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4 IN THE CIRCUIT COURT OF THE STATE OF OREGON
5 FOR THE COUNTY OF MULTNOMAH

6 NO MORE FREEWAYS, CHRISTOPHER
7 SMITH, ELIOT NEIGHBORHOOD
8 ASSOCIATION, NEIGHBORS FOR CLEAN
AIR, FAMILIES FOR SAFE STREETS, and
BIKELOUD,

9 Petitioners,

10 v.

11 THE OREGON DEPARTMENT OF
12 TRANSPORTATION, OREGON
TRANSPORTATION COMMISSION, and
13 KRIS STRICKLER, in his official capacity as
the director of OREGON DEPARTMENT OF
14 TRANSPORTATION,

15 Respondents.

Case No. 24CV23141

RESPONDENT'S NOTICE OF WITHDRAWAL
OF FINAL ORDER FOR RECONSIDERATION

ORS 20.140 - State fees deferred at filing

16 Pursuant to ORS 183.484(4), Respondent hereby gives notice of its withdrawal of the
17 final order under review in this matter for purpose of reconsidering its findings and conclusions.
18 Respondent will issue an amended final order upon reconsideration affirming, modifying, or
19 reversing the final order within such time as the Court may allow. The agency action

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Page 1 - RESPONDENT'S NOTICE OF WITHDRAWAL OF FINAL ORDER FOR
RECONSIDERATION

DC4/m1/994272990

Department of Justice
100 SW Market Street
Portland, OR 97201
(971) 673-1880 / Fax: (971) 673-5000

1 withdrawing the final order for reconsideration is attached as Exhibit 1 to this notice. Respondent
2 anticipates that it will issue its amended final order upon reconsideration within 30 days.

3 DATED July 3, 2025.

4 Respectfully submitted,

5 DAN RAYFIELD
6 Attorney General

7 s/ Jill L. Conbere

8 DEANNA CHANG #192202
9 THOMAS H. CASTELLI #226448
10 Senior Assistant Attorneys General
11 JILL CONBERE #193430
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18 Jill.Conbere@doj.oregon.gov
19 Of Attorneys for Respondents
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Oregon

Tina Kotek, Governor

Department of Transportation

Urban Mobility Office

123 NW Flanders St.

Portland, OR 97209-4012

(503) 731-8200

Fax: (503) 731-8259

DATE: June 30, 2025

TO: Director Kris Strickler

FROM: Tiffani Penson, Urban Mobility Office Director
Megan Channell, Rose Quarter Project Director
Erik Havig, Statewide Policy and Planning Manager

SUBJECT: Recommendation to Withdraw March 12, 2024, I-5 Rose Quarter Improvement Project Findings of Compatibility with Acknowledged Comprehensive Plans per Oregon Administrative Rule (OAR) 731-015-0075

Requested Action:

Approve and sign the withdrawal of the March 12, 2024, I-5 Rose Quarter Improvement Project Findings of Compatibility with Acknowledged Comprehensive Plans per Oregon Administrative Rule (OAR) 731-015-0075 on behalf of the Oregon Department of Transportation.

Background:

The I-5 Rose Quarter Improvement Project (Project) is subject to the State Agency Coordination Program, which is Division 15 of the Oregon Administrative Rule (OAR) Chapter 731. OAR 731-015-0075 addresses coordination with local jurisdictions in project development for Class 1 and 3 projects, as defined by federal criteria under the National Environmental Policy Act (NEPA). The Project is a Class 3 project, as an Environmental Assessment was the defined level of documentation under NEPA.

By delegation of the Oregon Transportation Commission, you signed the Project's findings of compatibility in compliance with OAR 731-015-0075.




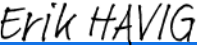
I-5 Rose Quarter Improvement Project: Withdrawal of Findings of Compatibility with Acknowledged Comprehensive Plans per Oregon Administrative Rule (OAR) 731-015-0075


On March 12, 2024, the Director of the Oregon Department of Transportation, by delegation of the Oregon Transportation Commission, issued Findings of Compatibility with Acknowledged Comprehensive Plans per Oregon Administrative Rule (OAR) 731-015-0075 ("Findings").

Staff Recommendation

Staff recommends withdrawal of the Findings to consider changes in transportation policies that occurred during the preparation of the March 12, 2024 Findings of Compatibility that may affect the I-5 Rose Quarter Improvement Project.

Signature:  Date: 06/30/2025
[Megan CHANNELL \(Jun 30, 2025 13:11 PDT\)](#)
Megan Channell, Rose Quarter Project Director


Signature:  Date: 06/30/2025
[Erik HAVIG \(Jun 30, 2025 16:33 PDT\)](#)
Erik Havig, Statewide Policy and Planning Manager

Signature:  Date: 06/30/2025
[Tiffani PENSON \(Jun 30, 2025 17:41 PDT\)](#)
Tiffani Penson, Urban Mobility Office Director

ODOT Director Action

The Director now finds that withdrawal of such Findings for reconsideration is appropriate.

Pursuant to a delegation by the Oregon Transportation Commission, the Findings are hereby withdrawn for reconsideration.

Signature:  Date: 06/30/2025
[Kristopher STRICKLER \(Jul 3, 2025 09:52 PDT\)](#)
Kris Strickler, ODOT Director

1 **CERTIFICATE OF SERVICE**

2 I certify that on July 3, 2025, I served the foregoing **RESPONDENT'S NOTICE OF**
3 **WITHDRAWAL OF FINAL ORDER FOR RECONSIDERATION**

4 upon the parties hereto by the method indicated below, and addressed to the following:

5 Karl G. Anuta
6 Corey Oken
7 Law Office of Karl G. Anuta PC
8 735 SW First Ave, 2nd Floor
9 Portland, OR 97204
10 *Attorney for Petitioners*

___ HAND DELIVERY
___ MAIL DELIVERY
___ OVERNIGHT MAIL
___ SERVED BY E-FILING
11 X SERVED BY E-MAIL: KGA@lokga.net;
12 Corey@lokga.net

13 *s/ Jill L. Conbere*
14 DEANNA CHANG #192202
15 THOMAS H. CASTELLI #226448
16 Senior Assistant Attorneys General
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