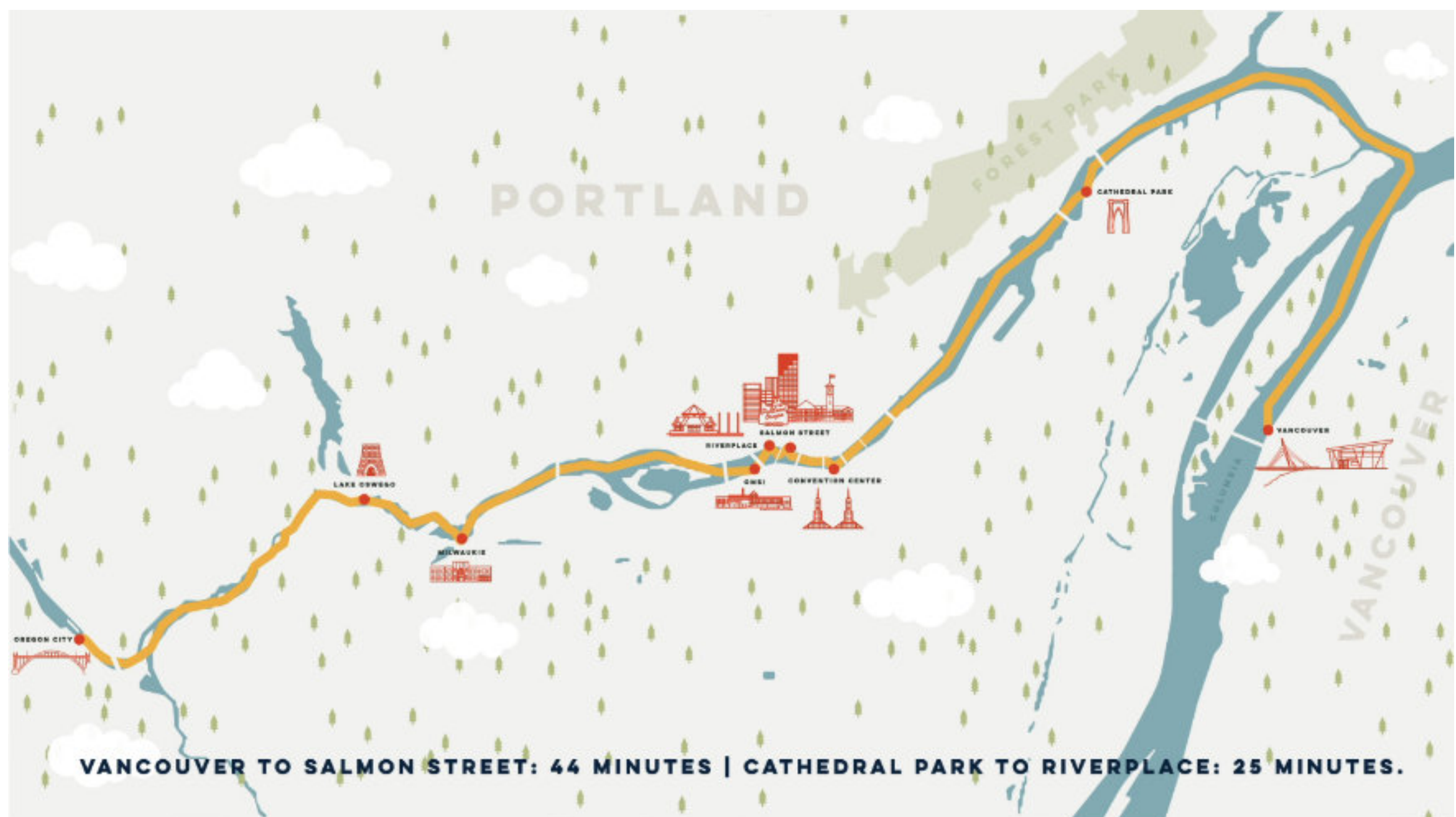
## What is Frog Ferry?

Frog Ferry is a nonprofit working to create a safe and sustainable river-friendly public passenger ferry service to better connect people to their rivers and help alleviate congestion in the Portland-Vancouver Metropolitan area. Read more about our plans in our [Feasibility Study](#).

Ferries are a proven best practice for river cities to help address climate change and improve community livability and resilience in the event of an earthquake. Despite more people working from home, congestion and greenhouse gas emissions continue to increase. This new mode of transit will activate our rivers, foster river stewardship, get people back downtown, and accelerate electrification adoption.

### Goals

- Reduce congestion and greenhouse gas emissions (GGEs)
- Build resiliency and emergency response
- Enhance community livability
- Provide a low-cost means of connecting marginalized populations with jobs/services
- Connect residents and visitors to our rivers to foster stewardship
- Educate passengers about the river habitat and the Indigenous Tribes who lived along the shores 300+ years ago
- Have fun!



Ferry enthusiasts on a River Run.



Start with Pilot Project: 2 Stops (Fully Scaled: 10 Stops)

The pilot route will run from Cathedral Place dock to RiverPlace dock. Our pilot will serve commuters who live in the North Peninsula (Cathedral Park and St. Johns) and commute to downtown Portland. Note that the fully scaled ferry operation will serve 10 stops, from Vancouver, WA to Oregon City and potentially points beyond.



Proposed Schedule

Monday-Friday (25 minutes between Cathedral Park and RiverPlace)

At 22 knots, it takes 25 minutes to transit directly between Cathedral Park and RiverPlace. With dwell times, the time between departures (headways) is 60 minutes. With the addition of more vessels to the fleet, we anticipate 30-minute headways for most inner-city services and up to one-hour headways from outer locations on the route.

Saturday: to be determined, but could include stops at OMSI, Vancouver, Milwaukie and Duckworth Dock/Moda Center for special events.

700 OHSU employees and stakeholders who live in or near St. Johns and Cathedral Park took the survey (all questions were optional, so not every respondent answered every question). More than 80% of respondents are OHSU employees. Summary of key survey findings:

Would you be interested in taking a ferry to OHSU?

|                        | Total | Total |
|------------------------|-------|-------|
| Extremely interested   | 53.4% | 291   |
| Somewhat interested    | 24.2% | 132   |
| Unsure or neutral      | 12.5% | 68    |
| Somewhat uninterested  | 4.4%  | 24    |
| Extremely uninterested | 5.5%  | 30    |
| Total                  | 100%  | 545   |

78% of respondents would be “Extremely interested” or “Somewhat interested” in taking a ferry to OHSU.

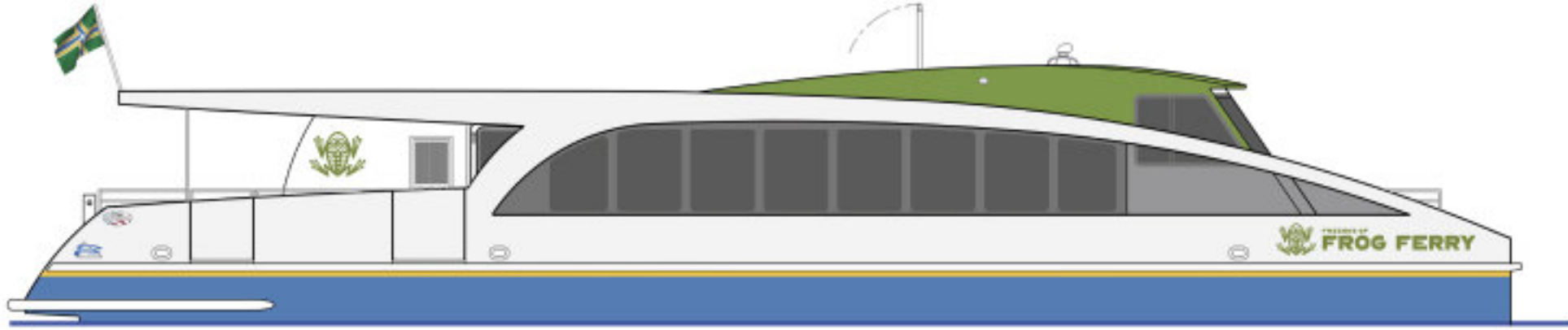


When?

|             |                                                                                                                                                                                                                                                                                        |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2017-2022:  | Research (demand modeling, feasibility studies, finance plan, social media, community outreach, pilot project plan), regulatory agency outreach, customer experience, community benefit, finance, and marketing. Support letters at <a href="http://frogferry.com">frogferry.com</a> . |
| 2023 Q1-Q2: | Secure project management funding for home port recon and plan (short and long-term), summer FTA application, pilot project operations plan, downtown transportation-oriented development plan, fundraising for pilot project match and operations.                                    |
| 2023-2024:  | Note: IIJA federal funds available 2022-2026: \$300M/year for ferries.                                                                                                                                                                                                                 |
| 2025:       | Boat on the water in operation.                                                                                                                                                                                                                                                        |
| 2026:       | Apply for second FTA grant to add dock and vessel.                                                                                                                                                                                                                                     |
| 2028:       | Apply for third FTA grant and add dock and vessel                                                                                                                                                                                                                                      |
| 2030:       | Apply for fourth FTA grant and add dock and vessel                                                                                                                                                                                                                                     |

## How?

A 70-passenger ferry with bike storage at \$3.50 per trip for the pilot route. The long-term vision includes an electrified ferry fleet with shore-side charging overnight.



Diesel engine running on renewable diesel (R99). Build shore-side electric charging stations (apply for Dept. of Energy grants) and convert vessel. Build future vessels with electrification. As waterfront property area is developed, residents living in proximity to docks can live car-free.

## Ferry Community Benefits

|                    | Pilot Project: 1 ferry on Renewable Diesel                                                                                                                                                                                                                                                                                     | Fully Operational: 7 electrified ferries                                                                                                                                                                                                                                                                                                                                |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Social</b>      | <ul style="list-style-type: none"> <li>Affordable: \$3/ticket (low subsidy)</li> <li>“Maximize the humanity”: best use of time during shorter commutes</li> <li>River accessibility: fosters sense of belonging</li> <li>Connects low/med. Income residents to downtown</li> <li>Fun!</li> </ul>                               | <ul style="list-style-type: none"> <li>95 million lbs. of CO2 removed/yr.</li> <li>Fosters residents to live car-free</li> <li>Fosters economic development</li> <li>Builds community resilience</li> <li>Connects residents to greenspaces</li> <li>Education: Native American history</li> </ul>                                                                      |
| <b>Environment</b> | <ul style="list-style-type: none"> <li>780 passengers a day (50% load)</li> <li>600 autos displaced/day</li> <li>R99 is 80% cleaner than diesel</li> <li>3,170 annual metric tons CO2 displaced</li> <li>Operate 12 hours/day, Monday-Saturday</li> </ul>                                                                      | <ul style="list-style-type: none"> <li>4,000 passengers/day (50% load)</li> <li>1 million passengers per year</li> <li>700,000 cars per year</li> <li>Shoreside charging infrastructure</li> </ul>                                                                                                                                                                      |
| <b>Economic</b>    | <ul style="list-style-type: none"> <li>Draws people to downtown core</li> <li>Inspires “Portland can do big things again”</li> <li>Attracts employers</li> <li>“High on-time” performance/reliability</li> <li>Affordable</li> <li>Preferred commuter mode</li> <li>Builds community resilience against earthquakes</li> </ul> | <ul style="list-style-type: none"> <li>Connects communities</li> <li>Jobs: 150 FTE/yr for construction, maintenance, crews, management</li> <li>Draws people to waterfront</li> <li>Connects multi-modality of transit options</li> <li>Builds bike/scooter/pedestrian traffic</li> <li>Builds community Green Loop</li> <li>Affordable and reliable transit</li> </ul> |
| <b>Education</b>   | <ul style="list-style-type: none"> <li>Foster stewardship of river</li> <li>Proximity to nature/wildlife</li> <li>Art/signage/storytelling of history of Indigenous Peoples</li> </ul>                                                                                                                                         | <ul style="list-style-type: none"> <li>Broaden e-mobility appeal</li> <li>Tours: Native American</li> <li>Tours: River Ecology</li> <li>New way to experience Portland and the rivers</li> </ul>                                                                                                                                                                        |



**From:** [REDACTED]  
**To:** [Legislative Coordinator](#)  
**Subject:** [External sender]Submit testimony to Metro Council [#209]  
**Date:** Friday, August 25, 2023 2:23:36 PM

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**CAUTION:** This email originated from an **External source**. Do not open links or attachments unless you know the content is safe.

Name \* Judy Todd

Email \*

Address



Portland, Oregon 97232  
United States

Your testimony

Dear Councilor Ashton Simpson, and the rest of the sitting Councilors,

No More Freeways, thank you very much for our lives!

I take my stand with No More Freeways [www.nomorefreewayspx.com](http://www.nomorefreewayspx.com): "Climate leaders don't widen freeways. Climate leaders don't keep plans to widen them, either. We hope the Metro Council will demonstrate in action the climate and traffic safety leadership that they use in rhetoric by adopting these aggressive and necessary changes to the Regional Transportation Plan."

Right On and Right Now.

Thank you.

Judy L Todd

1judytodd@gmail.com

Lifelong Oregonian, inherent naturalist, activist grandmother, student of trees, mycelium and mushrooms, and an edge-walker between the human and non-human world, has guided people for over 20 years into a deeper connection with the natural world and all its kin.

Is your testimony related to an item on an upcoming agenda? \* Yes



PUBLIC REVIEW DRAFT  
2023 REGIONAL TRANSPORTATION PLAN

# Consultation Meeting Summaries

July 10 – August 25, 2023

[oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)

## Consultation Meeting summary

**Meeting:** 2023 Regional Transportation Plan (RTP) public comment period consultation with state and federal agencies

**Date/time:** Tuesday, August 22, 2023

**Location:** Virtual via Zoom

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### Agency Representatives:

1. Cody Meyer, Land Use and Transportation Planner, Department of Land Conservation and Development (DLCD)
2. Kelly Reid, Regional Representative, Department of Land Conservation and Development (DLCD)
3. Jasmine Harris, Civil Rights Specialist/Community Planner, Federal Highway Administration (FHWA)
4. Danielle Casey, Community Planner, Federal Transportation Administration (FTA)
5. Glen Bolen, Principal Planner, MPO Liaison, Oregon Department of Transportation (ODOT)
6. Suzanne Carlson, Climate Office Director, (ODOT)
7. Chris Ford, Policy Manager Region 1, Oregon Department of Transportation (ODOT)
8. Erik Havig, Planning Manager, Oregon Department of Transportation (ODOT)
9. Brian Hurley, Climate office, (ODOT)
10. Vanessa Vissar, Policy Manager, Oregon Department of Transportation (ODOT)
11. Judith Perez, Principal Planner, Southwest Washington Regional Transportation Council (SWRTC)
12. Dwight Brashear, Transit Director, City of Wilsonville South Metro Area Regional Transit (SMART)
13. Tara O'Brien, Regional Government Affairs, TriMet
14. Jamie Snook, Director of Major Projects, TriMet

### Metro staff in attendance:

1. Catherine Ciarlo, Planning, Development, and Research Department Director
2. Molly Cooney-Mesker, Community Engagement Specialist
3. Kim Ellis, Principal Transportation Planner, RTP Project Manager
4. Lakeeyscia Griffin, Community Engagement Specialist
5. Isaiah Jackman, RTP Intern
6. Tom Kloster, Planning Manager
7. Shannon Stock, RTP Program Assistant

### Welcome, purpose and introductions

Tom Kloster welcomed agency partners and shared the purpose of consultation including discussing and receiving comments on the Public Review Draft of 2023 Regional Transportation Plan and invited participants to introduce themselves.

### Public Review Draft 2023 RTP presentation– Kim Ellis

Kim Ellis shared a PowerPoint presentation that provided an overview of the 2023 RTP vision and goals, engagement and public comment to-date, policy updates, a summary of the project list, a summary of Chapter 8: Moving Forward Together and 2023 RTP key decision milestones.

### Summary of discussion

Jasmine, Federal Highway Administration highlighted that the Bipartisan Infrastructure Law brought in a new requirement to add affordable housing organizations to interested parties lists. There may be more requirements tied to this housing requirement but currently FHWA does not have any guidance on this. Please take a look at 23 U.S. Code 134. Also, please make sure the RTP covers 23 CFR 450.324(f)(3) and (4) regarding performance measures.

Glen Bolen, ODOT, voiced appreciation that Metro has run an excellent, transparent process and has done a great job on the Federal CFR's and USDOT Planning Emphasis Areas (PEAs) as well as recent work on developing the regional mobility policy and jurisdictional transfer study. Glen noted that Metro has successfully worked with ODOT to be certified to conduct procurement for planning work using federal grant funds. The certification is going great and saving public funds.

Glen Bolen, ODOT, commented that Metro has been working hard on updating the regional mobility policy, including extensive technical work and engagement of practitioners throughout the process. The team has spent a lot of time testing the policy on freeways/limited access thoroughways but recently questions have come up on how the policy applies to thoroughways with driveways and there is more work to be done on that question. Glen commented that he is excited about the work in chapter 8 and about a 2040 refresh; or at least a visioning process, in which the region looks at trade-off decisions. There is a need for coalescing in the region.

Catherine Ciarlo, Metro, thanked ODOT for the comment about the 2040 refresh. She described that Metro is in the middle of preparing for an urban growth management decision. Next year, when that decision is made, will likely be when the 2040 structure and scoping starts. Metro looks forward to working on the 2040 refresh with the consulting agencies on the call.

Chris Ford, ODOT, commented that ODOT appreciates the approach of mini working sessions where ODOT and Metro have worked through motor vehicle policies. We identified common ground and worked through the questions. There is a lot changing in the region and beyond, socially, huge transportation and revenue challenges across the region, a lot of work to be done before the next RTP update and to set the stage for the next RTP call for project, including performance measures and land use. Hopefully, in the coming years we will know more about facility pricing, a lot of pieces we'll know more about. There's a lot of work to be done, we are very happy to be part of that work.

Jamie Snook, TriMet, commented that the 2040 refresh is interesting and exciting, particularly when applying an equity and transit-supportive lenses.

Tara O'Brien, TriMet, commented that TriMet supports work to shape a regional transportation funding strategy that takes advantage of the unprecedented federal funds. We need a better local funding mechanism to better support projects. We are working on submitting comments on chapter 8 to reflect this need.

Tara added that from TriMet's perspective, there's a vision for more transit service to meet our climate targets. Impacts of COVID have continue to provide budget shortfalls. We need to look at all strategies in Climate Smart.

Cody Meyer, DLCD, extended kudos to Metro staff, thanking them for reaching out and for the great partnership on climate during the 2023 RTP. There were kinks to work out from the 2018 RTP and DLCD really appreciates early opportunities to consult. We look forward to continuing to do that on the regional mobility work coming up.

Tom Kloster, Metro, mentioned that every RTP update, there are some topics that can't be solved within the RTP process. That upcoming work is outlined in chapter 8 of the RTP. Chapter 8 is large and Kim will be splitting it apart, tracking the history and decisions in appendix, so that chapter 8 reads as call to action.

Jamie Snook, TriMet, commented that TriMet is doing a lot to meet our climate goals. We focused not just on expanding but making sure the zero-emission buses are successful and that the system is safe and reliable, so there is also a lot of state of good repair work. We will still be expanding alongside capital projects and service.

Tom Kloster, Metro, brought up the example of McLoughlin Boulevard., where regional agencies stepped in to say, "we have a vision of this being a better place". TriMet expanded service and ODOT is investing in safety.

Glen Bolen, ODOT, with Climate-Friendly and Equitable Rulemaking (CFEC), we have removed barriers to several types of development. I am excited about the possibility of data tracking to look at how development is affecting Vehicle Miles Traveled. Is this something Metro will work on? Beaverton and Tigard are recent examples of requests for up-zoning going through smoothly because of CFEC.

Jasmine Harris, FHWA, Expressed appreciation for this meeting. I care about the CFR's. If there are future meetings, I would like to participate.

Kim Ellis, Metro, expressed appreciation for everyone joining the call and offered to have more conversations.

Tom Kloster, Metro, adjourned the meeting.

## Meeting summary

**Meeting:** 2023 Regional Transportation Plan (RTP) public comment period consultation with resource agencies

**Date/time:** Thursday, August 17, 2023

**Location:** Virtual via Zoom

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### **Agency Representatives:**

1. Barb Adkins, Stormwater Regulatory Compliance, Bureau of Environmental Services (BES)
2. Cassera Phipps, Principal Planner, Clean Water Services (CWS)
3. Chris Faulkner, Resources Program Manager, Clean Water Services (CWS)
4. Susan Sturges, NEPA Reviewer, Transportation Sector Lead, Environmental Protection Agency (EPA)
5. Lori Hennings, Senior Natural Resource Scientist, Metro
6. Ariana Scipioni, Oregon Department of Fish & Wildlife (ODFW)

### **Metro staff in attendance:**

1. Molly Cooney-Mesker, Engagement Specialist
2. Kim Ellis, Principal Transportation Planner, RTP Project Manager
3. Isaiah Jackman, RTP Intern
4. Tom Kloster, Planning Manager
5. Lake McTighe, Principal Transportation Planner
6. Shannon Stock, RTP Program Assistant

### **Welcome, purpose and introductions**

Tom Kloster welcomed agency partners and outlined the purpose of consultation, including developing a shared understanding of the RTP and MTIP processes and receiving feedback on the 2023 Regional Transportation Plan (RTP). Tom invited participants to introduce themselves and highlight any specific areas of interest for the consultation meeting. Two of the participants elaborated on their areas of interest.

Chris Faulkner, CWS, said that CWS is looking to find areas of coordination and overlap with RTP work.

Susan Sturges, EPA, highlighted the benefit of pre-NEPA work to help all engaged in a project gain broader perspective.

### **2023 RTP update - Presentation**

Kim Ellis, Metro, shared a PowerPoint presentation that summarized the process for the 2023 RTP update, engagement activities and input themes and key updates in the plan, including policies, projects and priorities for upcoming regionwide planning work.

### **Summary of discussion**

Ariana Scipioni, ODFW, asked if anyone from ODFW previously engaged with the 2023 RTP. Ariana noted that the ODFW wildlife division separated from the habitat division. Ariana will provide updated contacts for ODFW.

Susan Sturges, EPA, asked about any placeholders that are in the public review draft RTP and what other work is in draft mode that will change the current document?

Kim Ellis, Metro, responded that the RTP team is fine tuning findings related to the regional mobility policy and additions to chapter 8, which includes work to move forward between now and next RTP. Metro has been working with ODOT on the regional mobility policy since 2019 and discussions have continued as we've refined the policy. The main change related to the mobility policy is identifying additional work to support local implementation. The RTP team expects to get more formal comments from some agencies and is working toward adoption, recognizing that there will need to be continued work on outstanding questions next year.

Related to the climate analysis, Metro has done the analysis, but may refine the findings. The RTP team followed procedures required by the Department of Land Conservation's Climate-Friendly and Equitable Communities rulemaking. However, some of the State's underlying assumptions are being called out by stakeholders as being unrealistic. The region is meeting targets when the assumptions include policies that have not been formalized.

Other areas of significant discussion are pricing policies, especially the Oregon Department of Transportation (ODOT) tolling project going through a NEPA processes right now. Metro has been hearing from stakeholders that they would like to see regional pricing policies in the RTP be applied to these ODOT projects. This is an ongoing discussion and will be a major topic moving toward the RTP adoption this fall. Kim added that all comments received through this process are collected in a comment index and Metro staff respond to all substantive comments.

Susan Sturges, EPA, commented that the RTP environmental assessment appears to be focused more on the natural resources side of things. With the current administration, there is a big focus is on equity, environmental justice and climate change, which Susan noted are included in the current RTP, but are not directly addressed in Appendix F. Those are very applicable for transportation to look at during the planning stage.

Lake McTighe noted that the Climate Analysis is in Appendix J and the equity analysis is described in Chapter 4 and 7 of the 2023 RTP and builds on the equity evaluation approach developed during the 2018 RTP update. Refer to the 2018 RTP Appendix E for information about the process that informed identification of the measures and development of the evaluation approach.

Chris Faulkner, CWS, commented the RTP does a good job highlighting specific impacts on waterways. CWS wants to ensure there is early coordination on projects to allow consideration of opportunities, for example, to co-locate infrastructure. CWS infrastructure is aging. Coordination on TV Highway would be great.

Ariana Scipioni, ODFW, requested that the new tool by the Oregon Connectivity Assessment and Mapping Project (OCAMP) be included in the RTP. Ariana noted that it would be great to include the OCAMP tool on page 60 in Appendix F and in some of the assessments. The OCAMP priority wildlife connectivity, evaluated for 54 specific species, the highest level of habitat connectivity – the top 1

percent. This is similar to a lot of the work that Lori Hennings and the Intertwine has done but through a slightly different lens. So, it could be interesting to compare and see where they overlap.

Lake McTighe, Metro, responded that the OCAMP tool can be added to the list of resources and included as another data layer in the next RTP.

Lori Hennings, Metro, invited Ariana to look at OCAMP and the Habitat Connectivity Toolkit together, noting that there will likely be a lot of convergence. Ariana said she would love it and Rachel likely would too.

### **2023 RTP policy areas related to environment and environmental assessment (Appendix F) - Presentation**

Lake McTighe, Metro, shared a PowerPoint presentation that summarized the policies in chapter 3 of the 2023 RTP that relate to environmental protection, focusing on the design and complete streets policies. Lake also presented a summary of Appendix F: Environmental Assessment and Mitigation Activities, with a focus on updates that were made to the appendix to respond to comments received from consulting agencies and other stakeholders.

#### **Summary of discussion**

Lori Hennings, Metro, commented that there is one more federal funding source to add to the list and that she would send it to Lake.

Ariana Scipioni, ODFW, asked about mitigation for upland habitat. Ariana requested a conversation about ODWF mitigation policies and considerations for upland habitat.

Lake McTighe, Metro, responded that there is not a section on mitigation for upland included in the appendix and Metro welcomes input on this.

Kim Ellis, Metro, suggested that a column specific to upland habitat could be added to Table 13, noting that some of mitigation activities in the table apply to upland habitat mitigation, and that suggestions on additional mitigation activities are welcomed.

Lori Hennings, Metro, added that she is taking a close look at uplands, oak specifically.

Susan Sturges, EPA, commented that Metro addressed the EPA's comments submitted in the spring. Susan will take another look at Appendix F and Chapter 3.

Barb Adkins, BES, asked if Portland has been engaged during the 2023 RTP process. I know BES has been pulled in on some environmental review on Rose Quarter, the Interstate Bridge Replacement and SW Corridor. I am trying to understand how the RTP guides cities' work.

Lake McTighe, Metro, responded that yes, BES provided comments following the last consultation in spring 2023, and PBOT has been very involved throughout the process.

Tom Kloster commented that the RTP guides land use and transportation in the region and both BES and other City of Portland department and decision-makers are plugged into Metro committees. The RTP mostly pertains to larger streets (think streets with lines running through them). Metro often funds local street improvements in growth centers. The City of Portland is in the lead on street design. Many times, Metro is trying to mainstream City of Portland best practices across the region. Mainly, Metro is trying not to step on the City's toes where they are already in the lead. Usually, Metro involves BES on corridor level planning.

Susan Sturges, EPA, commented that Central City Tunnel is a good project for planning and environmental linkage study. With new NEPA regulations, there are faster timelines. Engage agencies and Tribes early so it informs better decision making when you get to the Environmental Impact Statement.

Tom Kloster, Metro, adjourned the meeting.



PUBLIC REVIEW DRAFT

2023 REGIONAL TRANSPORTATION PLAN

# Online Comment Form

## Public Comments

July 10 – August 25, 2023

[oregonmetro.gov/rtp](https://oregonmetro.gov/rtp)

Appendix G: Online Comment Form Public Comments

| ID | Date Submitted  | Last Name | First Name | Organization or Affiliation | City        | Postal | Chapter or appendix number | Page | Zip Code | Project name:                                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| 1  | 7/11/2023 14:28 | Kroepfl   | Isabel     |                             | Lake Oswego | 97035  |                            |      |          |                                              | Make a short (20 foot) sidewalk, and maybe "drive slow" signs on SW Lesser Rd between SW 55 Pl and Westlake Dr so that walkers can take the most direct route from the Westlake neighborhood of Lake Oswego to PCC Sylvania without having to walk on a dangerous road                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2  | 7/13/2023 14:58 | Wilson    | James      | Portland resident           | Portland    | 97206  |                            |      | 10866    | I-5 Corridor                                 | \$6 billion freeway expansion?! What a tragedy and a farce. Sure the bridges need replacement but do not fool yourselves least the public that adding light rail compensates for the massive vehicular expansion. You tell yourselves that its the Feds and forces beyond Metro's grasp. Cowards, you are letting the planet down and dooming younger generations you should be very ashamed of your Agency; I know I am                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 3  | 7/13/2023 15:27 |           |            |                             | Beaverton   | 97008  |                            |      | 11405    | Westside Trail                               | I am a strong supporter of the Westside Trail, including adding to the trail on both sides of US 26 and building a bridge over the freeway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 4  | 7/13/2023 16:20 | Whiting   | Anne       |                             | Portland    | 97232  |                            |      | 10311    | Prescott Multimodal Improvements             | Please make this a priority! We need bike lanes from the I-205 bike path to 72nd. I live east of I-205 and there are no safe routes currently in place. This project and RPT ID 10220 would open up safe ways to bike commute in this part of the city and connect residents to other greenways. Please prioritize!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5  | 7/14/2023 6:58  | meyer     | michael    | community stakeholder       | Lake Oswego | 97034  |                            |      | 11946    | Fischer extension                            | This planned collector needs to be moved North. Metro funded a circulation analysis for King city consultants to look at alternatives. The analysis is fundamentally flawed on many levels yet Metro staff endorsed the plan giving deference to the city. Speaking with Gerritt Rosenthal on several occasions he does not agree with the location of this project but says his hands are tied. The community is overwhelmingly opposed. The collector passes through the center of the Bankston Nature Preserve. Jessica Pelz, senior planner for Washington County, in her letter to the city stated that King City has too many neighborhood routes. The collector needs to be moved North in place of one of these identified neighborhood routes. Move it closer to planned higher density housing. Move it away from the banks of the Tualatin River on the East end. Move it away from the Heritage Pines Natural area on the other side of the river and just a few hundred feet from this planned roadway. Save money by not crossing 5 ravines at wider and steeper locations than a northern alternative. Move it North and minimize the impact to Class 1 riparian and Class A upland wildlife habitat. Tualatin Riverkeepers, Friends of the Refuge, 1000 Friends of Oregon, the manager of the Tualatin River National Wildlife Refuge, and an ODFW biologist are all on record opposing this location. Do your due diligence before committing to this plan and the funds it will take and speak to someone with an opposing viewpoint rather than blindly accepting the wish list of a narrowly focused city manager directing consultants to a predetermined outcome. The unnecessary costs of this are far greater than just monetary. |
| 6  | 7/14/2023 9:42  | Doane     | Mick       |                             | Langhorne   | 19047  |                            | 34   |          |                                              | So, it appears that this "Transportation Plan" is spending over 50% of anticipated Funds on Mass Transit that serves, 5-10% of the population? The utopia dreamed up by Central Planners is Destroying Quality of Life in the Metro Region. Add more Lanes, Build More Roads for the 97% of the Citizens that drive, and pay the taxes that support Bloated Government Bureaucracies like Metro! Everywhere that Max is being forced on Communities brings increased Crime, by providing Transportaion to Criminals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 7  | 7/14/2023 12:05 | Bayless   | Christian  |                             | Hillsboro   | 97124  |                            | 31   |          |                                              | How is it that we're spending SO LITTLE on high impact climate strategies?? 32% for 2030 and 26% for 2045?? That is unacceptable to me for the metro transit system - transportation account for 30% of all GHG emissions, and the metro council is fully supporting the dirtiest mode of transportation (cars) with HALF of our capital investment going towards car-based infrastructure (page 34).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8  | 7/14/2023 12:12 | Bayless   | Christian  |                             | Hillsboro   | 97124  |                            | 22   |          |                                              | Why are we continuing to expand and support car-based infrastructure when cars are responsible for >94% of all accidents and fatalities. By supporting car-based infrastructures (~50% according to p.34) so readily, the metro council is accepting that traffic fatalities WILL increase. We are showing more bikes, people, and cars into a small space and are somehow not willing to curtail the intrusion of the deadliest of those things. Portland needs to aggressively move away from car-based infrastructure by investing in our public transportation systems AND reclaiming road/street space for bikes and people. Car infrastructure should be being kept at bay OR ideally tapered back as other modes become better. To meet our climate goals, we have to make cars a LESS used mode of transit, and we won't get there by expanding car infrastructure. EVs will not save us here - we NEED public and human-powered transit solutions to be the norm.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9  | 7/14/2023 12:18 | Bayless   | Christian  |                             | Hillsboro   | 97124  |                            |      |          |                                              | Why are there no plans for implementing an express train or equivalent? The system right now is super slow in part because the trains stop at most / every stop. Having an express line that stops only at critical points to quickly move people from city-center to city-center and to the airport would make a huge difference in transit uptake. Parking at the airport is expensive, and people will readily take transit to avoid paying those overnight fees IF the train runs at a reasonable speed. On top of this, parking meters in downtown should have their costs increased to discourage car traffic in the downtown area. Park and ride systems should be the norm - not a fringe solution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10 | 7/14/2023 16:16 |           |            |                             | Portland    | 97201  |                            |      | 11589    | HCT: Tualatin Valley Highway Transit Project | I live in Cornelius and plan to continue living there for some time. I drive to work right now but would likely switch back to taking Trimet if you were to build the blue line (or some MAX extension) out to Cornelius/Forest Grove area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

Appendix G: Online Comment Form Public Comments

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|----|-----------------|-------------|----------|----------------------------------------------|----------|-------|--|--|--|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11 | 7/14/2023 16:40 | Shearer     | Elise    | St. Anthony Church, Tigard, OR               | Portland | 97224 |  |  |  |  | This is only my first comment. I would like to see priorities for the next five years to be: an emphasis on public safety, mass transit improvements, & bridge repair and regular maintenance of arterials. New projects should be deferred until maintenance has been caught up to 80% within a 5 year cycle. The general state of road repair within Multnomah County is only half of what it should be. For example: the road repairs on the arterial of Foster Rd east of I-205 were started but not completed. There are intersections that have been neglected and are hazardous to pedestrian crossings. More comments to come in the future.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 12 | 7/15/2023 6:04  | Spragg      | M        | None                                         |          |       |  |  |  |  | I think that turning streets into malls, putting curbs in the street and parking 8 ft from the curb is a waste of time effort and money. Thanks for all the hard work but I disagree with what you have done, sorry. Why dont you just give the Kafoury fam all the metro money? PDX Has not had a decent mayor since Bud Clark I digress. Have a quality day! I am liberal, but leaning toward conservative as the libs have ruined Portland, it was/is such a beautiful City. Please help get some control back. Free speech=good, against censorship(even if I dont like what i hear) Thanks from a 45 plus yr working Oregon taxpayer... Have a quality day,!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 13 | 7/19/2023 16:00 |             |          |                                              | Portland | 97225 |  |  |  |  | This is a pure waste of money if REAL security and fare inspection is not done. If you keep allowing the transients, out of control teens and junkies then my family will not be using your services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 14 | 7/19/2023 16:04 | Pierce      | Scott    |                                              |          |       |  |  |  |  | Make the best public transportation system we can. Dream big                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 15 | 7/19/2023 16:10 |             |          |                                              |          |       |  |  |  |  | Highway 99W between Tigard and Sherwood has become very crowded during rush hours and even during non rush hours some days due to the population growth in Tigard and Sherwood. The traffic in this area causes people to run late and for buses to run late too. Something needs to be done. Metro and Tigard and Sherwood need to stop issuing building permits and focus on reducing traffic. Highway 99W should be at least 8 lanes wide, with four lanes in each direction. Along with a designated bus only lane going both directions that can be used by trimet, and school buses.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 16 | 7/19/2023 16:20 | Christian   | Garrison |                                              | Portland | 97201 |  |  |  |  | Divest from car dependency. Cancel the IBR, Cancel the rose quarter expansion. Fund more max lines, dedicated bus lanes, concrete protected bike lanes, road diets, and build sidewalks in east Portland. Forever cap the UGB and start building up not out. If you do not do these things you are climate villains worthy of prison                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 17 | 7/19/2023 16:22 | Doe         | John     |                                              |          |       |  |  |  |  | A librarian was recently killed by a drunk driver speeding on Cesar E Chavez Blvd while waiting for her bus, it was only 6PM. As a pedestrian who walks up and down that road on a frequent basis I am often afraid of traffic I see rushing at incredible speeds, and the tragic death of this poor woman is more than simply alarming. Just a block or two north of this incident, there is a crossing signal that is replaced with some kind of haphazard setup because speeding drivers kept plowing into the old one that was there. Across the street from that, they are often rebuilding the faux stone facade on the exterior of their establishment because speeding drivers keep smashing into that corner as well! This is Cesar E Chavez & Belmont for those who don't know. The state of aggressive traffic and bad drivers in Portland has reached critical levels, and it is literally making me fear for my life when I am simply trying to take the bus or pick up some groceries. I strongly suggest that the city makes Cesar E Chavez only available for one lane of traffic, and keep the other lane clear aside from bus and bike use. Cesar E Chavez should not be treated like a shortcut between the freeways, it is unfair to the residents who live there who are just trying to survive. |
| 18 | 7/19/2023 17:06 |             |          |                                              | Portland | 97214 |  |  |  |  | Please more max lines + greater frequency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 19 | 7/19/2023 17:23 |             |          |                                              | Salem    | 97301 |  |  |  |  | trimet has issued tokens to disabled riders in the month of may when issuing the device for the use of elevators with the hopfastpass acting in addition to a fare pass.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 20 | 7/19/2023 17:46 | Doe         | Jon      | My right to privacy                          | Houston  | 77020 |  |  |  |  | Make transit free! Other major cities in the USA have free transit, why can't transit be free here? I think the reason it's not free is greed. Greed by the local authorities. Also improve security! More of them! Allow bus driver's more authority when dealing with a disruptive person, allow the driver the ability to kick the person off the bus!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 21 | 7/19/2023 19:33 | Numan       | Zachary  | Pacific Community Design Landscape Architect |          |       |  |  |  |  | Stop expanding lanes in highways. High capacity rapid transit is the best way to reduce congestion and plan for the future. Green Line Extension should be priority especially with the extreme growth in the western metro (TIGARD, WILSONVILLE). It will be the best way to fix S of Portland I-5 traffic. NB traffic is bottlenecked at 405 and lanes will not help. A commuter rail that actually goes to downtown and reaches the expansive metro should also be in the works. Bostons commuter rail is a great example                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 22 | 7/19/2023 20:15 |             |          |                                              |          |       |  |  |  |  | Extend max lines in Beaverton and Hillsboro area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 23 | 7/19/2023 21:28 | Kitson      | Michael  |                                              | Portland | 97214 |  |  |  |  | I was excited about this survey until I saw how it's not really meant to get people's feedback. And then I went back and looked at the interactive project map and project list and was again disappointed. I don't think you actually care about feedback.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 24 | 7/19/2023 21:28 | Witherspoon | Tom      | Self                                         | Portland | 97230 |  |  |  |  | I would like to see an increase in bus frequency, particularly during the day. This is across ALL routes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

Appendix G: Online Comment Form Public Comments

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| 25 | 7/19/2023 23:27 | Bradley   | Mark   | Hospitality  |          |       | High Capacity Transit Strategy |       |                                 |  | Widen 185th to 9 Lanes between Highway 26 to Cornell & 7 Lanes between Cornell to Baseline. Add a 3rd Southbound Lane between Johnson to TV Highway Widen 185th to 5 Lanes between Blanton to Farmington & 3 Lanes between Farmington to Bany Widen TV Highway to 7 Lanes whenever Freight Train Permanently Discontinues or knock out some Buildings. Downtown Beaverton Loop New Ideas. Making Farmington & Canyon Road into a One Way Couplet between Murray Blvd to Highway 217. Canyon Road Westbound Traffic Only Farmington Road Eastbound Traffic Only Having 4 Travel Lanes with a Bus Only Bat Lane Freight Trains are Very Noisy, Permanently Discontinued will Never Happen, but we do hope to Eliminate All Railroad Crossings in the Area by Building Bridges. For Now is to Request a Quiet Zone with a Wayside Horn & Pedestrian Gates. That will definitely include New Traffic Signals with Automatic Walk Signals on a New One Way Street & Existing on Hall & Watson that will also need a Makeover too on Pedestrian Friendly. Downtown Beaverton is a Very Busy Area Permanently Banning All Railroad Crossings on MAX Trains We might have to Save Up on a Federal Government Money to get the Fundings on Building Bridges or Tunnels away from Railroad Crossings. Grade Separation Project besides 185th @ Baseline. We should think about pushing more on Grade Separation is to get rid of Railroad Crossings. Activations Every 2 Minutes is not good at All. With Upcoming Red Line Extension happening in Fall 2024. Underpass for Eastman Parkway, Division Street, Cleveland Ave, NE Hood, Main Ave, 185th, Hall Blvd/ Watson, Cedar Hills, Hocken, Biggi, Lombard, Quatama, Century Blvd, East Young Parkway & 28th. Overpass for 82nd @ Airport Way with a Diamond Interchange with Exit Ramps, Cascade Parkway, Mt St Helen's Ave, 202nd, Civic Drive, Baseline Road, Merlo Road, 170th. Permanently Closed Railroad Crossings on 12th & Platforms at Washington Street cause it's a Bad Area of the Shootings. Including making Washington into a 2 Way Street. Remove Railroad Crossing on Kelly Ave, Roberts Ave, 117th & 114th to be Permanently Blocked with a Fence & No Trespassing Sign. Railroad Crossings need to be Banned Permanently cause it's Dangerous & Congestion. Farmington @ Lombard is also a Bad Intersection. Railroad Crossings also needs to be Eliminated too. Either lower the Intersection's or Above the Train Tracks. Freight Trains & WES both Cross there & it disrupts Pedestrian & Vehicles for 5 to 10 Minutes not good at all. Bridges over Railroad Crossings is Very Important to Save Lives, Ease Congestion & Improving Safety. No more Railroad Crossings All to be Gone Forever. |
| 26 | 7/20/2023 5:15  | Pulanco   | Ed     | None         | Portland | 97206 |                                |       |                                 |  | A very important suggestion: regarding the 4-way bus stops on SE Belmont Street and SE Cesar Chavez Avenue (formerly 39th Avenue) --- can you folks move the stop from Hollywood Transit going to Milwaukee a little farther away like where the school sign is? There's not enough room for wheelchairs boarding or getting off the bus on the current location right next to Two Brothers Restaurant. It gets congested also for passengers and pedestrians. It shouldn't be right on the corner, look at the stops going downtown / Hollywood District / Mt. Tabor --- they're all conveniently located !!! THANK YOU.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 27 | 7/20/2023 6:58  |           |        |              |          |       |                                |       |                                 |  | Build new roads! Maintain existing roads! Stop deliberately making life difficult for drivers! Gas tax pay for transportation!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 28 | 7/20/2023 8:32  | Roth      | Tim    |              | Portland | 97233 |                                |       |                                 |  | A Max Green Line Extension to Oregon City or near to the Clackamas Community Collage would be nice. It's really tough just trying to get to Oregon City and getting out of Oregon City like before Midnight is a pain. The only thing reliable in and out of Oregon City are just the buses and most of the buses there don't run very often at late nights. Thought about Orange line extension to Oregon City as well but I think it's still too new for Max Orange line to get an extension to Oregon City.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 29 | 7/20/2023 9:50  |           |        |              |          |       |                                |       |                                 |  | Seniors in Sellwood needed the 70line to go down 13th. It's horrible what you have done to seniors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 30 | 7/21/2023 21:09 | Wright    | Jed    |              |          |       |                                | 12035 | SE Powell Blvd Transit Project  |  | MAX on Powell Blvd! MAX can run on Powell until 82nd or i205 and then run on Division                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 31 | 7/21/2023 21:10 | Wright    | Jed    |              |          |       |                                | 10921 | Steel Bridge Transit Bottleneck |  | Important priority! While tunneling for red/blue lines, it could be wise to study the capacity and speeding up yellow, orange, and green lines                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 32 | 7/22/2023 10:55 | Shepley   | David  | Trimet Rider |          |       |                                |       |                                 |  | Regarding getting to Lake Oswego and West Linn I would like Max to Go from Portland to West Linn and Lake Oswego!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 33 | 7/22/2023 15:26 | Dunn      | Logan  |              |          |       |                                |       |                                 |  | I would like too see a bus loop in Sherwood on Sherwood Blvd, Through downtown, onto main, then Sunset Blvd, cross over to Elwert, turn into Handley, Copper terrace, then Edy and crossing back over onto Sherwood Blvd 94 going clockwise then to Portland, and 97 going counter clockwise the to Tualatin People in my town are lazy and one of the big reasons they use cars is because any public transit is so far away from so many people This would for certain get people out of their cars to give bus travel a try I would also like to see a possible new Max line going down 99W to Sherwood with a commuter rail line on the P&W tracks through downtown                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 34 | 7/23/2023 5:44  | chatfiled | brandi |              | Portland | 97212 |                                |       |                                 |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 35 | 7/24/2023 8:03  |           |        |              |          |       |                                |       |                                 |  | YOU allow "California Style Growth"... Build Cali Style Roads. Visit other cites (Boise, Las Vegas, Salt Lake, Etc) and see how a progressive community thrives. Portland metro is a joke...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| 36 | 7/24/2023 11:06 | Streight      | Chris    |      | Portland | 97206 |  |       |                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Speeding and traffic violations are out of control. We just had 11 deaths in the past two weeks that were auto-related. The excuses of not being able to afford enforcement are tiresome. In many ways, this is a math problem. Let's say a speeding/traffic violations enforcement officer costs \$100,000 a year (pretty generous given all costs). This person receives 3 weeks of vacation. This leaves 245 working days, which means this person costs \$408/day for the 245 days working. To pay for the \$408/day, they would need to write 3.4 tickets a day at a \$125 average (a pretty low average based upon a quick search of speeding tickets in Portland). When I am out and about for an hour going to the store, I easily witness 3.4+ speeding violations in that hour. An officer should easily be able to write 10 tickets a day, more than paying for their wages, healthcare, and other employment costs. This is not a problem of not being to afford enforcement. This is a complete lack of desire. Hiring five to ten enforcement officers would make a quick dent in this problem and they would easily pay for themselves by just writing tickets each day they work. |
| 37 | 7/24/2023 12:12 |               |          |      |          |       |  | 12035 | Se Powell Blvd Transit Project                 | I would like to see MAX on Powell / division Elevated max would provide faster transit at a cheaper price than tunneling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 38 | 7/24/2023 12:14 |               |          |      |          |       |  | 11587 | Southwest Corridor                             | Missing destinations like Hillsdale and especially PCC seems like a lost opportunity Tunneling might make more sense now that the current plan calls for Barbur Blvd expansion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 39 | 7/24/2023 12:15 |               |          |      |          |       |  |       |                                                | Speeding up lines like the yellow and blue should be a priority Perhaps passing lanes on the blue Elevated or underground service on the yellow                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 40 | 7/24/2023 12:28 | Wright        | Jedidiah |      |          |       |  | 11587 | Southwest Corridor                             | The current plan has a lot of missing opportunities Reconsider passing up Hillsdale and especially PCC The current plan of missing Hillsdale and PCC seems shortsighted, especially with proposed corridors like 25 and 125 which seek to make these connections. Doing it right the first time makes more sense. More tunneling and Elevated track, to increase competitiveness with driving                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 41 | 7/24/2023 14:17 | Dant          | Erik     |      |          |       |  |       | I5 bridge and I5 widening through rose quarter | If portland claims to have an environmental commitment to reduce vehicle miles traveled there is no reason to rebuild the I5 bridge or widen I5. Make people reroute through I205. Don't encourage Washington drivers putting undue pressure on our roadways while they tax dodge. This money would go much further earmarked for a transit/pedestrian/cyclist only bridge across the Columbia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 42 | 7/28/2023 12:58 | Pieniazek     | Adam     |      | Salem    | 97317 |  |       |                                                | It is absolutely insane to develop a plan that'll spend \$68.5 billion and won't result in sidewalks everywhere and a bike network that is connected and protected. To top it off the I-5 scam is getting more money than all of walking, biking and transit combined? Why not just light all our trees on fire and go ahead and admit that you hate the environment? It'd certainly be cheaper than this ridiculous plan that triples down on the bad ideas of the past and takes us headfirst off the climate cliff. All we ever hear is that there isn't enough money for bike and pedestrian infrastructure and you turn around and spend billions on ideas that have already been demonstrably massive failures. I could continue but it's clear the time I'm spending writing this email is a waste of time because you can't polish a turd. Everyone involved in coming up with this monstrosity should resign and never again touch anything transport related again. Pass me whatever it is y'all are smoking, I need it after reading through your apocalyptic plan. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 43 | 7/28/2023 17:39 | Brister-Smith | Allister |      | Portland | 97212 |  |       |                                                | The only way forward is fairless. Abolish trimet fairs and deprioritize freeway spending.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 44 | 7/28/2023 17:42 | Brister-Smith | Allister |      | Portland | 97212 |  | 11985 | I-205 Multi Use Path                           | Improve sections around flavel area so bike path does not have to cross traffic zones, or add a curb to separate bike traffic from cars. I have nearly died 3 times in the last 2 weeks because drivers seem to think the road exists only for them and they do not look into the bike lane before right turn on red. Using a curb to physically block car access to the bike lane can save lives.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 45 | 7/28/2023 17:46 |               |          |      | Portland | 97212 |  | 12029 | HCT: 82nd Ave Transit Project                  | High frequency transit in this area is a good idea. (using canadian standard high-frequency transit times of < 5 minutes between vehicles). However, I am concerned at the obsession with battery-electric busses. Although the up-front capital is higher, maintence and sustainability with overhead catenary line powered vehicles is superior and will ultimately be cheaper in the long run once such a system is installed. Do not fall for the autonomous battery future, it is a pipe dream designed to make elon musk and other lithium-investors money on the backs of taxpayer dollars.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 46 | 7/28/2023 17:47 | Brister-Smith | Allister |      | Portland | 97212 |  | 11992 | I-205 Operational Improvements                 | Do not waste time or money on more freeway improvements. Building out lanes will not work and it is the only thing that will ultimately get approved by ODOT. This money is better spent on improving or repairing existing throughways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 47 | 7/28/2023 17:48 | hoke          | tena     | none | Portland | 97206 |  |       |                                                | Less emphasis on Max trains and better bus service. In other words, less flash and more service. Also, restore the max stop that was originally promised between Holgate and Bybee. Also, build more parking at max stops.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 48 | 7/28/2023 17:49 | Brister-Smith | Allister |      | Portland | 97212 |  | 11879 | Sullivan's Gulch Trail, Segment 3              | Union pacific isn't using the right of way effectively on most of the segments. Please build out this trail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 49 | 7/28/2023 17:53 | Brister-Smith | Allister |      | Portland | 97212 |  |       | MAX Blue Line Station Rehabilitation           | Yes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| 50 | 7/28/2023 17:53 | Reed             | Kimberly | Americans with Disabilities Act Supporter | Beaverton | 97006 |  |  |       |                           |  | I hope that TRIMET isn't forgetting about those of us who use walkers. Currently, the aisles are TOO NARROW, to drive an average size walker in the aisles of the NEWER TRAINS! So, if the handicapped seats are taken up when I get on the train with my walker, & the handicapped seats are taken, I cannot get to other seats ahead of me or behind me because the aisle is way TOO NARROW! I also believe that THIS PROBLEM IS A VIOLATION OF THE ADA LAWS. PLEASE FIX THIS PROBLEM!! I'm tired & just exhausted & in a lot of pain due to having to STAND FROM GATEWAY TO CIVIC DRIVE, BECAUSE NO ONE GIVES A DISABLED OR PHYSICALLY CHALLENGED PERSON(S) A SEAT, THAT A NON-DISABLED PERSON IS SITTING, ALL SPRAWLED OUT, USING TWO SEATS TO SIT ON!!!                                                                                            |
| 51 | 7/28/2023 18:14 | Haverkamp        | Andrea   |                                           | Portland  | 97202 |  |  |       |                           |  | We need to deprioritize car infrastructure immediately and focus on streetcars, light rail, below-ground subway, regional transit, and more. Oil and gas is killing us and we are so far behind where the streetcar system of the 1910s used to be. We need less lanes for cars and more lanes for bikes and streetcars, greater walkability. This plan falls short in a lot of ways. The east side continues to be underserved by rail and transit options. We need more than highways and buses.                                                                                                                                                                                                                                                                                                                                                      |
| 52 | 7/28/2023 18:20 | MEALY            | JOHN     |                                           | Boardman  | 97818 |  |  |       |                           |  | To combat climate change, public transit should be free and frequent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 53 | 7/28/2023 18:21 | Wyatt            | Bridget  |                                           |           |       |  |  | 10232 | Flanders / Naito crossing |  | I live on Naito parkway and the steel bridge to Flanders still isn't safe for pedestrians without having to cross friendly train tracks and the busy street to find a sidewalk or have to walk past several camps just to get to the max. All these areas need better lighting, safer sidewalks and less blocking by the trains.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 54 | 7/28/2023 18:31 | Poyourow         | Michelle | none                                      | Portland  | 97202 |  |  | 11176 | I-5                       |  | Please don't add lanes or any general traffic capacity to I-5. It's madness. We will all regret it in our lifetimes. It is already obviously the wrong thing to do, so it's time to take it out of the plans. Sure, study freight-only entrances and exits, bus lanes, tolling, and other such ways of using our existing lanes for more important purposes. But until we sift out important and high-value uses from the huge number of personal car trips and Uber Eats deliveries and \$6 Amazon order deliveries that are clogging the roads and our air, any additional lanes will just be spitting into the wind - worse, actually, they'll be spitting into the wind while ruining our city and our planet. Don't add capacity over any distance. Make the rest of the city and the roads better. Drop this project from the plan.               |
| 55 | 7/28/2023 18:58 | Lindquist        | Hector   | Just a rider                              | Portland  | 97202 |  |  |       |                           |  | Cant see the draft                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 56 | 7/28/2023 19:03 |                  |          |                                           | Portland  | 97229 |  |  |       |                           |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 57 | 7/28/2023 19:17 | B                | James    | N/a                                       | Beaverton | 97007 |  |  |       |                           |  | Gresham needs better buses, the 80s buses don't run enough and as far out as needed!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 58 | 7/28/2023 19:18 |                  |          |                                           | Vancouver | 98665 |  |  |       |                           |  | Keep transit affordable please.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 59 | 7/28/2023 19:54 |                  |          |                                           |           |       |  |  |       |                           |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 60 | 7/28/2023 20:30 |                  |          |                                           | Olympia   | 98513 |  |  | 3     |                           |  | Service Across Oregon                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 61 | 7/28/2023 21:36 |                  |          |                                           | Lincoln   | 95648 |  |  |       |                           |  | Why can't I reload my honored citizen card at a statoon machine. Other cities' transits have that ability. Why doesn't Portland?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 62 | 7/28/2023 21:47 |                  |          |                                           | Portland  | 97206 |  |  |       |                           |  | Your "interactive" map is NOT self-explanatory. The bullet points are pretty meaningless without ANY legend. You have all of these projects listed, most on-going, but again without context/legend they're all pretty meaningless, but, like you "proposed" rate increase we, as your ridership, are EXPECTED to just shut up and be okay with all of it.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 63 | 7/28/2023 23:19 | Gaddis           | Jill     | Maplewood Neighbor Association            | Portland  | 97213 |  |  |       |                           |  | We need north south tri-met lines. A bus line running the length of SW Oleson Rd to SW Scholls Ferry Rd to the zoo passengers can transfer to the MAX lines going to Hillsboro and to the Airport. Going to the center of Portland is congested and time consuming. For many living in SW Portland we cannot even get travel to many areas by bus so we use our cars. Bus lines and/or times have been cut so ridership is down. Washington Square is an inconvenient transfer-hub, making travel time lengthy. Other south-north routes are needed. As the population grows and with many steep hills in Southwest Portland makes it difficult for elders to even get to a bus. There are very few if any sidewalks or safe way to walk to a bus, only walking in the streets with cars or ditches to walk in order to get to a bus. We feel forgotten |
| 64 | 7/28/2023 23:21 | Wicker-Lenseigne | Harper   |                                           | Portland  | 97203 |  |  |       |                           |  | Long-term focus on improving the availability of light rail (possibly the MAX system) in areas like North Portland and Southwest Portland (excluding Downtown) where transit besides buses is rarely an option. Expansion of the MAX lines in the future is key to growth and more widespread adoption of public transit in these areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 65 | 7/29/2023 1:22  |                  |          |                                           |           |       |  |  |       |                           |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 66 | 7/29/2023 11:08 | Peterman         | John     | Citizen                                   | Portland  | 97221 |  |  |       |                           |  | I'm just a regular guy. I don't have time to read through all those plans to say that decent reliable transportation should be a right to everyone. Cars are destroying the planet and killing pedestrians and drivers alike. Transportation in the city of Portland should be more reliable and easy than taking a car. One change I would greatly like to see is for the city to remake the Ross Island bridge to be safe for pedestrians and cyclists, and also maybe add more bus lines or a street car. The Ross Island bridge is one of the busiest bridges in Portland and also one of the most uncomfortable to drive on.                                                                                                                                                                                                                       |
| 67 | 7/29/2023 11:08 | Peterman         | John     | Citizen                                   | Portland  | 97221 |  |  |       |                           |  | I'm just a regular guy. I don't have time to read through all those plans to say that decent reliable transportation should be a right to everyone. Cars are destroying the planet and killing pedestrians and drivers alike. Transportation in the city of Portland should be more reliable and easy than taking a car. One change I would greatly like to see is for the city to remake the Ross Island bridge to be safe for pedestrians and cyclists, and also maybe add more bus lines or a street car. The Ross Island bridge is one of the busiest bridges in Portland and also one of the most uncomfortable to drive on.                                                                                                                                                                                                                       |

# Appendix G: Online Comment Form Public Comments

|    |                 |                   |           |             |             |       |  |  |       |                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| 68 | 7/29/2023 12:01 |                   |           |             | Portland    | 97219 |  |  |       |                                                    | In looking at the project map I am seeing misalignment between jurisdictions. In Beaverton in particular, WashCo is proposing widening Walker to highway widths while Beaverton is considering taking Canyon back from ODOT to covert to a complete street. Very similar roads with similar purposes. We need to all get on the same page. Walker does not need to be 5 lanes. That is ridiculous. TV Hwy and 26 run to the north and south. There is no need for this many high capacity east/west connections for cars this close together. This plan should support local agencies and what they want to see in the their jurisdiction.                                                                                                                                                                                                                                  |
| 69 | 7/29/2023 14:12 | Lauruhn           | Nathan    | Sunrise PDX | Portland    | 97211 |  |  | 10866 | I-5 Interstate Bridge Replacement Program          | This project should be geared more to walking, cycling, and public transportation instead of having auxiliary lanes and improved interchanges on the I-5. What we need to do is decarbonize transportation and build better walking, cycling, and public transportation routes in between Vancouver and Portland.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 70 | 7/29/2023 14:22 | Lauruhn           | Nathan    | Sunrise PDX | Portland    | 97211 |  |  | 12030 | HCT: Burnside/Stark Corridor High Capacity Transit | This is a great project. I was riding this bus route out to Mt. Hood Community College for a volunteer job and it was very slow past 82nd Ave. I have seen how much of a difference Frequent Express buses made along Division and it would be great to bring them to Stark.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 71 | 7/29/2023 14:35 | Lauruhn           | Nathan    | Sunrise PDX | Portland    | 97211 |  |  | 11102 | HCT Streetcar Lovejoy to Hollywood Extension       | As someone who lives in NE Portland, it would be great to link up an area with very few MAX stations to a streetcar line. I'm a big fan of this project!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 72 | 7/29/2023 14:37 | Lauruhn           | Nathan    | Sunrise PDX | Portland    | 97211 |  |  | 11587 | HTC: Southwest Corridor: PD, Engineering and ROW   | It would be great to give an area with very few rail connections some.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 73 | 7/29/2023 14:40 | Lauruhn           | Nathan    | Sunrise PDX | Portland    | 97211 |  |  | 12034 | ETC: Lombard/Cesar Chavez Enhanced Transit Project | There needs to be more transit connections in between NE and SE Portland and this project would be a great start!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 74 | 7/29/2023 16:52 | Holland           | Darren    |             | Oregon City | 97045 |  |  |       |                                                    | So much to love here. Very encouraging to see all the projects to increase mobility options and connectivity for biking and walking. I was very disappointed the southwest light rail project did not move forward earlier but hope it's day might still come.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 75 | 7/30/2023 8:45  | Cooksey           | Elizabeth |             | Portland    | 97210 |  |  |       |                                                    | One of the reasons we moved to Portland was because of the availability of both rapid transit and buses. We are grateful to live here and hope that Trimet thrives.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 76 | 7/30/2023 9:52  | Ferreira-Gandolfo | Peter     |             | Portland    | 97223 |  |  |       |                                                    | What about making faster commuter rail service on the rail line that runs parrell to tv highway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 77 | 7/30/2023 15:11 | Regan             | David     |             | Portland    | 97222 |  |  |       |                                                    | We need electric buses asap.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 78 | 7/30/2023 16:43 |                   |           |             | Portland    | 97212 |  |  |       |                                                    | The pages were extremely hard to figure out. I tried clicking on several topics and nothing happened.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 79 | 7/31/2023 9:27  |                   |           |             | Avenel      | 7001  |  |  |       |                                                    | I like to ride for free because the money has already been withdrawn from my paycheck.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 80 | 7/31/2023 11:18 | Pliska            | Sean      |             | Portland    | 97230 |  |  | 10866 | I-5 Interstate Bridge Replacement Program          | This project is exactly what the Portland area does not need. Providing more capacity for SOVs traveling through the city is a recipe for lowering the quality of life for a large part of Portland's citizens. In essence, that is the history of I-5. Many of the goals of this project can be met much better via a different modes/route. For example, a tunnel was not considered. Rerouting travel via a new ROW along the N Portland Road and tunnel under St. John's was not considered. Freeways through cities make cities awful. Metro needs to play a central part in removing them, not increasing their capacity.                                                                                                                                                                                                                                             |
| 81 | 7/31/2023 11:45 | MacDonald         | Chris     | N/A         |             |       |  |  |       |                                                    | Please don't raise the fare prices, it's your problem that needs to get fixed not the publics. If you do raise the prices then you need to do 2 things. 1. No more homeless on all transit vehicles. Here are the reasons.<br>[REDACTED]<br>[REDACTED]. 2. Add more Fare inspectors (due to not heeding the 1st problem stated above) daily sun-sat. [REDACTED]. And for the fare jumpers regardless of them being homeless or not no more being leant [REDACTED]. Raise the fine if they can't pay jail time simple. [REDACTED] you are slacking on your responsibility as a business and doing what needs to be done. Im going to say this and I'm going to be correct in saying this all you did was skim [REDACTED] and ignored the rest [REDACTED] Now since I have angered you do something about the problems described in this message... One Angry TriMet Rider... |
| 82 | 7/31/2023 15:48 |                   | C         |             | Portland    | 97212 |  |  |       |                                                    | I have spoken to other individuals who reside in North Portland and use public transportation. We speak A LOT about having to pass through DOWNTOWN PORTLAND when we need to get to SE Portland. I would like to see a route designed for people in N Portland to get to SE Portland without passing through downtown/over the bridges. It's not rocket science why hasn't this been done sooner. Someone needs to think about this. It is ABSURD that we waste time in downtown when N PDX and SE PDX are on the same side of the river.                                                                                                                                                                                                                                                                                                                                   |
| 83 | 7/31/2023 15:48 | Pao               | C         |             | Portland    | 97212 |  |  |       |                                                    | I have spoken to other individuals who reside in North Portland and use public transportation. We speak A LOT about having to pass through DOWNTOWN PORTLAND when we need to get to SE Portland. I would like to see a route designed for people in N Portland to get to SE Portland without passing through downtown/over the bridges. It's not rocket science why hasn't this been done sooner. Someone needs to think about this. It is ABSURD that we waste time in downtown when N PDX and SE PDX are on the same side of the river.                                                                                                                                                                                                                                                                                                                                   |

Metro values and strives to understand all perspectives but is committed to advancing equity to address all forms of racism.

Some content on this page has been redacted to remove discriminatory, derogatory, racist and harmful language.

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| 84 | 7/31/2023 15:50 | Cottingham | Steven  |                   | Portland  | 97217 |  |  | 11831 | Us 26 multi use path                                           | I am happy to see this project in the plan, however this project is incredibly important for safely connecting bike paths of portland to those of beaverton and beyond, so having it in the later time period is disappointing. Having ridden the existing paths between portland and beaverton, I can tell you they are not very safe and very steep and this would be a huge improvement that I think should be done ASAP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 85 | 7/31/2023 22:27 | PADGETT    | SHAUN   | equilibrium       | Portland  | 97223 |  |  |       |                                                                | As we move into modern times, with various adults with ranging work hours 24 hours of the day and 7 days a week, and let alone you ALL encourage SOBER driving, why not have the buses running when the bars are happening and still open like having buses running around still running after last call? I think it's time we extend bus services at least past 2am on Fridays and Saturdays, but it should be raised from 12:30am to 2:30am all around and start services again at 5:00am. Having the majority of TRIMET buses shut down after midnight in the year 2023 is preposterous, this town has grown too big and we need to evolve as a city as well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 86 | 8/1/2023 11:28  |            |         |                   |           |       |  |  |       |                                                                | Add land acquisition, design and construction of Ice Age Tonquin Trail between Tualatin Sherwood Rd and Graham's Ferry Road. This is a huge gap with some of the most interesting ice age terrain that must be built to achieve regional connectivity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 87 | 8/1/2023 13:20  | Hagle      | Cecilia | Citizen           | Hillsboro | 97124 |  |  |       |                                                                | The mandate for high density housing is great but the EXTREME LACK OF PARKING (.75 of a space per unit and now UNFORTUNATELY GOING TO .5 OF A SPACE) is very unrealistic. THERE ARE NORMALLY TWO TO FOUR CARS PER UNIT (both parents having to work, roommates, multi-generational households). This causes a HUGE PARKING ripple out in the surrounding neighborhoods that is not appreciated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 88 | 8/1/2023 13:24  | Hagle      | Cecilia | Citizen           | Hillsboro | 97124 |  |  |       |                                                                | I think the giving away the various railroad rights-of-way is VERY short sighted. It is all great and fun to have trails and walking paths but trying to get that property back when more rail or other future travel modes are needed is not going to be easy or realistic.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 89 | 8/1/2023 17:54  | Leiber     | Kristin | Lloyd EcoDistrict | Portland  | 97212 |  |  |       |                                                                | Regarding the impacts on the Lloyd neighborhood, I am concerned with the number of thoroughfare, "economic development," and expansion projects, especially around freeways and the MLK/Grand corridors/intersections. This area already struggles with walkability, climate impacts, and air quality. While I am encouraged by the increasing connections between Lower Albina and other parts of Portland, I am seeing continued transit-driven disconnection between Lloyd & the Rose Quarter, Lloyd & Irvington, Lloyd & downtown, and Lloyd & Kerns. As offices continue to empty in Lloyd and the day-to-day percentage of residents to employees continues to shift closer to 1:1, I feel like this is looking backward at Lloyd's history of commuting office workers, versus looking forward at Lloyd's present as a series of empty offices and its future desire to be a neighborhood modeling our most pressing goals in climate change and affordable housing. At this point in our journey with climate change, I would expect to see a prioritization of walkability, bike-ability, and public transit (and a subsequent deprioritization of car-focused projects) in terms of investment and pervasiveness across Lloyd. However, I'm seeing the opposite and much more investment and concentration of car-focused projects that are admittedly not highlighted as either equity or climate projects by your own tags. Much care is being given to people moving quickly through Lloyd at the expense of those calling Lloyd home. As this plan is focused on Portland through 2045, I hope there is a reconsideration of prioritizing residents of Lloyd and nearby neighborhoods and an urgent response to the increasingly important regional climate goals to help reduce pavement and increase the quality of life and car-free transportation. |
| 90 | 8/1/2023 17:57  | Leiber     | Kristin | Lloyd EcoDistrict | Portland  | 97212 |  |  | 11176 | I-5 Rose Quarter/Lloyd District: I-405 to I-84 (UR, CN, OT)    | As an advocate for Lloyd, for climate, and for a densely livable Portland, I am fundamentally opposed to freeway expansion of any type, especially as it relates to the Lloyd, Lower Albina, and other historically black neighborhoods. I am for capping and reconnecting, however, a freeway widening project and capping/covering should not be included in the same conversation, especially as we have an extremely small window of time to tackle emissions and decarbonization goals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 91 | 8/1/2023 18:01  | Leiber     | Kristin | Lloyd EcoDistrict | Portland  | 97212 |  |  | 10867 | I-5 Rose Quarter/Lloyd District: I-405 to I-84 (PE, NEPA, ROW) | It is unclear to me if this project is simply for the study of all items described, or if this project includes "right of way" work that will make changes to the streetscape. I am all for an environmental study for all the above and very much in favor of expanding the multimodal connections between Rose Quarter and Lloyd, as the current connections are unprotected, scary, and insufficient in terms of incentivizing people to get out of their cars. I would not be in favor of any funding going to right of way changes without further commitments to the scope of that work and ensuring that it does not support any increases to the use of SOVs. Again, we have a small window of time to radically address climate change and funding easier car access is not the answer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 92 | 8/1/2023 18:04  | Leiber     | Kristin | Lloyd EcoDistrict | Portland  | 97212 |  |  | 11794 | Grand/MLK Lloyd District Traffic Signals                       | More clarification about what this project entails, especially for \$8M is needed. I see there is a tag for Climate Pollution reduction, however as far as I am aware there are already many lights in this area and I would hesitate to approve to disapprove without more specifics and clarification around the need.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| 93  | 8/1/2023 18:09 | Leiber | Kristin | Lloyd EcoDistrict | Portland  | 97212 |  |  | 12038 | Green Loop/Central City in Motion Improvements | Help us give this Green Loop teeth! While protected intersections and bike lanes are critical, help us make it more separated from cars by closing streets and removing right of way, especially in Lloyd where traffic is lighter than ever. In addition, funding needs to be also available for the economic development piece of this work: shifting vending policy to enhance the Green Loop, incentivizing small business pop-ups, ideally micro businesses and pedal-powered as well as extensive investment in living infrastructure, tree canopy, and carbon neutral development along these routes.                                                                                                                                                                                                                                                                                             |
| 94  | 8/1/2023 18:13 | Leiber | Kristin | Lloyd EcoDistrict | Portland  | 97212 |  |  | 11646 | Broadway/Weidler Corridor Improvements         | As an advocate for the Lloyd neighborhood, I see Broadway & Weidler both as car-first despite efforts to change that. Many, many shifts need to happen and priorities need to change to turn it into a diverse small business corridor that thrives with multimodal transit. For example, despite Lloyd being a target for urban tree canopy remediation, there are zero available areas for street trees. Why? Because sidewalks are too narrow to accommodate tree wells. One-way traffic encourages high speeds and discourages both bike and pedestrian travel, and the sea of pavement heats this neighborhood much too high for how many cars come here daily. Let's aggressively cut back on car travel lanes in favor of street trees, wide sidewalks, dedicated bus lanes, cycle tracks, and more living infrastructure and worry less about how quickly cars can cut through the neighborhood. |
| 95  | 8/2/2023 14:18 | Cota   | Nic     |                   | Vancouver | 98686 |  |  | 10315 | Cesar Chavez Corridor Improvements             | Creating a bus priority lane throughout C chavez is critical. The conditions of this roadway are horrendous for anyone walking, biking, taking transit. The 7/15/2023 death of Jeanie Diaz, a librarian WAITING AT THE BUS STOP at C Chavez/Taylor is a clear indication that the conditions of this roadway are not acceptable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 96  | 8/3/2023 6:46  |        |         |                   | Portland  | 97206 |  |  | 10866 | IBR                                            | I would like to see the scale of this project downsized significantly to only a bridge replacement with a similarly sized bridge as well as expansion of biking/light rail facilities. My understanding is that a huge portion of this project as it is currently planned is building new freeway on ramps in Washington as well as a substantial increase in the actual cross section of the roadways. I would much rather see the money that would be spent on the freeway expansion component of this project redirected to safety improvements on Powell or other orphan highways, rather than primarily benefiting wealthier than average Washington commuters and people trying to evade sales tax.                                                                                                                                                                                                |
| 97  | 8/3/2023 6:49  |        |         |                   | Portland  | 97206 |  |  | 11176 | I-5 Rose Quarter                               | I would like this project to either consist of: congestion pricing only or congestion pricing + a highway cap to reconnect Albina. The freeway expansion piece of this project is an incredible sum of money to spend on something that will not resolve traffic congestion in the long run, that money would be better spent on sustainable transportation alternatives or safety improvements to ODOT's many dangerous orphan highways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 98  | 8/3/2023 6:51  |        |         |                   | Portland  | 97206 |  |  | 12304 | Regional Congestion Pricing                    | I would like this to actually be congestion pricing, and for the funding to be directed towards sustainable transportation modes or for safety improvements on ODOT's many dangerous orphan highways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 99  | 8/3/2023 16:51 |        |         |                   | Portland  | 97223 |  |  | 11587 | Southwest corridor MAX                         | Find funding for this project immediately and connect this growing portion of the metro area to the MAX network! Also, I think it would be better if it was tunneled under OHSU to serve it directly and it should be extended to downtown Tualatin to the Lake Commons and eventually to Wilsonville.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 100 | 8/3/2023 16:55 |        |         |                   | Portland  | 97223 |  |  | 11220 | Hall Blvd Improvement                          | ODOT should not bring Hall Blvd to "A state of good repair" before transferring it to the city of Tigard, ODOT should reconstruct Hall Blvd the way the city planned to improve it after the transfer with separated and protected bike/walk infrastructure for its entire length. ODOT should not waste money on state of good repair and instead build it how we want it because they let it fall apart to horrendous conditions for decades without working on it at all.                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 101 | 8/3/2023 17:00 |        |         |                   | Portland  | 97223 |  |  | 12088 | Complete Fanno Creek Regional trail            | Its time to complete the Fanno Creek regional trail with a high-quality connection to Durham Park and Cook Park. Make sure the path is wide enough for two groups of people to easily walk past each other. Also, don't be afraid to build a boardwalk through wetland areas instead of having the paved trail hug awkwardly along private property lines as it does for many other segments of the trail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 102 | 8/3/2023 17:05 |        |         |                   | Portland  | 97223 |  |  | 10766 | Repave Fanno creek regional trail              | This segment is the worst path conditions so I am glad you plan on fixing it. More work needs to be done on other segments of this trail as well. There are portions of it that flood during winter and become impassable, simply constructing wooden boardwalks in these areas would solve this problem and people could use this trail year-round for other purposes than recreation. Also, much of it is too narrow and needs to be widened.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 103 | 8/4/2023 14:50 |        |         |                   | Portland  | 97223 |  |  | 12304 | Interstate Tolling                             | I Fully support tolling of the I-5 and I-205 bridges over the Columbia River as a weapon against Vanvouverites that take advantage of Washington's no income tax and Oregon's no sales tax. I also wish that 100% of the income made by the bridges after they are paid off goes towards non Car infrastructure projects like the southwest corridor project and tunnels under downtown Portland for the MAX trains and more streetcar lines, improved busses, and more high-quality bike infrastructure and walking improvements.                                                                                                                                                                                                                                                                                                                                                                       |
| 104 | 8/4/2023 14:18 | Pegg   | Pamlin  |                   | Portland  | 97214 |  |  |       |                                                | Rising prices - Please raise prices (a bit more?) so that riders only need quarters to pay fares. for example, Honored Citizens fare goes from \$1.25 to 1.50 and regular fare goes from 2.50 to \$3.00. Less change to carry around, easier to calculate how much \$ I have left on my Hop Card.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 105 | 8/5/2023 11:05 | Slansky  | Peter  | I live here.  | Troutdale | 97060 |                                                |     | 10567 | Taylors Ferry Extension                                                         | I am vehemently opposed to a connection of Oleson Road with Taylors Ferry. There is already a high volume of traffic flowing through the neighborhood and extending to Oleson will provide a shortcut for people seeking a connection with I-5. This will affect a quiet residential neighborhood with tremendously increased traffic volume on a two lane road, affecting air and noise quality negatively. Liveability and quality of life need to be factored into these decisions. This project will be highly detrimental to both. Thank you. Peter Slansky 9823 SW 57th Ave.                                                                                                                                                                                                                                                                                                                                                                                                      |
| 106 | 8/5/2023 13:24 | Deiss    | Eileen | SWNI          | Troutdale | 97060 |                                                |     | 10567 | Roads +Bridges/2045 Project list                                                | We live on SW 57th several houses from Taylors Ferry Rd.. We are concerned about: #1) Taylors Ferry becoming a major thoroughfare in a residential neighborhood. We have already experienced an increase in traffic while walking in our neighborhood and turning onto or leaving Taylors Ferry Rd. at our street. #2) Safety a) The traffic is driving much faster than 30 miles per hr. the required speed in this residential area. b) need traffic light or stop signs at SW 62nd and Taylors Ferry Rd. That would help to slow traffic down. c) need pedestrian & bicycle path, cross walks #3) Affecting area of extension How is it going to affect the area between Washington Dr. and Oleson? This extension is not a clear shot to Oleson Rd. a) add congestion to another neighborhood between Washington Dr. and Oleson Rd. b) destroy a green space area (several acres of private property)- contributing to global warming by cutting out vegetation and adding asphalt. |
| 107 | 8/5/2023 22:37 | Pederson | Mike   |               | Vancouver | 98682 |                                                |     |       |                                                                                 | Please support private car infrastructure. Public transit is too slow and dangerous.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 108 | 8/6/2023 8:44  |          |        |               | Portland  | 97206 |                                                |     |       |                                                                                 | Eager for the Southwest Corridor to be funded. I live in Lair Hill, and we DESPERATELY need SW Naito to be calmed @ surface streets across Naito (Gibbs/Whitaker/Curry/Pennoyer Streets) and a safe pedestrian crossing as well. The Grover Tunnel (pedestrian tunnel) is so dangerous!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 109 | 8/7/2023 9:30  | Bolen    | Glen   | ODOT          | Salem     | 97301 |                                                |     | 11990 | I-5 Boone Bridge                                                                | Staff asked for some clarity on the project specifics: I-5 SB: Add an auxiliary lane from the Wilsonville Road on-ramp to the OR554 Canby Hubbard off-ramp, approximately 0.8 miles. I-5 NB: The three existing through lanes and auxiliary lane from the OR554 Canby Hubbard on-ramp to the Wilsonville Road off-ramp will be maintained. No additional lanes will be added, but both the inside and outside shoulders will be widened to the standard 12-foot width.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 110 | 8/7/2023 9:31  | Bolen    | Glen   | ODOT          | Salem     | 97301 |                                                |     | 11989 | Northbound Braided Ramps I-205 to Nyberg                                        | Staff requested dimensional specifics: I-5 NB 3 through lanes. I-5 NB exit ramp to Nyberg St, diverge beginning at approximately MP 288.65 (exit ramp goes under I-205 SB to I-5 NB, which would be on a new structure at approximately MP 0.16). I-205 SB ramp to Nyberg St, diverge beginning at approximately MP 0.3. Both exit ramp lanes to Nyberg St are carried through a new structure under Sagert St. I-205 SB exit ramp lanes to I-5 NB 2 lanes merge to a single ramp lane at approximately I-5 NB MP 289.12, this lane then drops/merges into the right travel lane of I-5 NB at approximately MP 289.4.                                                                                                                                                                                                                                                                                                                                                                   |
| 111 | 8/7/2023 9:32  | Bolen    | Glen   | ODOT          | Salem     | 97301 |                                                |     | 11988 | OR 217 Southbound Braided Ramps Beaverton- Hillsdale Hwy to Allen Blvd          | Staff requested additional project details: OR 217 SB exit ramp to Allen Blvd would begin near the beginning of the B-H Hwy entrance ramp, approximately MP 1.8 and would fly over the B-H Hwy entrance ramp and carry the ramp lane south to the Allen Blvd exit ramp terminal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 112 | 8/7/2023 9:33  | Bolen    | Glen   | ODOT          | Salem     | 97301 |                                                |     | 11402 | I-5 Northbound: Auxiliary Lane Extension Nyberg to Lower Boones Ferry - Phase 2 | Staff requested additional project details: CBOS 1 concept: Add a second aux lane from EB Nyberg St entrance to Lower Boones Ferry Rd exit. Extend existing aux lane (4th lane) from EB Nyberg St entrance to Lower Boones Ferry Rd entrance ramp (connect to existing aux lane that currently begins at Lower Boones Ferry Rd entrance).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 113 | 8/7/2023 9:34  | Bolen    | Glen   | ODOT          | Salem     | 97301 |                                                |     | 11583 | I-5 Northbound: Lower Boones Ferry to Carman Auxiliary Lane Extension - Phase 3 | Staff requested additional project details: Assuming project 11402 gets built, then this project would add a second aux lane (5th lane) from Lower Boones Ferry Rd to the Carman Dr entrance ramp (currently where the second aux lane begins and connects to the OR 217 exit).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 114 | 8/7/2023 9:35  | Bolen    | Glen   | ODOT          | Salem     | 97301 |                                                |     | 11984 | I-5 Southbound Truck Climbing Lane from Marquam Bridge to Multnomah Blvd.       | Staff requested additional project details: CBOS 2 concept carries a truck climbing lane from the Hood Ave entrance ramp to the Terwilliger Blvd exit ramp. An interim option will be considered that carries the climbing lane to the Iowa St structure. Longer term vision would carry the climbing lane to the Multnomah Blvd exit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 115 | 8/8/2023 8:54  | Levin    | Beth   |               | Portland  | 97213 |                                                |     |       |                                                                                 | I don't think the freeway should be widened, it will just lead to more traffic. Studies show that widening freeways does not lessen traffic but rather increases it. It would be better to encourage more public transit. This would be better for the environment/climate as well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 116 | 8/8/2023 10:55 |          |        | ODOT Region 1 | Vancouver | 98684 | Regional Transportation Plan Executive Summary | 30  |       |                                                                                 | The first 2 arrows in the "RTP Climate + Air Quality Results: Key Metrics" graphic should not be the same value. The second arrow should reference "Household VMT" since it differs from how VMT is characterized elsewhere in the report. ODOT recommends revising the values and graphic.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 117 | 8/8/2023 10:57 |          |        | ODOT Region 1 | Vancouver | 98684 | Regional Transportation Plan Executive Summary | 31  |       |                                                                                 | The 2023 RTP + Statewide Transportation Strategy Scenario in the graphic incorrectly assumes arterial pricing in the "State-led pricing actions" for the "2023 RTP + Statewide Transportation Strategy Scenario."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 118 | 8/8/2023 10:58 |          |        | ODOT Region 1 | Vancouver | 98684 | Regional Transportation Plan Executive Summary | 31  |       |                                                                                 | The "How does the RTP invest in climate?" graphic needs an explanation or definition for how projects are characterized as "high- or moderate-impact" climate pollution reduction strategies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 119 | 8/8/2023 11:13 |          |        | ODOT Region 1 | Vancouver | 98684 | Chapter 3                                      | 100 |       |                                                                                 | In paragraph 2, a spelling correction is needed in the second sentence to change "15 minutes intervals" to "15-minute intervals".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

# Appendix G: Online Comment Form Public Comments

|     |                |  |  |               |           |       |           |     |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|----------------|--|--|---------------|-----------|-------|-----------|-----|--|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 120 | 8/8/2023 11:14 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3 | 112 |  |  | In Transit Policy 3, the word "that" is duplicated in the header. "Create a transit system that that encourages people to ride transit"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 121 | 8/8/2023 11:17 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3 | 122 |  |  | In Transit Policy 11, the header needs to be edited for clarity. ODOT suggests adding the word "sure" between "make transit", or removing the word "is". "Make sure transit is affordable, especially for people with low incomes.", OR, "Make transit affordable, especially for people with low incomes."                                                                                                                                                                                                                                                                                                                |
| 122 | 8/8/2023 11:18 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3 | 71  |  |  | In paragraph 3, name the specific appendix item or items that summarize the 24 Mobility corridors referenced, or correct statement if incorrect.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 123 | 8/8/2023 11:20 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3 | 78  |  |  | In Table 3-6, move the Motor Vehicle Functional Classification column to the third column, adjacent to the Design Classifications column to more clearly show the relationship between the two categories.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 124 | 8/8/2023 11:21 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3 | 79  |  |  | Clarify that freeways and highways are "Throughways" to communicate that the Region's Throughways are intended for longer distance travel, not local trips.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 125 | 8/8/2023 11:24 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3 | 87  |  |  | When figure 3-20 is added, identify both design classifications and functional classification if possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 126 | 8/8/2023 11:26 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 4   |  |  | In the "Impacts of the Covid-19 pandemic on travel" section, paragraph two, amend the last sentence to read "2020 is the base year for the 2023 RTP update, and is often the most recent year for which data are available."                                                                                                                                                                                                                                                                                                                                                                                               |
| 127 | 8/8/2023 11:27 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 7   |  |  | Spell out EFA, it isn't spelled out till page 30.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 128 | 8/8/2023 11:38 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 7   |  |  | Footnote 6: What Table 4 is this referring to?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 129 | 8/8/2023 11:38 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 7   |  |  | Footnote 7: Which Figure 19?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 130 | 8/8/2023 11:40 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 8   |  |  | In paragraph 2: ODOT has an initiative to remove the term "stakeholder" from documents due to the history of the term. ODOT suggests Metro do so as well.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 131 | 8/8/2023 11:41 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 13  |  |  | In VMT per capita, amended text to read "Vehicle miles traveled (VMT) per capita measures how much the average person in the Portland region drives each day."                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 132 | 8/8/2023 11:42 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 15  |  |  | Footnote 11: Which Figure 25 is this referring to?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 133 | 8/8/2023 11:43 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 16  |  |  | It doesn't seem like the Table 4.3 is showing data "by community type".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 134 | 8/8/2023 11:45 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 32  |  |  | Include a legend detailing the icons at the bottom of figure 4.19.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 135 | 8/8/2023 11:46 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 33  |  |  | So much of the information provided is focused on where the EFA populations live. It would be helpful to also have more information about how their origins and destinations relate to each other (which links they use most often). This could be analyzed with the Metro model. If the Metro model were analyzed in Visum then "flow bundles" could be developed for all of the EFA areas to see which links the EFA populations travel on. Something similar could be completed with Emme. This could inform investment priorities. Perhaps this analysis has already been completed and is in Appendix C or elsewhere. |
| 136 | 8/8/2023 11:48 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 34  |  |  | Footnote 31: specify year for 7/13 meeting packet. Looks like it was 2022.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 137 | 8/8/2023 11:56 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 34  |  |  | In the "Access to transit and to destinations" section, paragraph one, should this say "previous section on Mobility"? The Mobility section was earlier in the report.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 138 | 8/8/2023 11:57 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 35  |  |  | Footnote 35: Wrong figure # cited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 139 | 8/8/2023 14:08 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 40  |  |  | In paragraph 1: How can it be "double" or "nearly double"? ODOT suggests this just say "nearly double"?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 140 | 8/8/2023 14:09 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 40  |  |  | In paragraph 1: Can 1-2 sentences be added about why this might be the case?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 141 | 8/8/2023 14:10 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 41  |  |  | The Metro Model should not be the reference for this. The data came from somewhere else before it came from the Metro Model.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 142 | 8/8/2023 14:11 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 44  |  |  | Please clarify this sentence: "These recent low unemployment rates are particularly remarkable since they are happening at a time when regional participation in the labor force is increasing, which normally causes unemployment to rise." Does increased regional participation in the labor force normally cause unemployment to rise?                                                                                                                                                                                                                                                                                 |
| 143 | 8/8/2023 14:12 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 43  |  |  | In footnote 41, the Metro Model is not an appropriate source for this data. It came from somewhere else before the Metro model.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 144 | 8/8/2023 14:12 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 48  |  |  | What % of road trips in the region are truck trips? That would be helpful context to provide here to help us understand the relative important of the freight road network.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 145 | 8/8/2023 14:13 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 52  |  |  | 1st paragraph: Metro's RTP update also reflects issues outside state and local agency control like gas price forecasts that have changed significantly in last 15 years. Recommend adding text to address this.                                                                                                                                                                                                                                                                                                                                                                                                            |

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|     |                |  |  |               |           |       |           |    |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----|----------------|--|--|---------------|-----------|-------|-----------|----|--|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 146 | 8/8/2023 14:14 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 54 |  |  | Draft text states "Metro is required to use State assumptions about the carbon intensity of vehicles and fuels in its climate analysis, and can choose whether to adjust some pricing assumptions provided by the state" â€œ According to GHG Target Rule, Metro is allowed, not required to use STS state assumptions for vehicle and fuel regulations, energy and pricing. Metro can choose to be less ambitious than these assumptions and still meet the target. A number of state vehicle and fuel regulations were passed in 2021-2023 timeframe, Metro may be referencing these regulations. Recommend clarifying text. |
| 147 | 8/8/2023 14:14 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 4 | 57 |  |  | VMT section mixes CFE/Target Rule "household based" (odometer-like, VisionEval, green line in Chart 4.35) with "on road" VMT per capita (HPMS, dark/light blue line). While these two definitions are roughly equal at a statewide, and possibly regional level, these metrics are likely to be very different at a jurisdiction level, as shown in Fig 4.36. Suggest adding footnote to note the different definitions, so the charts are sourced/used correctly.                                                                                                                                                             |
| 148 | 8/8/2023 14:15 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 5 | 6  |  |  | ODOT suggests noting road usage charges as another potential source of funding revenues.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 149 | 8/8/2023 14:16 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 5 | 6  |  |  | ODOT suggests noting that state legislative action will be required to allow for some of the new transportation revenue sources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 150 | 8/8/2023 14:17 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 5 | 1  |  |  | Add "new economic development trends" to the bullet list of challenges.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 151 | 8/8/2023 14:17 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 5 | 4  |  |  | In the last sentence of paragraph 2, replace "developing a feasible plan for achieving Metro's six desired outcomes for the region" and replace with "developing a feasible plan for achieving the RTP goals." It is unclear what the 6 goals are. Assuming these are the 5 RTP goals, they are the region's goals, not just Metro's.                                                                                                                                                                                                                                                                                          |
| 152 | 8/8/2023 14:18 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 13 |  |  | The sentence "The region's operations and maintenance commitments are significant and consume most federal, state, and local revenues identified for the greater Portland region through 2045 estimated \$43 billion." needs to be edited for clarity. One potential solution is "estimated at \$43 billion."                                                                                                                                                                                                                                                                                                                  |
| 153 | 8/8/2023 14:19 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 16 |  |  | In Figure 6.6, increase distance between arrows for Throughways and IBR so that they do not appear to be connected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 154 | 8/8/2023 14:20 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 16 |  |  | The first sentence of paragraph one needs to be edited for clarity. "and highway overcrossings and/that provide mobility and access for all modes of travel."                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 155 | 8/8/2023 14:21 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 19 |  |  | Figure 6.8 intro text, remove "the" before "TriMet".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 156 | 8/8/2023 14:22 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 23 |  |  | In Figure 6.13, comprehension would be improved if only projects in Clackamas County were displayed. Currently projects in Multnomah and Washington County are displayed.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 157 | 8/8/2023 14:23 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 23 |  |  | Figure 6.14 text stating "Roads and bridges projects comprise a majority of costs and number of projects" is inconsistent with data presented in the figure that shows 32 Walking and Biking projects, and 23 Roads and Bridges projects. Figure 6.14 should be singular but currently reads "Figures 6.14"                                                                                                                                                                                                                                                                                                                    |
| 158 | 8/8/2023 14:23 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 30 |  |  | The last sentence of paragraph 2 needs to be edited for clarity. "Strategic throughway capacity projects seek to maintain regional mobility" or "strategic throughway capacity increases seek to maintain regional mobility". Please disregard if we misunderstand the intent of the sentence, but "enhance" makes it seem like this is talking about adding throughway capacity.                                                                                                                                                                                                                                              |
| 159 | 8/8/2023 14:24 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 31 |  |  | Per the Table 6.6 note, do either of these totals include multiple phases of a single project? If so, that seems misleading. Suggest it be limited to single project phases or projects. If a project has multiple phases then it should count as one.                                                                                                                                                                                                                                                                                                                                                                         |
| 160 | 8/8/2023 14:24 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 31 |  |  | For table 6.6, ODOT suggests adding a total row, to sum the two grey rows.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 161 | 8/8/2023 14:24 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 32 |  |  | For table 6.20, ODOT suggests greater color differentiation between the two long-term circle colors (Throughways and IBR) as some readers will not know where IBR is located.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 162 | 8/8/2023 14:25 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 34 |  |  | Provide narrative context for all figures and tables.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 163 | 8/8/2023 14:25 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 38 |  |  | 1. Fill the gaps. This section ends with an incomplete sentence, "Access to transit".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 164 | 8/8/2023 14:26 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 39 |  |  | In "Transportation system management and operations projects", language should be added to indicate that "speed and reliability" should be improved for general traffic and freight, not just transit.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 165 | 8/8/2023 14:26 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 40 |  |  | In "Arterial corridor management", replace "pedestrian count down signs" with "pedestrian countdown signals".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 166 | 8/8/2023 14:26 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 40 |  |  | In Table 6.40, row 3, column 3, ODOT suggests replacing "some" with "more" or "additional".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 167 | 8/8/2023 14:27 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6 | 46 |  |  | ODOT recommends adding explanation or definition for how projects are characterized as "high- or moderate-impact" climate pollution reduction strategies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|     |                |  |  |               |           |       |                                               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----|----------------|--|--|---------------|-----------|-------|-----------------------------------------------|-----|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 168 | 8/8/2023 14:27 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 6                                     | 40  |  | Table 6.10: The table lists incident response vehicles under long-term Constrained as being on all major arterials adjacent to freeways. Many arterials adjacent to freeways are not owned by ODOT and many local agencies that own those arterials do not currently have incident response programs. Having incident response vehicles on arterials adjacent to freeways would likely be a big financial lift. Please clarify                                                                                                                                                                                                                                  |
| 169 | 8/8/2023 14:28 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 7                                     | 5   |  | ODOT suggests clarifying text relating to tables indicating where the goals come from, especially for Table 7.2, paragraph 3.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 170 | 8/8/2023 14:28 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 7                                     | 19  |  | In paragraph 1, it would be helpful to say what % of the region is an EFA. That would provide context for the "% of the capital RTP spending" numbers and also context for the proportion of crashes in EFAs.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 171 | 8/8/2023 14:29 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 7                                     | 22  |  | ODOT recommends adding explanation or definition for how projects are characterized as "high- or moderate-impact" climate pollution reduction strategies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 172 | 8/8/2023 14:29 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 7                                     | 22  |  | Table 7.7 shows the 10,831 MT GHG for base, 2030 & 2045 targets, values are also the same for AQ pollutant rows. Why does this not vary? Please check the numbers or provide explanation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 173 | 8/8/2023 14:30 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 7                                     | 23  |  | In the last paragraph, ODOT recommends deleting "carbon taxes". Technically carbon taxes are already occurring and included in the price of gas assumed in the Metro VE analysis, no new pricing anticipated. The text could indicate that carbon taxes are "underway", (i.e. to demonstrate the "progress" made).                                                                                                                                                                                                                                                                                                                                              |
| 174 | 8/8/2023 14:30 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 7                                     | 24  |  | Metro analysis incorrectly assumes arterial pricing in the "State-led pricing actions" for the "RTP23+STS" scenario in Table 7.8 and Figure 7.6. (also in Executive Summary graphic). Remove arterial pricing from Table 7.8. Check analysis and update Figure 7.6 and other tables/graphics as needed.                                                                                                                                                                                                                                                                                                                                                         |
| 175 | 8/8/2023 14:31 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 8                                     | 61  |  | In first bullet, add "across the Columbia River Bridge" to the end of the paragraph. In fifth bullet, amend text to read "Variable rate toll on the facility using the river crossing to manage demand". In the sixth bullet, amend text to read "A commitment to evaluate GHG associated with the program and develop strategies to improve outcomes relative to regional transportation impact,". In the seventh bullet, amend the text to read "The Program also commits to measurable and actionable equity outcomes and to work with community partners to develop benefits for the local community that will be defined in Community Benefits Agreement." |
| 176 | 8/8/2023 14:31 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 8                                     | 57  |  | In table 8.5, first row, status column, add "Planning funds allocated to restart bridge replacement efforts in 2019." after "Joint Washington and Oregon Legislative Action Committee discussions begin in 2017."                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 177 | 8/8/2023 14:33 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 8                                     | 24  |  | Proposed change: Clarify that the Fremont and Marquam Bridges are "interstate highway system bridges" rather than "interstate bridges", which is a term more commonly used in our region indicating a bridge between two states. Add missing information: There is a place holder for information that supposedly ODOT is developing. Suggest deleting this placeholder. See below. Original text "ODOT owns four of the bridges, including the Fremont and Marquam interstate bridges, as well as the St. Johns and Ross Island regional crossings."                                                                                                           |
| 178 | 8/8/2023 14:33 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 8                                     | 28  |  | Green corridor language is out of date. Update description of refresh if available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 179 | 8/8/2023 14:33 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 8                                     | 42  |  | Fourth bullet, amend text to read "Complete gaps in the I-205 multi-use path- including southernmost segment from Oregon City to Tualatin â€" to provide a continuous off-street active transportation route through the length of the corridor."                                                                                                                                                                                                                                                                                                                                                                                                               |
| 180 | 8/8/2023 14:34 |  |  | ODOT Region 1 | Vancouver | 98684 | Appendices (specify appendix in your comment) | 13  |  | Appendix F: Table 2, the Metro boundary contains land east of the Sandy River. Accordingly the Columbia Gorge Commission and/or the Gorge Scenic Area designation apply to some uses and could therefore be listed in the table.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 181 | 8/8/2023 14:35 |  |  | ODOT Region 1 | Vancouver | 98684 | Appendices (specify appendix in your comment) | 61  |  | Appendix F: Table 14, lists wetland banks as of July 2018. Worth noting that ODOT has been or is working on a wetland bank on Sauvie Island for the any needed mitigation related to the Interstate Bridge project.                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 182 | 8/8/2023 14:37 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3                                     | 109 |  | Transit Policy 1, ODOT recommends mentioning increasing safety and security (and safety team) as an action to be taken to increase ridership.Â                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 183 | 8/8/2023 14:38 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3                                     | 7   |  | Table 3-2, ODOT recommends aligning similar or identical investment strategies and adding new strategies to the end of the lists. ODOT specifically recommends separating "Bottlenecks" and "System Connectivity" into separate investment strategies.                                                                                                                                                                                                                                                                                                                                                                                                          |
| 184 | 8/8/2023 14:38 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 3                                     | 164 |  | In Emerging Technology Policy 4 add language to emphasize the need for emerging technology to improve safety for users of the transportation system. For instance, call out the need/opportunity for CVs/AVs to improve safe operations, TNC companies to improve the safety of drivers and users of their services, and/or the relationship between third party traveler information providers and the use of neighborhood streets during peak period congestion.                                                                                                                                                                                              |
| 185 | 8/8/2023 14:40 |  |  | ODOT Region 1 | Vancouver | 98684 | Chapter 5                                     | 33  |  | ODOT suggests retitling Table 6.5 "Non-transit Revenue Forecast Compared to Total Costs, 2023 - 2045 (YOES).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

Appendix G: Online Comment Form Public Comments

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| 186 | 8/8/2023 14:56 | Asbell  | Valerie |  | Portland  | 97206 |  |  |  |  | MORE TRIPS FOR LINE 16! PLEASE! PLEASE! PLEASE!!!!!! I can't tell you how frustrating it is that line 16 seems to come once in a blue moon. For one thing, it's got stops along The Yards at Union Station apartment complex, which is a LARGE apartment complex, with a lot of low income people! Hence the need for more bus trips! Plus, many would be able to take a connecting bus while coming from Fred Meyer which would make buying groceries much easier! PLEASE PLEASE PLEASE add more trips for Line 16!!!!!!!!!!!!!! Or at least figure out a way for 16 to come AFTER 77 on stop ID 8886! Seriously, this is so frustrating! Again, 16 has three stops along a huge apartment complex!!!!!!!!!!!!!!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 187 | 8/9/2023 18:21 | O'Brien | Zachery |  | Hillsboro | 97124 |  |  |  |  | I would like to start by congratulating everyone working on this plan. This is far more complex than I originally thought when I first read about this survey. I see lots of improvements that make me happy. Adding biking, pedestrian, and transit infrastructure is a huge step in making cities less car-dependent. There are so many reasons to no longer design cities to be car-oriented, and instead be people-oriented. Many projects I looked through followed these quite well. Keep up the excellent work, and I'm excited for a more car-lite future in the Portland Metro area. Something I'd like to emphasize is the need for articulated buses in the Portland Metro area. After visiting Seattle on three separate occasions, I immediately noticed something they have that the Portland area severely lacks - articulated buses. Portland ranks fairly high when it comes to transit use. Yet, the only articulated buses are for the Division FX line. This was already a high capacity transit project, so these types of vehicles were more or less required. It seems like it was the bare minimum. If standard 60' buses ran on other major routes, this could help solve the issue of crowded buses. They allow for more comfort, which I personally feel is highly important. The three major corridors studying high capacity transit are TV Highway, 82nd Ave, and the SW Corridor light rail project. For TV Hwy and 82nd, I definitely see articulated buses being necessary well before the FX project even starts construction. But, other corridors need them badly as well such as Barbur Blvd (while we await SW Corridor construction), Powell Blvd, Burnside, MLK Jr Blvd, Hall Blvd, Beaverton-Hillsdale Hwy, Murray Blvd, and likely several other routes. None of these currently carry 60' buses, but would greatly benefit with them. I see that projects to upgrade Merlo garage are on the list, as well as Beaverton TC which both include the addition of articulated buses. I am hopeful that these all work smoothly and the projects get done, as I feel it would greatly improve the experience of riding transit. For context, I live on the west side, take transit fairly frequently (at least once a week), and am a huge transit advocate (and also a huge transit nerd). I take buses and trains into and out of Beaverton TC and also frequent downtown Portland, so I would directly get use of these much-needed transit projects. I think we have a great system already, but I've noticed a few glaring flaws. Thankfully, this RTP vision seems to address just about any issue I can come up with. Keep the momentum going, and I couldn't be more optimistic about the Portland Metro area's future. Thank you for what you do, and thank you for reading this really long post! |
| 188 | 8/9/2023 18:22 | O'Brien | Zachery |  | Hillsboro | 97124 |  |  |  |  | I would like to start by congratulating everyone working on this plan. This is far more complex than I originally thought when I first read about this survey. I see lots of improvements that make me happy. Adding biking, pedestrian, and transit infrastructure is a huge step in making cities less car-dependent. There are so many reasons to no longer design cities to be car-oriented, and instead be people-oriented. Many projects I looked through followed these quite well. Keep up the excellent work, and I'm excited for a more car-lite future in the Portland Metro area. Something I'd like to emphasize is the need for articulated buses in the Portland Metro area. After visiting Seattle on three separate occasions, I immediately noticed something they have that the Portland area severely lacks - articulated buses. Portland ranks fairly high when it comes to transit use. Yet, the only articulated buses are for the Division FX line. This was already a high capacity transit project, so these types of vehicles were more or less required. It seems like it was the bare minimum. If standard 60' buses ran on other major routes, this could help solve the issue of crowded buses. They allow for more comfort, which I personally feel is highly important. The three major corridors studying high capacity transit are TV Highway, 82nd Ave, and the SW Corridor light rail project. For TV Hwy and 82nd, I definitely see articulated buses being necessary well before the FX project even starts construction. But, other corridors need them badly as well such as Barbur Blvd (while we await SW Corridor construction), Powell Blvd, Burnside, MLK Jr Blvd, Hall Blvd, Beaverton-Hillsdale Hwy, Murray Blvd, and likely several other routes. None of these currently carry 60' buses, but would greatly benefit with them. I see that projects to upgrade Merlo garage are on the list, as well as Beaverton TC which both include the addition of articulated buses. I am hopeful that these all work smoothly and the projects get done, as I feel it would greatly improve the experience of riding transit. For context, I live on the west side, take transit fairly frequently (at least once a week), and am a huge transit advocate (and also a huge transit nerd). I take buses and trains into and out of Beaverton TC and also frequent downtown Portland, so I would directly get use of these much-needed transit projects. I think we have a great system already, but I've noticed a few glaring flaws. Thankfully, this RTP vision seems to address just about any issue I can come up with. Keep the momentum going, and I couldn't be more optimistic about the Portland Metro area's future. Thank you for what you do, and thank you for reading this really long post! |

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| 189 | 8/10/2023 4:40  | Pagliarulo | Michael   | Local resident                       |           |       |  |  |       |                 | The documents submitted are lengthy and detailed, but I could not find a project that includes upgrading roads labelled as "road not improved" throughout my neighborhood in SE Portland. For example, the section of Clinton between SE 77th and 76th Avenues is used extensively by local residents, and maintained by them at their cost, but should be maintained by METRO. Several years ago, some improvements were made, but they were only temporary. Major potholes develop annually making the road almost impassable. There should be a more permanent solution. Thank you.                                |
| 190 | 8/10/2023 9:38  | Raderman   | Dan       |                                      | Portland  | 97232 |  |  | 11974 | I5 Bridge       | With the amount of money being wasted to reaffirm the decision to place a pollution center directly in the path of portland's most vulnerable populations, you could place a bike lane in every road in the city. This is a waste of money. Tear the bridge down.                                                                                                                                                                                                                                                                                                                                                     |
| 191 | 8/10/2023 9:41  | Raderman   | Dan       |                                      | Portland  | 97232 |  |  | 10867 | I5 Improvements | We should be reducing lanes on i5, not building more lanes. This was one of the largest racial equity failures of the city - city planners need to be more aggressive in righting the wrongs of the past. Think about how much all this money could do if it wasn't going to a "free" way                                                                                                                                                                                                                                                                                                                             |
| 192 | 8/10/2023 12:49 | Dillman    | Paul      | American                             | Portland  | 97211 |  |  |       |                 | Stop all funding for illegal immigrants in Oregon!, and stop all funding for bike ðŸš² routes, and FIX THE POTHOLE!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 193 | 8/12/2023 9:20  | Noor       | Sakawadin | Oregon Somali Bravness Community     | Mogadishu |       |  |  | 11826 | Barbur Blvd ITS | To install ITS and CCTV cameras                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 194 | 8/11/2023 10:13 |            |           |                                      | Portland  | 97229 |  |  |       |                 | The creation of new trails like the Bronson Creek Community Trail, as well as the expansion of existing trails, such as the Waterhouse and Westside Regional Trails, combined with high-capacity transit connections to major commute destinations, would be critical to making Bethany, Oak Hills, and Cedar Mill more walkable. In my experience, Sunset Highway is consistently crowded, no matter the time of day or night, and the area that travels past the Oregon Zoo is typically the most crowded part. Creating a high-capacity rapid transit alternative to the highway would solve many of these issues. |
| 195 | 8/12/2023 10:55 | Sharif     | Askina    | OSBC                                 |           |       |  |  |       |                 | Feedback on southwest corridor project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 196 | 8/14/2023 2:45  |            |           |                                      | Gresham   | 97080 |  |  |       |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 197 | 8/13/2023 19:57 | Newsom     | Michael   | Neighbor                             | Portland  | 97211 |  |  |       |                 | There should be a section dedicated to the reduction of commuter traffic with proposed solutions. Labor opportunities, affordable housing for laborers where labor opportunities exist or labor is needed, and other factors that affect the distribution of laborers are obviously important considerations. There also should be tax incentives for limiting commute miles.                                                                                                                                                                                                                                         |
| 198 | 8/14/2023 1:06  | Wai        | Shoon Lei | AYCO                                 | Gresham   | 97080 |  |  |       |                 | It would be a great idea to expand the location of the service and also the timing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 199 | 8/14/2023 23:06 | Hassan     | Nuur      | OSBC                                 | Olympia   | 98513 |  |  |       |                 | I want make difference within our community and help others in need, provide resources for our communities. And encourage our teens to reach their goals.                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 200 | 8/15/2023 11:09 | Smith      | Robin     | Self                                 | Troutdale | 97060 |  |  |       |                 | Why is city council avoiding Frog Ferry? It is time for a meeting. 11M is the ask. Transportation planning needs to include a ferry!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 201 | 8/15/2023 11:33 | Bayer      | Bridget   |                                      | Portland  | 97211 |  |  |       |                 | The Frog Ferry is searching for \$11M which would pay for building out docks, a vessel, planning, and one year of operations. This is very little to spend considering the added resiliency to our transportation system always at risk from earthquakes in our area.                                                                                                                                                                                                                                                                                                                                                 |
| 202 | 8/15/2023 11:33 |            |           |                                      | Irving    | 75063 |  |  |       |                 | I live in St. Johns and work downtown, and am incredibly invested in the the Frog Ferry proposal to provide public transit on the river. It seems like a very efficient use of funds that would provide much-needed transportation options to an historically under-served Portland community. I hope getting this project started can be a priority in the coming year!                                                                                                                                                                                                                                              |
| 203 | 8/15/2023 17:09 | Mohamed    | Hawa      | OSBC                                 | Portland  | 97223 |  |  |       |                 | To help youth with their education and help them achieve their dreams.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 204 | 8/16/2023 19:28 |            |           |                                      | Portland  | 97219 |  |  |       |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 205 | 8/17/2023 15:35 | Mann       | Myat Noe  | African Youth Community Organization | Portland  | 97232 |  |  |       |                 | I want to make a comment upon road repair worker I wish they are more careful while they are working. Sometime I see them jaywalking or standing very next to the cone I wish they are more cautious that it's very dangerous cause they sometimes leave very little space for cars to pass by and some cars ends up hitting the cones.                                                                                                                                                                                                                                                                               |

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| 206 | 8/17/2023 12:24 |         |       |                                                                 | Portland  | 97211 |  |  |  |  | <p>The entire Regional Transportation Plan must address our rapidly deepening climate crisis and the long ignored equity issues to prioritize the needs of marginalized communities, i.e., BIPOC, people with disabilities, low-income and homeless, seniors, and LGBTQI+. Climate experts consistently say we are not reducing CO2 emissions fast enough and that the effects of global warming are intensifying and happening much faster than earlier predicted. The cost of living continues to rise as more and more people are forced to work longer hours and/or multiple jobs and still become homeless along with many others. For over a decade, economists, scientists, and activists throughout the world have researched and advocated for the need to reverse our addiction to economic growth. They show us that "degrowth" is the only way, now that we have degraded our habitat so severely, to mitigate climate change, global economic collapse, mass extinction of multiple species, and catastrophic loss of human life. (To begin to learn about the evidence collected on this and the strategies for survival and rebuilding, read <i>The Future is Degrowth: A Guide to a World Beyond Capitalism</i> by Matthias Schmelzer, Andrea Vetter, and Aaron Vansintjan.) This is not fringe thinking. Even before 2012, many of the world's wealthiest business leaders realized that the global economy had started to die, due to diminishing resources. We no longer have the resources to maintain, let alone expand, the fossil fuel intensive technologies we've relied on for decades. This means we have to drastically reduce our use of private fossil fuel vehicles and the overgrown infrastructure to accommodate them. So the RTP needs to strongly prioritize public transportation, rail and bus, electrification of all motorized vehicles, bicycling, scootering, and walking, and the infrastructure to support all of these. And the sources of electrification need to be obtained without further environmental damage or degradation of sacred Indigenous lands. All of this needs to be accessible and affordable to the marginalized communities mentioned above. A primary way to provide funds for that is with increased progressive taxes on higher income members of our broader community. They are the ones who have benefited most from economic growth and have contributed most to the climate crisis. More specifically, Metro should not cooperate with the building of a new interstate bridge, which will only encourage the use of private and fossil fueled vehicles. Metro should greatly expand accessible bus and rail service, and it should be free. It should build lots more bicycle infrastructure, and greatly expand and promote bicycle rentals. With urgency and respect, Michaela McCormick</p>                                                                                                                                  |
| 207 | 8/18/2023 10:59 | Stewart | Mary  |                                                                 |           |       |  |  |  |  | <p>I do NOT support spending money to widen freeways. We need to move away from unsustainable transportation policies and projects. The Rose Corridor, I5 Bridge project, and 205 widening projects will only increase traffic and negatively affect the quality of life in the region. I support adding tolls to freeways. I do NOT support NOT adding a toll to the I205 bridge.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 208 | 8/18/2023 8:49  | Pillias | Natty | Community Cycling Center, Brown Brunch Transportation Committee | Beaverton | 97007 |  |  |  |  | <p>President Peterson, Councillors, thank you for the opportunity to comment on the Draft Regional Transportation Plan: My name is Natty Pillias, and as Community Engagement Coordinator for the Community Cycling Center, I am tasked with supporting the New Columbia community in north Portland, especially the Black community, in regard to our active transportation goals. Over the course of summer 2023, I have been organizing a new group we are calling the Brown Brunch Transportation Committee. This is intended to be a safe space for Black folk in my community to come together and get outside to walk, bike, and roll for the positive physical and mental health benefits, but also to consolidate our voice when it comes to engaging in the civic process. This summer 2023 we had the opportunity to engage community members around Metro's Regional Transportation Plan during the open public comment period. Earlier in the summer as we began to plan our community engagement process, something that stood out immediately was the lack of projects within and near the New Columbia neighborhood. We are aware of PBOT's North Portland in Motion project, and the much needed changes that are coming through that pot of funding, but we were surprised to learn that out of the 1000+ projects on the RTP list, there is only one (project ID 10341) "active transportation" project within the New Columbia neighborhood vicinity. Considering the lack of active transportation projects in the area, we ultimately focused on the Columbia Blvd bicycle and pedestrian path (project ID 10341), as well as the impact the train crossing (project ID 10331) could have on pedestrian and bicycle safety in New Columbia. Generally speaking, the shared path along Columbia Blvd is not a very pleasant place to be on a bike or as a pedestrian. There are industrial businesses that pollute our air, trains are carrying flammable materials, the sewage waste plant has an unpleasant odor, motor vehicle traffic moves at high speeds, it is loud, and the site lines for oncoming traffic on Columbia Boulevard are very poor considering the speeds that cars and trucks are regularly moving. The intersection at N Fiske Ave to go into New Columbia is notorious for being a "leap of faith" of sorts for cars making a left turn onto Fiske from Columbia Boulevard; it is also very dangerous for any pedestrian or cyclist trying to connect the multi-use path across Fiske. The RTP projects we see for this area appear to prioritize the relief of traffic congestion over the safety of pedestrians and cyclists, and in most cases we believe these two ends are mutually exclusive. Considering the aforementioned, we are particularly concerned about the Columbia Blvd over Columbia Way and Railroad Bridge Replacements (project ID 10331). As the current infrastructure stands, when the train is crossing it leads car drivers to</p> |

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| 209 | 8/18/2023 8:50 | Nava      | Bella  | Community Cycling Center, Andando en Bici y Caminando (ABC) | Beaverton | 97007 |  |       |               |  | President Peterson, Councillors, thank you for the opportunity to comment on the Draft Regional Transportation Plan: We are Andando en Bici y Caminando (ABC), and we want to ensure that when it comes to making decisions around the many projects included in Metro's Regional Transportation Plan, that the needs of our community receive the prioritization they deserve in this process. ABC members live in Cully in NE Portland in the Hacienda CDC apartments, and we have been hosting bike rides, walks, and advocating at the political and legislative level for a better active transportation experience within Cully since 2012. Current ABC members identify as Latina and communicate in Spanish and Mayan, and because Hacienda's Spanish-speaking Latin@ community is very large, we feel we are well-positioned to advocate on behalf of our community when it comes to our active transportation needs. We have had the opportunity to learn about and engage with the RTP this summer. The plan includes a lot of projects (project ID's 10220, 10311, 11804, 11845, and 11847) we are very excited to see, some of which we have been advocating for in Cully for some time now. We were also pleased with the draft vision and goals, and how your stated goal is to ensure we have "climate-friendly travel options" for all in the region, including "Black, Indigenous and people of color and people with low incomes". We also noticed how "equitable transportation" came first out of the list of five goals in the RTP communications we read. We like to think that this was intentional, and we are excited to see Metro lead with race and equity in their management of the RTP. ABC understands the importance of supporting a "thriving economy" because we are active participants in that economy both as laborers and as consumers. The ability to arrive to work on time is as important for us as anyone else. Some of our community members have access to their own car, but compared to whiter, more affluent neighborhoods, we ride the bus more often to get to and from work. It's also important to note that Cully has an industrial area, so support for a thriving economy sounds to us like projects that would make it easier for the flow of semi trucks through Cully. When we think about what gets in our way of biking and walking more often, we think about busy roads with high speed traffic like Killingsworth and Columbia Highway. In this sense, we hope that a thriving economy does not mean investing in capacity for more cars and trucks on the road, and infrastructure that allows them to go faster. In fact, we hope that it means the opposite. Looking through the full list of projects in the RTP, it seems like those that prioritize a "thriving economy" take up a disproportionate amount of the total RTP funds. When reviewing the plan as a group, ABC focused on the projects in and around Cully. We are excited to |
| 210 | 8/18/2023 9:30 | Lindstrom | Andrew | Brooklyn Action Corps Land Use And Transportation Committee | Portland  | 97213 |  |       |               |  | Hello, my name is Andrew Lindstrom and I am the chair of the Brooklyn Action Corps Land Use & Transportation Committee. This report makes a lot of references to High Capacity Transit ("HCT"), but we are wondering what this means from a numeric stand point. As in, how many people per direction per hour moved makes Metro consider a given line to be "High Capacity"? Since HCT is considered to be such a cornerstone of the RTP, we were hoping to get some sort of rigid definition. Part of the reason this is relevant to us is a feeling that these HCT projects end up getting watered down - especially in terms of capacity. For example, while the Division Transit project is nice calling it "High Capacity" when the total capacity is in the neighborhood of 750 to 1,000 people/hour (5 buses per hour, 150 to 200 people/bus) is difficult to swallow. That's typically lower than the stated capacity of a general travel lane. Also, the Portland Streetcar Extension to Montgomery Park references itself as "high capacity" but again has similar issues with actual maximum capacity. Is a streetcar running in mixed traffic really the best our region can do for higher order transit planning?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 211 | 8/18/2023 9:38 | Lindstrom | Andrew | Brooklyn Action Corps Land Use And Transportation Committee | Portland  | 97213 |  | 12095 | McLoughlin    |  | What specifics will be involved with "operational improvements"? As someone who follows ODOT (and other state DOT) projects closely, I am accustomed to reading that as "adding traffic capacity". And considering that McLoughlin acts as a hard, noisy, polluting barrier between the Brooklyn Neighborhood and the river we in the neighborhood feel that any capacity increases will continue to harm our area. Additionally, ODOT has a history of promising river access to our neighborhood - both when McLoughlin was originally constructed in the 1920s, and when it was widened in the 70s - but not delivering. We feel that any operational improvements should also provide us with this long promised perk, which ideally would be a tunnel and a bridge over the Oregon Pacific tracks down to the Springwater Corridor near Bush Street. A tunnel is our preferred option, since the steep grade on the bluff would make a bridge incredibly impractical and expensive.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 212 | 8/18/2023 9:43 | Lindstrom | Andrew | Brooklyn Action Corps Land Use And Transportation Committee | Portland  | 97213 |  | 11818 | Milwaukie Ave |  | Milwaukie Ave is the main drag through our neighborhood, and is in a sorry state of repair. There are many places where exposed railway tracks and broken pavement make cycling dangerous and driving uncomfortable. Additionally, the street layout as it stands now makes most cyclists uncomfortable, and does not encourage pedestrian activity - especially close to the intersection with Powell Blvd. We in the Brooklyn Action Corps find the scope and timing of this project to be woefully inadequate, considering the corridors civic importance, history, and potential. Ideally, a full re-think of the corridor that centers pedestrians, gives room for safe cycling infrastructure, and creates a vibrant civic environment would be in the cards. If Metro is interested in engaging with our community, there are tons of passionate citizens who care deeply about our main street and are brimming with ideas for improvements. \$8 million in 2031 is far too little, far too late.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 213 | 8/18/2023 9:49  | Lindstrom | Andrew | Brooklyn Action Corps Land Use And Transportation Committee | Portland | 97213 |  |  | 10307 | Holgate                                   | It is nice to see Holgate included, but again we have some concerns about the lack of funding (\$5.5 million) and the need. Holgate is a very busy corridor in our neighborhood, with just two safe crossings (Milwaukie, 17th) and the bridge over the Union Pacific Railroad is a hazard for pedestrians and cyclists. Furthermore, we have some general concerns about the general manner in which safe crossings tend to be built. In my experience specifically, an enhanced crossing with a flashing beacon at once crossing usually brings the big "crosswalk closed" at nearby crossings. This is bad for pedestrians, as it often adds needless detours, but more perniciously it sends a signal that people walking are not welcome in the area. Closing crosswalks should be a last resort - not a standard operating procedure. We are hopeful that enhanced safety in the Holgate corridor will recognize this.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 214 | 8/18/2023 9:58  | Lindstrom | Andrew | Brooklyn Action Corps Land Use And Transportation Committee | Portland | 97213 |  |  | 12099 | Inner Powell Blvd Corridor                | [Administrative note: this is project #12229, but that is apparently not allowed in the field for RPT ID number] As a legacy state highway, Powell Blvd has already done significant damage to the Brooklyn Neighborhood. In the mid 1920s, when the Ross Island Bridge was built most of the commercial heart of our neighborhood was bulldozed to extend the road to the new bridge. In the mid 1970s, even more of the historic core was destroyed to widen the road and build the underpass at 17th. Because of this, the entire upper part of the historic part of the Brooklyn Neighborhood (including Brooklyn Street) was not included in the original neighborhood in the 70s. Given this historical context, we are calling for a complete re-think of the Powell Corridor, particularly in the area around Milwaukie Ave which still constitutes the major commercial and civic node in our neighborhood. Removing lanes and creating more space for people to linger, particularly in the area around the Aladdin Theater would go a long way to restoring the damage that the state has inflicted on the area in the name of easing congestion for suburban commuters and freight. We also would like to request a jurisdictional transfer from ODOT to PBOT, in a similar vein to 82nd Ave as we feel that local control of the road will make it easier to hold our public officials accountable when issues arise.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 215 | 8/18/2023 10:03 | Lindstrom | Andrew | Brooklyn Action Corps Land Use And Transportation Committee | Portland | 97213 |  |  | 10237 | Southern Triangle                         | This project is not technically within the bounds of the Brooklyn Neighborhood, but given how it relates to issues involving delays from Union Pacific operations we felt that it was appropriate to weigh in. For starters, we would like to suggest that any freight-focused language also be amended to include transit. If a new bridge crossing the tracks in the vicinity of 8th is on the table, including transit could help to ease issues on TriMet's FX2 line (along with allowing for more funding channels). And we would also like to see any new infrastructure in the area be restricted to personal motor vehicles, as the last thing the region needs to be doing in the current climate crisis is make it easier for people to driver around our city.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 216 | 8/18/2023 10:10 | Lindstrom | Andrew | Brooklyn Action Corps Land Use And Transportation Committee | Portland | 97213 |  |  |       |                                           | In the city of Portland, red light cameras (and/or speed safety cameras) are a legal an inexpensive way to enforce traffic laws. There has been a huge uptick in traffic violence in the past few years, killing and injuring countless Portlanders. Yet, PBOT's red light and speed safety camera strategy consists of only 15 or so total locations in the city. Given the urgency of the issue, we at the Brooklyn Action Corps are calling on Metro to compel the city to install these simple devices that will work to make our streets safer. There is ample evidence in New York that about three-quarters of folks who receive an automated traffic violation do not receive a second one. This is a proven solution that can be easily implemented, yet our city is not taking appropriate action to do so. In our neighborhood specifically, motorists often come down off the Ross Island Bridge at speeds in excess of 50 mph owing to the downhill grade and highway style design. A speed safety camera here would immediately improve road conditions, and make our neighborhood a better place to be.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 217 | 8/18/2023 11:27 | Lau       | Joseph | City of Tualatin                                            | Portland | 97224 |  |  | 10866 | I-5 Interstate Bridge Replacement Program | Adding in tolling to any of the interstates for the sake of easing congestion will negatively impact every aspect of surrounding communities in numerous ways. Smaller construction crews from moving from place to place throughout the Portland metro area. This will, in part, will hinder their ability to bid for jobs competitively. Having higher bids will, thus, create higher construction amounts for local communities, to include municipalities. This extra cost burden will also hurt local companies for sourcing workforce as many potential workforce will opt not to pay fares and will not want to spend additional travel time by avoiding them. Although this is to encourage the use of transit throughout the cities, the transit isn't near robust enough to handle this in its' current state. If the local transit was made better with more reliable routes, adding more bikeways, and incentives given to those who need it the most (the poor), then the interstate will naturally shirk in usage and the option to add tolling could then become a viable option to consider. Advising that money would be allocated after the fact will only create an unfair disadvantage to those of whom do not have economic advantage. Adding in a tolling scale will only create another logistical hurdle for them to overcome just to get a discount. Was the factor of possibly not having easy ability to apply? Overall, this plan is placing a cart in front of a horse situation. There isn't a well laid out plan that says how mitigation from increased traffic to local communities will be given (beforehand), increased death rate from crashes in local communities (beforehand), and how this will affect those who live on those busier streets (typically lower income) will be burdened with decrease in home value. This plan is looking to only benefit the upper middle class to the higher class individuals; does not take into account everyone (from all economic backgrounds) as a public project should. |

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| 218 | 8/18/2023 15:16 |           |         |                                                                                                      | Vancouver | 98682 |  |  |       |                                           | Pre-pandemic i was a regular bus rider 5-days a week to downtown portland. Post-pandemic, I have not ridden the bus once. I still commute to downtown, but not on the bus. The bus stop near my home are the same as they've always been, but the stops in downtown portland are overwhelmed with people actively doing drugs. Last week I counted 91 people at one bus shelter, all attempting to smoke fentanyl at 5pm. I work at 6th and washington and use the transit mall. I do not feel safe walking to or waiting for a bus near my office. the current system needs to be maintained and made safe before any additional regional transportation plans are made. Active drug use at tri-met transit stops is not acceptable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 219 | 8/19/2023 21:16 | Dlugonski | Melba   |                                                                                                      | Portland  | 97217 |  |  |       |                                           | People at the bottom of the pyramid generally can't choose when they have to travel, especially to work. Many with the fewest options are in enough pain already without having governments extracting both time and money. Partners can't both live near their jobs. On the other hand, those with plenty of money don't mind the cost. Congestion pricing is regressive, like almost everything. Planners need to go back to the drawing board. Meantime, meet some people less fortunate than yourselves.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 220 | 8/21/2023 9:26  | Risser    | Sarah   | non-affiliated/concerned citizen                                                                     | Olympia   | 98513 |  |  |       |                                           | The 2023 Regional Transportation Plan fails to adequately address our two extremely important crises, crises we are facing right now: climate collapse and a concerning rise in road fatalities. There are a few things the plan does well. Pricing tools are potentially an effective and equitable way to deal with congestion and discourage single-occupancy vehicle trips. METRO'S new pricing policies would help ensure these tools are used equitably to reduce harmful VMs and pollution instead of generating revenue for new polluting infrastructure. This update is also good in that Metro is beginning to transition toward new mobility policies based on system completeness. This will open up an opportunity to analyze mobility for everyone not just drivers. It will address mobility needs beyond roadway capacity. However, this plan does not present bold action on climate, and we desperately need bold action on the climate. Of the total carbon emissions in Oregon, a full 40% come from transportation. The 2023 RTP underestimates the amount of carbon that will come from driving without transformative changes to our overall transportation system. The RTP must adopt more aggressive plans to reduce driving by investing in the most cost-effective initiatives to reduce carbon emissions: 1) walkable communities and public transit 2) more aggressive regional congestion pricing in line with the Climate Smart Communities Program, 3) money directed away from ODOTs freeway expansions and towards community street initiatives. The RTP falls short on addressing our crisis of road fatalities as well. It should prioritize investments the make orphan highways safe for all road users NOT freeway expansions. It should endorse red light and speed safety cameras. |
| 221 | 8/21/2023 14:40 | Naing     | Aye Aye | African Youth Community Organization (A,Y,C,O)                                                       | Portland  | 97215 |  |  |       |                                           | I want to make a general comment upon sanitation of the transportation. I am scared to go on public transportation due to it being not sanitary and I am an elderly person and have weak immune system and can get sick easily that is the case for most peoples my age. Elderly people have weak immune system. I wish that you guys look into the sanitation of the transportation more since it is use by various people. Thank you                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 222 | 8/21/2023 15:02 | Robinson  | Linda   | resident of east Portland                                                                            | Portland  | 97233 |  |  | 11850 | I-84 Path Extension                       | I urge that this project be moved up in priority. It will provide a very important link between the I-205 MUP (which runs north-south at about 99th) and the existing I-84 Path which starts at NE 122nd and goes east.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 223 | 8/21/2023 15:07 | Cota      | Nicolas |                                                                                                      | Albany    | 97322 |  |  | 10866 | I-5 Interstate Bridge Replacement Program | Please reconsider giving valuable METRO capital spending to this project without holding the project management team accountable for the ballooning scale and scope of this project. The IBR project has notoriously grown to include several interchanges and added lanes that are beyond the intent of replacing the Interstate Bridge. I ask that METRO use their funding levers to gaining a commitment to the IBR team to right-size the project before being able to access METRO capital spending that otherwise should be spent to make our roads safer and alternative modes more accessible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 224 | 8/21/2023 15:12 | Cota      | Nicolas |                                                                                                      | Albany    | 97322 |  |  | 10180 | Sandy Blvd Corridor Safety Improvements   | Please prioritize this project to create a much-needed major bikeway that can connect Outer NE Portland to downtown.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 225 | 8/21/2023 15:16 | Cota      | Nicolas |                                                                                                      | Albany    | 97322 |  |  | 11647 | Halsey/I-205 Overcrossing Trail           | This is a much needed critical connection between Inner and East Portland for people travelling without a car and who may be bike-dependent. This project would greatly improve the safety of people who bike in the area as well as reduce the barrier for people travelling between Inner and East Portland.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 226 | 8/21/2023 15:16 | Robinson  | Linda   | Resident of East Portland; I served on the urban renewal advisory committee until they disbanded it. | Portland  | 97233 |  |  |       |                                           | In 1995, Metro designated Gateway as a Regional Center, with a vision that the area would become "the most intensely developed area in Portland outside of the Central City". It's been very disappointing to see such limited public investment to help make that happen. The potential is still there. I would like to see Metro show more interest in the Gateway Regional Center.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 227 | 8/21/2023 15:22 | Cota     | Nicolas    |                            | Albany      | 97322 |           |    | 11990 | I-5 Boone Bridge and Seismic Improvement: SB Wilsonville Rd to Wilsonville-Hubbard Hwy (UR, CN, OT) | Please look at ways we can avoid adding auxiliary lanes before looking at ways we can provide an equal transit, biking, and walking alternative over the Boones Bridge. Adding capacity at the edge of the Metro UGB will only incentivize future expansion of the UGB and commit to more GHG emissions with new demand of trips that are even farther from resources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 228 | 8/21/2023 15:31 | Sauvie   | Nick       | ROSE Community Development | Portland    | 97201 | Chapter 3 | 32 |       |                                                                                                     | Thank you for the opportunity to comment on the Regional Transportation Plan. I appreciate Metro's efforts to create a balanced, multi-modal transportation system and address the climate crisis. I am the Co-Executive Director of ROSE Community Development, a neighborhood-based nonprofit organization that serves outer southeast Portland. These neighborhoods have been identified by Dr. Vivek Shandas of Portland State University as suffering from the most severe urban heat island effects in the Portland region. To achieve Metro's transportation and racial equity goals it is essential that our regional transportation plan effects meaningful reduction in vehicle miles traveled. Pricing tools should be used to reduce peak travel and reduce pollution, not to expand urban freeways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 229 | 8/21/2023 15:40 | Wynn     | Jean       | EMO, Youth vs ODOT, pdx350 | Portland    | 97222 |           |    |       | I-5 bridge                                                                                          | Please remember that the more lanes are added, the greater the traffic volume. I want the minimum number of lanes on that big bridge!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 230 | 8/21/2023 17:41 |          |            |                            | Oregon City | 97045 |           |    |       |                                                                                                     | Why so they can make us pay for another service with declining ridership that the majority of is out here dont want? Can they not see the direct correlation between their public transit and crime rate and drug abuse? Look what light rail has done to milwaukie 1/2 and the its already trickled its way down from there to Oregon City light rail has been voted down multiple times by the people and its been crammed down our throats every time we say no                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 231 | 8/21/2023 19:24 |          |            |                            | Oregon City | 97045 |           |    |       |                                                                                                     | No No No 9                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 232 | 8/21/2023 21:06 | handlin  | lynn       |                            | Brooklyn    | 11208 |           |    |       |                                                                                                     | While there are references to climate change in the RTP, and good words about the need the proportion of focus on car centric projects does not reflect that. This plan has some good stuff in it for expanding transit (a little), more bike and pedestrian infrastructure (a little), and acknowledgment that we need to do things differently. But we need to start now to do things a whole lot differently. There is not much focus here on doing more to make communities more walkable. Part of what makes a walkable area is shade, generally provided by mature trees. Trees are critical infrastructure, especially given the rapidly warming climate. People have died from lack of shade in Portland in just the last few years and that is going to get far, far worse if we do not do something about this. Transportation plans must include plans to increase tree canopy, especially in low income areas, but there is nothing in this plan that addresses this. Unfortunately, this transportation plan will lead to more loss of tree canopy unless you all focus on this critical issue and make sure every project is looked at in terms of shade equity. We need better, more frequent public transit. There are some moves in that direction in this plan but compared to expanding car infrastructure it is small. Do more. We need better, safer bike lanes, and more of them. We need better, safer ways to walk, in all areas of the City. This must include more trees. We do not need more freeways, at all. This means no widening freeways and calling them "enhancements". Thank you Lynn Handlin Outer SE Portland. |
| 233 | 8/22/2023 10:20 | McCarter | Brian      | None                       |             |       |           |    |       |                                                                                                     | I'm a long time multi-modal advocate and a retired urban designer of several of Portland's transit corridors. I'm in support of the RTPs general goals and principles but I will say this, if we want to reduce VMTs, promote active modes and require our existing street system to handle more - then the City/County/Metro/State have GOT to maintain the infrastructure. In my 47 years in Portland I have never seen our streets in such terrible shape. The word is the damage from winters storms will require rebuilding pavement from the sublease. Well, start doing it. Portland's streets truly look third-world. It's not enjoyable for drivers, bicyclists, scooters, and pedestrians. Do it!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 234 | 8/22/2023 11:51 |          |            |                            |             |       |           |    | 11834 | SE Hawthorne/Foster Ave Enhanced Transit Corridor                                                   | I would like to see either streetcar running this corridor on the edges of the road or a cut and cover max line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 235 | 8/22/2023 12:01 |          |            |                            |             |       |           |    | 12035 | SE Powell Blvd Transit Project                                                                      | Elevated Max on Powell / Division                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 236 | 8/22/2023 12:02 | Jackman  | Isaiah     |                            | Beaverton   | 97008 | Chapter 3 | 71 |       |                                                                                                     | As an almost life long resident of the Portland Metro Area, I'd like to call attention to Action 6 of the Transportation Equity Policy 3. I would like to see the transit system remove barriers to ridership through investing in offering free charging ports (possibly via USB charging) and free Wi-Fi at all transit stops and/or aboard all transit. Considering Trimet is increasingly advertising and utilizing mobile apps/services (electronic HOP cards, Trimet Trip Planner, etc.), it makes sense to be able to provide equitable ways to utilize those tools/services. Considering the societal reliance on our cell phones along with commutes times on public transit taking up to an hour or more, providing charging ports and Wi-Fi are needed services. Currently, low income riders or those without access to an unlimited data plan are left to either not utilize their mobile device, or to use their data throughout their commute. Without Wi-Fi/data a rider may not be able to communicate with their jobs or loved ones, may not be able to coordinate the additional leg of their commute, or simply not be able to access the internet to enjoy their ride. Without the barrier of access to internet and charging, I believe these investments would increase ridership access for marginalized communities along with improving ride satisfaction for current riders.                                                                                                                                                                                                                                              |
| 237 | 8/22/2023 13:03 | Tun      | Thet Naing | AYCO                       | Portland    | 97266 | Chapter 1 | 2  |       |                                                                                                     | Excellent service.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 238 | 8/22/2023 13:06 | Min      | Aye Aye    | Ayco                       | Portland    | 97266 | Chapter 2 | 5  |       |                                                                                                     | Excellent service                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| 239 | 8/22/2023 13:08 | Thet           | Min         | Ayco                                                            | Portland  | 97266 | Chapter 3 | 4 |       |                                          | Excellent service very good                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 240 | 8/22/2023 13:11 | Mohammed Nisar | Rishmar     | Ayco                                                            | Portland  | 97266 | Chapter 3 | 4 |       |                                          | Excellent service very good                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 241 | 8/22/2023 13:18 | Mohammad amin  | Mohammed    | Ayco                                                            | Portland  | 97266 | Chapter 1 | 3 |       |                                          | Excellent service very good                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 242 | 8/22/2023 13:20 | Yaseen         | Maung       | Ayco                                                            | Portland  | 97266 | Chapter 2 | 2 |       |                                          | Excellent service very good                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 243 | 8/22/2023 13:21 | Kyi            | Daw san     | Ayco                                                            | Portland  | 97266 | Chapter 3 | 3 |       |                                          | Excellent service very good                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 244 | 8/22/2023 14:36 | Hangland-Skill | Michael     |                                                                 | Vancouver | 98661 |           |   | 12020 | 212/224 Sunrise Project                  | Directing funds toward yet another freeway expansion is an irresponsible use of taxpayer funds so long as transit hasn't been introduced into the corridor. Freeway expansions do not align with our regional climate goals and will only induce further demand for car travel, therefore increasing our vehicle miles traveled. The freeway needn't be extended, perhaps, if the 212/224 corridor has frequent, reliable, and fast high capacity transit. Install transit first, then study the affect it has on demand. If the expansion is still needed even after frequent, reliable, and fast high capacity transit is implemented, then sure the highway may need additional funding. Until then, do not confuse demand with a lack of transportation options on the current 212/224 Clackams Highway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 245 | 8/22/2023 14:55 | Hangland-Skill | Michael     |                                                                 | Vancouver | 98661 |           |   | 11319 | HCT: Streetcar Montgomery Park Extension | I am a daily Streetcar rider and I am thrilled to see the City of Portland, Metro, and TriMet support the extension of the system. However, I have concerns with aspects of the project, and cannot support it in its current state. The extension from NW Northrup along 23rd ave to Montgomery Park has been detailed as a off-wire system. Portland Streetcar plans to use battery-powered streetcars on the new alignment instead of installing overhead catenary wires. This is a mistake and a misuse of taxpayer funds. For over 100 years, overhead catenary wires have been trusted to carry streetcar passengers in our cities. Battery powered streetcars are a new technology, experimental at best, and only found in select cities around the world. They are not in widespread use because cities who are serious about their public transit systems stick to the reliable and trusted traction and power delivery. Further, Portland Streetcar must order an entirely new fleet of battery powered streetcars for the new alignment. The current fleet of 17 cars cannot be used at all on the new Montgomery Park alignment since they operate through the overhead catenary wires, not on batteries. The lack of spare streetcars already plagues the system as the vehicles age or become damaged. Limiting the new alignment to prototypical new streetcars is not a smart operational move for the system. If one of those battery powered streetcars must be pulled from service, none of the existing fleet can cover its duty. Therefore, it will cost more to buy an entirely new fleet of battery powered streetcars and their spares. This cost is in addition to the ballooning cost of battery replacement, which must happen, on average, every 5 years. That means Metro, TriMet, and the City must account for the replacement of batteries as the proposed new streetcars age. I believe it is neither wise nor responsible for Metro to fund new technology for this expansion on the streetcar system, which already has its faults. As a daily rider, my streetcars are blocked by illegally parked cars, maintenance trucks, and delivery vehicles. We are constantly late, and often trips are cancelled by blocked streetcars unable to move. Furthermore, the lack of signal priority and dedicated right-of-way means streetcars are constantly stuck in traffic. These funds would be better spent making the current system more reliable by removing parking adjacent to the tracks and installing signal priority at every intersection. If the expansion proceeds, it must do so using the dependable and trustworthy technology streetcars have used for over a century: dedicated power through an overhead catenary wire system. |
| 246 | 8/22/2023 21:14 | GINGERY        | LARS        | Self                                                            | Portland  | 97267 |           |   | 13    |                                          | Allocating 21 times the funding for automobiles over walking or biking is no way to achieve our climate goals or reduce traffic fatalities. This budget is entirely wrong for that reason.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 247 | 8/23/2023 0:53  | Christian      | Garrison    |                                                                 | Portland  | 97201 |           |   |       |                                          | Please prioritize and fund transit, walkability, and biking. Car dependency is harmful in untold ways: climate, economy, anti social, etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 248 | 8/24/2023 2:25  | Hlain          | Lei Lei Win | African Youth Community Organization.                           | Portland  | 97219 |           |   |       |                                          | I want to make a comment upon how slow it is for me to get from Beaverton to SE Portland. It takes about 2 hours with Public Transportation and I think that is why people choose cars over taking public transportation. If there is anyway that could be looked upon that will be great. I also want to make a comment about the safety for people on the public transportation since my nephew when he was 14 year old told me a man ask him if he had a lighter with him so he can smoke his marijuana on the train. That's very concerning since I see many people who seem mentally unstable. Please do something about that. Thank you                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 249 | 8/23/2023 9:34  | Olson          | Addie       |                                                                 |           |       |           |   |       |                                          | I would like to see more % invested in bike and walk infrastructure. I rely on Portland's bike and walk infrastructure every day and would be able to have a higher quality of life if it were improved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 250 | 8/23/2023 9:56  | Cheseborough   | Steve       |                                                                 | Portland  | 97202 |           |   |       |                                          | Only 4 percent for walking and biking? That's how you're guiding transportation for the next 20 years? You have not heard that there is a climate crisis going on? This whole document is disgusting and should be considered criminal. Please scrap it and start over. Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 251 | 8/23/2023 15:10 | Stenger MD     | Joseph      | Metro Climate Action Committee (but submitted as an individual) | Portland  | 97212 |           |   |       |                                          | I don't recall seeing specific GHG targets in the documents. The OGWC recommended this year that Oregon adopt goals of emissions reductions of 45% by 2030 based on 1990 levels, 70% by 2040, and 95% by 2050. That represents reduction of GHG due to transportation for the state from the 2021 level of 22 MMT CO2 equiv to 11.6 by 2030, 6.3 by 2040, and 1.05 by 2050. Will the RTP result in proportional reductions for the Metro area? If not, the Plan needs to be revised until it does. Anything less means making a sizable contribution to a more deadly climate for our grandchildren.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| 252 | 8/23/2023 16:49 | Carr       | John    |                                      | Portland | 97214 | Chapter 3 | 40 |       |                                          |  | My family and I rely on a mix of modes to get to jobs/clients, shops, and schools in our neighborhood (South Tabor), in Portland, and around the region. Each trip comes at some cost to us, to others, to air quality, and/or to the climate. And while we do our best to make our individual choices, the impacts of transportation on safety, equity, health, climate, and public budgets is not accurately priced into the system. Put plainly, automobile travel is still too heavily subsidized. The pricing and congestion management policies in Chapter 3 are the right move. Before adding lanes or increasing capacity on our thoroughways and arterials, we need to employ these and other strategies that encourage a shift away from modes that are carbon intensive and/or lead to sprawl and urban disintegration. Key is making sure that these new pricing policies are enacted equitably -- and soon.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 253 | 8/23/2023 21:42 | Hart       | Anders  |                                      | Portland | 97232 |           |    |       |                                          |  | I support the RTP policy recommendations outlined by No More Freeways. I specifically want to emphasize that: 1.Metro should set more stringent climate targets that apply to individual projects, not only the entire plan. Metro should prioritize projects that encourage a rapid mode shift away from single-occupancy vehicles and towards active transportation and transit. 2.Metro should lobby the Oregon Legislature to implement a weight-based vehicle registration system that scales with vehicle weight. Heavier vehicles are more dangerous and create more wear on roads than lighter vehicles. 3.Metro should lobby the Legislature to make the OReGO road usage fee pilot mandatory and universal as soon as possible. Charging drivers based on how much they drive is a more efficient way to manage transportation demand than tolling and avoids the diversion concerns that have plagued the I-5 and I-205 tolling projects. 4.Assuming tolling moves forward, revenue should not fund freeway capacity projects primarily benefiting single occupancy vehicles. Rather, revenue should support transit and other alternatives to driving. Including the I-205 tolling project and Regional Mobility Pricing Project is not consistent with policy 3.2.5, which states that "Revenues collected through pricing programs should be reinvested in a manner that helps meet state, regional and local goals related to reductions in greenhouse gas emissions and congestion while improving mobility and safety" and that "Revenue should not be reinvested solely for single occupancy vehicles but should be invested to improve the entire multimodal transportation system." 5.The RTP should include a "people throughput" performance measure in its mobility policy. Additionally, the RPT should include accessibility performance measures that address the connection between land use, transportation demand, and mode split. 6.Including the I-5 Interstate Bridge Replacement Program (IBR) project in its current form is fiscally irresponsible. The current iteration is too large and does not include critical guardrails to ensure the project stays under budget. The plan to rebuild several interchanges is an especially egregious example of the project's bloat. |
| 254 | 8/23/2023 22:15 | Muqbel     | Iqbal   | AYCO                                 | Portland | 97219 |           |    |       |                                          |  | I will request to fix the issue of having high traffic volumes at Salem tunnel and Ross Island Bridge. Please fix this since many of us are going to work at SE from SW and traffic has been a biggest issue. Thanks!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 255 | 8/23/2023 22:19 | Shams      | Jamshid | AYCO                                 | Portland | 97219 |           |    |       |                                          |  | I will request to have more public buses and running it more frequently so that people will not be waiting for public transportation in the cold weather.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 256 | 8/24/2023 2:35  | Aye        | Sanda   | African Youth Community Organization | Portland | 97219 |           |    |       |                                          |  | I want to make a comment upon sanitizing bus stop and transit center. I hope it gets cleaned often. I wish more Waiting Area Shade Covers are installed or just seats. I am old so it's hard for me to stand for long period of time. Thank you                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 257 | 8/24/2023 8:18  | Perez      | Joaquin | Clackamas County resident            | Langley  | V3A   |           |    | 11350 | OR 224 Milwaukie Expressway improvements |  | Move to Strategic. Described as meeting anticipated congestion. Adds a lane, but does not improve bike-ped mobility options other than a couple of curbs and is listed as an ADA project. This is an insult to the ADA and anyone who tries to cross OR-224 without a car. I drive this stretch of road every day and live nearby. I do not see how this is necessary given the lack of congestion for 22 hours of the day. If we are serious about the climate policies in the plan why are we adding lanes for anything other than transit service?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 258 | 8/24/2023 13:32 | Robinson   | Linda   | Resident of East Portland            | Portland | 97233 |           |    | 11813 | Cross-Levee Trail                        |  | This is an important trail that will connect East Portland neighborhoods (Argay, Wilkes and more) to the Columbia River and to a number of natural areas acquired in recent years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 259 | 8/24/2023 18:37 | Kuehn      | Aaron   | BikeLoud                             | Portland | 97202 |           |    | 11819 | Reedway Ped/Bike Overcrossing            |  | This is a brilliant project that should have been built long ago. Currently the Brooklyn and Westmoreland neighborhoods and businesses are cut off from the rest of SE Portland, especially walking or biking. The only way over 99E and the Union Pacific railway is via the Holgate Br, which has no bikeways, and dangerous sidewalks interrupted by utility poles and lines, or via the Bybee Br, which requires a dangerous route with high speed driving on blind curves. This overcrossing would be an amazing boost to the Reed neighborhood, college, and businesses on the Eastside, which are equally isolated at this time. A similar pedestrian and bike overcrossing to the North is constantly in use when the elevators work. Build it, but be sure to use ramps, not elevators!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 260 | 8/24/2023 18:31 | Westendorf | Nic     |                                      | Portland | 97230 |           |    |       |                                          |  | We need to stop blindly investing in increased car capacity. It is a never ending cycle that will consume our limited resources, exclude our most vulnerable, and decreases the livability of our communities. Cars have a place but we have enough infrastructure to support that place. We now need to focus on reducing car trips where possible to release the pressure on our existing system and build out other modes equitably. Focusing on bike, ped, and transit in the next facade is going to pay dividends in the long run.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| 261 | 8/24/2023 19:59 | O'Neil  | Dan      | Concerned citizen | Portland | 97206 |  |     |  |  | The overarching theme of this RTP, as written, is that investments in roadways remain the priority our region and lipservice is paid to alternatives. The plan's own analysis indicates that the greatest shortcomings will be among goals around safety, active transportation, transit - modes that are not the automobile. However, the majority of the funding goes to auto projects. This is wrong-headed, and does nothing to take the steps that have been proven to provide short-term opportunities to improve livability and the environment. This plan lacks vision; we need better.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 262 | 8/24/2023 20:20 | Kuehn   | Aaron    |                   | Portland | 97202 |  | 273 |  |  | Figure 4.30: Clark County is mislabeled as Clackamas County in the destination column.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 263 | 8/24/2023 22:52 | Kuehn   | Aaron    |                   | Portland | 97202 |  | 147 |  |  | Text says "Figure 3-35, the Regional Bicycle Network. Click on 2023 for online zoomable version of map." There is no available link to click. Would be great to see bigger version of this map.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 264 | 8/24/2023 23:30 | Chaplin | Chris    |                   | Portland | 97213 |  |     |  |  | Greetings, I'm writing to express my serious concerns with the proposed updates to the Regional Transportation Plan as currently written. First, I am most concerned about the safety of our streets, particularly for pedestrians. In July of this year there was a stretch where I believe 8 Portlanders were killed in traffic accidents in 7 days - my family and I were close with one of them - and the city is on track to obliterate last year's record for traffic deaths. From cities like Hoboken, NJ (just outside of NYC), we know that it is not impossible for mid-sized to large cities to enact a "real" Vision Zero plan in which there are actually, exactly, zero traffic deaths. The RTP represents a golden opportunity for those of us who haven't yet perished in traffic accidents to make our streets completely safe for all our citizens regardless of mode of transportation; to outline how this region will prioritize investments in traffic safety over additional road capacity and freeways; and to ensure that ODOT prioritizes investing in orphan highways instead of freeway expansions. I am also seriously concerned that the RTP does not adequately address the region's climate-related needs. For one, it radically underestimates the amount of carbon pollution that will come from driving without transformative changes to our transportation system; we this document to adopt more aggressive plans to reduce driving and invest in the most cost-effective initiatives to reduce carbon emissions - walkable communities and abundant public transit. Metro also needs to be an unambiguous champion of more equitable congestion pricing policy. Likewise, the RTP should direct money away from ODOT's freeway expansions and toward community street initiatives. Neighborhood Greenways, like my neighborhood's Center Street, should begin implementing traffic calming measures that highly discourage and eventually prohibit car use. Finally, we need this document to address the urgent public health and safety issue of worsening air pollution. Whether it's from now annual wildfire smoke - a direct result of years of unregulated fossil fuel-based infrastructure expansion, both federally and locally - or exhaust from motor vehicle emissions - it is imperiling all of us, and particularly the most vulnerable among us. The RTP should champion any and all measures that would improve Portland's air quality, whether directly or indirectly. This goes for indoor air too - an investment in purifying indoor air on our public transit system would go a long way toward increasing ridership, especially as the Covid pandemic continues unabated and contributes to continued death and disability for the foreseeable future. I say all of this with the utmost sincerity and urgency. I will continue to pay close attention to the development of this document. Chris Chaplin SE Portland |
| 265 | 8/25/2023 9:18  | Lindsay | Eric     |                   | Portland | 97215 |  |     |  |  | Please implement 1) congestion pricing to manage traffic instead of expanding freeways 2) modern mobility policies for monitoring systems. 3) maximize implementation of truly safe and comfortable biking, walking, and mass transit infrastructure over car infrastructure. Cars (yes even EVs) already choke our cities and built environment. We need to start depaving!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 266 | 8/25/2023 9:37  | Korman  | Jonathan |                   | Portland | 97212 |  |     |  |  | I support the strongest possible support for transportation other than private cars: bicycles, public transit, and WALKING. Resources and safety. Yes, that includes congestion pricing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| 267 | 8/25/2023 9:44  | Iannarone | Sarah   | The Street Trust on behalf of Argay Parkrose Greenway Project | Portland | 97206 |  |  | 11813 | Cross Levee Trail project | August 25th, 2023 To: Metro Council. JPACT, Metro Staff Re: Draft 2023 Regional Transportation Plan Update - in Support of Expediting Argay Parkrose Greenway (Cross Levee Trail Project #11813) Implementation from 2045 to 2030 Dear President Peterson, Councilors, JPACT Members, and Team Metro: Thank you for providing the opportunity to comment on the 2023 Draft Regional Transportation Plan. We appreciate your dedication to improving transportation in our region. Following the completion of a feasibility study in 2022 (Phase 1) The Street Trust was selected in spring 2023 to serve as the backbone organization for the Argay Parkrose East Cross Levee Greenway project (Phase 2), which includes reconvening stakeholders, engaging the wider community, establishing public safety and maintenance plans, and securing funding to construct this Multi-Use Path. There has been significant work done to date, and there is momentum behind the project currently, including intergovernmental and cross-sector partnerships to secure the \$7-9 project cost, which will reap outsized equity, climate, and economic benefits. The 2023 Draft RTP demonstrates a commitment to enhancing mobility and preserving natural landscapes. We commend these efforts while also seeking to address a critical opportunity. For these reasons, we would like to express our strong support for the expedited implementation of the Argay Parkrose Greenway (Cross Levee Trail project #11813) from the 2045 to the 2030 project list. This transformative initiative aligns seamlessly with the RTP's vision for a more connected, equitable, and sustainable Portland metro region and advances The Street Trust's mission of securing investments that save lives, reduce barriers, and expand mobility and opportunities to the people and neighborhoods our current system neglects. Beyond being a mere trail, the Parkrose Greenway is a model project capable of catalyzing development and investment in the historically disinvested neighborhoods of Argay Terrace and Parkrose. These are among the most diverse neighborhoods in Portland, with high percentages of the population with racial or ethnic diversity. These neighborhoods also ranked low in English proficiency, with over 10 percent of the population born outside the United States. Additionally, 9 percent of households have an income below the poverty line. As a result, this community is among the top 10 to 25 percent of tracts most vulnerable to climate change, according to the 2019 Poverty in Multnomah County report. Linking the Marine Drive Multi-Use Path with Sandy Boulevard, this Multi-Use Path complements Oregon's substantial investment in the \$3.6 billion Interstate Bridge Replacement Project, also in the RTP update. This strategic trail connection becomes even more potent when considering its alignment with the |
| 268 | 8/25/2023 10:12 | Reimer    | Daniel  |                                                               | Salem    | 97301 |  |  |       |                           | So much is being written about how we need to prioritize walking and biking over driving. However Metro plans to spend just 2% of its transportation budget on biking, and 2% on walking, for the next 22 years! 42% of the budget will go to automobile transportation. The budget allocation does not reflect the needs of the communities. Our neighborhood arterials don't have sidewalks, unsafe bike lanes, and poor bus schedules.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 269 | 8/25/2023 11:08 |           |         |                                                               | Portland | 97202 |  |  |       |                           | A successful city is not one where poor people can afford a car. A successful city is one where rich people take transit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 270 | 8/25/2023 12:59 | Kywe      | Mu Mu   | AYCO                                                          | Portland | 97211 |  |  |       |                           | For public transportation, if we can have the shelter at every bus stop, that would be great.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 271 | 8/25/2023 13:00 | Myint     | Sai Hla | AYCO                                                          | Portland | 97211 |  |  |       |                           | If we can have the bus or train coming every 5 to 10 mins, that would be great.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 272 | 8/25/2023 13:25 | Kuehn     | Aaron   | BikeLoud                                                      | Portland | 97202 |  |  |       |                           | BikeLoud, Portland's bicycle advocacy non-profit, deeply appreciates your "blueprint for the future", the 2023 Metro Regional Transportation Plan Public Review Draft (RTP). Everyone at Metro should be proud of the cohesive and comprehensive vision it lays out. However, during our review, we grew concerned. The dollar amounts allocated to active transportation in the RTP don't appear to correspond to your stated priorities. The RTP makes it very clear that investment priority must center on active transportation. We are puzzled by the budget (Table 5.4) that inexplicably allocates 50% of total spending to motor vehicles, in the form of Throughways, Roads and Bridges, the IBR, and maintenance, and only puts 4.5% into the active transportation budget, to be split between walking and bicycling. Walking and biking have historically been underfunded. This long-term RTP is an opportunity to redress that inequity. Can you explain why, for every \$1 spent on sidewalks, or on fixing gaps in the bike network, \$25 will be spent on motor vehicles? This imbalance is concerning when the other 570 pages of the RTP so expertly articulate why we must do the opposite â€” prioritize investment in active transportation and connections to transit. Why does Metro not want to align its own investment dollars with the priorities, goals, and vision in its RTP?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| 273 | 8/25/2023 13:47 | Morgan          | Brett    | 1000 Friends of Oregon               | Bend      | 97703 |  |  |       |                                         | Thank you for your continued work on the 2023 Regional Transportation Plan. The RTP will have impacts on land use, equity, safety, and climate for generations to come which makes it all the more important that it reshapes the status quo rather than reinforcing it. This update to the RTP also presents the opportunity to bring us closer to the aspirations laid out in Oregon's statewide land use planning Goal 12, focused on transportation. We would first like to express our support for the following sections of the RTP: 3.2.5 Pricing Policies We strongly support the Regional Mobility Pricing Project, and the Pricing Policies integration into the RTP. In the 1990s, 1000 Friends of Oregon studied the connection between land use, transportation, and air quality, and identified road pricing to manage demand as essential to minimizing sprawl. RMPP represents a very careful analysis of tradeoffs and considerations for equity. 3.3.5.3 Policy on High Capacity Transit Network In the RTP draft, this policy is numbered as either being Transit Policy 6 or 7 on different pages, so we're specifically referring to, "Complete and strengthen a well-connected high capacity transit network to serve as the backbone of the transportation system. Prioritize transit speed and reliability to connect regional centers with the Central City, link regional centers with each other, and link regional centers to major town centers." This policy recognizes the integration and recent changes to zoning, parking minimums, and transit-oriented development as a key strategy that can help support transit utilization. This aligns with the 2040 Growth Concept, as well as Climate Friendly and Equitable Communities (CFEC) rulemaking, which is and continues to be integrated into local TSPs and comprehensive plans. For example, Beaverton and Tigard have gone further than these rules, eliminating parking minimums citywide. 8.2.1 Local Implementation We support this section which calls out the relationship between urban growth boundary expansions, and the associated high infrastructure costs that come with new expansions. The 2040 Growth Concept supports growth patterns that minimize these costs often borne by governments and developers (through SDCs), and allows more dollars to flow towards improvements and maintenance on existing infrastructure. We offer mixed support and refinements for the following: 8.2.4 Corridor Refinement Planning With regard to: "Effects of UGB expansion and Industrial Lands Evaluation studies on regional freight mobility;". We believe that more nuance should be added to consider how UGB expansions for industrial lands will meet the Transportation Planning Rule (TPR) and reduce VMT. We have concerns given that several state policy changes to UGB expansions might miss the careful consideration that goes into where we should cite industrial lands. We want to ensure their impact |
| 274 | 8/25/2023 14:34 | Falcon Gonzalez | Ariadna  | The Getting There Together Coalition | Portland  | 97206 |  |  |       |                                         | Projects that are combined, as seen in instances like ODOT's Safety & Operations Projects (2023-2030, 2031-2045), need to adhere to RTP policies and cater to the requirements of both our transportation system and our communities. It's essential for the public to be fully informed about the projects encompassed within these extensive "bundles." This transparency is pivotal for receiving meaningful input from the community about whether these projects effectively address the most critical safety and operational needs within their localities. Additionally, Metro should consider revising Chapter 8 to incorporate and fund a process that empowers affected community members to participate in prioritizing and providing feedback on the execution of these projects. This inclusivity would enhance the decision-making process and ensure that the projects align more closely with the actual needs of the communities they impact. To further improve project assessment and prioritization, Chapter 8 should also contain language that advocates for allocating resources that enable Metro staff to enhance the depth of project-level evaluations. This refinement would better inform the acceptance and prioritization of projects across various goal areas. Given the concurrent challenges presented by the traffic violence epidemic and the funding crisis, fostering a high level of confidence in the efficacy of our safety-focused investments becomes imperative. Furthermore, a critical facet of this endeavor involves upholding transparency concerning the particulars and aims of these projects.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 275 | 8/25/2023 15:04 | Falcon Gonzalez | Ariadna  | The Getting There Together Coalition | Portland  | 97206 |  |  |       |                                         | We should prioritize the integration of empirical peer-reviewed research that undergoes thorough scrutiny via channels like the Transportation Research Board (TRB). This collaboration should encompass a wide array of transportation experts, primarily from academic institutions, rather than being confined to ODOT, Metro, policymakers, or planners. This approach, yet to be fully embraced, necessitates advanced program evaluation. Securing funding for this endeavor at present would significantly enrich our data reserves by the time we revisit the evaluation process. The allocation of resources for transportation research holds pivotal importance, serving as a cornerstone for strengthening our transportation advocacy ecosystem, beyond the influence of our individual organizations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 276 | 8/25/2023 15:07 | Fitzgerald      | Marianne |                                      | Troutdale | 97060 |  |  | 10284 | Outer Taylors Ferry Safety Improvements | Outer Taylors Ferry is the highest priority project needed to support walking and biking in the West Portland Town Center. It's the number one priority for the Portland Bureau of Environmental Services to coordinate street and stormwater improvements on a street that lacks infrastructure. It is needed to support affordable housing in West Portland Town Center and needs to be funded now!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| 277 | 8/25/2023 15:12 | Fitzgerald | Marianne |                  | Troutdale | 97060 |  |  | 10286 | Markham School Pedestrian/Bike Overpass | The Markham School walking/biking bridge over I-5 has been in the RTP/TSP since day one, decades ago. It's a key connection between West Portland Town Center and the nearby neighborhood, parks natural areas and services, and provides an alternative to walking through West Portland Crossroads. Why is the estimated cost \$31 million when the Blumenauer Bridge over I-84 cost \$19 million? Surely it can be constructed for less than \$31 million. Please keep the Markham Ped/Bike bridge in the constrained list and build it sooner rather than later.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 278 | 8/25/2023 15:19 | Fitzgerald | Marianne |                  | Troutdale | 97060 |  |  | 11825 | SW Pomona/64/Barbur Bike Ped facilities | This project is a key station access project for the future Southwest Corridor light rail, SW 68th station. Today, people living in affordable housing nearby must walk or roll in the street and through parking lots to access transit on Barbur. It's unsafe, yet it's a key "funnel street" to access SW Barbur from the north. The bus stops at SW 64 and SW 65 and Barbur also need improvements to make them more safe and accessible. Project 11825 needs to be in the constrained list.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 279 | 8/25/2023 16:10 | Ripsey     | Paul     |                  | Portland  | 97232 |  |  |       |                                         | There are things to like in this plan, and it seems committed to multi-modal transportation. However, it makes me profoundly sad that there is no commitment to waking ODOT and PBOT (to a lesser extent) from their concrete dreams. When my ancestors acquired the land that is now the Metro region from the many tribes of indigenous people who lived here, no one EVER consciously decided to pave over half the land with impervious concrete and asphalt. That was never a conscious decision, but there were thousands of small decisions to build this road, that parking lot, the other access ramp and freeway and sidewalk and so on. The result is that we live in an area that should be a garden, and is becoming uglier every year, less enjoyable, more alienating, less relaxing. Here's a radical proposal - but we need radical proposals! We should say to the highway builders that for each new square meter they pave, they have to remove three square meters of pavement and return the land to living plants. Why three to one? Because that's the ratio used for wetlands destruction: if I want to destroy an acre of wetlands, I have to turn three other acres INTO wetlands. The multiplier is there because created wetlands are never as good as natural wetlands. Similarly, once we start deasphaltization, we'll see that a reclaimed acre isn't as good, as beautiful, as a natural acre. So - three to one. I know you are too far down the road to change this plan into something that is radically climate and human friendly. It's not too late though to MENTION deasphaltization. Transportation planning is notorious for underestimating negative externalities if they take them into account at all. The social costs of destroying the African American culture of Albina, or of facilitating long commutes to Vancouver so that folks can avoid Portland's taxes and still work and shop here - they didn't figure in the freeway planners' calculations. I hope you will be bold and say something like, "This Regional Transportation Plan will substantially increase the area under asphalt and concrete, which will make the area less attractive, less green, and less livable. We propose that the agencies that build roads or other concrete or asphalt structures including bikelanes, Max lines, and sidewalks be required to remove the impermeable coverings and restore to nature a previously-paved area three times larger than the area they propose to cover." Such a bold statement would begin to put our area back onto a green path, which has been largely abandoned, and would earn the area some of the city-planning credibility that it has been losing. Thank you for your consideration. |
| 280 | 8/25/2023 16:21 | Felton     | Lynn     | Argay Terrace NA | Corvallis | 97330 |  |  | 11813 | Cross Levee trail                       | Please move this project to the 2030 bucket. This multi modal trail will provide a measure of climate resilience to the traditionally marginalized communities that live in one of the hottest areas during a heat dome in the city of Portland. It will allow safe access to jobs in the Columbia South Shore industrial zone. This one small trail has so much potential for so many people who presently have no safe routes to get to jobs and the Marine dr trail/Columbia river. If you reference "Multnomah co. recent Public Health Data Report: Traffic Crash Deaths in Multnomah County Taking a Safe System approach to address traffic-related fatality trends & contributing factors" you will see the area around the trail is surrounded by high injury corridors, NE 122nd, NE Sandy blvd, NE 148th, NE Airport Way. There is a desperate need for a safe way for people to access the river and jobs. There is community support for this project that makes an earlier timeline feasible. Please consider how this project aligns with the regions environmental justice, equity and climate goals. Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 281 | 8/25/2023 16:21 | Felton     | Lynn     | Argay Terrace NA | Corvallis | 97330 |  |  | 11813 | Cross Levee trail                       | Please move this project to the 2030 bucket. This multi modal trail will provide a measure of climate resilience to the traditionally marginalized communities that live in one of the hottest areas during a heat dome in the city of Portland. It will allow safe access to jobs in the Columbia South Shore industrial zone. This one small trail has so much potential for so many people who presently have no safe routes to get to jobs and the Marine dr trail/Columbia river. If you reference "Multnomah co. recent Public Health Data Report: Traffic Crash Deaths in Multnomah County Taking a Safe System approach to address traffic-related fatality trends & contributing factors" you will see the area around the trail is surrounded by high injury corridors, NE 122nd, NE Sandy blvd, NE 148th, NE Airport Way. There is a desperate need for a safe way for people to access the river and jobs. There is community support for this project that makes an earlier timeline feasible. Please consider how this project aligns with the regions environmental justice, equity and climate goals. Thank you.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 282 | 8/25/2023 16:26 | Linn       | May      | CAIRO            | Portland  | 97230 |  |  |       |                                         | On the 82nd road, I usually see a lot of valleys, so I think about fixing them ,because of the valleys, it can be difficult to drive when it rains                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| 283 | 8/25/2023 17:20 | Lee      | Amythest |  | Portland | 97212 |  |  |       |                                                             | Notes for the RTP: Notes for the RTP: Our dependence on cars and the amount of money that has been spent on car infrastructure in the last 70 years is a classic case of the sunk-cost fallacy. The question needs to be "what is the most resource-efficient means to provide the most transportation to the most people" and instead it's "how do we make it easier for people to drive everywhere?" Buses come infrequently and stops are sometimes incredibly unsafe areas that leave you vulnerable to traffic fatalities and are impossible to walk to. The MAX and streetcar lines are more limited than they should be, making for long transit times with multiple transit swaps if you live in an underserved area like southeast Portland. We can't ask people to try an option if the option isn't well developed and reliable. People choose to drive because of ineffective or unreliable public transit options. You want more cars off the road? Improve public transit! Prioritize pedestrian and bike infrastructure! Something as simple as providing bus shelters at every stop end up with huge dividends in transit ridership- making the experience of waiting for as long as one must for a bus that doesn't come frequently enough is a really easy way to make the wait seem shorter. The answer to all of Metro's goals is staring you in the face and is cheaper than the alternative and yet you still REFUSE to abandon car-centric infrastructure and prioritize walking and biking. Pedestrian and bike infrastructure is astronomically cheaper than car infrastructure and provides the most good to the planet and the people who can use it and YET, Metro and Portland as a whole chooses to ignore that and pour money into the furnace that is road maintenance, and add to future maintenance bills by increasing the amount of lanes across the region. If a different transit system works better than our current one, people will use it. If you make it more convenient to take transit and less convenient to drive, people will use public transit! They will walk! They will bike! 52% of ALL daily trips in the United States in 2021 were less than three miles. People don't NEED to drive a personal vehicle everywhere they go. It's just the most convenient option for them right now. |
| 284 | 8/25/2023 17:21 | Lee      | Amythest |  | Portland | 97212 |  |  | 11176 | I-5 Rose Quarter/Lloyd District: I-405 to I-84 (UR, CN, OT) | Why are we spending 975 million dollars on the antiquated idea that auxiliary lanes and shoulders reduce traffic congestion? The highway cover is a nice idea, but discouraging car travel is the easiest way to combat congestion on the interstate. Think of how much that money could do for improving public transit, which is a much more climate conscious and equitable solution to the problem of traffic on highways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 285 | 8/25/2023 17:22 | Lee      | Amythest |  | Portland | 97212 |  |  | 10866 | I-5 Interstate Bridge Replacement Program                   | Love extending the light rail, love the protected/buffered bikeways, cycletracks and a new trail/multiuse path or extension, but we do not need to add more lanes to I5. This has been proven to be ineffective at reducing traffic congestion. It just creates induced demand that increases the amount of cars on that stretch of road, increasing traffic and demanding yet another lane in a couple of years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 286 | 8/25/2023 17:23 | Lee      | Amythest |  | Portland | 97212 |  |  | 11646 | Broadway/Weidler Corridor Improvements                      | This investment is incredibly important and very sorely needed. I live near this corridor, and currently avoid it on my bike and while walking because it is so dangerous if I'm not in a personal vehicle. This is a real shame, seeing as there are so many interesting small businesses and restaurants I want to visit but are so inconvenient for me to get to. Even if I drove there, I would have to pray I find a spot to parallel park on this busy street and I just avoid it instead.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 287 | 8/25/2023 17:24 | Lee      | Amythest |  | Portland | 97212 |  |  | 11102 | HCT: Streetcar Lovejoy to Hollywood Extension               | I love the idea of extending the streetcar and providing additional public transportation options to people in the area. This also provides, in conjunction with RTP ID 11646, a method of accessing small businesses and restaurants along this busy corridor without the use of a personal vehicle.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 288 | 8/25/2023 17:35 | Lee      | Amythest |  | Portland | 97212 |  |  | 12287 |                                                             | I'm having to use general comment to post a comment about RTP ID 12287 because your sit doesn't allow me to comment on an ID higher than 12099 (How this could be an error that has not been found or rectified is shocking to me). Project title: HCT: Martin Luther King Corridor High Capacity Transit. This is great. Having more frequent busses and better bus stops along this arterial North/South road is critical.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 289 | 8/25/2023 22:46 | Raderman | Dan      |  | Portland | 97212 |  |  |       |                                                             | I am surprised at the lack of projects on Front Ave - many people work on Front Ave who could benefit from a safe way to get to work. There is ample room for a bike path on the side of the road - especially considering half of a lot of the parking lots on Front Ave are actually in the Public Right of Way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 290 | 8/25/2023 17:37 | Lee      | Amythest |  | Portland | 97212 |  |  | 12308 |                                                             | I'm having to use general comment to post a comment about RTP ID 12308 because your sit doesn't allow me to comment on an ID higher than 12099 (How this could be an error that has not been found or rectified is shocking to me). Project title: Green Loop/Central City in Motion Improvements. This is great! Encouraging walking, biking, and public transit in the central city should be a priority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| 291 | 8/25/2023 17:40 | Lee | Amythest |  | Portland | 97212 |  |  | 10922 | HCT: MAX Red Line Improvements Project: Capital Construction | Notes for the RTP: Notes for the RTP: Our dependence on cars and the amount of money that has been spent on car infrastructure in the last 70 years is a classic case of the sunk-cost fallacy. The question needs to be "what is the most resource-efficient means to provide the most transportation to the most people" and instead it's "how do we make it easier for people to drive everywhere?" Buses come infrequently and stops are sometimes incredibly unsafe areas that leave you vulnerable to traffic fatalities and are impossible to walk to. The MAX and streetcar lines are more limited than they should be, making for long transit times with multiple transit swaps if you live in an underserved area like southeast Portland. We can't ask people to try an option if the option isn't well developed and reliable. People choose to drive because of ineffective or unreliable public transit options. You want more cars off the road? Improve public transit! Prioritize pedestrian and bike infrastructure! Something as simple as providing bus shelters at every stop end up with huge dividends in transit ridership- making the experience of waiting for as long as one must for a bus that doesn't come frequently enough is a really easy way to make the wait seem shorter. The answer to all of Metro's goals is staring you in the face AND IS CHEAPER THAN THE ALTERNATIVE and yet you still REFUSE to prioritize walking and biking over car-centric infrastructure, as proven by the categorical breakdown of this transportation plan. Pedestrian and bike infrastructure is astronomically cheaper than car infrastructure and provides the most good to the planet and the people who can use it and YET, Metro chooses to ignore that and pour money into the furnace that is road maintenance, and add to future maintenance bills by increasing the amount of lanes across the region. If a different transit system works better than our current one, people will use it. If you make it more convenient to take transit and less convenient to drive, people will use public transit! They will walk! They will bike! 52% of ALL daily trips in the United States in 2021 were less than three miles. People don't NEED to drive a personal vehicle everywhere they go. It's just the most convenient option for them right now. It seems to me like, as always, Metro and other transit agencies are SAYING all of the right things. "We need to eliminate transit disparities for BIPOC communities", "We need to substantially reduce carbon emissions by getting people to use transit, walk, and bike", "We need to eliminate traffic deaths", but most of the money in this RTP goes against all of that by utilizing the lion's share of funds to add more lanes and uphold personal vehicles as the default form of transit. RTP ID 11176 Project Name I-5 Rose Quarter/Lloyd District: I-405 to I-84 (UR, CN, OT) Why are we spending 975 million dollars on the |
| 292 | 8/25/2023 17:41 | Lee | Amythest |  | Portland | 97212 |  |  | 11319 | HCT: Streetcar Montgomery Park Extension                     | Yes!! Extend the streetcar! More projects like this that encourage public transit accessibility and feasibility please!                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 293 | 8/25/2023 17:42 | Lee | Amythest |  | Portland | 97212 |  |  | 12095 | Safety & Operations Projects: 2023-2030                      | This is great. Improving safety "and other improvements that do not add motor vehicle capacity." It is antithetical to Vision Zero to increase high speed personal vehicles on streets that also contain pedestrians and cyclists. This should be the focus of the entire RTP.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 294 | 8/25/2023 17:44 | Lee | Amythest |  | Portland | 97212 |  |  |       |                                                              | I am having to use the general comment feature to comment on RTP ID 12307 because the specific comment feature will not allow an ID higher than 12099 (how this issue was not found or fixed is shocking to me). The project title is: 122nd Ave Safety Improvements: NE Marine to SE Foster. This is great, but there also need to be some things put into place to slow down personal vehicles. A light doesn't do much when a vehicle is travelling at a speed where a quarter of the people hit will die (25% of people hit by a driver going 32 mph will die). We need crosswalks that are raised so even if a vehicle doesn't immediately see a pedestrian, they are forced to slow down by the speed bump effect a raised crossing provides.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 295 | 8/25/2023 17:50 | Lee | Amythest |  | Portland | 97212 |  |  | 10612 | Greenburg Road                                               | The good done by Metro through projects like affordable and increased housing is completely undone if it's too dangerous to leave your home in anything other than a car-which is the most expensive transit option available. What is equitable about requiring a low-income person to pay for a car to navigate the city surrounding their affordable housing unit? What about demanding the increased use of fossil fuels needed for personal vehicles is sustainable or contributes to the city's climate resiliency goals? Why would you put up to FIVE LANES OF TRAFFIC for people on foot and bikes to navigate while trying to access transit, retail options, and entertainment from your OWN affordable housing venture at Terrace Glen? The posted speed there is already 35 mph. Would you not increase the speed limit with the neverending increase in lanes? 5 lanes next to multiple apartment buildings and a cemetery? Unless the two lanes added to this road are rose lanes specifically for transit use there is no reasonable explanation for simultaneously realizing there is a need for safe pedestrian and biking infrastructure on this road, while also increasing the dangers these groups face.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| 296 | 8/25/2023 19:17 | Hetrick | Josh  |  |       |       |  |  |  | The broad brush of the RTP's goals are pointed in the right direction, but there is still far too much focus on maintaining the status quo. The trend lines for actual GHG emissions and road safety are currently pointed in the wrong direction, so as a result the RTP should take a bolder stance to prioritize equitable, sustainable projects to address those. The plan acknowledges that even if it's implemented exactly as written, we will still fall short of important goals like mode split. Project selection and prioritization must be evaluated through the lens of achieving these necessary goals. Disproportionately large & expensive projects that maintain or increase VMT and GHG emissions, which then must be mitigated, are a poor use of our region's funds. As the plan notes, the motor vehicle network is or will be essentially complete, while bike, pedestrian, transit, and trail networks lag far behind. The next 10 to 15 years are critical to turn things around on GHG emissions; a plan that recognizes this reality should have stronger investments in efficient, frequent transit and active transportation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 297 | 8/25/2023 19:31 |         |       |  | Salem | 97303 |  |  |  | Chapter 4 documents how this is a critical equity issue on a number of dimensions, including race and housing status. I don't disagree that the causes are complex, but would call out specifically the alarming trends in vehicle size and weight, which we believe is an issue Metro must pursue. But we must call out the conflicting pattern of investments. ODOT's Rose Quarter freeway expansion (\$1.9B) is billed as a "safety and operations" project, but there have been no fatalities there for over a decade. A region in which if billions of dollars were applied to our high crash corridors instead of to adding freeway lanes would be a much safer region. While we appreciate the investments in jurisdictional transfer like outer Powell and 82nd Avenue the pace of efforts to address these corridors must be radically accelerated. It's our region's most vulnerable residents who suffer from this gravely significant misallocation of funds, and the Metro Council and JPACT have an opportunity to rectify this injustice by directing more revenue into safety projects by removing multibillion dollar freeway expansions from our plans. When it adopted its Climate Smart Strategy in 2014, (and again in the 2018 RTP, and yet again in the draft 2023 RTP), Metro promised to update its modeling to reflect actual progress in reducing vehicle GHG emissions, and to adjust its policies accordingly. The GHG analysis contained in the RTP shows just the opposite: The RTP ignores the increase in Portland area transportation greenhouse gasses over the past five to ten years, and also relies on assumptions about vehicle age and fleet composition that are exactly opposite of recent trends: today's vehicle fleet (and tomorrow's) is vastly older, larger and dirtier than assumed in the RTP modeling. Nothing in the RTP prioritizes the spending of the region's scarce and limited resources on those investments that will produce the greatest reductions in greenhouse gasses. The RTP lacks any project-based GHG emission criteria. In essence, Metro says the GHG policy only applies to the overall plan, not the individual projects. As long as Metro can (based on obviously erroneous ODOT modeling) claim that the plan is on track, major criticism of the pricing policy is that it is not being applied rigorously to project selection. The inclusion of ODOT's I-205 and RMPP tolling projects would appear to fly in the face of major components of policy 3.2.5: "Revenues collected through pricing programs should be reinvested in a manner that helps meet state, regional and local goals related to reductions in greenhouse gas emissions and congestion while improving mobility and safety." Revenue should not be reinvested solely for single occupancy vehicles but should be invested to improve the entire multimodal transportation system." RMPP and I-205 both appear to be motivated in large part to fund further freeway expansions. Starting tolling in other corridors |
| 298 | 8/25/2023 19:48 |         |       |  | Salem | 97303 |  |  |  | One common element links the failures in both safety and climate - the arms race for larger and larger vehicles driven by fear-based marketing. This arms race benefits the profits of the automobile industry but is devastating to our communities and the health of our planet. Electrification actually makes this issue worse as batteries increase the weight of these large vehicles. The full life cycle carbon footprint of a heavy electric vehicle can actually be greater than that of an internal combustion sedan. We understand that this is a national failure, but that does not mean we cannot begin to address it locally. A variable VMT fee or registration fee based on vehicle height and weight would be an important signal and economic inducement to consumers to consider more reasonable vehicles. We understand that Metro and local jurisdictions currently lack legislative authority to implement this, but Metro should add this to its legislative agenda for both 2024 and critically for the major transportation package anticipated for the 2025 session. Creatively structuring such fees as a privilege tax for operating an oversized vehicle in an urban environment could be a potential path around Highway Trust Fund limitations on revenue use. Even failing that, these revenues could contribute to addressing the issues on our high crash corridors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 299 | 8/25/2023 19:56 | STEVENS | FRANK |  | Salem | 97303 |  |  |  | Projects in this RTP and future transportation plans should be prioritized based on the gaps in safety, equity, and the public/active transportation networks most used by lower-income communities and communities of color identified in Chapter 7's system analysis. This prioritization should happen in alignment with the Chapter 3 policies and in ongoing partnership with the communities most impacted by these ongoing inequities and challenges in our transportation system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

Appendix G: Online Comment Form Public Comments

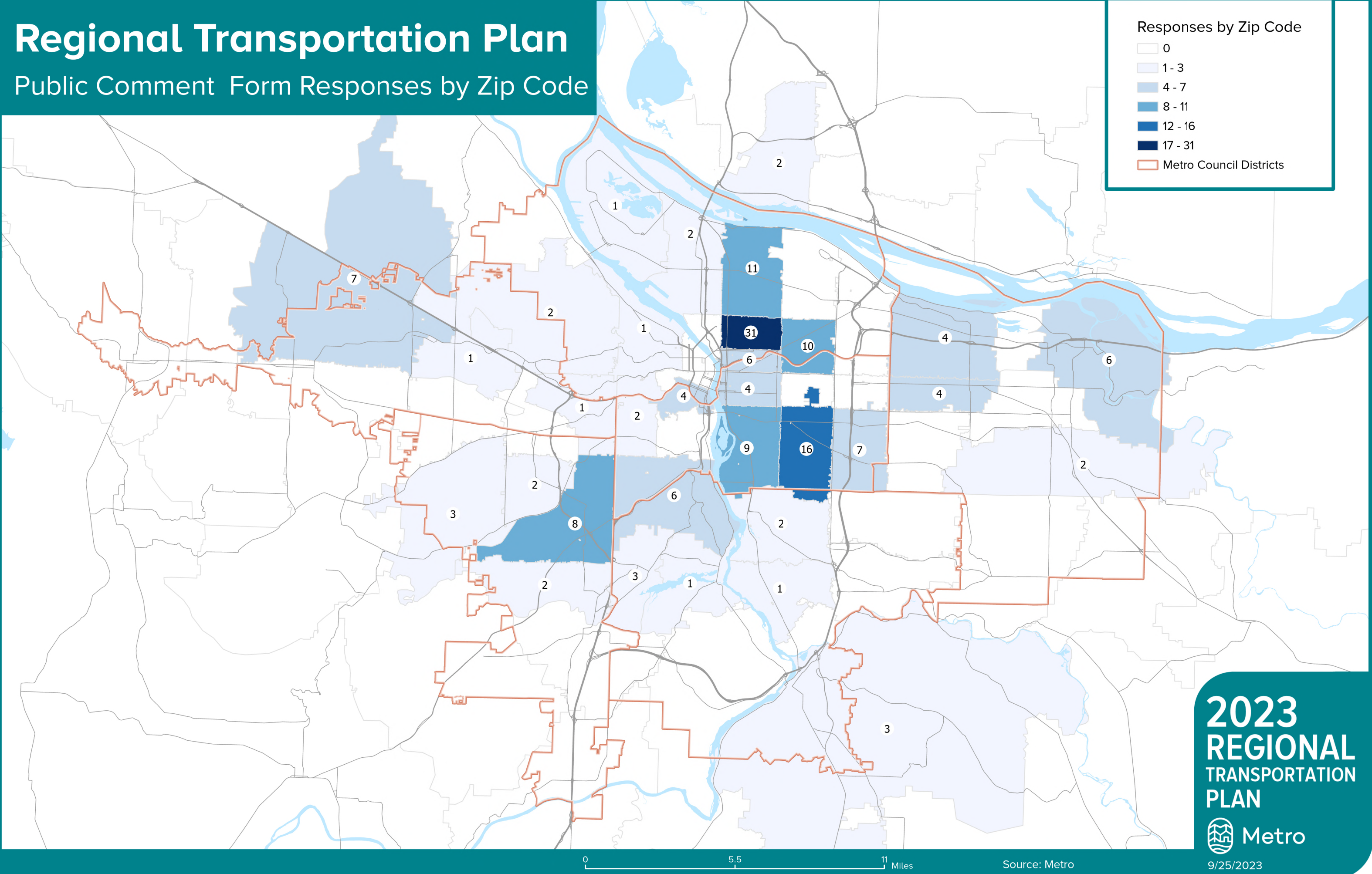
|     |                 |          |       |  |       |       |  |  |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| 300 | 8/25/2023 19:59 | STEVENS  | FRANK |  | Salem | 97303 |  |  |  |  | Chapter 7 of the Regional Transportation Plan contains a "system analysis". Metro planners analyzed the project list in the 2023 Regional Transportation Plan to understand the plan's impact on regional goals related to mobility, safety, equity, climate and economy. The analysis results assume all work in the 2023-2030 and 2031-2045 project lists is completed as planned, and success is measured against targets for specific years. Some key takeaways are: Overall: We appreciate the level of valuable detail in this analysis; breaking down levels of service into new and more specific measures has been invaluable in understanding of how well the system is working across different modes. Mobility: The RTP increases transit and multimodal travel, but does not meet the region's targets to triple transit, walking and bicycling mode share by 2045. Driving currently offers much better access to jobs than transit does, and the RTP does not change this. Safety: The region is not on track to meet its target of reducing fatal and serious injury crashes to zero by 2035. By every safety measure that the RTP tracks, the greater Portland region's streets are getting less safe. A majority of serious crashes and bike/pedestrian crashes occur in equity focus areas. Pedestrians experience a disproportionately high number of traffic deaths. Equity: The system analysis found "mixed results" on equity while it invests more heavily in bike/pedestrian network completeness in equity focus areas, those areas continue to see inequitable outcomes, experiencing three times the number of crashes involving people who are walking or biking and a lack of access to jobs via transit. Economy: The bicycle and pedestrian network is already more complete than average in centers, station communities and other mixed-use areas where many of the region's office, service and other jobs are located. Pedestrian and bicycle networks particularly the former are not nearly as complete in employment and industrial areas that are home to many of the region's manufacturing and transportation jobs. Climate and Resilience: The system analysis shows a 22-40 percent reduction in per capita GHG emissions, and a 22-40 percent reduction in per capita vehicle miles traveled (both relative to 2005 levels). It's notable that this is a per-capita target; total greenhouse gas emissions from transportation are forecasted to drop until 2030 and then rise slightly again, likely due to overall VMT increases as our populations grows. These forecasts rely heavily on state action on pricing and transportation revenue. |
| 301 | 8/25/2023 20:05 | STEVENS  | FRANK |  | Salem | 97303 |  |  |  |  | "Bundled" projects like ODOT's Safety & Operations Projects (2023-2030, 2031-2045) must still be held accountable to RTP policies and to the needs of our system and our communities. The public should have details of what projects are included in large "bundles" like these in order to provide adequate feedback on whether they respond to the most pressing safety and operations needs in their communities. Metro should also consider amending Chapter 8 to add and fund a process in which impacted community members can help prioritize and give feedback on the implementation of these projects. Chapter 8 should also include language that advocates for resources that enable Metro staff to continue to develop a more robust project-level evaluation to inform acceptance and prioritization of the projects across goal areas. Specific sections/policies: Financially Constrained project lists for 2023-2030 and 2031-2045; RTP ID #s 12095, 12299 We are in a safety crisis on our roads. We shouldn't be lumping safety into bundles with other projects when there are so many roads and intersections that need funding ASAP. Context: We're using two ODOT Safety & Operations projects as examples of large "bundled" projects for which the contents & prioritization framework are unclear. In year of expenditure dollars, these two "bundles" add up to over \$1.2 billion between 2023-2045 (\$349 million 2023-2030, \$882 million 2030-2045). While these items are included as projects in the RTP's draft project list, they're more accurately thought of as buckets of money; the project descriptions read: "Projects to improve safety and/or operational efficiencies such as pedestrian crossings, speed feedback signs, transit priority technology at signals on arterial roads, railroad crossing repairs, slide and rock fall protections, illumination, signals and signal operations systems, sidewalks, bicycle lanes, and other improvements that do not add motor vehicle capacity. This is an incredibly broad definition and there's no way to tell whether ODOT's allocation of these funds would align with our priorities" at least, not without further information.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 302 | 8/25/2023 20:29 | Pinckard | Cory  |  |       |       |  |  |  |  | (Applicable to many sections) Please remember that the age of neoliberal economic austerity is ending and we should thusly think big when implementing changes to build ourselves better. The Green New Deal is a necessity and we shouldn't box ourselves in to the stultifying paradigm of a dysfunctional, dying dynamic but rather build with the foresight, design and elasticity to rapidly evolve and improve further still as well as build what we can now that will sustainably support the developed systems of tomorrow                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 303 | 8/25/2023 20:40 | Pinckard | Cory  |  |       |       |  |  |  |  | Applicable to many sections: Commuter rail is better than buses for numerous reasons I'm sure you're aware of. Where buses are used instead of passenger trains, for now, (due to lackluster funding) since this country suffers under the edicts of plutocrat greed and we can't have a decent transit network like Eurail along with real High Speed Rail quite yet, we should build in order to replace the buses with the giant upgrade to trains! This will hopefully happen in the extremely near future as Progressive policies promoting popular programs continue to overtake the lies of corporate corrosion in the hearts and minds of the taxpayer citizenry                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

# Appendix G: Online Comment Form Public Comments

|     |                 |          |      |  |             |       |  |  |       |                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|-----------------|----------|------|--|-------------|-------|--|--|-------|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 304 | 8/25/2023 22:51 | Pinckard | Cory |  |             |       |  |  |       |                                       | Widely Applicable Throughout the Texts: Can we please be bold enough and free from being browbeaten by the shameful greed fueled "normal" of today to build back away from automobiles instead of weakly coexisting with them. Automobiles cause unnecessary waste of money, space, death, destruction of the environment, walkability of communities and other detrimental impacts even if they're EV's. The auto industry intentionally destroyed and ruined our taxpayer funded commuter rail system to coerce the taxpayer into buying their product and then bailed on the nation anyway and we've been forced to continue to bail them out still. It's immoral, it's irresponsible and it's stupid. It's not irreversible thoughâ€¦! |
| 305 | 8/25/2023 21:58 | Wade     | Dan  |  | Lake Oswego | 97035 |  |  | 10237 | Southern Triangle Access Improvements | Does this project include any type of grade separation over the UPRR tracks in the project vicinity? It would be greatly helpful to address the issue of frequent traffic jams due to slow-moving trains, especially in light of the FX2 bus line, OSMI Master Plan, and the proposed Green Loop.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 306 | 8/25/2023 22:10 | Wade     | Dan  |  | Lake Oswego | 97035 |  |  | 10235 | Ross Island Bridgehead Improvements   | Is this much-needed project contingent on the Southwest Corridor Project or can it be implemented separately?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

# Regional Transportation Plan

## Public Comment Form Responses by Zip Code



| Last Name | First Name | Zip Code | Affiliation                                                                   | Method                                        | Appendix, page |
|-----------|------------|----------|-------------------------------------------------------------------------------|-----------------------------------------------|----------------|
| Alderman  | Zach       |          | Community member                                                              | Email                                         | B-234          |
| Aldrich   | Greg       |          | Community member                                                              | Email                                         | B-1            |
| Alnajjar  | Mohanad    |          | Unite Oregon - TV Highway Equity Coalition and the Southwest Equity Coalition | Letter                                        | C-132, C-137   |
| Ariadna   | Gonzalez   |          | Getting There Together Coalition                                              | Public hearing testimony, Online Comment Form | E-7, G-24      |
| Asbell    | Valerie    | 97206    | Community member                                                              | Online Comment Form                           | G-13           |
| Aye       | Sanda      | 97219    | African Youth Community Organization (AYCO)                                   | Online Comment Form                           | G-21           |
| B         | James      | 97007    | Community member                                                              | Online Comment Form                           | G-5            |
| Bachhuber | Stephen    | 97202    | Community member                                                              | Email                                         | B-5            |
| Bayer     | Bridget    | 97211    | Community member                                                              | Online Comment Form                           | G-14           |
| Bayless   | Christian  | 97124    | Community member                                                              | Online Comment Form                           | G-1            |
| Bladholm  | Susan      |          | Frog Ferry                                                                    | Council testimony                             | E-37           |
| Bodamer   | Christina  |          | American Heart Association                                                    | Letter                                        | C-1            |

| Last Name     | First Name | Zip Code | Affiliation              | Method                                    | Appendix, page |
|---------------|------------|----------|--------------------------|-------------------------------------------|----------------|
| Bolen         | Glen       | 97301    | ODOT Region 1            | Consultation meeting, Online Comment Form | F-1, G-9       |
| Boyd          | Allison    |          | Multnomah County         | Letter                                    | C-46           |
| Bradley       | Mark       |          | Hospitality              | Online Comment Form                       | G-3            |
| Brister-Smith | Allister   | 97212    | Community member         | Online Comment Form                       | G-4            |
| Bruun         | Scott      |          | Oregon Business Industry | Letter                                    | C-88           |
| Bubenik       | Frank      |          | City of Tualatin         | Letter                                    | C-125          |
| Carr          | John       | 97214    | Community member         | Online Comment Form                       | G-21           |
| Chaplin       | Chris      | 97213    | Community member         | Online Comment Form, Email                | B-8, G-22,     |
| Charles       | John       |          | Cascade Policy Institute | Letter                                    | C-5            |
| Cheseborough  | Steve      | 97202    | Community member         | Online Comment Form                       | G-20           |
| Christian     | Garrison   | 97201    | Community member         | Online Comment Form                       | G-2, G-20,     |
| Claffey       | Trish      |          | Community member         | Email                                     | B-235          |

| Last Name  | First Name | Zip Code | Affiliation                           | Method                                     | Appendix, page          |
|------------|------------|----------|---------------------------------------|--------------------------------------------|-------------------------|
| Collins    | Tim        |          | Metro staff                           | Memo                                       | C-24                    |
| Cooksey    | Elizabeth  | 97210    | Community member                      | Online Comment Form                        | G-6                     |
| Cooney     | Amy        |          | East Columbia Neighborhood            | Email                                      | B-9                     |
| Cortright  | Joe        |          | City Observatory and No More Freeways | Public hearing testimony,<br>Email, Letter | B-12, B-225, C-51, E-12 |
| Cota       | Nicolas    | 97322    | Community member                      | Online Comment Form                        | G-8, G-18, G-19         |
| Cottingham | Steven     | 97217    | Community member                      | Online Comment Form                        | G-7                     |
| Craig      | Thomas     |          | Community member                      | Email                                      | B-33                    |
| D'Amico    | Andrea     |          | Stop 882 Alliance                     | Email                                      | B-35                    |
| Dant       | Erik       |          | Community member                      | Online Comment Form                        | G-4                     |
| Deiss      | Eileen     | 97060    | SWNI                                  | Online Comment Form                        | G-9                     |
| DeSilva    | Micah      |          | Cascade Policy Institute              | Public hearing testimony                   | E-3                     |
| Dillman    | Paul       | 97211    | Community member                      | Online Comment Form                        | G-14                    |

| Last Name         | First Name | Zip Code | Affiliation                            | Method                                           | Appendix, page |
|-------------------|------------|----------|----------------------------------------|--------------------------------------------------|----------------|
| Dlugonski         | Melba      | 97217    | Community member                       | Online Comment Form                              | G-18           |
| Doane             | Mick       | 19047    | Community member                       | Online Comment Form                              | G-1            |
| Dunn              | Logan      |          | Community member                       | Online Comment Form                              | G-3            |
| Edgar             | Paul       |          | Oregon City                            | Email                                            | B-37           |
| Emerson           | Wendy      |          | Community member                       | Email                                            | B-43           |
| Falcon Gonzalez   | Ariadna    | 97206    | Getting There Together Coalition       | Public hearing testimony,<br>Online Comment Form | G-24, E-7      |
| Farley            | William    |          | City of Lake Oswego                    | Letter                                           | C-21           |
| Farrell           | Mike       |          | No More Freeways                       | Email                                            | B-236          |
| Faulkner          | Chris      |          | Clean Water Service                    | Email, Consultation meeting                      | F-4, B-44      |
| Felton            | Lin        |          | Argay Terrace Neighborhood Association | Email                                            | B-45           |
| Felton            | Lynn       | 97330    | Argay Terrace Neighborhood Association | Online Comment Form                              | G-25           |
| Ferreira-Gandolfo | Peter      | 97223    | Community member                       | Online Comment Form                              | G-6            |

| Last Name      | First Name  | Zip Code | Affiliation                        | Method                       | Appendix, page        |
|----------------|-------------|----------|------------------------------------|------------------------------|-----------------------|
| Fitzgerald     | Marianne    |          | Crestwood Neighborhood Association | Letter, Online Comment Form  | G-24, G-25, C-16      |
| Fitzgerald     | Julie       |          | City of Wilsonville                | Letter                       | C-167                 |
| Ford           | Chris       |          | ODOT Region 1                      | Letter, Consultation meeting | F-1, C-69, C-77, C-85 |
| Francis        | Carley      |          | WSDOT                              | Letter                       | C-201                 |
| Gaddis         | Jill        | 97213    | Maplewood Neighbor Association     | Online Comment Form          | G-5                   |
| Garrison       | Christian   | 97201    | Community member                   | Online Comment Form          | G-2, G-20             |
| Gingery        | Lars        | 97267    | Community member                   | Online Comment Form          | G-20                  |
| Greenwood      | Jonathan    |          | Community member                   | Email                        | B-47                  |
| Hale           | Christopher |          | Community member                   | Email                        | B-48                  |
| Handlin        | Lynn        | 11208    | Community member                   | Online Comment Form          | G-19                  |
| Hangland-Skill | Michael     | 98661    | Community member                   | Online Comment Form          | G-20                  |

| Last Name | First Name  | Zip Code | Affiliation                                 | Method                   | Appendix, page |
|-----------|-------------|----------|---------------------------------------------|--------------------------|----------------|
| Hart      | Anders      | 97232    | Community member                            | Online Comment Form      | G-21           |
| Hassan    | Nuur        | 98513    | OSBC                                        | Online Comment Form      | G-14           |
| Haverkamp | Andrea      | 97202    | Community member                            | Online Comment Form      | G-5            |
| Hawkins   | Kate        |          | Metro staff                                 | Memo                     | C-30           |
| Heffernan | DJ          |          | Community member                            | Email                    | B-50           |
| Herrin    | Sam         |          | Cascade Policy Institute                    | Public hearing testimony | E-1            |
| Hetrick   | Josh        |          | Community member                            | Online Comment Form      | G-28           |
| Hlain     | Lei Lei Win | 97219    | African Youth Community Organization (AYCO) | Online Comment Form      | G-20           |
| hoke      | tena        | 97206    | Community member                            | Online Comment Form      | G-4            |
| Holland   | Darren      | 97045    | Community member                            | Online Comment Form      | G-6            |
| Holmqvist | Ally        |          | Metro Staff                                 | Letter                   | C-45           |

| Last Name | First Name | Zip Code | Affiliation                                                   | Method                             | Appendix, page    |
|-----------|------------|----------|---------------------------------------------------------------|------------------------------------|-------------------|
| Hristić   | Žana       |          | Community member                                              | Email                              | B-238             |
| Iannarone | Sarah      |          | The Street Trust                                              | Letter, Email, Online comment form | B-213, G-23, C-97 |
| Jackman   | Isaiah     | 97008    | Community member                                              | Online Comment Form                | G-19              |
| Jacobs    | Jessy      |          | Argay Terrace Neighborhood Association Board member           | Email                              | B-54              |
| Johnson   | Dan        |          | Clackamas County Department of Transportation and Development | Letter                             | C-11              |
| Johnson   | Al         |          | Community member                                              | Email                              | B-55              |
| Jordan    | Tony       |          | Parking Reform Network                                        | Public hearing testimony           | E-1               |
| Kappler   | Rick       |          | Community member                                              | Email                              | B-158             |
| Kitson    | Michael    | 97124    | Community member                                              | Online Comment Form                | G-2               |
| Klotz     | Doug       |          | Community member                                              | Email                              | B-239             |
| Korman    | Jonathan   | 97212    | Community member                                              | Online Comment Form                | G-22              |
| Kuehn     | Aaron      | 97202    | Bike Loud                                                     | Online Comment Form                | G-21, G-22, G-23  |

| Last Name | First Name | Zip Code | Affiliation                                 | Method              | Appendix, page |
|-----------|------------|----------|---------------------------------------------|---------------------|----------------|
| Kyi       | Daw san    | 97266    | African Youth Community Organization (AYCO) | Online Comment Form | G-20           |
| Kywe      | Mu Mu      | 97211    | African Youth Community Organization (AYCO) | Online Comment Form | G-23           |
| Lau       | Joseph     | 97224    | City of Tualatin                            | Online Comment Form | G-17           |
| Lauritzen | Zachary    |          | Oregon Walks                                | Letter, Testimony   | C-89, E-1      |
| Lauruhn   | Nathan     | 97211    | Sunrise PDX                                 | Online Comment Form | G-6            |
| Lebowski  | Laurie     |          | WSDOT                                       | Email               | B-159          |
| Lee       | Amythest   | 97212    | Community member                            | Online Comment Form | G-26, G-27     |
| Leiber    | Kristin    | 97212    | Lloyd EcoDistrict                           | Online Comment Form | G-7, G-8       |
| Levin     | Beth       | 97213    | Community member                            | Online Comment Form | G-9            |
| Lewis     | Jordan     |          | Community member                            | Email, Testimony    | B-161, E-1     |
| Lindquist | Hector     | 97202    | Community member                            | Online Comment Form | G-5            |
| Lindsay   | Eric       | 97215    | Community member                            | Online Comment Form | G-22           |

| Last Name | First Name | Zip Code | Affiliation                                                     | Method              | Appendix, page |
|-----------|------------|----------|-----------------------------------------------------------------|---------------------|----------------|
| Lindstrom | Andrew     | 97213    | Brooklyn Action Corps Land Use And Transportation Committee     | Online Comment Form | G-16, G-17     |
| Linn      | May        | 97230    | Center for African Immigrants and Refugees Organization (CAIRO) | Online Comment Form | G-25           |
| Locke     | Mary       |          | Community member                                                | Email               | B-163          |
| Lueb      | Heidi      |          | City of Tigard                                                  | Letter              | C-118          |
| MacDonald | Chris      |          | Community member                                                | Online Comment Form | G-6            |
| Mann      | Myat Noe   | 97232    | African Youth Community Organization (AYCO)                     | Online Comment Form | G-14           |
| Mannix    | Kevin      |          | House of Representatives                                        | Letter              | C-193          |
| McCarter  | Brian      |          | Community member                                                | Online Comment Form | G-19           |
| McCormick | Michaela   | 97211    | Community member                                                | Online Comment Form | G-15           |
| McCourt   | Randy      |          | Community member                                                | Email               | B-164          |
| McDonald  | Katie      |          | Metro Tribal Affairs Liaison                                    | Letter              | C-34           |
| Mealy     | John       | 97818    | Community member                                                | Online Comment Form | G-5            |

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|----------------|----------------|----------|---------------------------------------------|--------------------------|----------------|
| Meier          | Emily          |          | Community member                            | Email                    | B-167          |
| Melco          | Mulysa         |          | Community member                            | Email                    | B-240          |
| Meyer          | Michael        | 97034    | Community member                            | Online Comment Form      | G-1            |
| Min            | Aye Aye        | 97266    | African Youth Community Organization (AYCO) | Online Comment Form      | G-19           |
| Mintkeski      | Walt           |          | Community member                            | Email                    | B-241          |
| Mohamed        | Hawa           | 97223    | OSBC                                        | Online Comment Form      | G-14           |
| Mohammad amin  | Mohammed Elias | 97266    | African Youth Community Organization (AYCO) | Online Comment Form      | G-20           |
| Mohammed Nisar | Rishmar        | 97266    | African Youth Community Organization (AYCO) | Online Comment Form      | G-20           |
| Morgan         | Brett          | 97703    | 1000 Friends of Oregon                      | Public hearing testimony | E-1            |
| Mros O'Hara    | Elizabeth      |          | Metro staff                                 | Memo                     | C-37           |
| Muqbel         | Iqbal          | 97219    | African Youth Community Organization (AYCO) | Online Comment Form      | G-21           |
| Myint          | Sai Hla        | 97211    | African Youth Community Organization (AYCO) | Online Comment Form      | G-23           |

| Last Name  | First Name | Zip Code | Affiliation                                                 | Method                   | Appendix, page |
|------------|------------|----------|-------------------------------------------------------------|--------------------------|----------------|
| Naing      | Aye Aye    | 97215    | African Youth Community Organization (AYCO)                 | Online Comment Form      | G-18           |
| Namkoong   | Indi       |          | Verde                                                       | Public hearing testimony | C-159          |
| Nava       | Bella      | 97007    | Community Cycling Center, Andando en Bici y Caminando (ABC) | Online Comment Form      | G-16           |
| Newsom     | Michael    | 97211    | Community member                                            | Online Comment Form      | G-14           |
| Noor       | Sakawadin  |          | Oregon Somali Bravness Community                            | Online Comment Form      | G-14           |
| Numan      | Zachary    |          | Pacific Community Design Landscape Architect                | Online Comment Form      | G-2            |
| O'Brien    | Tara       |          | TriMet                                                      | Email                    | F-1            |
| O'Brien    | Zachery    | 97124    | Community member                                            | Online Comment Form      | G-13           |
| Olson      | Addie      |          | Community member                                            | Online Comment Form      | G-20           |
| O'Neil     | Dan        | 97206    | Community member                                            | Online Comment Form      | G-22           |
| Ottenad    | Mark       |          | City of Wilsonville                                         | Email                    | C-162          |
| Pagliarulo | Michael    |          | Community member                                            | Online Comment Form      | G-14           |

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| Perez          | Joaquin    | V3A      | Clackamas County resident                                       | Online Comment Form          | G-21              |
| Perez          | Judith     |          | Southwest Washington RTC                                        | Letter, Consultation meeting | F-1, C-95         |
| Peterman       | John       | 97221    | Citizen                                                         | Online Comment Form          | G-5               |
| Pieniazek      | Adam       |          | Community member                                                | Email, Online Comment Form   | G-4, B-169        |
| Pierce         | Scott      |          | Community member                                                | Online Comment Form          | G-2               |
| Pillias        | Natty      | 97007    | Community Cycling Center, Brown Brunch Transportation Committee | Online Comment Form          | G-15              |
| Pinckard       | Cory       |          | Community member                                                | Email, Online Comment Form   | B-170, G-29, G-30 |
| Pliska         | Sean       | 97230    | Community member                                                | Online Comment Form          | G-6               |
| Poyourow       | Michelle   | 97202    | Community member                                                | Online Comment Form          | G-5               |
| Presley-Grusin | Jessi      |          | Community member                                                | Email                        | B-237             |
| Pulanco        | Ed         | 97206    | Community member                                                | Online Comment Form          | G-3               |
| Pumarega       | Emee       |          | Community member                                                | Email                        | B-242             |

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| Putney    | Mandy      |          | ODOT Urban Mobility Office                | Letter                   | C-65           |
| Raderman  | Dan        | 97232    | Community member                          | Online Comment Form      | G-14, G-26     |
| Ramirez   | Citlaly    |          | The Street Trust                          | Public hearing testimony | E-1            |
| Reed      | Kimberly   | 97006    | Americans with Disabilities Act Supporter | Online Comment Form      | G-5            |
| Regan     | David      | 97222    | Community member                          | Online Comment Form      | G-6            |
| Reimer    | Daniel     | 97301    | Community member                          | Online Comment Form      | G-23           |
| Rippey    | Paul       | 97232    | Community member                          | Online Comment Form      | G-25           |
| Risser    | Sarah      | 98513    | Community member                          | Online Comment Form      | G-18           |
| Robinson  | Linda      | 97233    | Community member                          | Online Comment Form      | G-18, G-21     |
| Rohrbach  | Ethan      |          | Cascade Policy Institute                  | Public hearing testimony | E-1            |
| Rosenthal | Gerritt    |          | Metro Councilor                           | Email                    | B-173          |
| Roth      | Tim        | 97233    | Community member                          | Online Comment Form      | G-3            |

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| Russell   | Gregg      |          | Community member                            | Email                        | B-200          |
| Sauvie    | Nick       | 97201    | ROSE Community Development                  | Online Comment Form          | G-19           |
| Savas     | Paul       |          | Clackamas County Coordinating Committee     | Letter                       | C-3            |
| Schloming | Jennifer   |          | Community member                            | Council testimony            | E-11           |
| Scipioni  | Ariana     |          | Oregon Department of Fish and Wildlife      | Letter, Consultation meeting | C-58, F-4      |
| Shams     | Jamshid    | 97219    | African Youth Community Organization (AYCO) | Online Comment Form          | G-21           |
| Sharif    | Askina     |          | OSBC                                        | Online Comment Form          | G-14           |
| Shearer   | Elise      | 97224    | St. Anthony Church, Tigard.                 | Online Comment Form          | G-2            |
| Shepley   | David      |          | Community member                            | Online Comment Form          | G-3            |
| Sjulin    | Jim        |          | Community member                            | Email                        | B-202          |
| Slansky   | Peter      | 97060    | Community member                            | Online Comment Form          | G-9            |
| Smith     | Chris      |          | No More Freeways                            | Letter, Email                | C-50, B-243    |

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| Snyder     | Gregg      |          | City of Hillsboro | Letter              | C-17           |
| Spragg     | M          |          | Community member  | Online Comment Form | G-2            |
| Stainback  | Grace      |          | Metro Staff       | Letter              | C-40           |
| Stansbury  | Katherine  |          | Community member  | Email               | B-244          |
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| Stenger MD | Joseph     | 97212    | Community member  | Online Comment Form | G-20           |
| Stevens    | Frank      | 97303    | Community member  | Online Comment Form | G-28, G-29     |
| Stewart    | Mary       |          | Community member  | Online Comment Form | G-15           |
| Streight   | Chris      | 97206    | Community member  | Online Comment Form | G-4            |
| Sun        | Anna       |          | Community member  | Email               | B-246          |
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| Thet      | Min        | 97266    | African Youth Community Organization (AYCO) | Online Comment Form      | G-20           |
| Todd      | Judy       |          | Community member                            | Written Testimony        | E-41           |
| Treiger   | Jacqui     |          | Oregon Environmental Council                | Letter                   | C-86           |
| Tun       | Thet Naing | 97266    | African Youth Community Organization (AYCO) | Online Comment Form      | G-19           |
| Utaski    | Burgin     |          | The Street Trust                            | Public hearing testimony | E-1            |
| Valentine | Dyami      |          | Washington County Staff                     | Email                    | B-51           |
| Vannatta  | JC         |          | TriMet                                      | Letter                   | C-121          |
| Vasicek   | Joe        |          | Community member                            | Email                    | B-221          |
| Wade      | Dan        | 97035    | Community member                            | Online Comment Form      | G-30           |
| Wai       | Shoon Lei  | 97080    | African Youth Community Organization (AYCO) | Online Comment Form      | G-14           |
| Walter    | Dawn       |          | Oregon Walks                                | Letter                   | C-92           |

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| Ward             | Wesley     |          | Community member                            | Email               | B-247          |
| Westendorf       | Nic        | 97230    | Community member                            | Online Comment Form | G-21           |
| Wicker-Lenseigne | Harper     | 97203    | Community member                            | Online Comment Form | G-5            |
| Wilcox           | Peter      |          | Easy Street                                 | Council testimony   | E-36           |
| Williams         | Millicent  |          | Portland Bureau of Transportation           | Letter              | C-94           |
| Williams         | Matchu     |          | SE Uplift Neighborhood Coalition            | Letter              | C-202          |
| Winter           | Caleb      |          | Metro Staff                                 | Email               | B-6            |
| Witherspoon      | Tom        | 97230    | Community member                            | Online Comment Form | G-2            |
| Wright           | Jed        |          | Community member                            | Online Comment Form | G-3, G-4       |
| Wyatt            | Bridget    |          | Community member                            | Online Comment Form | G-5            |
| Wynn             | Jean       | 97222    | EMO, Youth vs ODOT, pdx350                  | Online Comment Form | C-19           |
| Yaseen           | Maung      | 97266    | African Youth Community Organization (AYCO) | Online Comment Form | G-20           |

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| Zdeb      | Jess       |          | Metro staff | Memo   | C-42           |

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

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