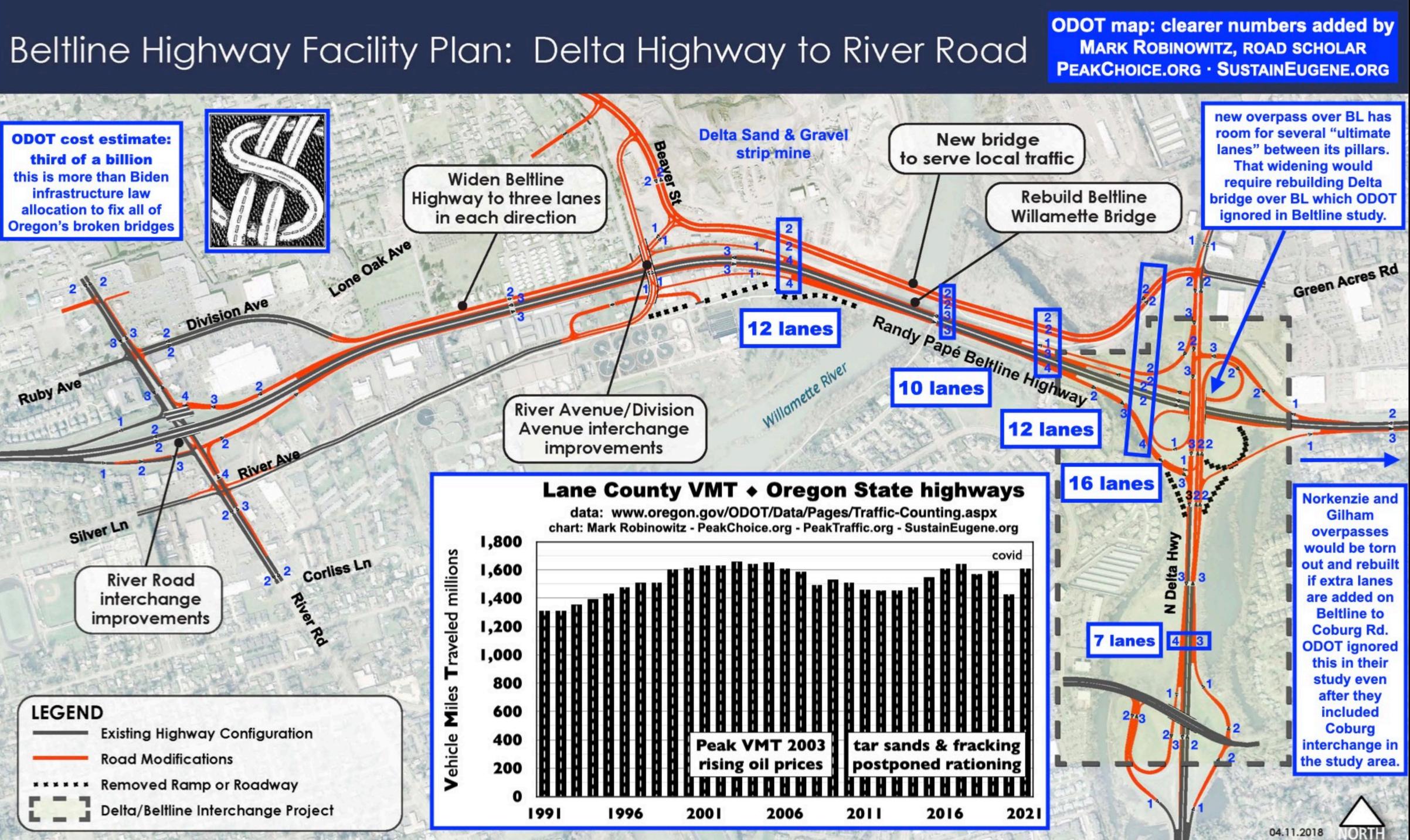
# Euclene and Lane County Oregon 2022 highway expansion plans Beltline - Route 126 widenings

**Mark Robinowitz** • road scholar **PeakChoice.org • PeakTraffic.org • SustainEugene.org** 

**Beltline and 126 widenings lessons from stopping the West Eugene Porkway** LOW BUILD ALTERNATIVES fiscally constrained climate concerned peak traffic and peak energy legal and ethical planning for a possible, positive future requires changing assumptions about endless growth on a round, abundant, finite Earth



# **ODOT's approval kept quiet from the public**

ODOT has been considering a massive widening of Beltline highway since the previous millennium. After numerous iterations, they approved an expansion in March 2022 - without much notice nor soliciting any public comments. ODOT did not even bother to post a copy of their approval documents to our publicly funded website. In September 2022, I filed a formal request for a copy of the "Finding of No Significant Impact" and "Categorical Exclusion" ... and after a few days, ODOT finally posted a copy on the website. Despite being a project likely to cost over a third of a billion dollars, public input was ignored. It took years for ODOT to scrounge up the five million dollars to pay for the study and there is no money available for the construction cost. Technically, ODOT's approval had to be ratified by the Federal Highway Administration, Oregon Division, since the project will likely be funded with federal gas tax money. Title 23, United States Code, governs how these projects are approved. "Categorical Exclusion" means a federally approved project is supposedly too minor to require public input about the impacts. A third of a billion dollar highway expansion that would have 10 to 16 lanes is apparently considered too trivial for the illusion of democracy.

From: CARY Molly A **Subject: RE: Public Records Request** Date: October 10, 2022 at 8:54 AM **To: Mark Robinowitz** 

Mr. Robinowitz -

The Categorical Exclusion signed by FHWA is posted on the project website for Beltline, ODOT project number 16223, at this link:

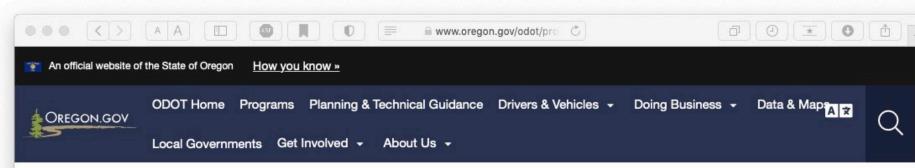
https://www.oregon.gov/odot/projects/pages/project-details.aspx?project=16223

If you have difficulty accessing the document please let me know.

Again, thank you for your interest.

**Molly Cary ODOT Area 5 Transportation Project Manager** 





### OR 569: Randy Papé Beltline - River Road to Delta Highway Improvement Plans

Project Completed

Region 2: Willamette Valley and Northwest Oregon (Eugene, Lane)

Planning project to improve traffic flow and safety.

# Details

#### About

Built in the 1960's, the Randy Papé Beltline Highway from River Road to Delta Highway is one of the most congested places in the Eugene/Springfield area. To build on the Beltline Facility Plan (2014), we are developing concepts to improve safety and travel times on the Beltline Highway from River Road to Delta Highway



The Beltline Facility Plan recommends several projects to improve safety and mobility in this area. ڬ (See 🗳 Facility Plan Map on the right) Together, these projects would widen Beltline Highway to three lanes in each direction from River Road to Delta Highway, replace the River Avenue/Division Avenue interchange, and add a new local bridge north of the highway. The projects could be constructed in phases or as separate projects

In fact the Beltline/Delta Interchange Project has completed construction, you can find more information on the project page.

#### Schedule & Status

The environmental study (NEPA clearance) has been approved by Federal Highway Administration.

We don't currently have funds identified for next steps but are actively looking for funding opportunities including grants

#### Environmental Document

These documents were created in different software programs with varying content types that may not be screen reader friendly. If you need them in an alternate format, please contact us

- 1- Categorical Exclusion Closeout
- 2- Project Vicinity Map
- 3- 🖪 Environmental Prospectus
- 4- USCG Preliminary
- Navigation Clearance Determination
- 5- ESA Letter of Concurrence (USFWS)
- 6- BESA Biological Opinion (NMFS) 13- Public Outreach Summary
- 7-D ESA No Effect Men
- 12- A Tribal Coordination Summary

8- NHPA Section 106 Joint Finding of

9- Section 4(f) Temporary Occupant

11- 🖾 Noise Abatement Summary Map

10- B Section 4(f) deminimis Finding

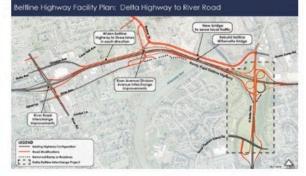
- The approval was added to the ODOT website after I made a public records request for the documents. Location

OR 569 | Between River Road and Delta Highway

### **Contacts & Media**

**Designing Transportation Solutions** 

and Investing in Oregon's Future.



#### **Project Contacts**

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Public Information Officer Angela Beers Seydel Email angela.beers-seydel@odot.oregon.gov Phone 541-726-2442

#### Get Project Alerts

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- Last Updated
- 10/7/2022 7:17 PM

Project Number

16223



# **ODOT "public engagement" summary ignored decades of public input**

ODOT's addendum to their approval of the Beltline widening ignored substantive comments informally submitted over more than two decades. These concerns included "induced demand" (building road capacity can make traffic worse by encouraging more driving) and "Peak Vehicle Miles Traveled" (traffic on the ODOT network has peaked in Lane County, according to ODOT, and oil depletion makes further reductions inevitable).

Induced demand did get a mention in the public engagement summary but there is not any discussion in the Finding of No Significant Impact about how the Beltline widening would or would not cause this problem. There is no discussion of the critical role this highway expansion would have regarding additional expansions of Eugene, especially onto nearby farmland. This concern has been echoed in other highway expansions around the country, including some that have been stalled in federal court (I-355 in Illinois, the Chicago outer bypass, was blocked for years because the approval ignored this). Unfortunately, the deregulation of the judicial system has made environmental lawsuits much less effective (the extension of I-355 was eventually built, further facilitating continued sprawl in the outer suburbs).

Induced demand used to be a major concern for highway expansions but the arrival of Peak VMT makes this less of a concern. Growth in highway traffic leveled off a decade and a half ago, sustained by the energy pulse of fracked oil and tar sands mining (which offset the continued decline of conventional oil and increased the total available liquid fuels available for transportation and other uses). Fracked oil peaked in 2019 in the USA and is unlikely to be increased further. Here in Cascadia most of our liquid fuels come from the Alaska pipeline, which peaked in 1988 at over 2 million barrels per day but now is under a half million per day.

I have heard a few planners at the City of Eugene, ODOT, Federal Highway Administration, other government agencies and private contractors who have acknowledged this is a legitimate concern, but none have dared share their private views in public. My guess is the transportation industrial complex will continue planning an infinite growth future until physical limits become more apparent and then they will pretend that no one could have seen this coming.

# Mark Robinowitz, PeakChoice.org, PeakTraffic.org, SustainEugene.org

# **BELTLINE HIGHWAY PROJECTS: RIVER ROAD TO DELTA HIGHWAY**



### Public Engagement Summary

Includes efforts made during the River Road to Delta Highway planning process through November 2019. Does not include efforts made for or prior to the Beltline Highway: River Road to Delta Highway Facility Plan (2014).

## **OVERVIEW**

#### **Open Houses**

• 3 Events, 100 Comments

#### Steering Committee

• 7 Members from 4 Jurisdictions, 2 Meetings

- **Community Advisory Committee**
- 17 Members, 3 Meetings

#### Presentations to Community Groups

11 Presentations, 250+ Participants

#### **Business and Property Owner Outreach**

• 1,000+Mailed Postcards plus Targeted Outreach

#### **Community Tabling**

10 Locations

#### **OPEN HOUSES**

#### Purpose

Gather input on project concepts.

Share information about design, construction schedule, and construction impacts of the Delta Highway Interchange Project.

Share information about how the public can stay involved and informed in the future.

#### Feedback

100 comments submitted (total).

Support for reducing congestion and improving safety.

Agreement with the need for a new local bridge just north of Beltline Highway, supported multimodal improvements, and supported reducing noise pollution.

Concern about future growth and that expanding lane capacity will add to congestion by encouraging people to drive.

#### Open House Events



- Open House #1, North Eugene High School April 24, 2018
- Online Open House April 23 - May 25, 2019
- Open House #2, Kelly Middle School Cafeteria June 4, 2019

### **STEERING COMMITTEE**

#### Purpose

Guide development of projects.

Help confirm that design and implementation serve the needs of stakeholders, improve safety and mobility, and are acceptable to all partners.

Included representatives from City of Eugene, Lane County, Lane Transit District, and ODOT.

#### Feedback

Offered guidance on project objectives, stakeholder and public outreach, and funding opportunities.

Shared feedback from members of their communities.

Recommended elements of project design and implementation.

#### 2 Meetings

- Thursday, November 30, 2017
- Friday, March 29, 2019

### **COMMUNITY ADVISORY COMMITTEE**

#### Purpose

Provide recommendations and advice as concepts are refined and an implementation plan is developed.

Serve as a forum to identify and build community consensus on alternatives that reflect a broad range of needs and interests.

Serve as liaisons to constituents, and represent the community as a whole.

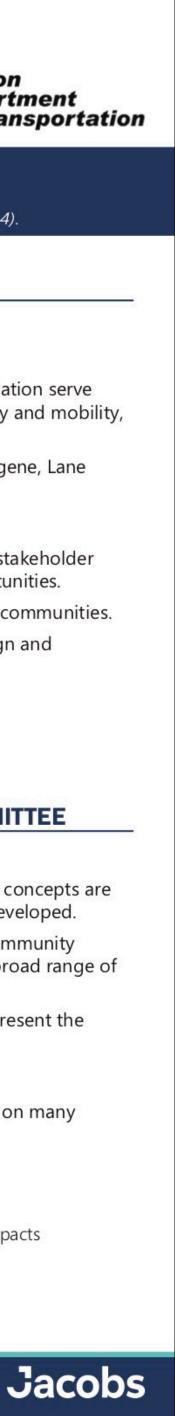
#### Feedback

The 17 active members shared feedback on many aspects of the project, including:

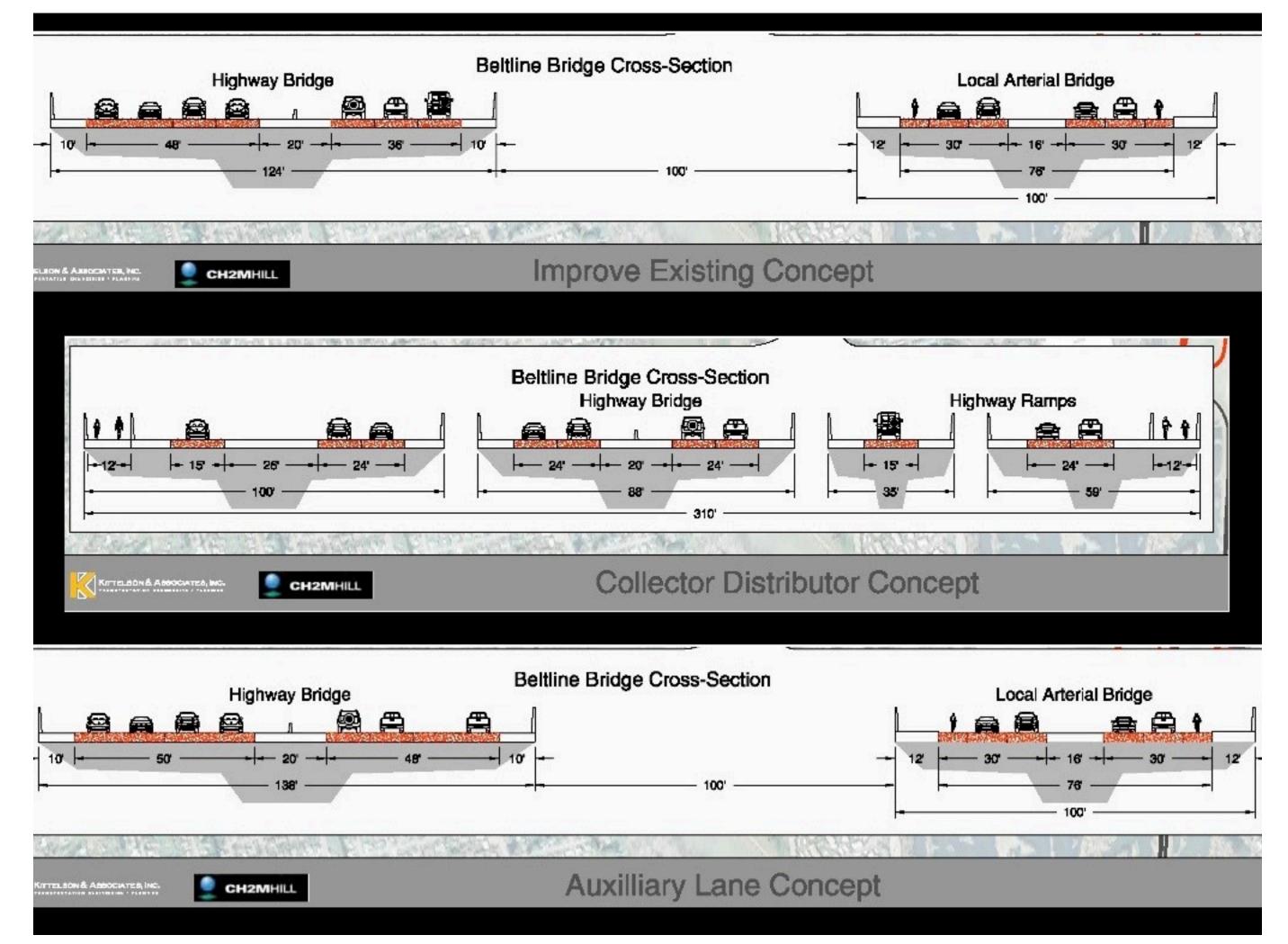
- Active transportation elements
- Adjacent safety issues
- Public communication
- Coordination with other agencies
- Induced demand and environmental impacts

#### 3 Meetings

- November 28, 2018
- March 4, 2019
- May 30, 2019



# **ODOT 2014 study: Beltline cross sections across the river**



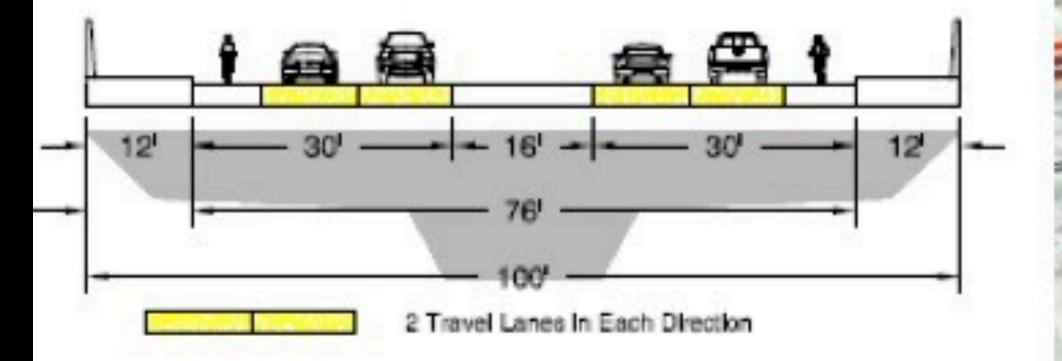
ODOT has not released cross section graphic showing the 2018 version which would have 10 lanes of bridge across the river and up to 16 lanes between the river and Delta highway

# (C) New Bridge to Serve Local Traffic

1

We are at Peak Traffic, not no traffic, so a bridge across the river will continue to be essential. We have enough physical resources and money to replace the bridge with a structure that will still be useful after the arrival of oil rationing.

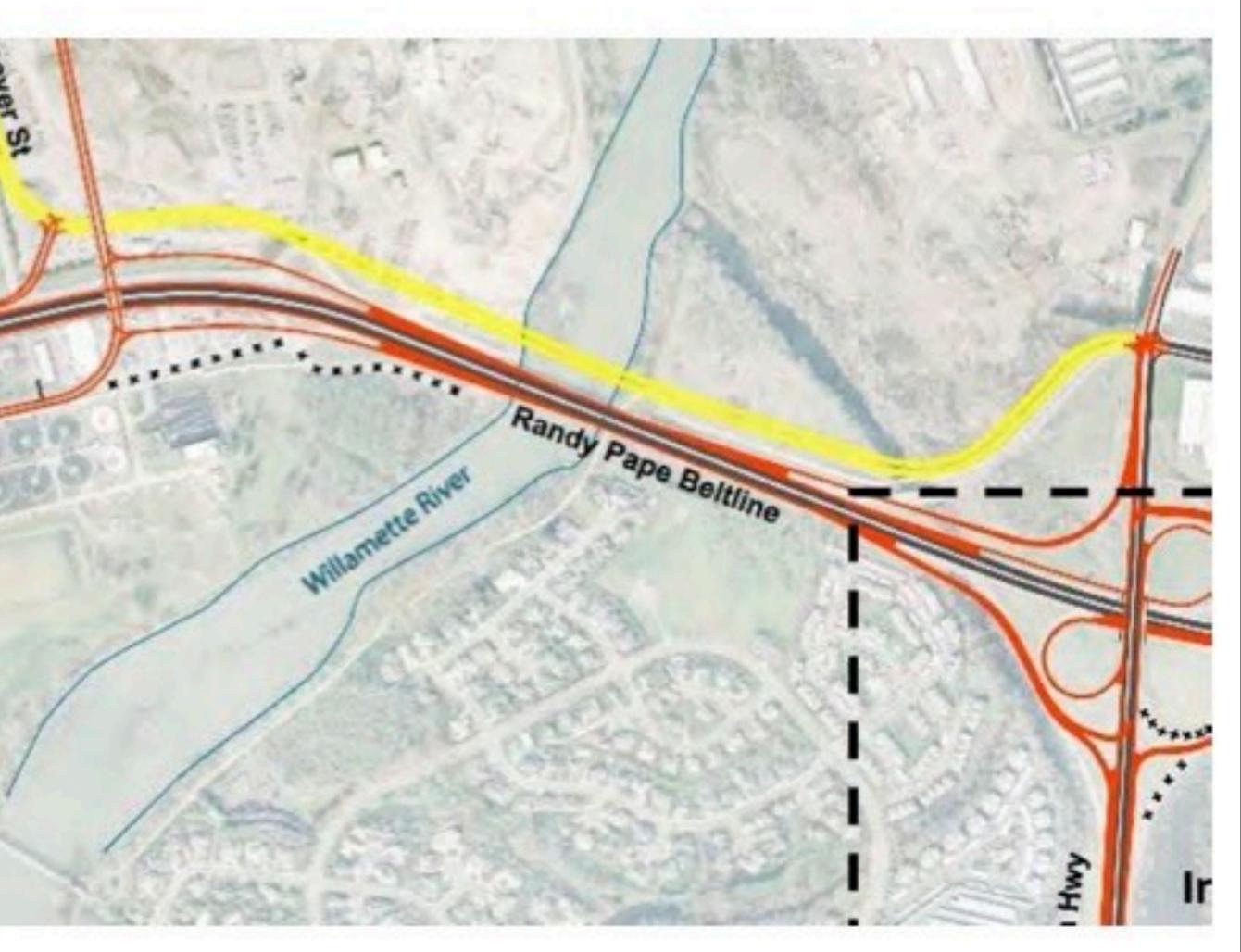
Long term plans should consider fiscal constraints, peak traffic, climate change, and energy depletion. Concrete and steel require a lot of fossil fuels. We should be wise about using what is left.



Beltline is the last highway bridge in Eugene that has not been repaired or replaced to cope with the looming Cascadia Subduction Zone earthquake.

A low build alternative could replace the worn out Beltline bridge with a new structure (where the yellow lines are). The curvature of the mainline could be adapted to transfer the traffic.

Replacing the old Beltline bridge, built before the seismic risk was discovered, with a new bridge of the same width should be enough for the rest of the oil age.



# **2014 "low build" option**

most of this was built as the **Delta - Beltline interchange expansion** removed "weaving" movements was larger than "Low Build Concept" (double lane off ramp northbound to westbound) no longer considered part of **Beltline study from Delta to River Road** 

we're at Peak Traffic, not low traffic including oil depletion and other limits to growth into traffic projections would make a comprehensive Low Build alternative easier to approve as meeting the real "purpose and need" for the region.

# EXAMPLE SCHEMATIC, FOR DISCUSSION PURPOSES ONLY





Delta - Beltline project cost \$20 million full Beltline widening across river could cost over a third of a billion

# LOW BUILD CONCEPT 3

**Beltline Facility Plan** 



# **Troubled Bridges Over Water**

Tens of thousands of highway and rail bridges across the country are worn out, rusting, frayed from decades of too many trucks and freight trains. Oregon has numerous broken bridges along I-5, I-84 and many other routes, but has only had funding to fix some of them.

ODOT and local governments used the replacement of the cracked I-5 Willamette River bridge as an opportunity to double the width of the highway - even though we are passing the end of cheap oil and the start of climate change. Replacing worn out bridges with new bridges OF THE SAME WIDTH would save tax dollars that could be used to fix more dangerous bridges before entropy or the Cascadia Subduction earthquake makes them unusable. Public safety and fiscal constraints mean that expansion plans be canceled in favor of maintenance and repair.



# I-5 Eugene-Springfield worn out bridge replaced with two new, larger bridges

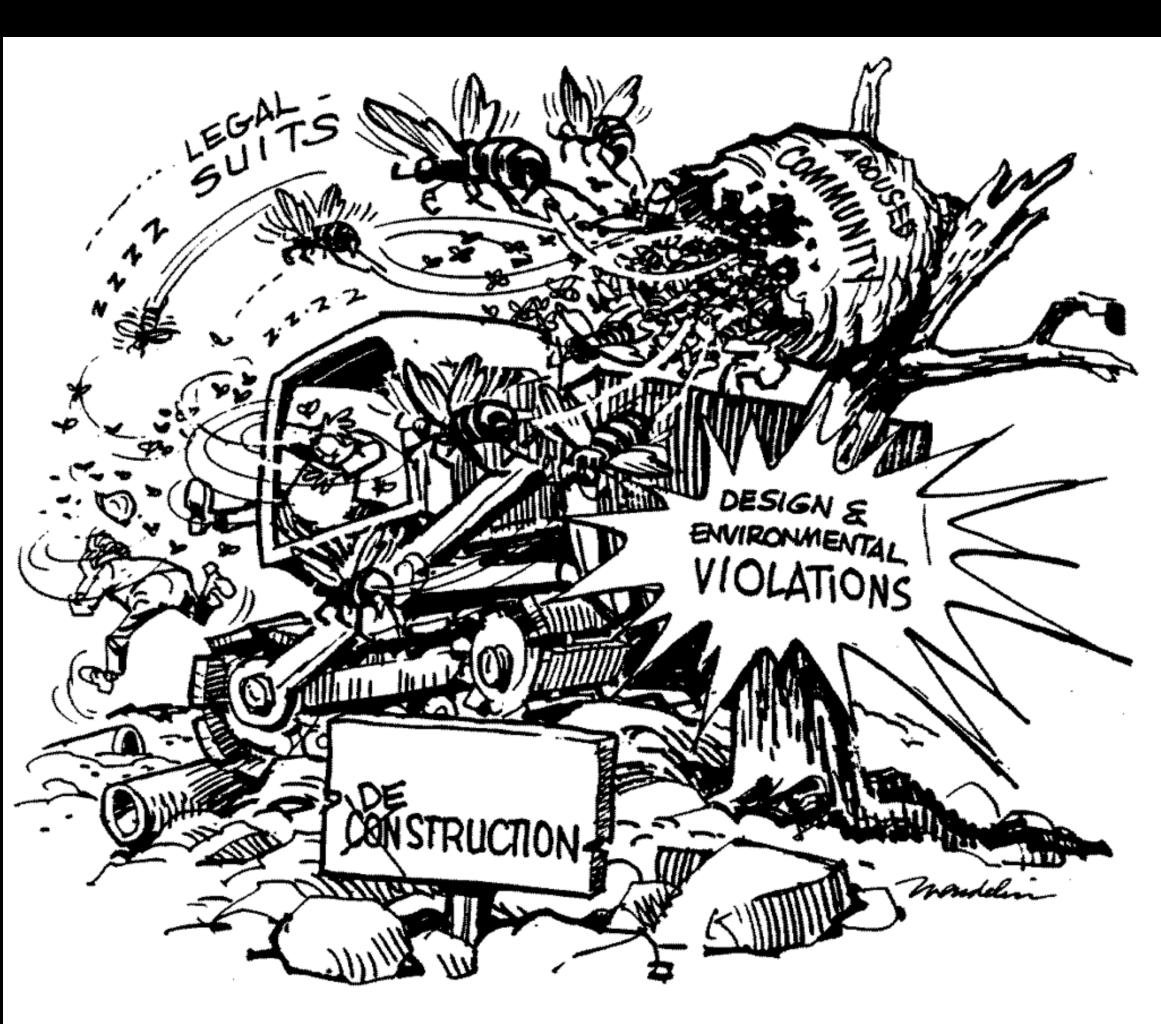


# I-35 Minneapolis 2007 collapse

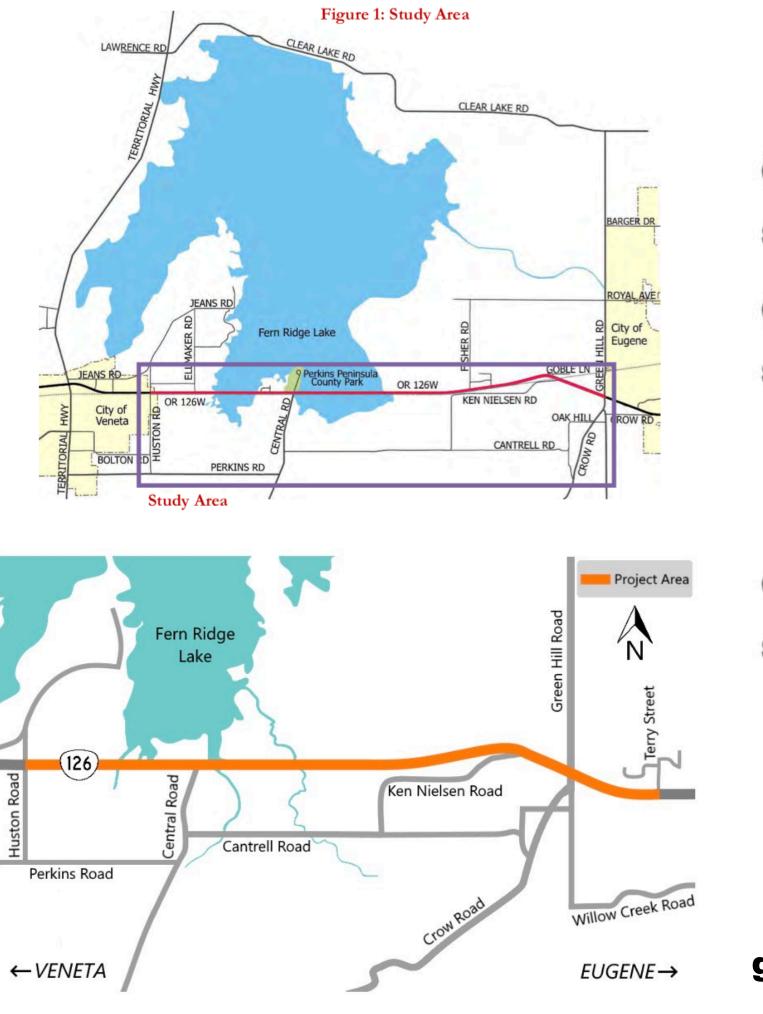
Beltline widening would not have the same legal obstacles that stopped the proposed West Eugene Porkway (discussed later in this slideshow). There are no parks in the path, no critical habitat for endangered species, minimal area of wetlands (and it is legal to destroy wetlands if so-called mitigation sites are made elsewhere) and the environmental impact it would have at the river crossing is within the "acceptable" limit.

There is a novel approach to force a Low Build type option, but before getting to that, a description of a parallel proposal to widen 126 from Eugene to Veneta, lessons learned from stopping the WEP, and then, a legal strategy that might not only prevent overwidening Beltline but set a precedent that could impact a trillion dollars of new and expanded highways across the country.

**ODOT** prepared a Categorical Exclusion for Beltline instead of a Environmental Impact Statement or Environmental Assessment. In less legalese language, this means ODOT is bypassing the normal legal requirements for disclosing impacts. Later in this slideshow is discussion of the National Environmental Policy Act which requires these documents. "C.E." is a way to avoid wasting too much money and time preparing unnecessary reports but was not intended for projects that could cost over a third of a billion dollars with years of construction disruption. This fits a pattern of using CE to ignore disclosing the impacts of many levels of federal timber sales on National Forests and other destructive proposals. In short, deregulation of protections established a half century ago during the peak of federal environmental regulation and laws.



# — — — — Highway 126 widening: Eugene to Veneta — — — —



OR 126W Spot Improvements with separated multi-use path: \$15 million
OR 126W Three-Lane Alternative with separated multi-use path
Causeway on Dike: \$95 million
Causeway on Piers: \$145 million
OR 126W Four-Lane Alternative with separated multi-use path
Causeway on Dike: \$130 million
Causeway on Piers: \$195 million

# graphics and cost from ODOT's 2013 study

www.oregon.gov/odot/Projects/Project%20Documents/21231\_OR126\_fern\_ridge\_corridor\_plan\_2013.pdf

Widening over the water would be the most expensive part.

No cost estimate is available for a Low Build alternative that would combine "spot improvements," traffic calming, other safety design considerations and perhaps a passing lane or two on the sections not crossing Fern Ridge reservoir or wetlands. This would be cheaper than the "three lane alternative" and potentially affordable.



# Fern Ridge



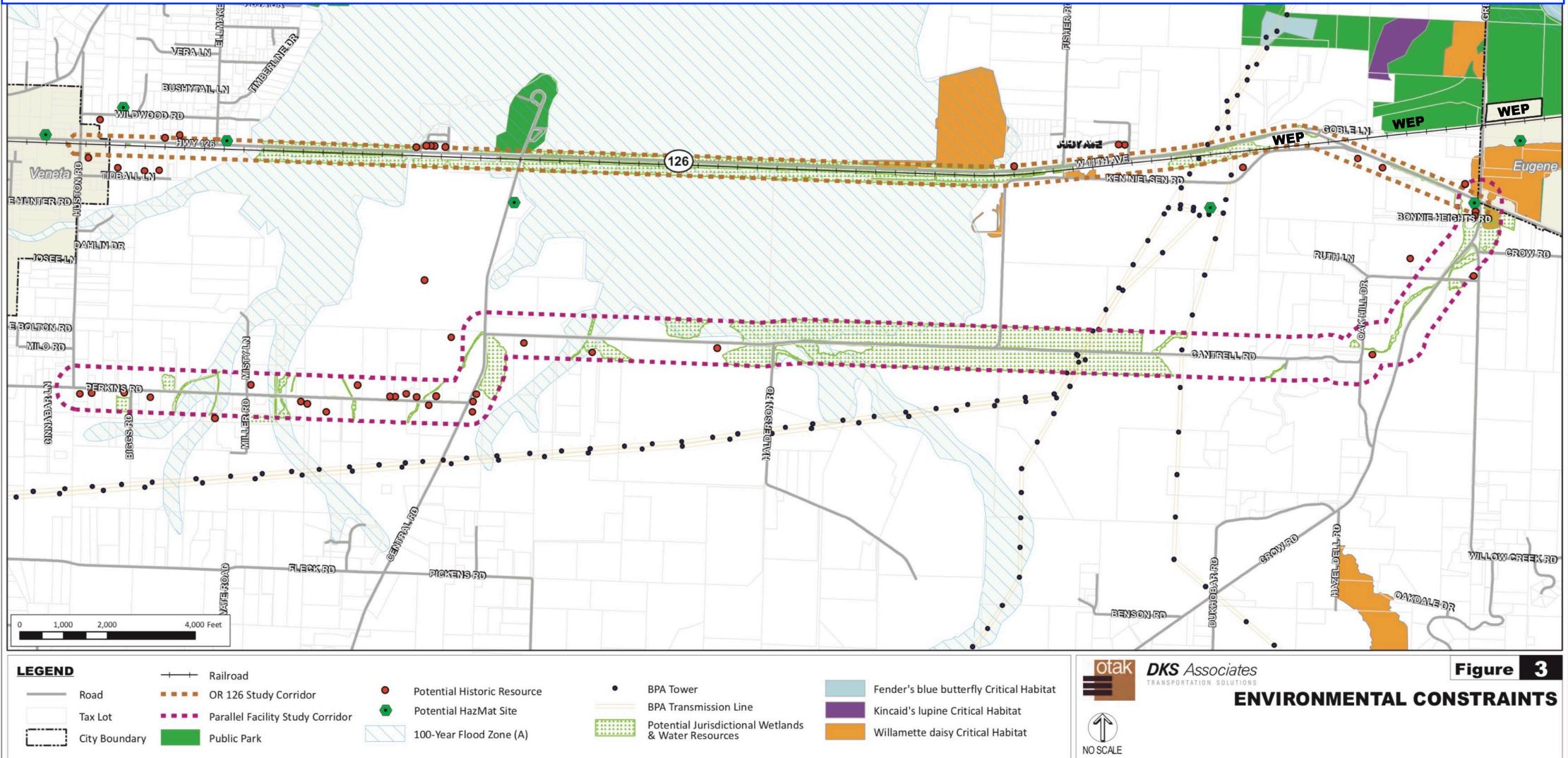
Cree



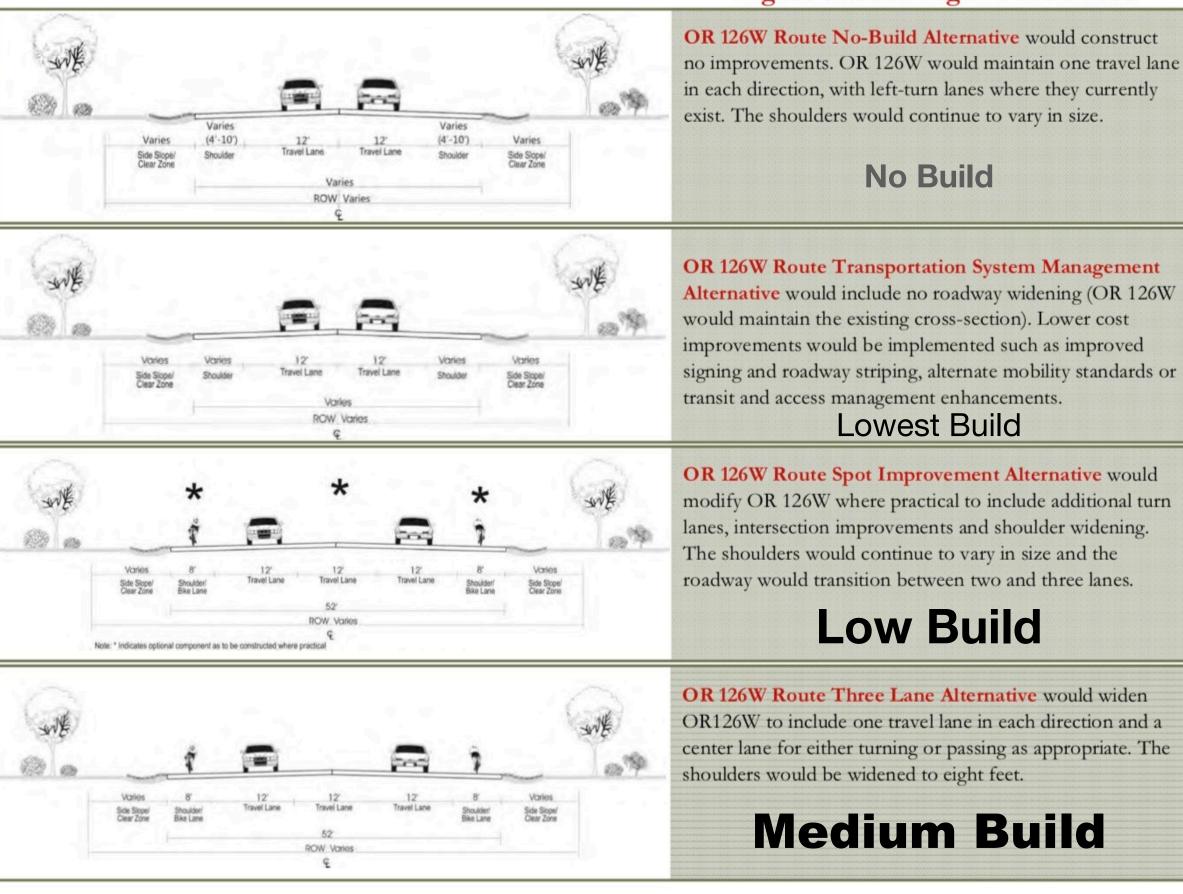
In 2001, I asked then State Representative Floyd Prozanski what he thought of the West Eugene Porkway. He said he was against it, partly because it would force a "causeway" (his term) across the lake. He added he grew up in San Antonio, Texas and knew about the Brackenridge Park freeway fight. In the 1960s, a highway was planned through that park, a main green space in that city. Efforts to stop that road included passage of Section 4(f), authored by Senator Ralph Yarborough of Texas. There is a deeper look at 4(f) later in this presentation, it prevented the WEP.

During the peak of the WEP controversy, ODOT and FHWA officials were reluctant to say anything about what I called Phase 3 of the WEP: the extension all the way to Veneta. They knew that this would be difficult to permit under the Clean Water Act, and segmentation of the WEP's approval to avoid the ecological and economic impacts of this future extension would be especially illegal. Segmentation violates the National Environmental Policy Act and segmentation to avoid consideration of Section 4(f), the Clean Water Act and Endangered Species Act is as illegal as a highway project can be.

In 2022, ODOT is planning the causeway even though WEP was canceled in 2007. Endangered species are more concentrated in the wrong-of-way of the WEP, but there are critical habitats directly next to 126. (Fender's Blue Butterfly is vulnerable to highway lighting). ODOT is planning to approve this with a "Categorical Exclusion," instead of an Environmental Impact Statement. Even an Environmental Impact Environmental Impact Environmental Impact Environmental Impact Environment



### **Figure 7a: The Eight Alternatives**



#### SECTION 3. PUBLIC PROCESS 19

# **Figure 7b: The Eight Alternatives**

**OR 126W Route Four Lane Alternative would widen** OR126W to include two travel lanes in each direction. The shoulders would be widened to eight feet. Dedicated leftturn lanes would be added where appropriate.

# **ODOT** plan

Southern Route Two/Three Lane Alternative would modify Perkins and Cantrell Roads where needed to include additional turn lanes and widened shoulders. The roadways would transition between two and three lanes.

## upgrade parallel roads to the south

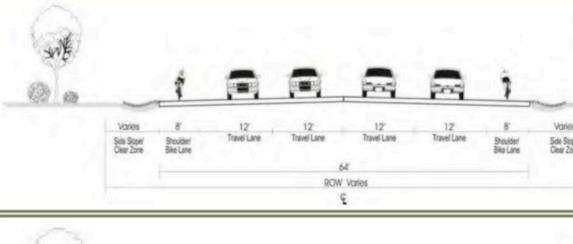
Southern Route Multi-use Path Alternative would construct a multi-use path for pedestrian and bicycle travel between Huston Road and Green Hill Road generally near the Perkins and Cantrell Road alignments. No additional roadway improvements would be constructed (OR 126W would maintain the existing cross-section).

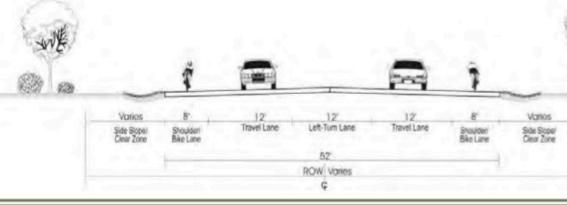
only add bike path, not a serious alternative

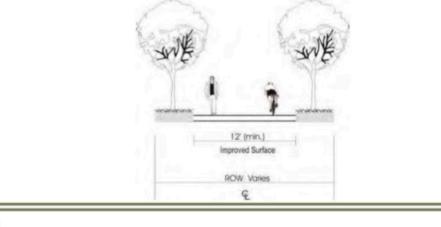
Northern Route Alternative would modify Territorial Highway, Clear Lake, and Green Hill Roads where needed to include additional turn lanes and widened shoulders. The roadways would transition between two and three lanes.

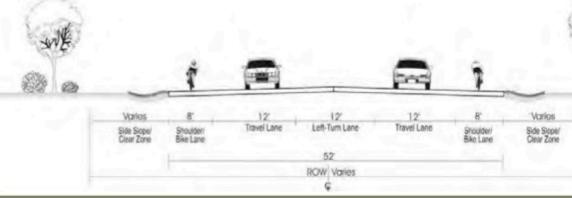
# north of Fern Ridge, **ODOT** probably will want that too



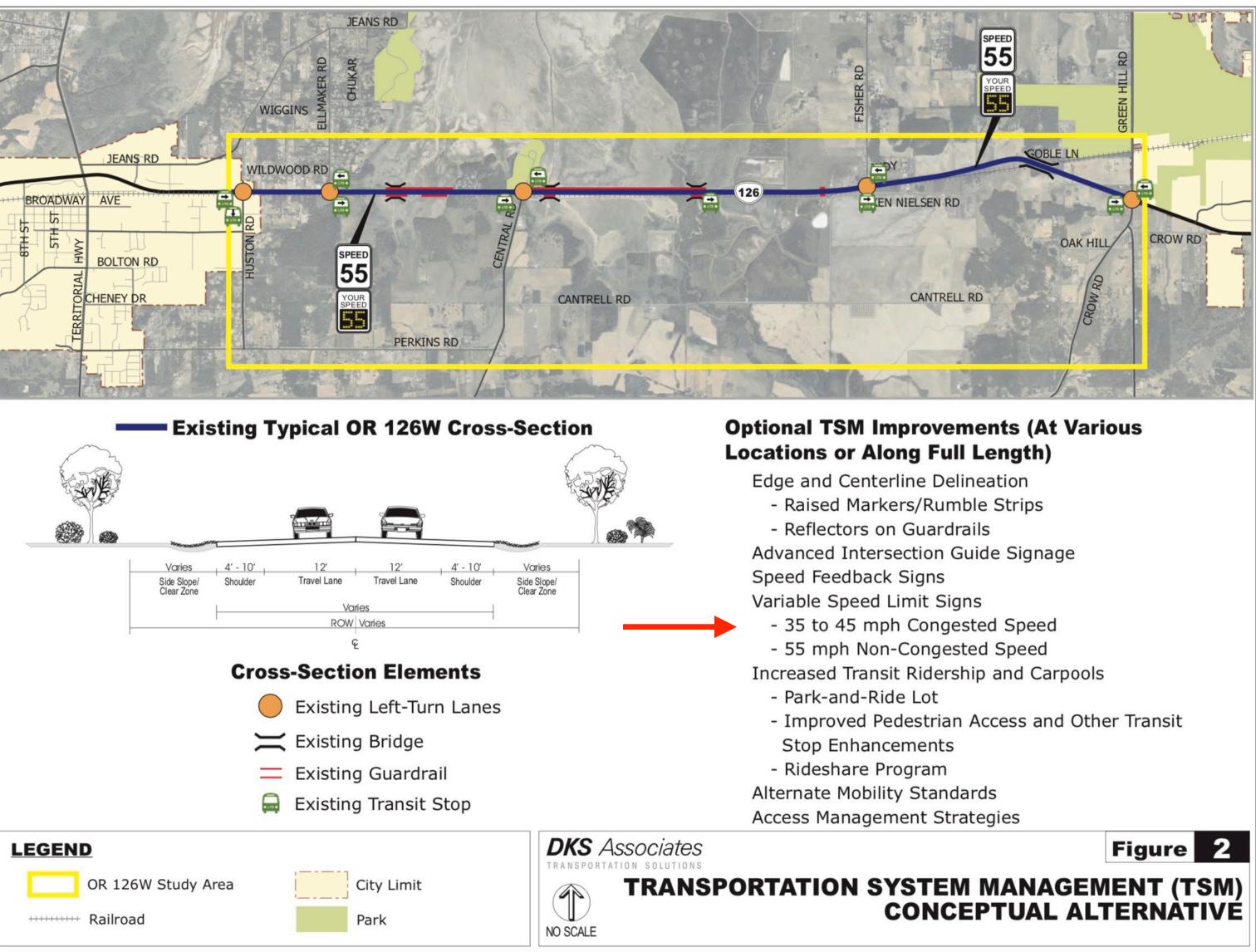


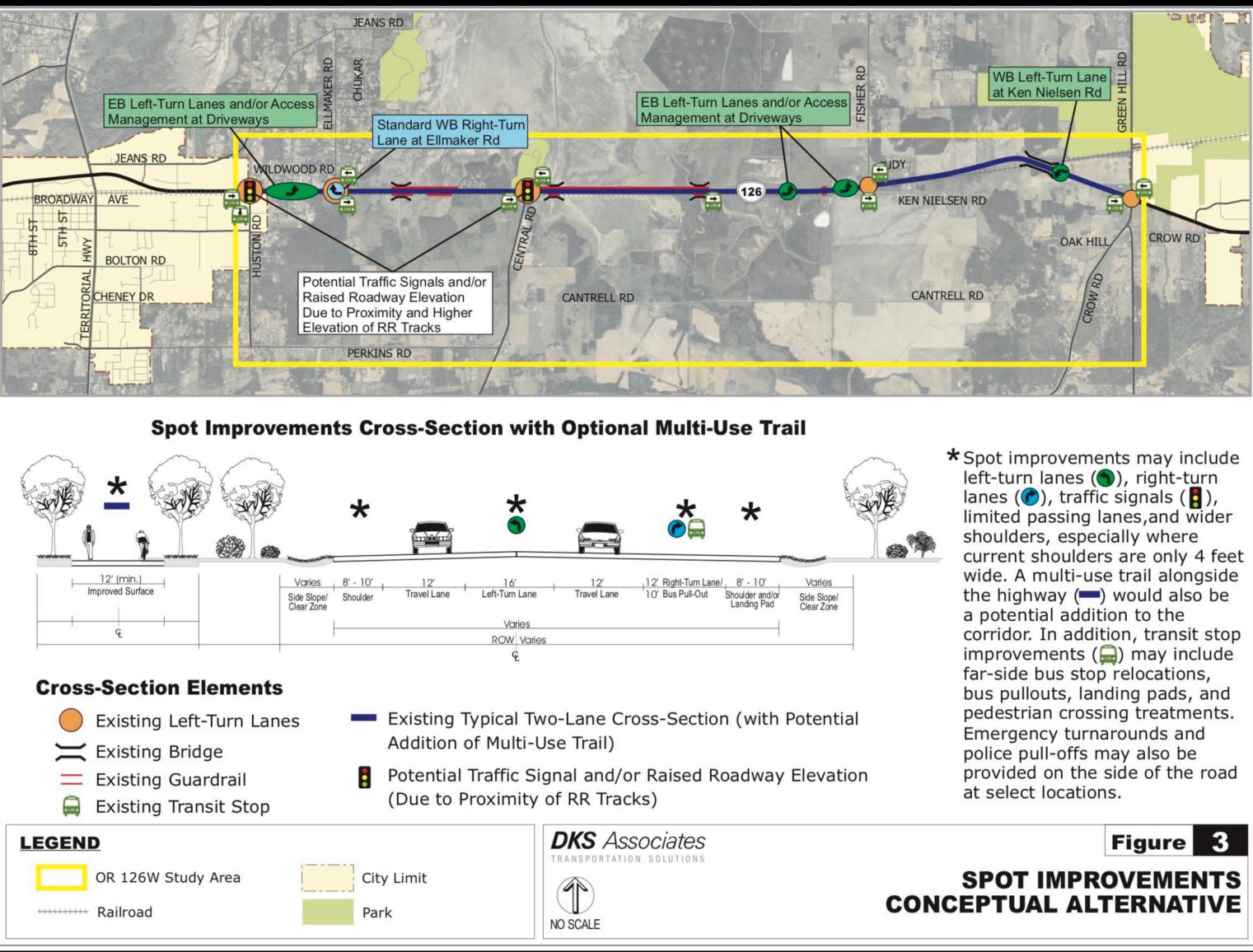




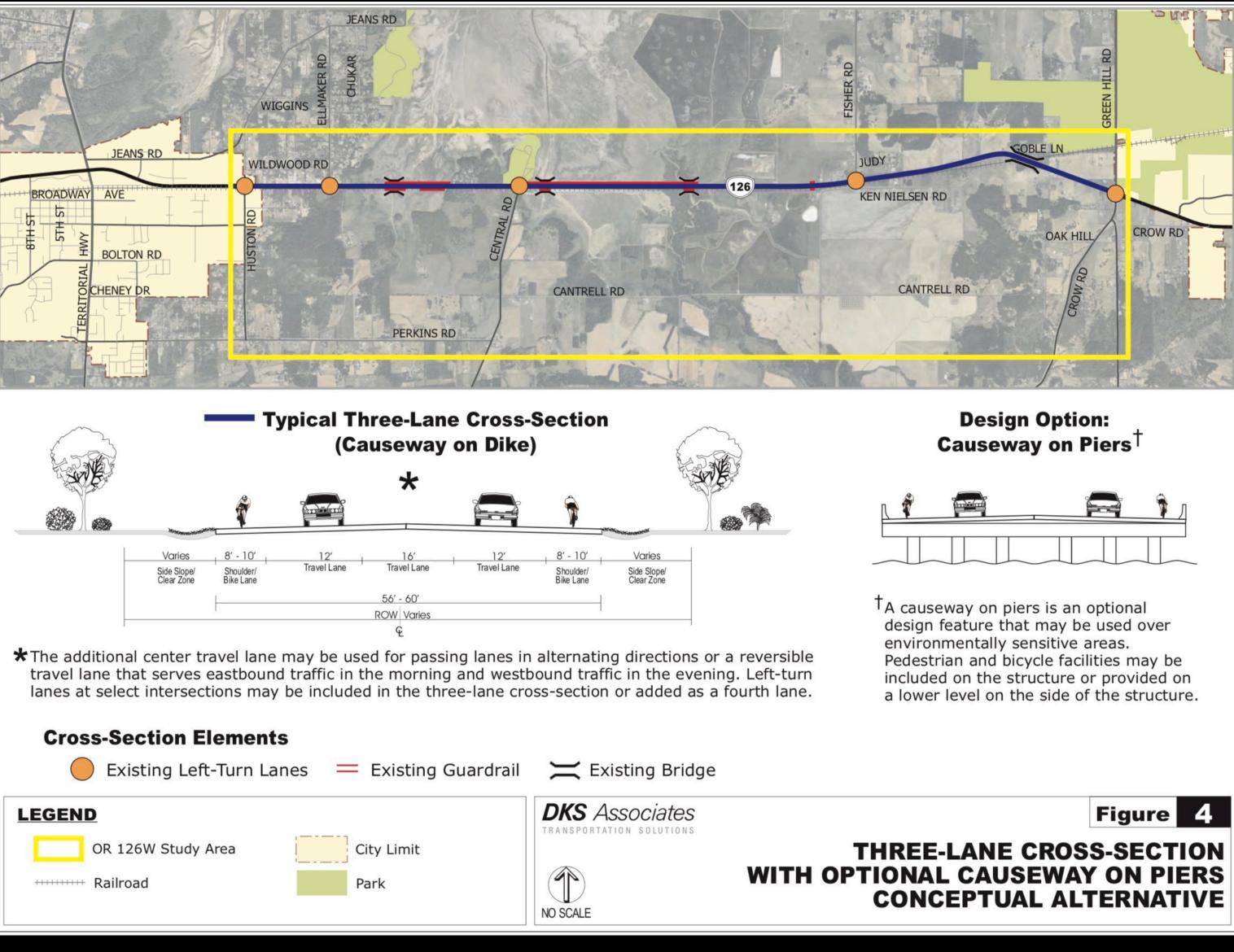




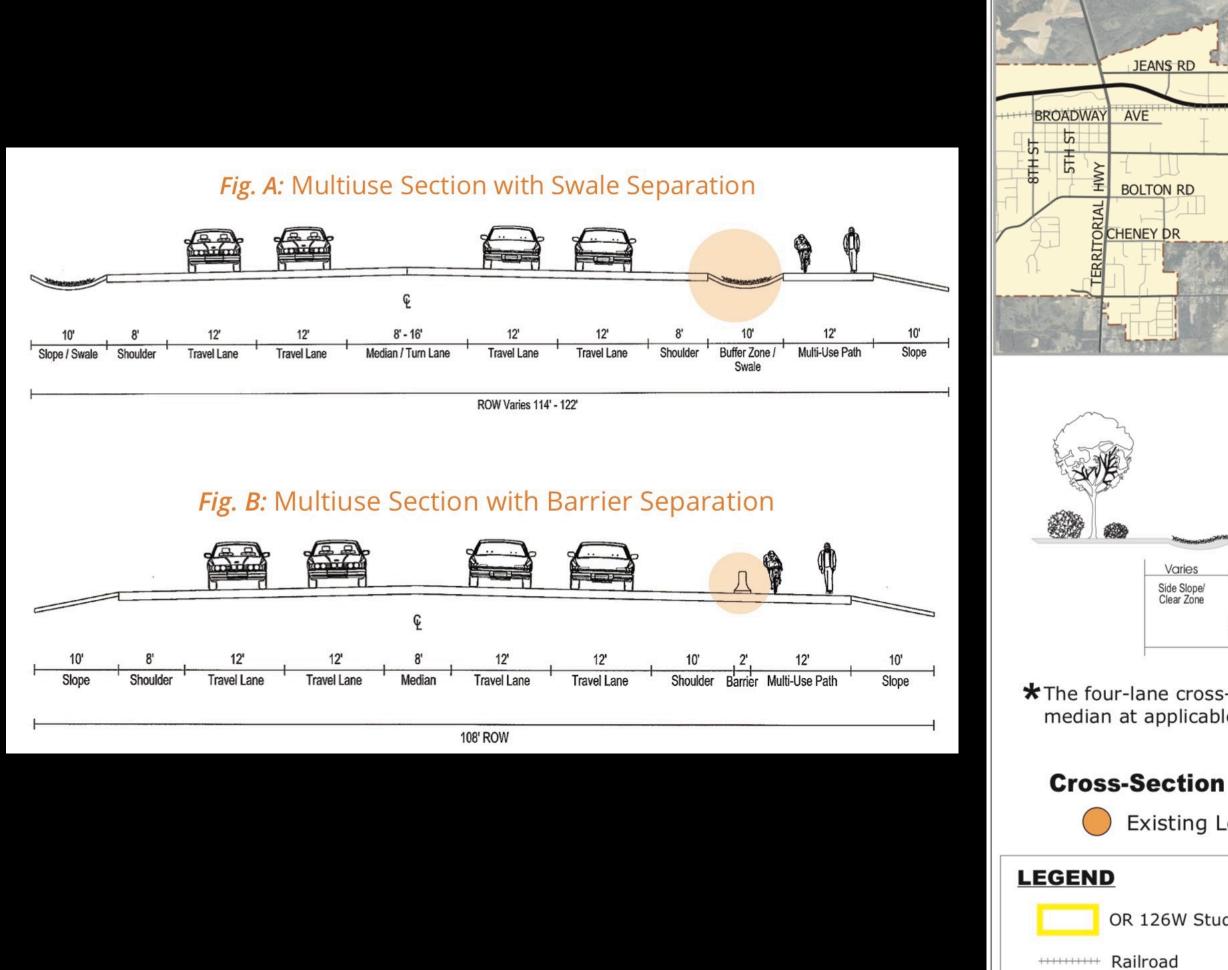


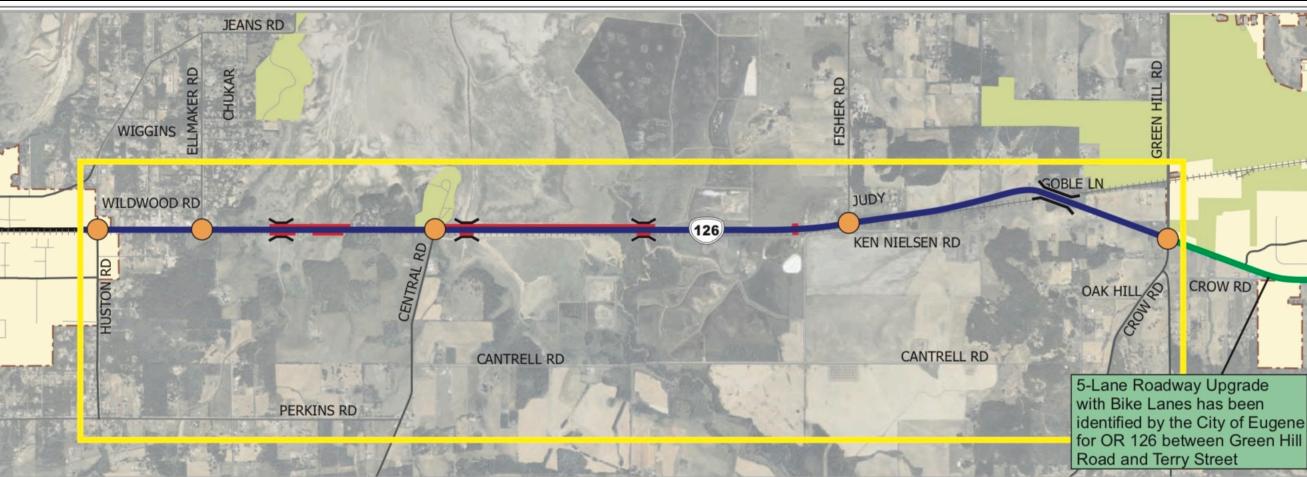


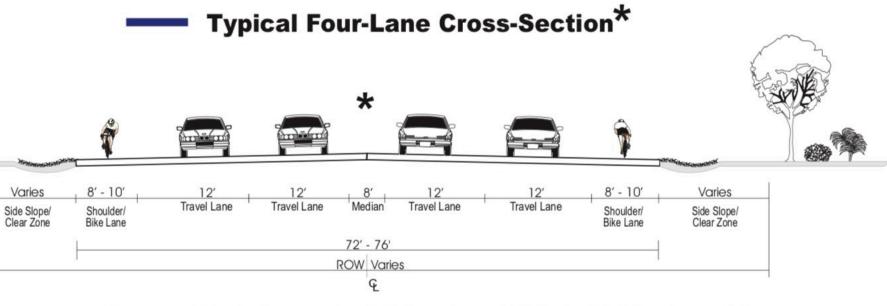




Three lanes on land, two over water could be a reasonable Low Build alternative

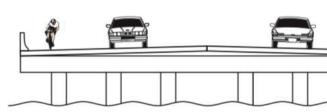






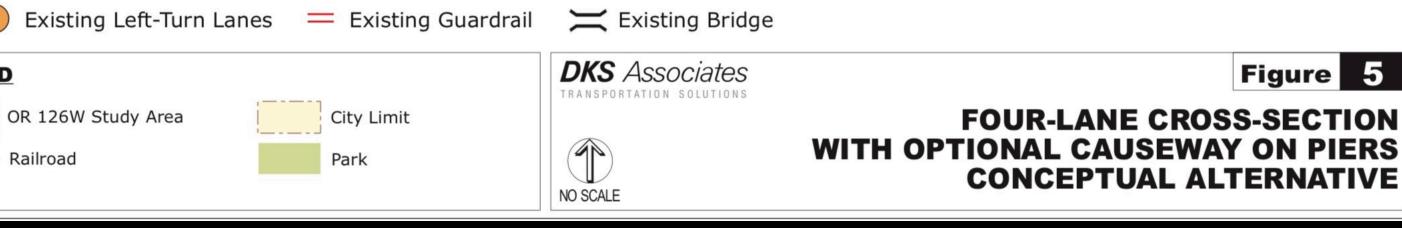
\*The four-lane cross-section would include a center left-turn lane (16 feet wide) in place of the median at applicable intersections.

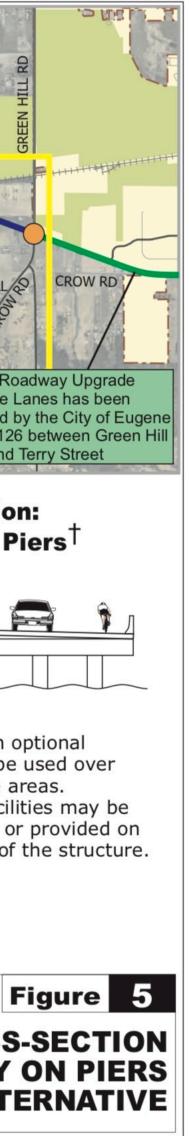
### **Design Option:** Causeway on Piers<sup>†</sup>



<sup>†</sup>A causeway on piers is an optional design feature that may be used over environmentally sensitive areas. Pedestrian and bicycle facilities may be included on the structure or provided on a lower level on the side of the structure.

# **Cross-Section Elements**





# West 11th / 126 west of Green Hill

### about one mile east of the WEP's western terminus

Some West Eugene Porkway proponents said WEP was needed to get to the coast faster, yet the WEP would have ended over an hour's drive from Florence.

ODOT's 126 study says most 126 traffic is local, not going to the coast. Widening 126 would subsidize Veneta's expansion.

IAK HADREN

# MAPLETON 40 FLORENCE 53



In the 1980s, ODOT and Lane County planned to build 126 through the Oregon Country Fair. Before that construction, the main connection from Eugene to the coast went along Suttle Road (on the north side of the OCF property). Routing the new road through the fair would have damaged, displaced or destroyed the festival, then a goal of some of the County's conservatives.

OCF managed to divert the expressway by documenting ancient Kalapuya archeological relics in the wrong of way.

The area around the 126 widening from Eugene to Veneta is as archeologically significant as the OCF property.

Highway departments are the largest employers of archeologists in the United States because of federal laws that try to protect, or at least document, significant sites.

# OCF sign Ark Park

In 1990 the Gregon Country Fair received the award for its contribution to Archaeology in Oregon. Beginn is with the 1932 Veneta-Noti Highway 126 Realignment Project, which contributed greatly to our understanding of the significance and time depth of the area, the Fair has continued to build upon this base of knowledge. The Oregon Country Fair has volunteered to promote, understand and preserve these archaeological resources. These sites span over 9000 years and are recognized at the state and national level as significant. The Fair's efforts to document with non-intrusive methods, and the identification of archaeological resources has resulted in new standards for the state of Oregon. The richness of Early, Middle and Late Archaic sites are an important archaeological resource "in the bank" for research.



