

OREGON TRANSPORTATION COMMISSION

Minutes of the Regular Monthly Meeting March 18 and 19, 2008 Astoria

On Tuesday, March 18, 2008, the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff recognized maintenance crews and held a workshop in the Riverview Room at the Holiday Inn Express Hotel and Suites in Astoria. A no-host social hour and dinner were held that evening at the Seafood Center.

On Wednesday, March 19, at 8:00 a.m., the OTC and ODOT staff held a briefing session and reviewed the agenda in the boardroom of the Holiday Inn Express. The regular monthly meeting began at 9:30 a.m. in the Riverview Room.

Notice of these meetings was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meetings included:

Chair Gail Achterman	Public Transit Administrator Michael Ward
Vice Chair Michael Nelson	Communications Division Admin. Patrick Cooney
Commissioner Janice Wilson	Rail Division Administrator Kelly Taylor
Commissioner David Lohman	Governor's Sr. Transportation Advisor Chris Warner
Director Matthew Garrett	Region 1 Manager Jason Tell
Chief of Staff Joan Plank	Interim Region 2 Manager Dee Jones
Deputy Director for Central Services Lorna Youngs	Region 3 Manager Paul Mather
Deputy Director for Highways Doug Tindall	Region 4 Manager Bob Bryant
Trans. Development Administrator Jerri Bohard	Region 5 Manager Monte Grove
Motor Carrier Division Admin. Gregg Dal Ponte	Commission Assistant Kim Jordan
Transportation Safety Administrator Troy Costales	

March 18, 2008

The commission recognized agency maintenance employees for their service during the recent storm events. Director Garrett, Chair Achterman, Commissioner Nelson and Commissioner Wilson each thanked the maintenance employees who attended.

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The workshop began at 1:12 p.m.

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Public comment was received from Bob Stacey, 1000 Friends of Oregon. Mr. Stacey asked the Commission to work with the Land Conservation and Development Commission and the Global Warming Commission to coordinate a program to reduce

global warming pollution from transportation and land use. *(Written comments in General Files, Salem.)*

The Commission noted that Mr. Stacey and his colleagues have shared the basic concepts with the Transportation Vision Group. Part of the discussion in the committee will be how to imbed the Governor's greenhouse gas emission reduction goals with the transportation proposal. To this end, Chair Achterman and Director Garrett have been holding quarterly meetings with the Chair and the Director of the Department of Land Conservation and Development and have met with Angus Duncan of the Global Warming Commission to informally start these conversations at the agency level.

The Commission asked ODOT staff to send the transportation recommendations portion of the Climate Change Report to OTC members.

The Commission looks forward to working with Mr. Stacey on this effort.



The commission reviewed and discussed its roles, responsibilities and 2008 work plan. *(Background material in General Files, Salem.)*

Region 3 Manager Paul Mather said the Commission has been working for the last several months to develop a work plan for the next 18 months. (The final document will be shared with stakeholders.) Seven work items have been identified along with a list of items to be monitored. The plan also includes a calendar to match the work plan and an OTC roles and responsibilities document.

The Commission discussed the priority ranking of the seven work items and decided to change work item #7 to the #3 slot. The remaining work items will remain in the current priority order.

The Commission will continue its review/discussion of the work plan, roles and responsibilities at a future meeting.



The Commission held a discussion with members of the Northwest Area Commission on Transportation (NWACT). *(Background material in General Files, Salem.)*

As a starting point for the conversation, the Commission asked NWACT these questions:

1. What are the transportation needs and opportunities in northwest Oregon across all modes?
2. How can the transportation commission strengthen or enhance its relationship with the area commission?
3. What issues does NWACT deal with on a bi-state basis?

Introductions were made. NWACT Chair Shirley Kalkhoven welcomed the Oregon Transportation Commission. The following gave comments: Rita Bernhard, Columbia County Commissioner; Kathy Sanders, Port of Astoria Commissioner; Mark Labhart, Tillamook County Commissioner; Don McDaniel, NWACT Vice Chair, Dick Helberg, Warrenton City Councilor; Senator Betsy Johnson; Sam Patrick, Clatsop County Commissioner; Ed Wegner, Clatsop County Director of Transportation and Development Services; Matt Mumford, Tillamook County Transit; Gil Gramson, Mayor, City of Warrenton; and Larry McKinley, ODOT Northwest Area Manager.

- Columbia County has an opportunity with the Scappoose airport to increase air traffic to alleviate heavy commuter traffic. The county is currently performing a rail corridor study to determine the best use of the rail to accommodate new development in the Clatskanie area and an ethanol plant that is bringing new jobs and products into the area.
- Astoria needs air service. In the last year, two out-of-state companies were considering locations in Astoria, bringing about 100 jobs, but ultimately took Astoria off their site list due to the lack of air service. In addition, a large segment of the population in Astoria travels to jobs in Alaska during the off months on the Oregon coast. Astoria has received a small community air service development grant from the FFA in the amount of \$421,000.
- There are several concerns in Warrenton:
 - Tourism is a main industry creating a lot of traffic and poor economic conditions.
 - There is no longer a port system as there is no way to transport cargo. The rail and highways into Warrenton are insufficient.
 - There is a growing retail market with a lot of shopping coming from Washington, but there is little cooperation or interest in discussions from Washington DOT.
 - The gas tax barely covered the most basic road repair needs. If the gas tax is taken away, there will be no money for repairs.
 - There has to be a way to resolve the Astoria/Warrenton congestion that will come with continued development. An alternate route is needed (bypass).
- There is a strong desire for the engineering and design study the Federal Emergency Management Agency is funding, at 75% cost share, which will frame the decision around fixing the railroad for the Port of Tillamook Bay. This study is very important and very much needed, but Tillamook does not have the 25% cost share. The port has been working to put together a community development block grant and other funding so the study can move forward.
- Tillamook County is looking at consolidation of all three of its ports. All three port commissioners have agreed to a feasibility study.
- Relationship building and partnership building is how most things are accomplished. The county level needs to be in partnership with the state in addressing

transportation issues in the next legislative session. Tillamook County suggests all groups, (state, county and city) talk to their partners early, and often, to build unified relationships before meeting with the legislature.

- The Association of Oregon Counties did an independent study that showed Tillamook County has the worst roads in the state. The county will vote on a ballot measure in May that will address some of the issues.
- A key problem is transportation funding. Legislators understand this. We need to get the people to understand the need. A strong education campaign is needed.
- We need to find alternate forms of funding, like tolling new roads. Comparable wage laws, the cost of materials, and environmental requirements all take a toll. How can we reduce the cost of roads we construct?
- Clatsop County suggests not talking about transportation in all-inclusive terms, but rather more specific terms that clearly define the issue, like a nickel gas tax or increase in registration fees. Coastal residents will not support taxes for light rail between Salem and Portland because it does nothing to help coastal issues.
- ODOT can help by supporting things that will help the coastal communities, like access to Highway 101. The very stringent criteria could be relaxed to do the things the coast needs.
- Issues with the railroad need to be improved between Clatskanie and Warrenton. Trusses, one in particular where the rail goes through Westport, can act as a dam when logs come down the hill after a big rain. This causes local streams to overflow, flooding homes and sometimes cutting all access to and from Clatsop County except by ferry.
- Long Beach peninsula would benefit from air service.
- There are some strong relationships with Washington State DOT in Wahkiakum County because of the ferry, and we need to engage ODOT in those conversations soon because the Oregon side of the ferry landing is substandard and is in need of repair. This ferry is a lifeline for the paper mill. During periods when slides close roads, the ferry is used 24 hours a day.
- The best way to get things done is to consolidate projects, do one big project at a time rather than have contention over smaller localized efforts. Area Commissions on Transportation are very effective in that respect. The one problem is competition between rural/beach areas and the valley. Different interests are competing with one another. The regions should be more homogeneous.

- Rail is important, you need industry to support the railroad, but you need railroad to get industry. Maybe this should be escalated to a state level where transportation and economic development people work together to come up with a plan.
- There is a need for better passenger service between Astoria and Portland. Currently, there is one bus a day that leaves in the morning and returns in the evening. How do we service the needs of those for which this is not convenient? Part of the answer is getting the transit district to work together on a seamless system between Astoria and Portland.
- The Special Transportation Fund is dwindling because it is a cigarette tax. It was noted that TriMet's plan for the Governor's Transportation Initiative for 2009 will include working to stabilize the STF.
- Many people believe public transit is a city issue and do not understand the importance in rural areas, especially for the elderly and disabled.
- In selling transit needs to all Oregonians, the more specificity, the better. It must be crystal clear what people are buying if we expect tax funding.
- The economy in the United States runs on cars and trucks. Lessons might be learned from looking at transportation methods in other countries that are not so tied to vehicles.
- Local elected officials are faced with the challenge of thinking regionally, in terms of statewide needs.
- ACTs would like to consider giving comments or information on policy development to the OTC.
- Coastal communities struggle not only with funding aspects, but the influx of people that come to the coast every summer causing major congestion. Per capita distributions under city and county formula funds are based upon permanent resident population, which does not account for the double and triple population of summer months.
- As gas prices get more extreme, we will be looking at more marine operations. Astoria is limited in the amount of land available as a staging area. If the bypass was accomplished, and rail was added to the area of Warrenton, it would make a corridor to bypass the city of Astoria.

In summation, the Commission noted some themes and realities that came out of today's discussion. One theme is the importance of looking at intermodal transportation solutions and getting out of the silos we get into with the tendency to look at rail, highways, marine and transit as being separate, when in fact they are one system that must work together to deliver transportation connections that work for Oregonians. As

we move to thinking that all the systems can work together, we must also look to the future. Greenhouse gas emission reduction requirements, and shippers looking at the emission impacts of their shipments, will make marine traffic more and more important.

At the same time, we need to be cognizant of funding restrictions. While working hard to put a transportation funding package together for the 2009 legislative session that will improve funding for counties, cities, and public transit, it is imperative to immediately start providing accountability to citizens by conducting rate-of-return analysis on every investment we make and on the various alternatives.

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The workshop adjourned at 4:45 p.m.

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The Commission ate dinner with local officials at the Seafood Consumer Center. Seating was arranged to foster productive discussions. Chair Achterman and Director Garrett provided introductory remarks. Astoria Mayor Willis VanDusen also spoke briefly. The OTC, ODOT staff and local officials received a short presentation about the Seafood Consumer Center.

March 19, 2008

Agenda review and briefing session at 8:00 a.m.

Chair Achterman called the meeting to order at 9:40 a.m.

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Director's report highlights:

The Commission viewed a clip of the Washington State Traffic Safety Commission's campaign to enforce truck safety. ODOT has strong partnerships with Oregon law enforcement agencies and the trucking industry, underpinning safety, and will continue to work with them to keep our roads as safe as possible.

ODOT's Right of Way Section won an award from the Federal Highway Administration. It was a technical specialty award for Excellence in Right-of-Way Programs recognizing innovation and honoring the Right of Way Section's efforts in the real property acquisition program. The Commission thanked Dee Jones and the staff for their efforts.

Director Garrett discussed transportation funding challenges with the Department of Land Conservation and Development (DLCD). The challenge is not only a general fund challenge, it is a transportation challenge. ODOT has a \$1.3 billion deficit, with an additional possible \$100 million loss in Secure Rural School money, along with another

potential loss to the financing mechanism for infrastructure in Oregon of \$100-\$150 million federal funds from the trust fund.



The commission received the monthly status report on the Statewide Transportation Improvement Program, Oregon Transportation Investment Acts of 2001, 2002 and 2003, OTIA III State Bridge Delivery Program and *ConnectOregon* Program. *(Background material and PowerPoint presentation in General Files, Salem.)*

Deputy Director for Highways Doug Tindall provided the update on the *ConnectOregon* program. The first *ConnectOregon* program is progressing well.

Major Projects Branch Manager Tom Lauer provided a presentation on OTIA program spending levels. The OTIA programs remain on track with spending level and program balances consistent with last month. The OTIA III Bridge Delivery Program is expected to improve slightly as bids have been favorable.

Mr. Lauer talked about the expenditure history of OTIA and impacts to the general program and STIP. The bulk of spending has been completed for OTIA I and II, with most of the residual spend-out being in the OTIA II program. The OTIA III Modernization Program peaks at about \$110 million in 2009. The combined OTIA programs have been at a sustained peak from 2003 going into 2009, after which a general decline in all the OTIA spending will occur.

STIP funds (all programs outside of OTIA) were about \$350 million in 2000, and will be about \$315 million at the end of the decade, assuming we have the same amount of Federal Highway Funds. OTIA debt service starts impacting programs around the middle of 2009.

The critical issue to note is that, from a programming base, we will hit a peak in early 2009, and the rate of decline thereafter is a drop of \$350 million in the next three years in STIP expenditure. This will impact both consultants and contractors, leading consultants to look for work outside of Oregon. The expertise and relationships that have been built in the consulting industry could be lost. Knowing this, construction companies are changing their business plans to reflect temporary expansion instead of permanent expansion in Oregon.

Approximately 1,700 jobs are covered by these projects each year. The reduction of about one job per million dollars has been the result of higher prices in commodities. Economic development and recruitment and retention are key factors ODOT has been addressing with incentive programs and apprentice programs aimed at keeping a viable, trained workforce.



Region 1 Manager Jason Tell requested approval of Type A Immediate Opportunity Fund grant to the Port of Portland, City of Troutdale and Multnomah County in the amount of \$1,000,000 for transportation improvements for access to a proposed Federal Express Ground Hub in Troutdale. The estimated total cost for transportation improvements is \$14.34 million. *(Background material in General Files, Salem.)*

The Commission asked the port to provide a report of progress in the not-too-distant future, specifically about whether all parties have agreed and if future transportation needs have been analyzed to assure this is the right move and that transportation needs aren't being jeopardized for the sake of economic development.

Commissioner Wilson moved to approve this IOF grant to the entities noted above to help fund transportation improvements as noted above. Commissioner Wilson also moved that the city, county and port will come back to the OTC with a Transportation Demand Management plan. The motion passed unanimously.



Jason Tell requested approval of a Type B Immediate Opportunity Fund grant to the Port of Hood River in the amount of \$250,000 for the improvements on industrial lands under the Port's jurisdiction. The estimated total project cost is \$909,380. *(Background material in General Files, Salem.)*

Commissioner Wilson moved to approve this request as noted above, contingent on the following language being added to the award, "The intergovernmental agreement currently under negotiation between ODOT Region 1, City of Hood River, Hood River County, and the Port of Hood River shall be executed prior to release of IOF funds. This agreement addresses development of the Interchange Area Management Plans for Exits 62, 63 and 64 on I-84, the Land Use and Transportation Master Plan for the Waterfront Area (near Exit 63) and the Frontage Road Feasibility Study. Additionally, ODOT shall review and concur on the design of the proposed two-way industrial road to ensure it will enhance future circulation within the industrial area prior to funding," and contingent upon securing Federal Economic Development Administration funds or other funds to support the project by the end of calendar year 2008. The motion passed unanimously.



The commission received a presentation about the history of U.S. Highway 101. *(Background material and PowerPoint presentation in General Files, Salem.)*

Onno Husing, with Oregon Coastal Zone Management Association, talked about the history of U.S. highway and the bridges of the Oregon coast.

ODOT's Senior Historian Robert Hadlow discussed the book he wrote on Conde McCullough.

Depoe Bay City Councilor Jack Brown talked about acquiring funding while maintaining the environment.

The Commission invited the group to give this presentation to the Tourism and Transportation Task Force. This will be arranged.

The Commission thanked the group for the fine presentation and all the time and energy that went into it. The report underscores many of the key issues the Commission is concentrating on, like project delivery, recruitment and retention, and setting the example for the state on sustainable development.



Government Relations Manager Robin Freeman requested approval of legislative concepts for the 2009 Legislative Session to be filed with the Department of Administrative Services. (*Background material in General Files, Salem.*)

Commissioner Lohman moved to approve this request. The motion passed. Commissioner Nelson was not present.



Motor Carrier Transportation Division Administrator Gregg Dal Ponte provided a briefing on a Motor Carrier Transportation Division publication "2007-09 Safety Action Plan to Reduce Truck-at-Fault Crashes." (*Background material and PowerPoint presentation in General Files, Salem.*)

The Motor Carrier Transportation Division supports ODOT's mission by providing a safe, efficient and responsible transportation industry. There are 317 employees statewide that regulate about 25,000 motor carriers that operate over 325,000 trucks throughout the state. They accumulate just under two billion miles annually. Motor Carrier is responsible for commercial vehicle registration, highway use taxation, administration and collection, the weight-mile tax, economic regulation, size and weight enforcement, and commercial driver and vehicle safety enforcement.

Truck miles traveled are increasing along with the number of truck crashes. Multiple factors contribute to this, including, but not limited to, increased congestion, increased construction, a decline in State Troopers assigned to traffic enforcement, and inclement weather conditions. However, even with the increase, Oregon's crash rate is significantly lower than the national rate. The purpose of the Safety Action Plan is to address those variables that we can influence to achieve an even better result. The plan has nine themes:

- Assess the problem.
- Plan ahead. The Commercial Vehicle Safety Plan outlines the problems to be addressed and objectives to be achieved to have the greatest impact on commercial vehicle safety.

- Focus on the driver. Drivers are ten times more likely to be the cause of a crash than other factors, so the focus is education and getting unsafe drivers off the road.
- Rally the partners.
- Help enforcement officers.
- Get creative. Consider new ideas and fresh approaches.
- Listen up. Listen to partners and other suggestions.
- Encourage the innovators. Encourage the private sector to present its ideas.
- Educate the public and the industry.

The Commission thanked and congratulated Motor Carrier for the exceptional job, especially during the trying winter months. Mr. Dal Ponte said the real congratulations go to his staff and he will share the Commission's message with them.

The Commission asked if Motor Carrier was working with Driver and Motor Vehicle Services on driver education for those coming in for new licenses or renewals. Mr. Dal Ponte said that is in the plans, but Motor Carrier wanted to attend to the regulatory enforcement aspect on the highway first. DMV is a great outlet to distribute information, especially on how to drive safely around trucks.

The Commission noted that there are all kinds of lessons we can take from Motor Carrier and apply to all drivers in the state and we should think creatively about statutory changes, about Administrative Rule changes, and education and outreach to drivers. Motor Carrier's report underscored the car/truck interaction and we should consider inspecting all cars, as we do trucks, to assure they are safe, to look at not only driver behavior, but the equipment.



Gregg Dal Ponte requested approval of the following Oregon Administrative Rules:

a.	The amendment and renumbering of OAR 735-063-0070 and 735-063-0075 related to moving the Commercial Driver License medical certification program from Motor Carrier Transportation Division to DMV. Last year, the medical waiver program for intrastate for CDL license holders was moved from Motor Carrier to DMV. The purpose for this was that DMV does all related CDL work such as knowledge and skill testing, issuance of CDL endorsements, etc. and this would place all CDL related work in one shop.
b.	The amendment of OAR 740-100-0010 through 0090 and 740-110-0010 relating to the readoption of federal motor carrier regulations. Oregon Revised Statute directs the Department to adopt Administrative Rules that provide uniformity between state and federal safety regulations. To do that, ODOT adopts, en masse, the Federal Motor Carrier Safety Regulations each year.

(Background material in General Files, Salem.)

Commissioner Lohman moved to approve this request. The motion passed unanimously.



Transportation Safety Division Administrator Troy Costales presented the status of transportation safety in Oregon and requested the Commission's acceptance of the "2007 Oregon Traffic Safety Performance Plan – Annual Evaluation." (*Background material in General Files, Salem.*)

Mr. Costales noted that fatalities are down across the state for the first few months of 2008. Oregon is down 30 fatalities - one of the most dramatic declines across the country. Controlled substances are becoming more of an issue along with motorcycle fatalities, which are increasing. ODOT is working with the Governor's Advisory Committee on Motorcycle Safety to develop a plan for training, outreach, education and media about drinking and/or speed.

The Commission thanked Mr. Costales for the good work on the report. It noted a decline in the number of people participating in the driver education program because of cost. Conversation about mandatory driver education is needed with the education community and legislature.



Troy Costales requested approval of the proclamation for the Governor's signature designating May 2008 as Transportation Safety Awareness Month. (*Background material in General Files, Salem.*)

Commissioner Wilson moved to approve this request. The motion passed unanimously.



The Commission considered approval of the final project selection criteria and the project application and selection process for projects funded from the \$8,000,000 increase in the Operations Program approved by the commission in approving the 2008-2011 Statewide Transportation Improvement Program. (*Background material in General Files, Salem.*) Doug Tindall and Galen McGill answered questions.

The Commission restated that there are exceptions to a \$50,000 minimum. To capture really good ideas, even for lesser dollar amounts, the application needs to be modified. This was noted and will be checked before the final application goes out.

Commissioner Lohman moved to approve this request. The motion passed unanimously.



The Commission considered approval of an Oregon Transportation Infrastructure Bank loan in the amount of \$10,000,000 to Clackamas County for five projects: 172nd from Sunnyside to Highway 212, Sunnyside Road Phase 3, Stafford/Borland Intersection, Clackamas River Bridge and Tualatin River Bridge. (*Background material in General Files, Salem.*)

Commissioner Wilson moved to approve this request. The motion passed unanimously.

Commissioner Wilson also moved to have the department review how the OTIB has been used since its creation and to report back on recommendations on any changes that would better align the bank to the department's goals and objectives and propose any changes to federal or state law that would enhance the effectiveness of the OTIB. The motion passed unanimously.



The Commission considered approval of the following Consent Calendar items: (*Background material in General Files, Salem.*)

1. Approve the minutes of the February 21, 2008, Commission meeting in Salem.
2. Confirm the next two Commission meeting dates.
 - Tuesday and Wednesday, April 22 and 23, 2008, in Portland.
 - Tuesday, May 13, 2008, in Salem.
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the amendment of Oregon Administrative Rule 735-028-0100 relating to procedures for expedited title services from Driver and Motor Vehicle Services Division (DMV).
5. Approve redistribution of \$110,340 industrial rail spur funds to Tyree Oil, Inc. in Eugene, Oregon, to build new trackage and rail turnout to provide rail access to a regional distribution terminal for a biodiesel and ethanol fuel facility.
6. Approve the Port of Morrow's request to increase its *ConnectOregon* transload facility from 80,000 square feet to 150,000 square feet. The total project cost of the Port's project will increase from \$5,100,000 to \$7,744,685. No additional *ConnectOregon* funding is requested.
7. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to cancel the Region 2 Fish Passage project in Clatsop County. The total estimated cost of this project is \$225,000.

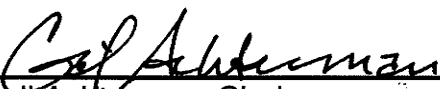
8. Approve an amendment to the 2008-2011 Statewide Transportation Improvement Program to cancel the U.S. 101: Beerman Creek and Cattlepass Culvert project in Clatsop County. The total estimated cost of this project is \$566,000.

Commissioner Nelson moved to approve all items on the Consent Calendar. The motion passed unanimously.

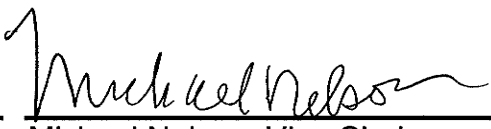
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Chair Achterman adjourned the meeting at 12:30 a.m.

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Gail Achterman, Chairman



Michael Nelson, Vice Chair



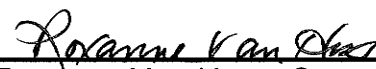
Janice Wilson, Member



Alan Brown, Member



David Lohman, Member



Roxanne Van Hess, Commission Support