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January 31, 2023

DELIVERED VIA EMAIL

Molly Cary, Project Manager
Oregon Department of Transportation
Region 2, Area 5
2080 Laura St, Springfield, OR 97477
molly.a.cary@odot.oregon.gov

Re: Comments on OR 126: Veneta to Eugene NEPA Study

Dear Ms. Cary,

Thank you for the opportunity to comment on potential impacts on Perkins Peninsula Park and the Fern Ridge Wildlife Area resulting from ODOT's preferred alternative for the OR 126: Veneta to Eugene project.

As our comments are too extensive to submit via the online form, we are emailing these to you directly. Please include these as part of the record for the project.

As they consider ODOT's request for approval of Section 4(f) *de minimis* findings, please also forward these comments to:

Colonel Michael D. Helton, Commander and District Engineer
USACE Portland District
333 SW 1st Ave
Portland, OR 97204

David Speten, Wildlife Manager Fern Ridge Wildlife Area
Oregon Department of Fish and Wildlife
26969 Cantrell Rd
Eugene, OR 97402-9290

Thank you for your assistance. Please let us know if you have any questions or requests.

For BEST,

Rob Zako, Executive Director
541-343-5201
rob@best-oregon.org

Building a successful community by bringing people together
to promote transportation options, safe streets, and walkable neighborhoods.

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Executive Summary

BEST appreciates there is a safety problem along the segment of Highway 126 West under study. We want to reduce and ideally eliminate fatal and life-changing traffic crashes for all people, no matter how they choose to travel.

BEST appreciates that traffic along Highway 126 is expected to increase, but we are not seeing such high volumes as would necessitate adding travel lanes to maintain mobility and reduce congestion.

ODOT's preferred alternative is to widen Highway 126 to as much as 164 feet and make other changes, for an estimated cost of \$250 million or more.

BEST sees that some elements of ODOT's preferred alternative are effective. But we are failing to see the need to add travel lanes, to add a center turn lane apart from at key intersections, or the need to widen shoulders on top of adding lanes. We see insufficient attention to reducing speeds to safe levels.

BEST sees ODOT's preferred alternative as so expensive as to likely disappoint those who prefer it while at the same time imposing opportunity costs on many others across Lane County.

As it would be one of the largest highway construction projects in Lane County in decades, through wetlands with endangered species, and with concerns around effectiveness, cost, induced demand, and climate change, ODOT should take a deeper look at the potential impacts of its preferred alternative.

BEST wants Highway 126 to be safe for all travelers. Alas, we just don't see that ODOT's preferred alternative is effective and prudent, and that there is a reasonable chance that it will get funded and built any time soon, if ever. Meanwhile, people along the corridor will continue to be at risk, and efforts to push this one project forward will invariably draw resources away from other safety concerns around Lane County, leaving many other people at risk.

BEST believes the perfect is the enemy of the good. As part of exploring solutions for safety issues along Highway 126, we'd welcome an opportunity to (re)consider simpler targeted efforts that can actually get implemented before too many more tragedies occur.

Introduction

Better Eugene-Springfield Transportation, or BEST for short, is a broad coalition of residents and businesses building a successful community by bringing people together to promote transportation options, safe streets, and walkable neighborhoods.¹

We launched our safe streets efforts after a traffic crash at 54th and Main Street in Springfield took the lives of three children.² Whether called Vision Zero,³ Toward Zero Deaths,⁴ or something else, we support work by the City of Springfield, the City of Eugene,⁵ the Central Lane Metropolitan Planning Organization,⁶ Lane County,⁷ and the Oregon Department of Transportation (ODOT)⁸ to reduce and ideally eliminate fatal and life-changing traffic crashes across Lane County for all people, no matter how they choose to travel.

Now ODOT is inviting comments on the potential impacts to the Perkins Peninsula Park and the Fern Ridge Wildlife Area^{9, 10} of its plans to widen a 7-mile segment of Oregon Highway 126 between Veneta and Eugene (“preferred alternative”).¹¹

We first address four more fundamental questions about the Project:

- What is the problem?
- What is ODOT’s preferred alternative?
- Is ODOT’s preferred alternative effective?
- Is ODOT’s preferred alternative prudent?

Only then do we turn to the subject of the invitation for comments:

- Does ODOT’s preferred alternative have significant environmental impacts?

¹ “About BEST,” BEST, <https://www.best-oregon.org/about>.

² George Bridges, “Vision Zero’s Vision—No Traffic Deaths,” AARP Oregon, 7/1/16, <https://states.aarp.org/oregon/vision-zero-traffic-deaths>.

³ “What is Vision Zero?” Vision Zero Network, <https://visionzeronetwork.org/about/what-is-vision-zero>.

⁴ Toward Zero Deaths: The National Strategy, <https://www.towardzerodeaths.org>.

⁵ “Vision Zero,” City of Eugene, <https://www.eugene-or.gov/4270/Vision-Zero>.

⁶ “Safety and Security,” Central Lane MPO, <https://www.lcog.org/themppo/page/safety-and-security>.

⁷ “Transportation Safety Action Plan,” Lane County, https://www.lanecounty.org/government/county_departments/public_works/engineering_and_construction_services/transportation_engineering_services/transportation_planning/transportation_safety_action_plan.

⁸ “Transportation Safety Action Plan,” ODOT, <https://www.oregon.gov/odot/Safety/Pages/TSAP.aspx>.

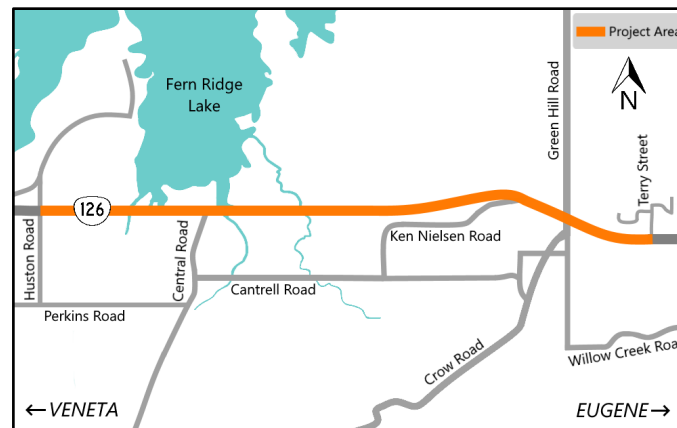
⁹ “Project Update: Learn about the potential impacts to the Perkins Peninsula Park and the Fern Ridge Wildlife Area,” ODOT, 1/10/23, <https://content.govdelivery.com/accounts/ORDOT/bulletins/33de87d>.

¹⁰ “Project Update: Learn about the potential impacts to the Perkins Peninsula Park and the Fern Ridge Wildlife Area,” ODOT, 1/30/23, <https://content.govdelivery.com/accounts/ORDOT/bulletins/345ed40>.

¹¹ “OR 126: Veneta to Eugene NEPA Study,” ODOT, <https://www.oregon.gov/odot/projects/pages/project-details.aspx?project=21231>.

What is the problem?

According to the public comment notice, “We are exploring options to improve the **safety and mobility** on OR 126 between Veneta and Eugene.”¹²



Road Widening Study Project Area Map, Source: ODOT

As far back as 2001, ODOT, the City of Veneta, and others have recognized **safety and congestion** problems for the segment of Oregon Highway 126 under study.¹³

In 2013, the Oregon Transportation Commission adopted a corridor plan (alternatives analysis). “The primary purpose of the Highway 126 Fern Ridge Corridor Plan was to identify corridor improvement options to **safely and efficiently accommodate the needs of all roadway users**, including pedestrians, bicyclists, motorists, freight and transit.”¹⁴

The corridor plan identified needs in three areas: **multi-modal, safety, and operational**. “The OR 126W corridor between Veneta and Eugene also has an above average crash rate compared to other similar highways in Oregon (between 2005 and 2009); and the highway has averaged two fatalities or debilitating injuries per year over the past 15 years (see Figure 3). ... Although safety issues have been identified, there are no locations along the study corridor that rank among the top ten percent of state highways in Oregon for collision frequency or severity (no top 10% SPIS sites).”¹⁵

“Between January 1, 1994, and December 31, 2009, 310 collisions were recorded on OR 126W between Huston Road and Green Hill Road. Therefore, over the last 16 years this six mile section of highway has averaged approximately 20 collisions per year. Eight of these collisions

¹² “Project Update: Learn about the potential impacts to the Perkins Peninsula Park and the Fern Ridge Wildlife Area,” ODOT, 1/10/23, <https://content.govdelivery.com/accounts/ORDOT/bulletins/33de87d>.

¹³ For a timeline, see “Talking Points for Joint Legislative Committee on Transportation Preservation and Modernization Public Hearing,” City of Veneta, 7/20/16, https://www.venetaoregon.gov/sites/default/files/fileattachments/community/page/1260/hwy_126_talking_points_revision.pdf.

¹⁴ “Highway 126 Fern Ridge Corridor Plan,” ODOT, 2013, p. 6, https://www.oregon.gov/odot/Planning/TPOD/facility_plan/corridor/OR_126_fern_ridge_corridor_plan_2013.pdf.

¹⁵ “Highway 126 Fern Ridge Corridor Plan,” pp. 8–14.

resulted in fatalities and 22 resulted in debilitating injuries (i.e., an average of two fatalities or debilitating injuries per year). Nearly half of the recorded collisions resulted in injuries, with two of these collisions involving pedestrians and three of them involving bicyclists; the bicycle and pedestrian collisions occurred near Ellmaker Road, Central Road, the scenic viewpoint between these two roads, and between Central Road and Fisher Road.”¹⁶

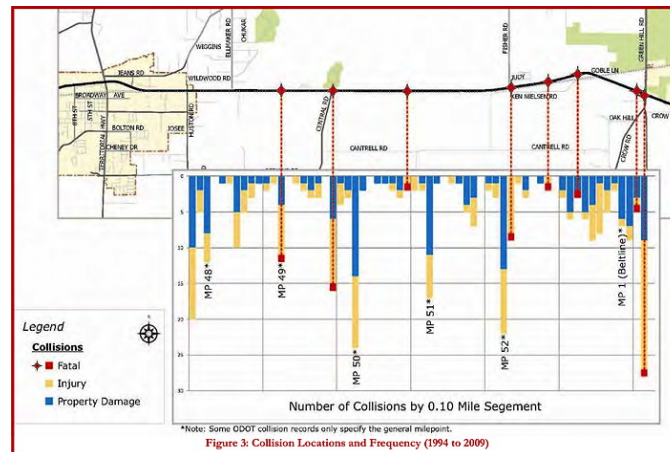


Figure 3: Collision Locations and Frequency (1994 to 2009). Source: ODOT

“The study corridor collisions were also broken down by collision type for further evaluation. Figure 9 is a pie chart showing the percent of each type of collision. On the study corridor, more than 60% of the collisions were intersection related and were classified as rear-end, angle, or turning-movement collisions. The locations of the collisions (broken down by collision type) are provided in the appendix.”¹⁷

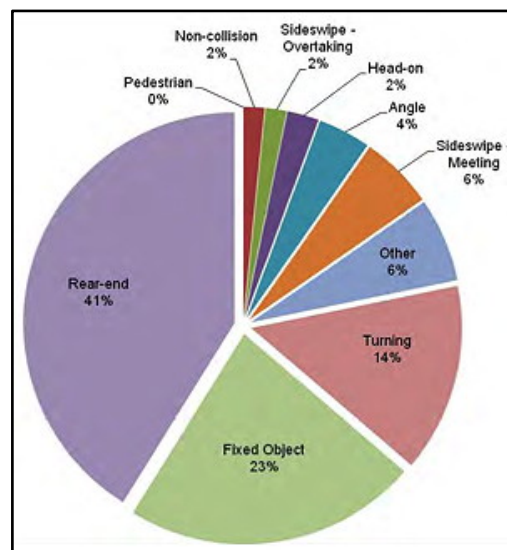


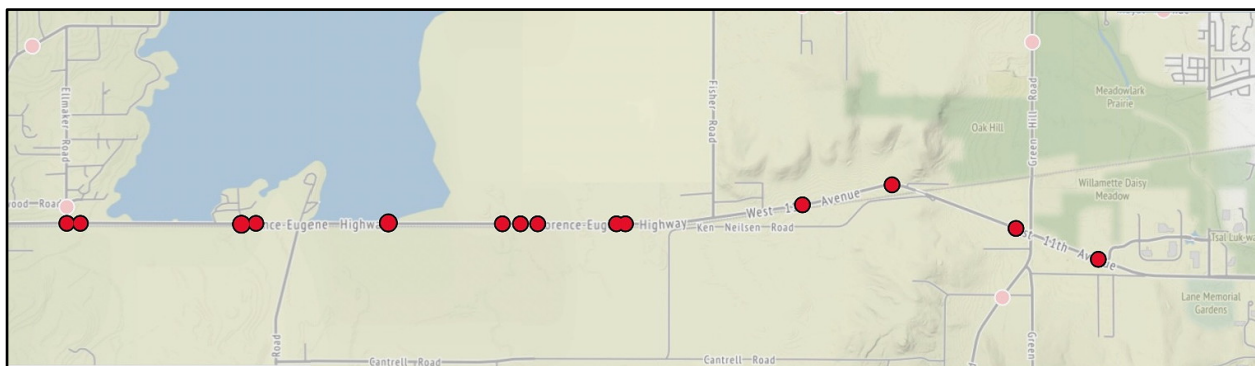
Figure 9: OR 126W Collision Types (2005 to 2009), Source: ODOT

¹⁶ “Highway 126 Fern Ridge Corridor Plan,” Appendix B: Technical Memorandum #2, Existing Transportation Conditions, p. 15.

¹⁷ “Highway 126 Fern Ridge Corridor Plan,” Appendix B: Technical Memorandum #2, Existing Transportation Conditions, p. 18.

More recently, between 2007 and 2020 along the segment of Highway 126 under study there were 14 fatalities, or one fatality per year. The causes of these incidents were:¹⁸

- crossing into oncoming traffic (3),
- other improper driving crashing into a fixed or other object (3),
- motorist inattention resulting in rear-ending (2),
- non-motorist inattention resulting in rear-ending (1),
- non-motorist not visible resulting in rear-ending (1),
- not yielding the right-of-way while turning left (1),
- sideswiping (1),
- driving too fast for conditions (1), and
- miscellaneous (1).



Fatalities Along Highway 126 between 2007 and 2020, Source: Central Lane MPO

In summary, BEST appreciates there is a safety problem along the segment of Highway 126 under study. We want to reduce and ideally eliminate fatal and life-changing traffic crashes for all people, no matter how they choose to travel.

Turning to mobility considerations, the average daily traffic (ADT) was roughly 15,000 in 2011 and is projected to increase to roughly 18,000 by 2035.¹⁹ Looking hour by hour, in 2011 the peak volume was roughly 800 passenger cars per hour (pc/h) in each direction.²⁰

Section of OR 126W			2011 Counts (June 2nd)				Future Volumes Table (AADT)				Noti ATR Historical ADT			P.M. Peak Bi-Directional Model Link Volumes (LCOG)		
Description	Western Road	Eastern Road	P.M.	A.M.	30th HV	ADT	2008	2009	2029	Yearly Growth Rate	2008	2009	Growth Rate	2007	2031	Yearly Growth Rate
Noti ATR								6,200	7,900	1.4%	8,495	5,914	6,199	0.5%		
0.13 mi. east of Huston Rd	Huston Rd	Ellmaker Rd	1,110	965	1,230	13,390		12,500	15,600	1.2%	16,685					
0.02 mi. west of Central Rd	Ellmaker Rd	Central Rd	1,150	985	1,190	14,040		13,600	17,200	1.3%	18,460					
0.02 mi. east of Central Rd	Central Rd	Fisher Rd	1,303	1,120	1,294	15,850		14,400	17,000	0.9%	17,910					
0.10 mi. east of Fisher Rd	Fisher Rd	Ken Neilsen Rd	1,307	1,112	1,510	15,040		13,600	16,500	1.1%	17,515					
0.01 mi. east of Green Hill Rd	Ken Neilsen Rd	Green Hill Rd	1,167	1,011	1,355	14,710								1,489	1,947	1.5%
	Green Hill Rd	East of ...	1,525	1,317	1,775		14,500		21,100	2.2%	22,671			1,710	2,486	2.3%

⇒ Use 1.5% yearly linear growth for OR 126W corridor (also on the conservative end of the Future Volume Tables)
 ⇒ Use 2.3% yearly linear growth for Eugene area

Yearly Growth Rate Estimate for OR 126W, Source: ODOT

¹⁸ "Crash Data Mapping," Central Lane MPO, <https://www.lcog.org/thempo/page/advanced-user-data>.

¹⁹ "Highway 126 Fern Ridge Corridor Plan," Appendix D: Technical Memorandum #8, Future Travel Forecasts and Needs Analysis, p. 17.

²⁰ "Highway 126 Fern Ridge Corridor Plan," Appendix B: Technical Memorandum #2, Existing Transportation Conditions, p. 4.

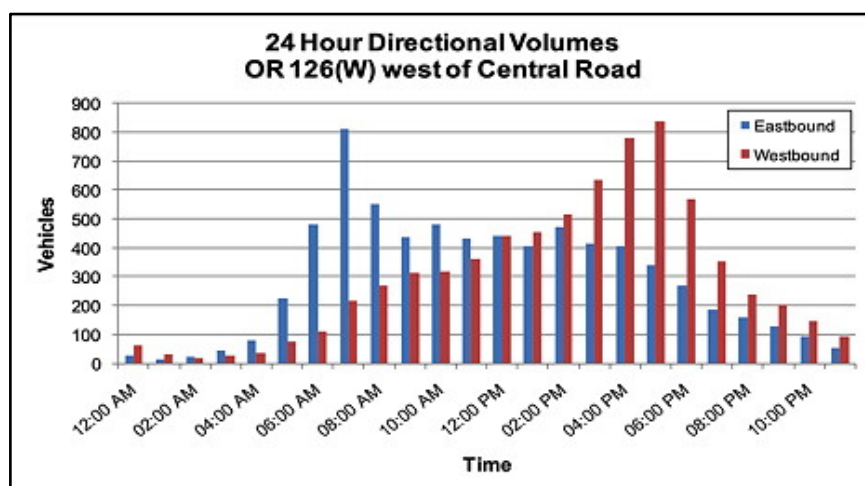


Figure 3: Bi-Directional Volume Comparison by Hour of the Day (Summer Weekday). Source: ODOT

In comparison, “The capacity of two-lane highways under based conditions is 1,700 passenger cars per hour (pc/h), with a limit of 3,200 pc/h for both directions.”²¹

In summary, BEST appreciates that traffic along Highway 126 is expected to increase, but we are not seeing such high volumes as would necessitate adding travel lanes to maintain mobility and reduce congestion.

What is ODOT’s preferred alternative?

The corridor plan (alternatives analysis) looked at eight alternatives.²²

Goals	OR 126W- No Build	OR 126W- Transportation System Management	OR 126W- Spot Improvements	Design Option: Spot Improvements with Multi-Use Path	OR 126W- 3 lanes w/ Causeway on Dike	Design Option: 3 lanes w/ Causeway on Piers	OR 126W- 4 lanes w/ Causeway on Dike	Design Option: 4 lanes w/ Causeway on Piers	Southern Route- Perkins and Cantrell Roads	Southern Route- Multi-Use Path Only	Northern Route (Clear Lake Road)
Transportation	15	16	17	21	26	27	29	30	21	FF	FF
Environmental	18	18	19	15	12	15	11	15	13	-	-
Social and Economic	11	11	13	18	18	18	20	20	15	-	-
Community Planning	14	14	15	21	18	19	20	21	16	-	-
Total Raw Score	58	59	64	75	74	79	80	86	65	FF	FF
Ranking of Alternative	6	5	-	3	-	2	-	1	4	FF	FF
<div>OR 126W Route</div> <div>Southern Route</div> <div>Northern Route</div> <div>FF = Fatal Flaw</div>											

Figure 10: Result of Tier 1 Screening and Evaluation Process, Source: ODOT

²¹ “Analysis Procedures Manual Version 2,” ODOT, p. 11-67,
<https://www.oregon.gov/odot/planning/pages/apm.aspx>.

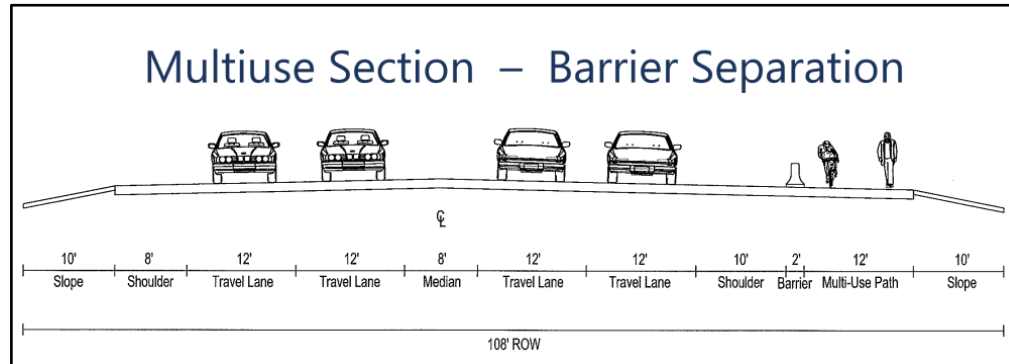
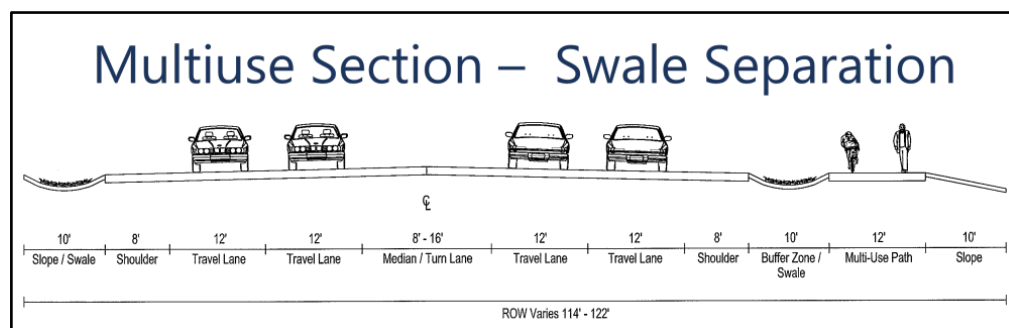
²² “Highway 126 Fern Ridge Corridor Plan,” pp. 15–25.

ODOT's preferred alternative is the Four-Lane Alternative.²³

The subject of the current environmental (NEPA) review, the latest refinement of the Four-Lane Alternative includes the following elements:²⁴

- adding a second travel lane in each direction,
- adding a center turn lane,
- widening shoulders,
- adding two-lane roundabouts, traffic signals, or turn lane improvements at key intersections, and
- adding a multi-use path, separated from the highway by a buffer or barrier.

The result of these changes would be to increase the width of the highway to as much as 164 feet (for the swale separation design).



Locations of intersection improvements. Source: ODOT

²³ "Highway 126 Fern Ridge Corridor Plan," pp. 26–38.

²⁴ Online Open House #2, ODOT, April 26–May 9, 2021, <https://odotopenhouse.org/or-126-veneta-to-eugene-nepa-study-1>.

In 2012, the preliminary cost estimate of the Four-Lane Alternative was as much as \$190 million.²⁵ More recently, ODOT staff have indicated that the cost could be \$250–350 million.

In summary, ODOT’s preferred alternative is to widen Highway 126 to as much as 164 feet and make other changes, for an estimated cost of \$250 million or more.

Is ODOT’s preferred alternative effective?

Looking first at safety needs, BEST sees that some turning movements are dangerous when there is a high volume of fast-moving traffic. Adding roundabouts, traffic signals, or turn lane improvements at key intersections to reduce fatal and severe crashes makes sense.

Adding a center turn lane should serve to reduce rear-end crashes when a motor vehicle slows to make a left turn. It should also serve to provide a buffer between travel in the two directions, reducing head-on crashes.

Widening shoulders should facilitate moving disabled and emergency response vehicles out of the flow of traffic, although the need to do so is greater with the current two motor vehicle lanes as opposed to the proposed five.

Adding a separated multi-use path should reduce crashes involving people bicycling or walking.

But we question whether adding a second travel lane in each direction will actually improve safety. By enabling motor vehicles to switch lanes, the added travel lanes will encourage some drivers to go faster or to weave. Moreover, by increasing the number of travel lanes in each direction to two, any left turn off the highway will have to cross two lanes of oncoming traffic, increasing the risk of a collision with opposing traffic—except where there are intersection improvements to reduce or eliminate such conflicts.

As we noted above, we are not seeing projected traffic volumes high enough to necessitate adding travel lanes. Nonetheless, widening the highway can be expected to induce demand, i.e., to invite more people to travel between Veneta and Eugene as they see less congestion and faster travel times.²⁶

The City of Veneta has invited a higher rate of population growth than any other city in Lane County,²⁷ has expanded its urban growth boundary to accommodate such growth, and built

²⁵ “Highway 126 Fern Ridge Corridor Plan,” Appendix G: Technical Memorandum #11, Refined Evaluation of Alternatives (Tier 2 Screening), p. 9.

²⁶ Jake Blumgart, “Why the Concept of Induced Demand Is a Hard Sell,” *Governing*, 2/28/22, <https://www.governing.com/now/why-the-concept-of-induced-demand-is-a-hard-sell>.

²⁷ Veneta is projected to see its population grow from 4,767 in 2019 to 6,591 in 2044, an average annual growth rate of 1.3%, higher than any other city in Lane County. See “Coordinated Population Forecast for Lane County, its Urban Growth Boundaries (UGB), and Area Outside UGBs 2019-2069,” Portland State University. Population Research Center, 6/30/19, <https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1050&context=opfp>.

a 10-mile pipeline from Eugene to provide fresh water to additional residents and businesses.^{28, 29, 30, 31}

To be sure, with the cost of housing in Eugene rising faster than many families can afford, it is understandable that some households would look to move to nearby Veneta to lower their housing costs. But doing so increases the cost of transportation, both time and money, and increases the pressures on Highway 126 to transport such people back and forth daily. Although widening the highway might make intuitive sense as a way to reduce congestion, doing so does nothing to change the economic driver of people moving to Veneta, increasing traffic along Highway 126.

Fundamentally, we are seeing conflict between the appropriate design speed for safety versus mobility. To increase safety, one should want to lower speeds.³² But to increase mobility one wants to support higher speeds.

In summary, BEST sees that some elements of ODOT's preferred alternative are effective. But we are failing to see the need to add travel lanes, to add a center turn lane apart from at key intersections, or the need to widen shoulders on top of adding lanes. We see insufficient attention to reducing speeds to safe levels.

Is ODOT's preferred alternative prudent?

Even if ODOT's preferred alternative were effective, it isn't necessarily prudent. It comes down to priorities and available funding.

As noted above, "Although safety issues have been identified, there are no locations along the study corridor that rank among the top ten percent of state highways in Oregon for collision frequency or severity (no top 10% SPIS sites)."³³

For context, between 2007 and 2020 there were 491 fatal crashes in Lane County. Of these, roughly 3% were along Highway 126 between Veneta and Eugene.³⁴

Even if it were 100% effective in improving safety along Highway 126, ODOT's preferred alternative would still cost an estimated \$250 million or more to eliminate just 3% of the

²⁸ Sandra Larson, "History of Veneta," City of Veneta, August 2012, <https://www.venetaoregon.gov/community/page/history-veneta>.

²⁹ "Work Session: Eugene Water & Electric Board Sale of Water to Veneta," Eugene City Council, 11/10/10, <https://coeapps.eugene-or.gov/CMOWeblink/0/edoc/1569102/Agenda%20Item%20Summary%20A.pdf>.

³⁰ "Veneta welcomes pipeline pumping fresh water to town," KVAL, 10/17/13, <https://kval.com/news/local/veneta-welcomes-pipeline-pumping-fresh-water-to-town>.

³¹ "Water Pipeline Spurs Growth for Rural Community," USDA, 2/24/14, <https://www.rd.usda.gov/sites/default/files/success-story/OR-CP-VenetaWater-02.24.2014.pdf>.

³² "Safer Speeds," U.S. Dept. of Transportation, <https://www.transportation.gov/NRSS/SaferSpeeds>.

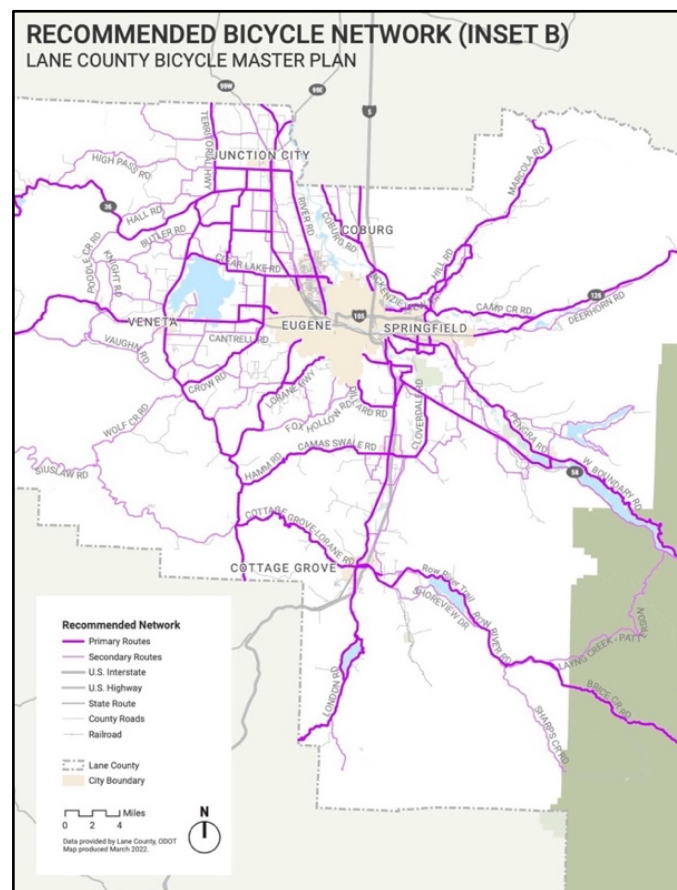
³³ "Highway 126 Fern Ridge Corridor Plan," p. 10.

³⁴ "Crash Data Mapping," Central Lane MPO.

deaths in Lane County. At that rate, it would cost roughly \$8.3 billion to eliminate traffic death countywide: a figure so astronomical as to be nonsensical.

As there is unlikely to be sufficient funding to meet all transportation needs, it is critical to conduct a cost-benefit analysis, which we have not yet seen done in the development of the Highway 126 plan. What are the opportunity costs? If \$250 million were available for safety improvements in Lane County, would all that be spent on 7 miles of Highway 126? Or would that money be spread around to make targeted improvements countwide?

For example, if a purpose of the project is to protect the lives of those bicycling, the money it would cost to construct a separated multi-use path built on piers could save more lives if invested in more cost-effective projects identified in the recently adopted Lane County Bicycle Master Plan (BMP).³⁵ Although the BMP does include Highway 126 all the way from Eugene to Florence as primary route in the recommended bicycle network, the recommended improvements are generally to add 6-foot shoulders for people bicycling that could also be used in case of emergencies.



Recommended Bicycle Network. Source: Lane County

³⁵ "Bicycle Mater Plan," Lane County, 2022,

https://www.lanecounty.org/government/county_departments/public_works/engineering_and_construction_services/transportation_engineering_services/transportation_planning/current_projects_plans_under_development/bicycle_master_plan.

But even looking narrowly at just the needs of those who travel along Highway 126, ODOT's preferred alternative appears to be too expensive to build, at least any time soon. We have seen no credible scenario for how roughly \$250 million could be secured and the project completed, say, over the next 20 years. "Additional funding for final design, right-of-way acquisition, and construction has not yet been identified."³⁶

The last time Lane County saw anywhere near that level of transportation investment was with the Interstate-5/Beltline Interchange project. It ended up costing roughly \$200 million and was built in phases over a decade. It was completed only because local, state, and federal officials agreed that it was their top priority, because it affected both local traffic in Eugene and Springfield, and through traffic up and down the I-5 corridor.

Lacking a realistic plan to fund and complete it, ODOT's preferred alternative is like two birds in the bush compared to a bird in the hand. Yes, it might be preferred to other alternatives considered in the corridor study. But if there isn't actually funding to implement it, then perhaps some of those other alternatives might be more prudent.

In summary, BEST sees ODOT's preferred alternative as so expensive as to likely disappoint those who prefer it while at the same time imposing opportunity costs on many others across Lane County.

Does ODOT's preferred alternative have significant environmental impacts?

Finally, we turn to the question of significant environmental impacts.

We are asked to review a pair of memos to the U.S. Army Corps of Engineers and the Oregon Department of Fish and Wildlife requesting approval of Section 4(f) *de minimis* findings for Perkins Peninsula Park³⁷ and the Fern Ridge Wildlife Area.³⁸

In brief, ODOT's argument is that its preferred alternative will not take a significant acreage of land: "A total of 5.39 acres, or less than 0.1% of the refuge's total area, is located within the project's API. Anticipated right-of-way takes parallel the existing highway and will not affect areas of high value for wildlife habitat, nor will they result in increased habitat fragmentation."³⁹

³⁶ Hayli Reff, "Proposed Section 4(f) *de minimis* Finding for ... Fern Ridge Wildlife Area," ODOT, 12/21/21, p. 2, <https://www.oregon.gov/odot/Projects/Project%20Documents/4f-Memo-Fern-Ridge-Wildlife-K21231.pdf>.

³⁷ Hayli Reff, "Proposed Section 4(f) *de minimis* Finding for ... Perkins Peninsula Park Area," ODOT, 12/21/21, <https://www.oregon.gov/odot/Projects/Project%20Documents/4f-Memo-Perkins-Peninsula-K21231.pdf>.

³⁸ "Proposed Section 4(f) *de minimis* Finding for ... Fern Ridge Wildlife Area."

³⁹ "Proposed Section 4(f) *de minimis* Finding for ... Fern Ridge Wildlife Area," p. 3.

As we are not experts in wildlife or wetlands, we will not dispute this claim. But we will observe that ODOT's analysis does not appear to go deeper than a simple "few acres = few impacts" analysis. It does not address questions such as:

- Would a highway that is perhaps six times wider than currently result in greater impacts on wildlife attempting to cross the highway?
- Would a wider highway with increased traffic result in noise that could affect wildlife?
- What are specific impacts on threatened or endangered species in the study area?
- Would increased capacity result in induced demand, increasing greenhouse gas emissions linked to climate change, in conflict with ODOT's stated goals to reduce such emissions, in part by reducing vehicle miles traveled?
- Finally, would changes to the climate accelerated by such greenhouse gas emissions have adverse impacts on sensitive wildlife and habitats in the study area as temperatures warm, precipitation patterns change, and wildfires increase?

In 2007, the Oregon Legislative Assembly declared "that it is the policy of this state to reduce greenhouse gas emissions in Oregon pursuant to the following greenhouse gas emissions reduction goals: ... By 2050, achieve greenhouse gas levels that are at least 75 percent below 1990 levels."⁴⁰

"In 2019, Governor Brown directed the Oregon Department of Transportation, Department of Land Conservation and Development, Department of Environmental Quality, and Department of Energy to collaborate and identify specific actions to help the state get back on track with the *Oregon Statewide Transportation Strategy: A 2050 Vision For Greenhouse Gas Reduction* vision. In 2020, the Governor boosted Oregon's goals in Executive Order 20-04 to reduce pollution to at least 45 percent below 1990 emissions levels by 2035 and to at least 80 percent below 1990 emissions by 2050."⁴¹

In part, Governor Brown directed ODOT to "to develop and apply a process for evaluating the greenhouse gas emissions implications of transportation projects as part of its regular capital planning and Statewide Transportation Improvement Program planning processes. ODOT shall provide a report on the process to the Governor no later than June 30, 2021."⁴²

"ODOT is committed to address the impacts of climate change, reduce transportation emissions and help achieve Oregon's climate goals. The agency's work to address the impacts of climate change is continually evolving, and the Climate Action Plan will be updated as needed to reflect advancements and changes. Moving forward ODOT will continue to identify additional efforts and opportunities to help achieve Oregon's climate goals."⁴³

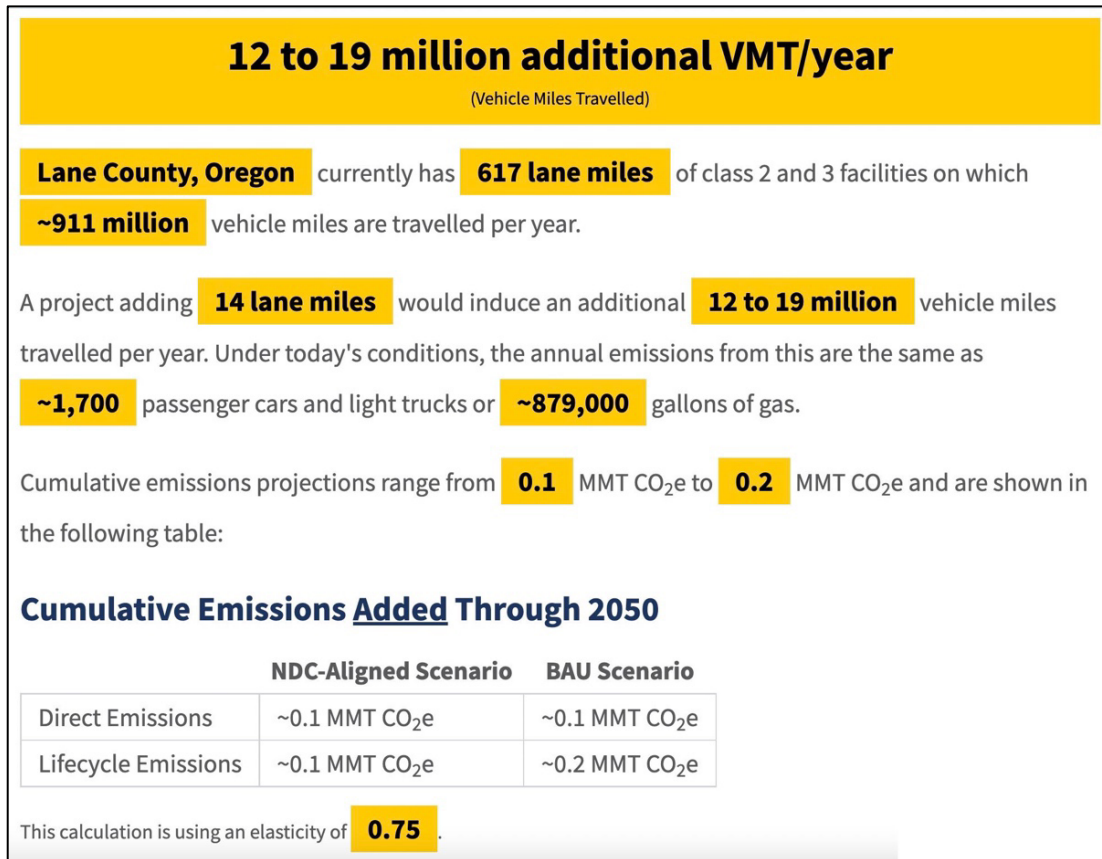
⁴⁰ House Bill 3543, Oregon State Legislature, 2007, <https://olis.oregonlegislature.gov/liz/2007R1/Measures/Overview/HB3543>.

⁴¹ "Every Mile Counts," ODOT, <https://www.oregon.gov/odot/Programs/Pages/Every-Mile-Counts.aspx>.

⁴² Governor Kate Brown, "Executive Order 20-04," State of Oregon, p. 12, https://www.oregon.gov/gov/eo/eo_20-04.pdf.

⁴³ "Climate Action Plan 2021-2026," ODOT, <https://www.oregon.gov/odot/Programs/Pages/Climate-Action-Plan.aspx>.

Note that a recently released calculator estimates the the increase in greenhouse gas emissions resulting from induced demand.⁴⁴



Source: Transportation for America and Natural Resources Defense Council

Despite guidance from the Oregon Legislature the (former) Governor, and ODOT's own plans adopted by the Oregon Transportation Commission, we have not seen any evidence that ODOT is evaluating the increase in greenhouse gas emissions from its preferred alternative, which the thumbnail analysis above suggests is not insignificant.

Nevertheless, we understand that ODOT is seeking from the Federal Highway Administration a categorical exclusion, the lowest level of environmental review reserved for projects that clearly have no significant impacts.⁴⁵

As it would be one of the largest highway construction projects in Lane County in decades, through wetlands with endangered species, and with concerns around effectiveness, cost, induced demand, and climate change, ODOT should take a deeper look at the potential impacts of its preferred alternative.

⁴⁴ Steve Davis, "More highways, more driving, more emissions: Explaining 'induced demand,'" Smart Growth America, 10/20/21, <https://smartgrowthamerica.org/induced-demand-calculator>.

⁴⁵ "Environmental impacts from widening Highway 126 through wetlands with endangered species claimed to be not 'significant' by ODOT," BEST, 2/27/22, <https://www.best-oregon.org/2022/02/odot-denies-environmental-impacts-from-widening-hwy-126>.

Conclusion

BEST wants Highway 126 to be safe for all travelers. Alas, we just don't see that ODOT's preferred alternative is effective and prudent, and that there is a reasonable chance that it will get funded and built any time soon, if ever. Meanwhile, people along the corridor will continue to be at risk, and efforts to push this one project forward will invariable draw resources away from other safety concerns around Lane County, leaving many other people at risk.

BEST believes the perfect is the enemy of the good. As part of exploring solutions for safety issues along Highway 126, we'd welcome an opportunity to (re)consider simpler targeted efforts that can actually get implemented before too many more tragedies occur.

For example, such simpler approaches could include:

- lowering speeds to safe levels, for example, with automated speed enforcement cameras,
- roadway treatments or barriers to reduce lane departures,
- intersection improvements to reduce turning conflicts, and
- eventually efforts to increase the supply of lower cost housing in and around the Eugene-Springfield employment areas, reducing the pressure for people to live far from where they work.