



## **Testimony by City of Wilsonville Mayor Julie Fitzgerald:**

### ***If Tolling of Major Highways Is to Occur, Then ODOT Should Accommodate Local Impacts with Limited Alternative Routes, Advance Public Transit Options and Develop Key Tolling Principles***

Scheduled for public hearing on Dec. 14, 2023, before the Joint Committee on Transportation Special Subcommittee on Transportation Planning

Co-Chairs Frederick and Nathanson, Vice-Chairs Boquist and Mannix, and Members of the Subcommittee:

I am Julie Fitzgerald and I serve as Mayor of the City of Wilsonville, which operates the South Metro Area Regional Transit agency or SMART.

Founded in 1968, Wilsonville has been one of Oregon's fastest growing cities for the past 30 years, now with a population of 27,000 residents and a private-sector workforce of over 20,000 jobs.

Residents and businesses of Wilsonville appreciate that the subcommittee has arranged this public hearing on the issue of tolling in our city. The most direct impact of proposals to toll I-5 and I-205 for Wilsonville is on drivers traveling from the I-5 Boone Bridge north into the greater Portland metro area.

The subcommittee's announced focus of this public meeting is on specific issues that include:

1. Impact on local residents with limited alternative routes
2. Public transportation
3. Proximity to retirement communities

I will address each one of these issues as they apply to our community.

#### **1. Impact on Local Residents with Limited Alternative Routes**

The City of Wilsonville will experience significant adverse effects if the current proposals to toll I-5 are enacted due to historical Oregon Department of Transportation (ODOT) policies that allowed for the use of the interstate freeway to provide local community access—a circumstance that Wilsonville and our south Charbonneau District neighborhood find ourselves in today.

That is, ODOT policy in the 1960s and '70s either allowed or did not address the issue of a city's use of an interstate highway to serve as local access for urban development. In our case, the Charbonneau District of Wilsonville has since its inception in 1971 been continuously dependent upon use of the I-5 Boone Bridge for local access to the remainder of Wilsonville for shopping, medical appointments, entertainment and more.

While policies developed 50+ years ago may not be beneficial to the efficient operation of today's interstate highways, the resulting mobility infrastructure needs of dependent populations should be accommodated when newer policies are considered. **That is, the**

**older senior residents of the Charbonneau District live in a residential community with no other route to access the remainder of Wilsonville other than over the I-5 Boone Bridge. In a similar manner, Wilsonville residents, workers and businesses north of the I-5 Boone Bridge/Willamette River who visit or serve Charbonneau are also in the same situation.**



ODOT's RMPP Toll Evaluation Area includes the I-5 Boone Bridge as potential I-5 northbound toll gantry, which directly impacts residents of the Charbonneau District of Wilsonville south of the Willamette River.

Goal to accommodate this situation by providing an exemption from tolling for a community historically dependent upon use of an interstate highway for local access.

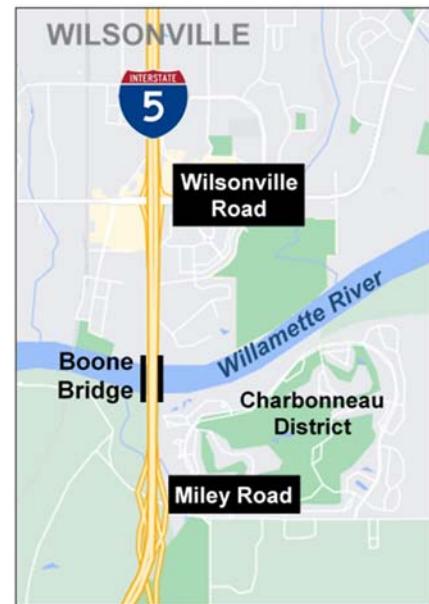
“Proposed Goal Action 6.12.E

**“Tolling is waived for trips on the interstate by residents, workers and businesses of a community historically dependent upon use of the interstate for local access when there is no viable alternative to access the city center.”**

ODOT's current tolling policies do *not* address the situation of a community's dependence upon the interstate highway to provide local access when there is no alternate route, as in the case of the Charbonneau District of Wilsonville.

The City has proposed that ODOT amend the Oregon Highway Plan (OHP) Tolling section to provide an additional Action

**The proposed OHP goal amendment for an exemption from tolling when crossing the I-5 Boone Bridge for Wilsonville residents and businesses would allow ODOT to deal equitably with the residential population dependent historically upon the interstate for local access to essential goods and services, including medical appointments, and other amenities. Such a Goal Action provides for ODOT's accommodation of those instances where prior ODOT policy or lack thereof helped to create the condition of highway dependency for local access without penalizing those residents and the businesses that serve those residents.**



Since the Oregon Transportation Commission (OTC) did not consider adoption of an OHP policy to deal equitably with the residential population dependent historically upon the interstate for local access to essential goods and services, the City invites the legislature to provide such direction to the OTC, if the legislature decides to proceed with tolling.

To close out my testimony on the published question for this hearing about how tolling will impact local residents with limited alternative routes, I will respectfully respond with a question: When legislators consider all the costs to design, build and maintain such a complex tolling system as is being proposed, including personnel expenses, administration of toll collection and oversight of important exemptions, will they compare it to alternatives? Is tolling the most effective, equitable and efficient solution to our transportation funding problems?

## **2. Public Transportation**

Providing equitable mobility options for all members of our community is an important Wilsonville value. Our South Metro Area Regional Transit bus system is the only fareless transit system within city limits in the greater Portland metro region.

For the past 30 years, SMART is constantly rated one of the U.S.A.'s most customer-friendly, innovative and efficient-operating public-transit systems, and one of only two in Oregon that operates "in the black" financially within budget. SMART was the first public-transit system in Oregon to place into operation electric buses as a component of Wilsonville's sustainability goals.

Wilsonville is known for continuously advancing alternative transportation modes. Here are some examples:

- **The City provides free no-charge SMART bus public-transit service in Wilsonville that serves Charbonneau District with both fixed-route and dial-a-ride services**, the latter which accounts for about 20% or over 2,000 rides for all SMART dial-a-ride services. The fixed-route bus also provides transit service to the City of Canby.
- **SMART Bus-on-Shoulder peak-hour congestion pilot project with ODOT now on I-5 between Tualatin and Wilsonville** and subsequently also planned for new public-transit service on I-205 between Tualatin/Wilsonville and Oregon City/Clackamas area.
- **We support bike-ped mobility infrastructure by working with ODOT to advance the proposed French Prairie ‘Bike-Ped-Emergency’ Bridge over the Willamette River** as the I-5 Boone Bridge and Seismic Improvement Project’s alternative-transportation facility that links the Portland-metro area Ice Age Tonquin Trail with the Willamette Valley Scenic Bike Route.



Tolling will significantly increase the cost of travel in private vehicles in the Metro region, and therefore will have a greater cost-impact to lower-income communities. The City's SMART Transit Director has participated on ODOT's Equity and Mobility Advisory Committee (EMAC) for tolling and has encouraged consideration of increased utilization of alternative travel options.

Bus and high-capacity rail transit services and bike and pedestrian infrastructure need to be expanded and coordinated in order to provide viable transportation alternatives for tolled highways. Particularly in this southern half of the Metro area, transit service is inadequate for many work and school commutes.

**Transit alternatives should include supplementing current service with additional routes and increased frequency, advancing highway bus-on-shoulder options, and studying the extension of WES Commuter Rail parallel to the I-5 corridor from**

## **Wilsonville to Salem, thereby connecting the Portland Metro Region and the Salem/Keizer Metro Area.**

Since the Oregon Constitution limits funds raised by fuel taxes and user fees to be spent solely on roads and related bike/ped facilities, the legislature will need to provide alternative sources of funding, such as the State Transportation Improvement Fund (STIF) program, to ensure that transit service can be expanded and coordinated to meet growing demand, particularly for both the suburban and urban-rural interface areas.

For major new projects such as for the extension of high-capacity WES Commuter Rail from Wilsonville to Salem/Keizer and Woodburn, state funds should seek to leverage federal grants. Additionally, public subsidies with reduced-rate tolls for lower-income populations to support work/school commuting should be considered as an option for communities impacted by tolled highways.

### **3. Proximity to Retirement Communities**

The Charbonneau District was developed as a “retirement community” that is now composed of nearly 3,000 residents, most of whom are near or in retirement age, and includes SpringRidge at Charbonneau, a senior-citizen assisted-living facility.

Six additional retirement communities/assisted-living facilities with approximately 1,500 residents are located in Wilsonville, including Brookdale Wilsonville, Charleston Apartments, Creekside Woods Senior Apartments, Portera at the Grove, Renaissance Court and The Springs at Wilsonville.

**2020 US Census data demonstrates that residents of the Charbonneau District area of Clackamas County Census Tract 228 are mostly older seniors with a significant percentage living on fixed or lower incomes:**

- The Median Age of residents of the Charbonneau District area is 59, which is more than 1.5 times the median age of 36.5 in Wilsonville and 1.4 times the median age of 41.7 in Clackamas County.
- Nearly half of the residents (48%) of the Charbonneau District area are over age 60, with 34% being over age 65 — more than double the rate of Wilsonville and nearly double the rate of Clackamas County.

- About one-third (34%) of Charbonneau District area residents have a household income under \$50,000/year, about 90% lower than the rate of Wilsonville and 80% less than the rate of Clackamas County.
- Over 11% of Charbonneau District area residents live in poverty, which is similar to Wilsonville's rate of 11% poverty and more than 1.5 times the rate of poverty in Clackamas County.

Citation: U.S. Census Bureau (2020). *American Community Survey 5-year estimates*. Retrieved from *Census Reporter Profile page for Census Tract 228, Clackamas, OR* <http://censusreporter.org/profiles/14000US41005022800-census-tract-228-clackamas-or/>

**In addition to Charbonneau residents requiring access to common services in the rest of Wilsonville like shopping, medical appointments and entertainment, residents and businesses in other areas of Wilsonville also need to access Charbonneau.**

The residents of Charbonneau are served by many businesses whose workers often drive from Wilsonville, and by necessity must cross the I-5 Boone Bridge. Examples include food-service employees, administrators, landscaping maintenance crews, construction workers, delivery services and more.

Family members of many Charbonneau residents live north of the Willamette River in other areas of Wilsonville. Often times, the grandparents live in Charbonneau and “watch” the grandkids who live in other areas of Wilsonville, again necessitating a trip over the I-5 Boone Bridge.

These examples above demonstrate how historical decisions—ODOT permission to use interstate highway as local access route—carry long-term ramifications that need to be accounted for if tolling is implemented.

## **Additional, Related Issues Pertaining to Tolling**

### **4. Establish a Maximum Daily Toll Limit**

As a newer Portland metro “UGB edge” city incorporated in 1968 situated at the foot of the North Willamette Valley, historically few roadways existed in the far South Metro area. Primarily agricultural communities like Canby, Sherwood and Wilsonville had ‘farm-to-market’ roads and frequent rail service, and did not develop a street grid network as older areas of Portland developed.

As a city split in half by I-5 during a historical time when “the car was king” for personal transportation, residents and businesses of Wilsonville have continued to depend on a functional I-5 and I-205 for a majority of Portland Metro regional trips. Thus, a concern expressed by our constituents focuses on a maximum daily toll for those trips that require multiple occasions to access the interstate system. That is, residents and businesses may need to “jump” on and off the interstate during the course of running errands or making deliveries, and piling on more toll charges would fail the test of fair, equitable treatment.

**The City proposed to ODOT a new Proposed Goal Action for the OHP to explicitly accommodate this common occurrence of multiple trips on a tolled interstate highway in a fair, equitable manner:**

“Proposed Goal Action 6.12.F

**“ODOT will establish a maximum daily tolling limit to accommodate a toll user’s multiple trips on the tolled interstate highway.”**

Since ODOT did not consider adoption of an OHP policy for multiple trips on tolled interstate highways, the City invites the legislature to provide such direction to the OTC.

## **5. Additional Key Tolling Principles Are Needed**

It seems that if the legislature does decide to enact tolling, it should direct ODOT to embrace a few key or primary principles for tolling highways. Acceptance and promotion of these principles would appear to substantially meet a number of concerns raised by local officials and the public.

**If tolling of the freeways is implemented, then new highway facilities, improved local corridor arterials and increased public transit/alternative transportation options must be realized.** We agree with the many of the Portland metro-area local elected leaders that if tolling is to be implemented, it must be done in a thoughtful, systemic manner that provides equitable transportation options for all segments of society and results in less traffic congestion.

- Revenue generated by tolling should be used for new facilities that improve that highway corridor’s traffic-flow and sustainability.** Many Oregonians believe that the current highway system has been paid for already. Therefore, it is crucial that if tolling is implemented, then revenues must be used to pay for new highway facilities that replace and improve the traffic-handling capacity and seismic-resilience of outdated facilities on that highway.

Paying for the building or replacing of bridges is a traditional reason to advance a user fee, also known as a toll for drivers. The City appreciates that HB 3055/3065 of 2021 named the I-5 Boone Bridge as the fourth “Mega Highway Project” in the Portland metro area to be paid for in part by tolls. Replacing the I-5 Boone Bridge with a seismically resilient bridge with additional auxiliary lane capacity and a viable bike/ped facility is a top City and Regional Transportation Plan (RTP) priority.

- **Impacts of increased highway diversion onto local arterials must be adequately mitigated with toll-revenue sharing:** ODOT forecasts that tolling will add to the increasing number of vehicles diverted away from the region’s freeway system and onto local roads. The legislature should create a process for ODOT and the OTC to designate in conjunction with local jurisdictions specific highway-corridor arterials impacted by diversion traffic, and a program using toll revenues that funds mitigation measures for safety road improvements and maintenance of those impacted arterials.
- **Approaches to tolling should be system-wide:** The City agrees with the Metropolitan Mayors Consortium that if tolling is implemented, then a system-wide approach should apply to both the Metro-area I-5 and I-205 corridors and potentially other major highways simultaneously to ensure a more efficient and equitable regional system.
- **Multimodal transportation alternatives and public transit must be expanded and coordinated:** As noted above, tolling will significantly increase the cost of travel in private vehicles in the Metro region, and therefore will have a greater cost-impact to lower-income communities. Therefore, bus and light-rail transit services and bike and pedestrian infrastructure must be expanded and coordinated in order to provide viable transportation alternatives, including advancing highway bus-on-shoulder options. Particularly in the southern half of the Metro area, transit service is inadequate for many work and school commutes.

**Finally, while not related to tolling per se, we hope that the legislature will look at other transportation funding mechanisms, including ODOT’s “OReGO” program for vehicle miles traveled (VMT) tax for electric vehicles (EVs) that are currently not paying roadway-support fees outside of vehicle registration and licensing.** Diversifying ODOT’s revenue-base would provide for more funding options to support the agency’s work to maintain and improve our transportation system.

The City of Wilsonville greatly values our partnership with the leadership of the Oregon Legislative Assembly and ODOT to advance strategic programs that advance Oregon’s transportation system for all segments of society and our economy.

We recognize that Oregon faces some big-ticket transportation costs ahead to replace key highway facilities, including \$500+ million for the I-205/Abernathy Bridge capacity- and seismic-improvement project, \$500+ million for the I-5 Boone Bridge and seismic improvement project, \$750+ million for the I-5/I-84 Rose Quarter improvement project, and the \$6+ billion Interstate Bridge replacement project. It is unrealistic to expect that the “feds” will bail us out with billions of free dollars on all of these projects, and therefore we need to look for ways to pull ourselves up by our own bootstraps and use funds generated by the region and state to leverage even greater amounts of federal funds to improve our transportation system.

The City appreciates your consideration of this testimony, and look forward to the subcommittee’s recommendations on tolling to ODOT. Thank you.

Sincerely,



Julie Fitzgerald, Mayor  
City of Wilsonville

Attachment: Clackamas County Coordinating Committee (“C4”), Cities of Clackamas County and Clackamas County: “Joint Values on the Proposed Regional Congestion Pricing and Toll Projects within the Portland Metro Region, December 5, 2023”

# **Joint Values on the Proposed Regional Congestion Pricing and Toll Projects within the Portland Metro Region**

December 5, 2023

The jurisdictions named here support a functional regional transportation system that prioritizes safety, equity, a vibrant economy, healthy and active communities, climate action, disaster resilience, and the reliable movement of people and goods.

We acknowledge that additional transportation funding is needed to address maintenance and capital projects on the interstate system. We recognize ODOT has been directed to pursue pricing in some form, but also that toll collections have been paused until 2026 in order to better address local concerns. As ODOT continues to advance tolling and explore other funding strategies, the jurisdictions listed here will advocate for the following values to be reflected in any proposed policy or project.

**These values are not an endorsement of any proposal to implement tolling or congestion pricing.**

## **To rebuild trust with local communities, ODOT must...**

- Be influenced by local voices and jurisdictions ahead of implementation
- Deliver clear benefits to the drivers, communities, and businesses affected by toll corridors
- Prioritize robust and inclusive community engagement
- Incorporate and track commitments made with local and regional partners through transparent and consistent communication

## **To ensure the transportation system works for Oregonians, the OTC and the State Legislature should direct ODOT to...**

- Extend the existing revenue sharing models with local jurisdictions to apply to toll revenues
- Prioritize the completion of the bottleneck projects identified in HB 2017 (2017) and HB 3055 (2021)
- Explore alternative funding mechanisms beyond pricing to address transportation funding needs
- Provide adequate public transit infrastructure within proposed toll corridors

## **To ensure the efficient and equitable movement of people and goods, tolling or congestion pricing programs should...**

- Decrease diversion into local communities
- Increase safety on and off the interstate system
- Ensure that all tolling or congestion programs are designed with regional implementation and collaboration in mind to avoid disproportionate economic impacts or unfair burdens on people and communities
- Support a regionally balanced transportation system that provides reliable travel times for commuters and employers on and off the tolled corridor
- Establish viable travel alternatives to accommodate mode shifts, including bicycle and pedestrian networks and accessible transit programs in areas with inadequate or no service
- Provide considerations for local trips with few or no alternatives
- Improve transportation system resiliency to natural disasters, such as earthquakes and wildfires
- Improve regional air quality and reduce vehicle pollution, both on and off the interstate system
- Establish a long-term oversight and accountability committee to provide transparency
- Consider recommendations from the Low-income Toll Report and the Equity Mobility Advisory Committee (EMAC)
- Address the land use implications inherent with how tolling will affect local communities



City of Tualatin



CITY OF MILWAUKIE