

Portland Bicycle Advisory Committee

Working to make bicycling a part of daily life in Portland



November 8, 2022

To: Mayor Ted Wheeler
Commissioner Jo Ann Hardesty
Commissioner Mingus Mapps
Commissioner Carmen Rubio
Commissioner Dan Ryan

Subject: Inner Powell and other ODOT managed roads in Portland

ODOT has not cared. In the last decade 148 people have died on roadways owned and maintained by ODOT. Since opening their Urban Mobility Office in January 2020¹ 63 people have been killed on ODOT's roads within the City of Portland, 41 of whom were not on an Interstate highway. In 2021 the deaths of Anthony Tolliver² and Stephen Looser³ at the same intersection two weeks apart spurred the jurisdictional transfer of E 82nd. Now the death of Sarah Pliner on October 4th appears to have finally rustled ODOT out of their slumber as it pertains to making Inner Powell at least as safe as it was in 2016 before they insisted it be more dangerous for people walking and biking. While we commend ODOT for their strong initial response it is defensive in nature and does nothing to indicate an actual desire to proactively make urban freeways safer.

ODOT lacks sufficient oversight, safety goals, and direction to responsibly manage urban roadways, transition to a low carbon transportation system, prioritize human life, or create infrastructure resilient to climate change. ODOT is still a highway department at heart. The side projects of Safe Routes to Schools or scenic bikeways have been kept on the periphery. ODOT has invested billions to "reduce congestion" for people driving without any meaningful focus on the people who die as a result of those same drivers' actions. ODOT has hidden behind rules and regulations they have interpreted strictly to diminish biking or walking facilities. ODOT

¹Oregon DOT launches new Office of Urban Mobility and Mega Project Delivery with three new leaders, <https://www.masstransitmag.com/management/press-release/21120973/oregon-department-of-transportation-odot-oregon-dot-launches-new-office-of-urban-mobility-and-mega-project-delivery-with-three-new-leaders>

²Portland Police Bureau, <https://www.portlandoregon.gov/police/news/read.cfm?id=301668>

³Portland Police Bureau, <https://www.portlandoregon.gov/police/news/read.cfm?id=301630>

values reducing a few seconds or minutes of delay for people driving as an unassailable goal that cannot be compromised in the name of safety.

It is easy to only blame ODOT for many of the ills on our roads, they have a long history that is filled with decisions that, particularly with hindsight, are shameful. They have been enabled. Our legislators continue to provide them with funds that encourage projects prioritizing car movement. Our governors have appointed members to the Oregon Transportation Commission that have rubber stamped ODOT's large projects and not questioned the efficacy of the funds being spent against safety and environmental goals. City, county, and regional leaders past and present have provided local support for many of ODOT's projects even when they lock in a worse future for residents. Even advisory committees have treated ODOT as though they are acting in good faith towards our goals around climate, racial equity, and Vision Zero. What matters is what we do now. The Overton Window must shift and our goals must supersede the millions, and billions, that ODOT wants to spend on projects that are ill-suited for environments inhabited by people.

Illustrating ODOT's blind spot for traffic violence in Portland over the past decade (and beyond) is quite easy. Here are just a few examples:

- Forcing the removal of bike boxes and lanes from SE 26th/Powell in exchange for a signalized crossing at 28th as part of the 20s Greenway project. This started in 2016 and PBOT removed the facilities in 2018. In return, ODOT was supposed to add a Leading Pedestrian Interval (LPI) for crosswalks and wayfinding to the greenway on 28th. Neither happened.
- Demanding that PBOT remove wands and restripe the overpass on Rosa Parks @ I-5 as part of the installation of protected bike lanes on NE Rosa Parks
- Failing to provide any protection for bicycle lanes on Division at I-205, instead narrowing them to the point that they were labeled as a shoulder in a presentation to Bicycle and Pedestrian Advisory Committees (BAC/PAC) to accommodate a second left turn lane and all lanes wider than PBOT's guidance - part of Outer Division Multi-Modal Transportation Safety Project⁴
- The St John's Bridge history is particularly blemished. In 2005 ODOT ignored an analysis⁵ showing that bike lanes, rather than sharrows, would not impact capacity. Sharrows were added in 2012, though with a 35 MPH speed limit the safety impact of those sharrows is non-existent. Five people were killed on and around this bridge in the last decade. The alignment and speed limit continues despite limited capacity on both ends of the bridge and narrow sidewalks that don't allow for multiple modes of travel.
- In 2015 ODOT generated the Barbur Road Safety Audit, most recommendations having been shelved due to the anticipated SW Corridor project. The current state is high vehicle speeds (55+ MPH) and no bike lanes on Newbury and Vermont bridges.

⁴ I-205 Exit Ramps at SE Division Street

⁵St Johns Bridge Transportation Impacts, Executive Summary, January 2003, https://bikeportland.org/wp-content/uploads/2012/05/dea_stjohns1.pdf

- While ODOT was willing to commit funds to replace both bridges for the SW Corridor project no changes have been made to the roadway in the past five years to address the serious safety deficiencies.
- Since the Barbur RSA, 5 people have died on that road, including 3 pedestrians.
- A lack of human-scaled infrastructure on the Ross Island Bridge. Sidewalks are minimal and car/truck speeds and volumes preclude all but the most confident cyclists or pedestrians.
- Larger ODOT projects now managed by the Urban Mobility Office have critical flaws:
 - Earlier this year the BAC and Pedestrian Advisory Committee sent a 5-page letter to capture the many deficiencies and concerns with a project that is centered and driven by the need to move cars and freight. This was followed by an even longer document by City Council to IBR as terms of acceptance outlining the many ways in which the project was not aligned with the City's goals. Both documents undersell the myriad ways in which this project is trying to cater to everyone and succeeding for no one - except ODOT (and WSDOT) and the many contractors already being paid and those yet to collect.
 - I-5 Rose Quarter has ballooned in cost to keep its central goal of moving cars and freight more quickly in place. The street level infrastructure plans for people walking and biking have concerning deficiencies and safety concerns due to the focus on throughput of large vehicles. The only safety concerns truly being addressed are the incidence of low speed non-injury car crashes on I-5.
 - During the Environmental Assessment period, ODOT also tried to sneak past⁶ the impact to the Eastbank Esplanade. This would have significantly diminished one of Portland's flagship bicycle and pedestrian facilities in service to ODOT's singular focus.
 - Tolling, the only proven way to reduce car demand, has been moving at a glacial pace and is excluded from any traffic modeling for the previous two projects, and projects on OR217 and I-205 at the Abernethy Bridge. This is leading to infrastructure that is likely to be overbuilt which will prevent ODOT from having the funds needed to address their dangerous infrastructure within the City of Portland.

We have little confidence that ODOT's newfound desire to make the roadways they own and maintain in Portland safe is sustainable. While their Blueprint for Urban Design holds promise, the long track record of poor decisions stand in stark contrast. Last year ODOT completed a plan, started two years prior, that outlined ways to make E 82nd safer and did little to implement it. After lives were lost they, and the state legislature, "found" \$150 million to fund enough improvements that PBOT was willing to accept a transfer of the road to their portfolio. This was a good move that was enabled by a tremendous amount of effort and loss.

⁶ An Expanded Interstate 5 in Portland Could Loom Over the Eastbank Esplanade Bike Path, April 3, 2019, <https://www.wweek.com/news/city/2019/04/03/an-expanded-interstate-5-in-portland-could-loom-over-the-eastbank-esplanade-bike-path/>

We sit now at a crossroads. The death of Sarah Pliner six years after ODOT demanded that bike facilities be removed from SE 26th at Powell has shone an intensely bright light upon ODOT's recklessness in managing urban freeways.

Portland City Council has adopted Vision Zero, acknowledging that traffic violence is not acceptable, and is working to end traffic violence by 2025. The numbers have been sobering, in recent years we have seen deaths increase by over 50 per year for the last two full years and 2022 will likely exceed that threshold again. The City of Portland and Portland Bureau of Transportation (PBOT) have tried to address this problem, using a safe systems approach and adhering to the modal hierarchy outlined in Policy 9.6 of the 2035 Comprehensive Plan in most cases. There is one party that is misaligned with these goals: ODOT.

ODOT owns a number of the largest and most dangerous roadways with the highest speed limits. Safety is one of ODOT's Key Performance Measures⁷. And yet, the dashboard for measuring ODOT's progress toward their 2021-2023 Strategic Action Plan Outcomes⁸ does not even measure anything related to safety. The closest measure is increasing the percentage of ODOT funding dedicated to projects and programs that improve equitable access to walking, biking, and transit. While this measure has a good aim these modes have been chronically underfunded, and the identified 20.2% boost only looks good in the absence of context for how much is being dedicated towards people driving cars and trucks.

Urban Mobility at ODOT pays lip service to safety without mentioning that none of their projects are likely to prevent deaths or serious injuries. In an Urban Mobility Strategy Newsletter sent on October 12, 2022 the projects highlighted were all focused on increasing the number of lane miles on highways in ODOT Region 1 - Abernethy Bridge Replacement, I-5 Rose Quarter, and OR 217 Auxiliary Lanes Project. The I-5 Rose Quarter project and Interstate Bridge Replacement have estimated combined price tags of \$6-10 billion after factoring inflation and scope creep into the "official" projections that have not been recently updated. This price tag will almost certainly be used by ODOT as an excuse to not fund needed safety improvements on the many roads they manage within the City of Portland. This is NOT acceptable. The City of Portland needs to reevaluate their position on these billion dollar ODOT projects while our citizens are being killed and seriously injured on 'orphan' ODOT highways.

While we are encouraged by ODOT Director Kris Strickler's statement that "ODOT will be prepared to discuss ways we can make swift and meaningful changes to Powell Boulevard," this is too little, too late; it is feckless, banal and patronizing. We already know how to make meaningful change to Powell; everyone knows. FHWA knows, AASHTO knows, NHTSA knows, NACTO knows, PBOT knows. Because of renewed and deserved criticism, ODOT is now doing an about face from earlier communications regarding the safety of the road. This shift in tone only came after it was clear that ODOT had created a situation in which even people not familiar with the details of the situation could piece together in exceedingly easy fashion the degree to which ODOT was culpable. It came at the price of the remainder of Sarah Pliner's life. Just as

⁷ ODOT Key Performance Measures, <https://www.oregon.gov/odot/PerformMang/Pages/index.aspx>

⁸ ODOT Strategic Plan Dashboard, <https://www.oregon.gov/odot/Pages/SAP-Dashboard.aspx>

the improvements we are eager to see take shape on E 82nd Avenue came at the price of the lives of Anthony Tolliver⁹ and Stephen Looser¹⁰. The loss of lives should not be a prerequisite for multi-modal safety to be integrated into ODOT managed roadways. Those roadways should also adhere to the most robust accepted guidelines within the jurisdiction they reside. Currently ODOT is able to politely decline PBOT's recommendations and proceed with a design that favors the interests of those most shielded from the consequences of a more dangerous design.

We are tired of these avoidable traffic deaths and ODOT's indifference to them. As people who face traffic violence daily, and see themselves and their community in every new traffic fatality, the City of Portland must look to withdraw support from the I-5 Rose Quarter and Interstate Bridge Replacement Projects and partner with other local jurisdictions who face these same circumstances until ODOT:

- Immediately adds an emergency installation of a protected intersection for people walking and biking, as proposed by The Street Trust¹¹
- Adds protected bike lanes on SE 26th Ave on both sides of the street
- Adds a bike traffic signal at all 4 corners of the Powell Blvd and 26th Ave intersection
- Begin work to implement safety enhancements contained in the 2015 Barbur Road Safety Audit, including a reduction of travel lanes on the Vermont and Newbury where bike lanes disappear in favor of cars and trucks traveling 45+ MPH. Construction on permanent changes should begin no later than 2025 with temporary measures implemented sooner. The BAC has no interest in writing another letter when the next person walking or biking dies on this roadway and forces us to rehash the many ways in which ODOT has documented that this road is unsafe yet done next to nothing to address those gaps.
- Creates a plan to implement the Blueprint for Urban Design¹² on all "orphan highways" for people walking, biking, and using transit by 2030, ***without a requirement for jurisdictional transfer.***
 - **Jurisdictional transfers should not be the answer.**
 - They add an ongoing maintenance burden to PBOT without additional ongoing funding from ODOT.
 - By allowing ODOT to effectively write a check it permits ODOT to continue ignoring the deficient infrastructure they own and maintain throughout the state of Oregon.
 - Some infrastructure, such as the St. John's and Ross Island bridges, needs to be owned and maintained by ODOT as they are part of the state highway system.
 - ODOT should demonstrate they are capable of designing transportation infrastructure for people walking or biking instead of just cars and freight interests.

⁹Portland Police Bureau, <https://www.portlandoregon.gov/police/news/read.cfm?id=301668>

¹⁰Portland Police Bureau, <https://www.portlandoregon.gov/police/news/read.cfm?id=301630>

¹¹ The Street Trust, 2022-10-5 Powell Blvd Cyclist fatality press release, <https://docs.google.com/document/d/13ekvbqFmMj5NNDcyav6BdoNZKMSN3j6Y8N6QWqJBQWA/edit>

¹² ODOT Blueprint for Urban Design, <https://digital.osl.state.or.us/islandora/object/osl%3A941673>

- ODOT has much more flexible funding that allows them to move quicker.
 - For all of ODOT's interest in building up capacity of minority owned contractors, the suggested urban highway improvements with smaller individual price tags at tens or hundreds of millions of dollars provide better opportunities for contractors to demonstrate an ability to guide a project from start to finish rather than being a bit player in a multi-billion dollar megaproject.
- Enables PBOT meaningful oversight of street level projects within the City of Portland. These have historically been designed and built in ways that do not advance racial equity, climate impact, Vision Zero goals, PBOT Protected Bike Lane guidance, PedPDX standards, and 2035 Comprehensive Plan goals as much as they could with accountability that the OTC is not providing at a high level. This would also provide more weight to feedback provided by the BAC and Pedestrian Advisory Committee.

Sarah Pliner should not have died riding her bike across SE Powell. We should use all of the tools at our disposal to limit the number of people who die on our roadways after her. ODOT has owned and managed many of our city's most dangerous roads, only caring about how fast cars travel on them and not if you'll survive that journey in the first place. We deserve better. ODOT needs to be accountable for the 41 people killed on our orphan highways in the last decade and countless more who have been seriously injured.

Respectfully,

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