

OREGON TRANSPORTATION COMMISSION

**Minutes of the Regular Monthly Meeting
June 21, 2007
Salem**

On Thursday, June 21, 2007, at 8:00 a.m., the OTC and Oregon Department of Transportation staff held a briefing session and reviewed the agenda in room 135 of the Transportation Building, 355 Capitol Street NE, Salem. The regular monthly meeting began at 9:30 a.m. in Conference Room 122.

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 Stuart Foster
Commissioner Gail Achterman
Commissioner Michael Nelson
Commissioner Randy Papé
Commissioner Janice Wilson
Director Matthew Garrett
Chief of Staff Joan Plank
Deputy Director for Highways Doug Tindall
Deputy Director for Central Services Mike Marsh

Communications Administrator Patrick Cooney
Transp. Development Administrator Jerri Bohard
Field Services Manager Paul Mather
Region 1 Manager Jason Tell
Interim Region 3 Manager John Vial
Region 4 Manager Bob Bryant
Region 5 Manager Monte Grove
Commission Assistant Kim Jordan

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Chair Foster called the meeting to order at 9:35 a.m.

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Director's report highlights:

A total of 93 Oregon safety inspectors, working at 58 sites around the state from June 5 through June 7, inspected 746 trucks and drivers during Roadcheck 2007, a Commercial Vehicle Safety Alliance event that spotlights truck safety throughout the United States, Canada, and Mexico.

In Oregon, the 746 inspections found 39% of trucks and 19% of drivers had critical safety violations that placed them out-of-service. The current national rate of vehicles placed out-of-service is 23% and the current national rate of drivers placed out-of-service is 7%.

The four most common vehicle defects were related to tires and wheels, braking systems, safe loading, and suspensions. Almost all driver problems were related to hours of service compliance. This Roadcheck focused on enforcement and education of safety belt use among commercial drivers. Oregon inspectors found only one safety belt violation during the exercise.

About 10,000 CVSA-certified federal, state, and local law enforcement officers in the U.S., Canada, and Mexico participated in this, the 20th annual International Roadcheck. CVSA is a not-for-profit association of local, state, provincial, and federal officials responsible for the administration and enforcement of truck and safety laws.

Within the Communications Division resides a program we call Citizens' Representative. This small staff of 2.5 FTE answers the "Ask ODOT" telephone line and helps citizens solve problems in all corners of the agency. This office also functions as an extension of the Governor's office, OTC and Director's office.

Its caseload now exceeds 1,160 per month. On a recent survey of customers helped, 90% rated their experience with ODOT as very or somewhat satisfied. This is an incredible endorsement of our customer service and reaps immeasurable benefits to the agency.

Director Garrett recognized and thanked the Citizens' Representative staff members Becky Thoreson, Katie Thiel, Dave Davis, Kim Jordan, and Micha Pantle. Dianne Marsh is their supervisor.

Ms. Thiel thanked Mr. Garrett for the recognition. She noted that ODOT employees statewide are instrumental in helping the Citizens' Representatives achieve the agency's goals for this program.



Commission member reports:

Commissioner Achterman is preparing for a June 29 speech on transportation to the City Club of Portland. On June 22, she will go with a group (ODOT, U.S. Forest Service and research scientists) to the Salmon River Estuary to look at the area of Highway 101 approved for a future transportation improvement environmental restoration project.

Commissioner Papé made no report.

Commissioner Nelson complimented the Citizens' Representative staff for their incredible customer service efforts. He has been working on "the cause" (the proposed transportation funding increase). He was reconfirmed as a member of the OTC for another four-year term. He thanked the other Commission members for their patience and mentoring on so many complex issues.

Commissioner Wilson spent most of her time this month with the Public Transit Division on the discretionary grants program recommendations. She also thanked staff for their outstanding customer service and congratulated Commissioner Nelson on his reappointment to the OTC.

Chair Foster also welcomed Commissioner Nelson to another four-year term on the OTC. He also spent a lot of time at the Legislature supporting “the cause.”



Public comments were received from:

Linda Modrell, Benton County Commissioner, commented on the shortline railroad that runs north-south through Benton County (Lower Westside Line). Union Pacific Railroad and the shortline are proposing to terminate this line. This means that the airport would no longer be served. There is shovel ready industrial property and a number of shippers south of that property. The rail is in very poor condition. For the future of the transportation system in this part of the valley, it is a very bad idea to terminate this line.

Bill Ford, Business Enterprise Center, also commented on the proposed shortline railroad termination. His business promotes start-up companies in the high tech area. Over the last five years, his company has worked to attract new businesses to the area. There are several companies willing to consider the airport location, but only if rail service is available.

The Commission thanked Commissioner Modrell and Mr. Ford for their comments. The Commission, and ODOT, will do what it can to bring the abandonment to a halt.



Interim Southwest Oregon Region Manager John Vial requested approval of an amendment to the 2006–2009 STIP to add the Oregon 62 at Coker Butte (Medford) project. This project is estimated to cost \$6,900,000. Once added to the STIP, Region will combine this project with the Owens Drive, Oregon 62 to Springbrook Road OTIA project, which is estimated to cost \$4,300,000. The estimated combined project cost is \$11,200,000. (*Background material in General Files, Salem.*)

Commissioner Nelson moved to approve this item as stated above. The motion passed. Chair Foster and Commissioner Papé each had a conflict of interest. Chair Foster abstained from the vote. Commissioner Papé was not present.



The Commission received a report on the issue of global climate change and the implications for the Oregon Department of Transportation’s transportation system. (*Background material and PowerPoint presentations in General Files, Salem.*)

Secretary of State and Sustainability Board Chairman Bill Bradbury explained that there are some very real transportation issues related to global warming, particularly for Highway 101.

Contrary to popular belief, the Earth's atmosphere is, in fact, very thin and vulnerable. The atmosphere is thin enough that we are capable of changing its composition because of our industries, transportation and cities. As the atmosphere thickens because of the output from all of our activities, it traps more infrared radiation and we have what's called global warming.

Glaciers around the world are shrinking.

In the last 650,000 years, carbon dioxide (CO₂) has never exceeded 300 parts per million. Today, we are at 380 parts per million in the atmosphere. In the next 45 years, if we keep using the energy as we are now, it is expected to rise to almost 600 parts per million. As the CO₂ goes up, we expect the temperature to also rise.

As ocean temperatures increase, we see more hurricanes and typhoons caused by warmer ocean surfaces. Since the 1970s, the duration and intensity of storms have increased by about 50 percent.

Another impact of global warming (rise in carbon dioxide levels) is a dramatic decrease in soil moisture content.

Scientists predict that the increases in carbon dioxide will mean a doubling of sweltering hot days, as well as more rain and snow in the northwest. Last summer, there were 82 large wild fires burning at once in the western and southwestern United States. These fires have a devastating impact on our ability to produce timber from these lands, and maintain livable habitat for wildlife, salmon, etc.

Warming will mean less snow, particularly in the lower portion of the Cascades. It's estimated the April 1st snow pack will be 44 percent smaller by 2040 and 55 percent smaller by 2060. We depend on snow pack for summer irrigation, drinking water, salmon depending on it to make safe trips up our rivers, etc.

As we see more melting in the arctic and arctic region, we need to be aware that sea levels will rise and impact the coastal area as well as cities like Portland.

Even if we change everything we do tomorrow, scientists say that about a three to four degree Fahrenheit warming is locked in. That three to four degree warming will put 20 percent of plants, animals and other creatures of the earth at risk of extinction. If we continue with business as usual, scientists expect the temperature to rise about six degrees in 45 years, which would threaten half the species now inhabiting the planet.

Scientists agree that the major cause of global warming is the greenhouse gas pollution caused by humans.

States are making incredible efforts to deal with climate change. A coalition of nine east coast states and a coalition of six west coast states, Washington, Oregon, California, New Mexico, Arizona, Utah and others have joined to try to reduce our greenhouse

gases, even if it is not yet being dealt with at the national level. Cities in Oregon like Portland, Lake Oswego, Corvallis, Eugene, Ashland, Gresham and Lincoln City are also making a positive difference.

ODOT Sustainability Program Manager Damon Fordham summarized the implications of climate change for ODOT.

The states involved in the Western Climate Initiative are working toward setting an overall regional goal to reduce greenhouse gas emissions.

Oregon's legislatively adopted goals for greenhouse gas reductions:

- 1) Arrest growth of emissions by 2010
- 2) 10% below 1990 levels by 2020
- 3) 75% below 1990 levels by 2050

State agencies have been mandated by Executive Order to develop a methodology to track our emissions and to find ways to reduce them. ODOT is a key part of a small team, along with the Department of Administrative Services, Department of Energy, Department of Environmental Quality, and the university system to develop that methodology and to help other agencies to work toward tracking emissions.

For ODOT, there are two big issues; mitigation (how to reduce greenhouse gases) and adaptation to new climate and environmental conditions.

On the mitigation side, the transportation sector accounts for 38 percent of Oregon's CO2 emissions. Passenger cars, heavy trucks and light trucks are responsible for about 70 percent of the total transportation greenhouse gas emissions nationwide.

There are three ways ODOT can support the reduction of greenhouse gas emissions:

- 1) use low-carbon fuels
- 2) use cleaner and more efficient vehicles
- 3) reduce vehicle miles traveled

Within the area of adaptation, power train and non-engine improvements on heavy-duty commercial vehicles is the most cost effective abatement strategy, and it can be implemented immediately.

Reducing vehicle miles traveled is the most important mitigation strategy because VMT growth in a business-as-usual scenario is projected to outpace gains from new fuels and cleaner, more efficient vehicles. Results will be felt only in the longer term, but it is the area in which the state can have the most influence.

As noted in a background paper on Climate Change and Energy Independence, presented to Members of the U.S. House of Representatives Committee on Transportation and Infrastructure, May 16, 2007, "Adaptation actions can help reduce

the severity and costs of climate change impacts, and can be viewed as risk-management strategies that can complement mitigation efforts.”

The Oregon Transportation Plan provides a policy framework to help combat climate change. Existing programs such as the Public Transit Division’s Transportation Options and “Drive Less, Save More,” programs within the Rail Division, the Transportation and Growth Management Program and ODOT’s Bicycle and Pedestrian Program work toward reducing global warming.

The Commission thanked Secretary of State Bradbury and Mr. Fordham for the presentation which clearly brought the issue to the forefront for the Commission and its responsibility to make sure that this planet and all the species that live on it can continue.

It is critical that this issue is addressed in the Oregon Transportation Plan’s short-term, mid-term and long-term implementation efforts. As the Commission makes decisions, this issue must be a key factor that it measures.

Because of its lead responsibility on transportation planning and policy, ODOT has a critical role to play in plotting out the strategy on reducing greenhouse gas emissions in the transportation sector to meet the Legislature’s goals, finding the most cost effective way to do it, and developing adaptation strategies. The Commission asked that staff report back on a work plan on how to achieve the state goals on mitigation and on how to identify and address the infrastructure that ODOT owns and operates that is most vulnerable to the potential impacts. The Commission must develop a clear statewide mitigation and adaptation strategy, and at the identification of high risk transportation facilities.



Jason Tell, Region 1 Manager, requested approval of a Type A Immediate Opportunity Fund grant request in the amount of \$1,000,000 to fund transportation improvements along Cornell Road in Washington County. The total estimated cost of this project is \$4,986,000. (*Background material in General Files, Salem.*)

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



Marty Andersen, Senior Local Roadway Standards Engineer, provided the monthly status report on the *ConnectOregon* Program, Statewide Transportation Improvement Program, Oregon Transportation Investment Acts of 2001, 2002 and 2003, and the OTIA III State Bridge Delivery Program. (*Background material in General Files, Salem.*)

Because Tom Lauer and Doug Tindall were unable to attend, there was no verbal report on the OTIA III Bridge Delivery Program. The Commission received written information.

Marty Andersen noted that the *ConnectOregon* program remains on track. Since the last update, many projects are underway and almost \$8 million has been expended. Many of the projects will be well underway this summer.



The Commission considered approval of the cancellation of a *ConnectOregon* grant to Watco Companies, Inc. in the amount of \$372,316, for the Milton-Freewater Railway Line rehabilitation project in Umatilla County. (*Background material in General Files, Salem.*)

Upon the OTC's approval of this cancellation, the agreement with the Central Oregon & Pacific Railroad, Inc. will be amended, and any unused grant funds will be applied to its Winchester freight rail yard project.

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



Jerri Bohard, Transportation Development Administrator, requested approval of the recommended draft of the 2010-2013 STIP Project Eligibility Criteria and Prioritization Factors, developed by the STIP Stakeholder Committee. (*Background material in General Files, Salem.*)

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



The Commission considered approval of the Public Transit Division 2007-2009 Discretionary Grants program recommendations for the following programs; New Freedom, Intercity, Mass Transit and Rural and Special Needs – Operating Preservation, Vehicle Replacement, Preventive Maintenance, Operating and Mobility Management, Capital Enhancement, and Transit Innovations, and authorizing the PTD Administrator to sign agreements to carry out projects in the Discretionary Grants program. (*Background material in General Files, Salem.*)

The Public Transit Advisory Committee will review the issue of spare vehicles. In the case of small providers, when a vehicle is out of service, they can no longer provide service. The committee is interested in having staff do some work on how to use some discretionary grant funds in this area. There is about \$475,000 remaining in the discretionary grant program. Staff will guide the committee on a discussion around this issue.

The committee started, but did not finish, the Transit Innovations category. Three such projects were approved. Additional staff work is needed which may result in additional conversations with the OTC about its expectations for this category.

Public comment was received from:

Jason Barbour, of Portland, commented on how public transit could work better from a user standpoint. His examples included the need for more day trips to the coast and better public transit options for people who commute to and from work.

Commissioner Achterman declared a conflict of interest.

Commissioner Wilson moved to approve this request as noted above. The motion passed unanimously. Commissioner Achterman abstained from the vote.



The Commission received a report on the U.S. 20 Pioneer Mountain to Eddyville project. (*Background material and PowerPoint presentation in General Files, Salem.*)

Doug Tindall introduced Vivian Payne, Area Manager for the Corvallis area, and Joe Squire, Consultant Project Manager.

Ms. Payne noted that the presentation the OTC will receive was also given to the Cascades West Area Commission on Transportation at its May 2007 meeting.

Mr. Squire said that ODOT is moving forward in several key areas to secure the site from an environmental perspective to get back into compliance with erosion control and prepare for the next round of construction, which includes landslide mitigation.

Right-of-way has been secured and environmental permits are in place. However, we are seeking several permanent addenda because of circumstances we have encountered. The geotechnical investigation is complete with the exception of landside mitigation. ODOT has engaged another firm to review an alternative to the contractor's proposal in the hopes of reducing potential change order costs or claims.

Mr. Squire reviewed the areas with erosion control issues. All are being secured and grass has been planted to combat erosion, along with other mitigation measures.

He emphasized that major construction has not started as was contemplated in December 2006. Three major landslide masses remain that the agency and contractor are addressing. ODOT also wants to protect the local contractors that have been subcontractors to the prime contractor. However, the environmental aspect is the highest priority issue. ODOT voluntarily reports weekly to all the regulatory agencies as well as to the Department of Environmental Quality, as is now required.



The next two meeting dates are:

- Wednesday, July 18, 2007, by telephone.
- Wednesday and Thursday, August 15 and 16, 2007, in Pendleton.



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

1. Approve the minutes of the May 23, 2007, Commission meeting in Salem.
2. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
3. Approve the following Oregon Administrative Rule actions:

a.	Adoption of OAR 734-020-0014, 0016 and 0017 and the amendment of OAR 734-020-0015 relating to procedures for the establishment of speed zones on certain public roads.
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4. This item was moved to the formal agenda as Agenda Item N (see page 3).
5. Approve an amendment to the 2006–2009 STIP to cancel the U.S. 20: Clem Road – Old Blodgett Highway (\$1,219,000) and the U.S. 20: Mary’s River – Milepoint 43.05 (\$598,000) preservation projects and transfer the funds, totaling \$1,817,000, to the Oregon 34: Hide Creek to Corvallis – Newport Highway preservation project. The current estimated cost for this project is \$299,000. Transferring \$1,817,000 from the cancelled projects will increase the total estimated project cost to \$2,116,000.
6. Approve an amendment to the 2006–2009 STIP to remove the construction phase from two projects; the U.S. 199 Grants Pass Expressway Upgrade and the Oregon 138E at Diamond Lake Boulevard (Roseburg). Both projects are currently in the Environmental Assessment process and are estimated to cost \$13,020,000 and \$2,300,000, respectively.
7. Approve a technical clarification of the work included in the Accenture and Cayuse Technologies project, approved for a Type A Immediate Opportunity Fund grant in the amount of \$698,550, by the OTC in December 2006. The total estimated cost of this project is \$1,397,100.

Commissioner Achterman moved to approve the items on the Consent Calendar. The motion passed unanimously. Commissioner Wilson was not present.



The Commission had lunch with ODOT staff in Room 135 of the Transportation Building.



The Commission reviewed and considered approval of the Oregon Transportation Plan Implementation Work Program. (*Background material and PowerPoint presentation in General Files, Salem.*)

Commissioner Achterman reminded everyone that at the October 2006 OTC workshop, staff was asked to develop a work plan outlining how the Oregon Transportation Plan could be developed. Today, the OTC will review that work program. It is important to note that this is a long-term plan and this is initial guidance for short-term, medium-term and long-term actions which, over time, will evolve and need modification.

The Commission paused this item for a special presentation.



Chair Foster recognized Director Garrett for increasing the safety of workers and motorists within highway work zones with his efforts to promote House Bill 2466 which allows a pilot program for photo speed enforcement in work zones.

Director Garrett was quick to note that a lot of people were involved in getting this bill enacted.



The Commission continued with the review of the Oregon Transportation Plan Implementation Work Program.

Jerri Bohard, Transportation Development Division Administrator, introduced Barbara Fraser, ODOT's new Planning Section Manager.

Ms. Bohard said the OTP work program emphasizes priority actions and includes implementation tasks for the short-term (2007-2009), mid-term (2010-2013) and long-term (2014 and later). It is a flexible program designed to emphasize critical issues that demand attention.

The Commission requested several changes to the implementation work program.

The Commission will consider a freight planning strategy and steering committee structure at a future meeting.


Commissioner Achterman moved to approve the Oregon Transportation Plan Implementation Work Program, dated June 2007, as described in Attachment A of the

background material. The motion passed unanimously. Commissioner Papé was not present.

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Chair Foster adjourned the meeting at 1:45 p.m.

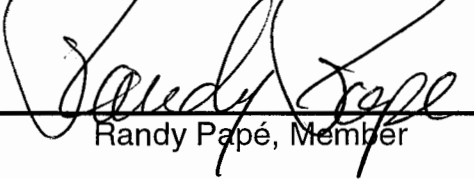
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Stuart Foster, Chairman



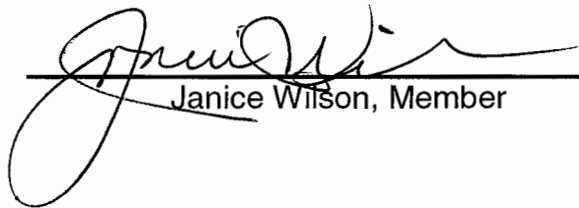
Gail Achterman, Member



Randy Papé, Member



Mike Nelson, Member



Janice Wilson, Member



Kim Jordan, Commission Assistant