

JPACT POLICY ADVISORY COMMITTEE ON TRANSPORTATION

October 14, 2004

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JPACT  
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MEMBERS PRESENT

AFFILIATION

Rod Park	Metro Council
Fred Hansen	TriMet
Maria Rojo de Steffey	Multnomah County
Rod Monroe	Metro Council
Stephanie Hallock	Oregon Department of Environmental Quality (DEQ)
Bill Wyatt	Port of Portland
Larry Haverkamp	City of Gresham, representing Cities of Multnomah County
Rex Burkholder	Metro Council
Karl Rohde	City of Lake Oswego, representing Cities of Clackamas County
Jim Francesconi	City of Portland
Roy Rogers	Washington County
Bill Kennemer	Clackamas County
Rob Drake	City of Beaverton, representing Cities of Washington County

MEMBERS ABSENT

AFFILIATION

Matthew Garrett	Oregon Department of Transportation (ODOT - Region 1)
Royce Pollard	City of Vancouver
Judie Stanton	Clark County
Don Wagner	Washington State Department of Transportation (WSDOT)

ALTERNATES PRESENT

AFFILIATION

Robin McArthur	Oregon Department of Transportation (ODOT - Region 1)
Dean Lookingbill	SW Washington RTC
Peter Capell	Clark County

GUESTS PRESENT

AFFILIATION

Kathy Busse	Washington County
Laurel Wentworth	City of Portland
Susie Lahsene	Port of Portland
Lynn Peterson	City of Lake Oswego
Danielle Cowan	City of Wilsonville
Jim Bernard	City of Milwaukie
Annette Liebe	Oregon Department of Environmental Quality (DEQ)
Dick Pedersen	Oregon Department of Environmental Quality (DEQ)
John Rist	Clackamas County
Olivia Clark	TriMet
Phil Selinger	TriMet

GUESTS PRESENT

AFFILIATION

Jef Dalin	City of Cornelius
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Thayer Rorabaugh	City of Vancouver
Sharon Nasset	Citizen
Doug Ficco	Washington State Department of Transportation (WSDOT)
Mark Garrity	Washington State Department of Transportation (WSDOT)
Kristopher Strickler	Washington State Department of Transportation (WSDOT)
John Wiebke	City of Hillsboro
Nancy Kraushaar	City of Oregon City
Alice Rouyer	City of Milwaukie
Rebecca Eisiminger	Port of Vancouver

## STAFF

Richard Brandman    Renee Castilla            Andy Cotugno            Ted Leybold

### I.        CALL TO ORDER AND DECLARATION OF A QUORUM

Chair Rod Park called the meeting to order and declared a quorum at 7:20 a.m.

### II.       CITIZEN COMMUNICATIONS TO JPACT ON NON-AGENDA ITEMS

Mr. Chris Smith, Chair of the Northwest District Association, stated that he came to JPACT a couple of months ago regarding an appeal that the neighborhood association had taken to LUBA. He said that the objection that the neighborhood association had was on the City of Portland's land use plan, which was allowing office development on the edge of the industrial sanctuary. He said that LUBA sustained the neighborhood's appeal and has remanded the land use plan back to the City of Portland. He said the City of Portland has several options they could pursue, including reversing the part of the plan that the neighborhood objects to, completing a traffic study and amending its TSP, among others. He asked that the regional partners stay abreast of the situation, as the neighborhood association may need their support.

### III.     REVIEW OF MINUTES

ACTION TAKEN: Mr. Fred Hansen moved and Commissioner Roy Rogers seconded the approval of the September 9, 2004 meeting minutes as amended. The motion passed.

AMENDMENT: "Willamette Shore" replaced with "Fuller Road".

AMENDMENT: Commissioner Bill Kennemer requested that the 172<sup>nd</sup> project be added to the draft recommended project list.

Mr. Andy Cotugno presented a draft letter to the Oregon Delegation (included as part of this meeting record).

The committee gave their consent to send the letter to the delegation.

### IV.     DEQ CARBON MONOXIDE (CO) PLAN AND OXYGENATED FUELS

Chair Rod Park gave a brief history of the issues surrounding oxygenated fuel.

Mr. Mark Turpel presented the memo and materials on oxygenated fuel (included as part of this meeting record).

Chair Rod Park stated that there are two potential facilities in Oregon, one in Columbia County and one near Vale. However, both are still in the funding stages.

Mr. Tom Fuller stated that 98% of the ethanol produced in the United States comes from the Midwest region. However, there is a "Caribbean Initiative" which says that 7% of the total ethanol used in the United States can come from the Caribbean. He said that the ethanol used in Oregon is coming from the Caribbean area.

Mayor Rob Drake stated that he would have a hard time voting for the removal of oxygenated fuels when it could preclude the growth of an industry in Oregon. He said that St. Helens has suffered economically and he does not agree with shutting off a potential new industry for that area. He expressed concern that DEQC rulemaking would preclude the use of ethanol in Oregon. He agreed that MTBE should be banned in Oregon.

Mr. Fred Hansen stated that his language asks the DEQC to do one of two things, either keep the oxygenated fuel requirement in place or do rulemaking that demonstrates the same reduction. However, it would be the decision of the DEQC ultimately to make the choice.

Mayor Rob Drake stated that he would not want rule making language to necessarily preclude the use of ethanol for areas outside the Portland area. He said that he would agree if the language were crafted in such a way as not to preclude ethanol.

Ms. Stephanie Hallock stated that she has spoken with the owner of the potential Vale facility and he has indicated to her that he is hoping to produce different types of products from his facility.

Councilor Larry Haverkamp stated that he was not in favor of keeping a rule in place solely for the reason of keeping jobs.

Commissioner Maria Rojo de Steffey suggested allowing the local jurisdictions to comment separately.

Councilor Rod Monroe stated that there are two separate actions that need to take place. He said that he is looking for JPACT's support on a bill that the Metro lobbyists will be submitting to the Oregon legislature asking for the ban of MTBE in Oregon.

ACTION TAKEN: Councilor Rod Monroe moved and Commissioner Bill Kennemer seconded the motion that a letter be sent which indicates JPACT's endorsement of the ban of MTBE in Oregon. The motion passed with Stephanie Hallock abstaining from the vote.

ACTION TAKEN: Mr. Fred Hansen moved and Councilor Rex Burkholder seconded the motion to amend the second letter as recommended. The motion passed with Commissioner Maria Rojo de Steffey, Commissioner Roy Rogers, and Mayor Rob Drake voting no. Ms. Stephanie Hallock abstained from the vote.

ACTION TAKEN: Councilor Rex Burkholder moved and Mr. Fred Hansen seconded the motion to approve the first letter presented to JPACT. The motion passed with Stephanie Hallock abstaining from the vote.

Ms. Stephanie Hallock presented a memo to the committee members regarding the Portland Area CO Maintenance Plan (included as part of this meeting record).

Chair Rod Park said that the question surround MTBE and whether it should be allowed in Oregon is one easily answered and agreed upon by the JPACT members.

Mr. Fred Hansen stated that the issue surround MTBE and oxygenated fuel is important. He said that most of the fuel that Oregon receives comes from Washington and California which does not allow the use of MTBE. However, fuel that comes from Idaho could contain MTBE because there is no such restriction. He said that the pollutants of concern in the region is not carbon monoxide although oxygenated fuel was originally required because of the CO, but rather the potential to also reduce air toxins and greenhouse gas emissions that are in fact a result of having oxygenates as opposed to fuel petroleum based fuels. As a results, he stated that he would prefer that 1) the second letter be addressed to the Department of Environmental Quality Commission (DEQC); 2) that the letter emphasizes that the DEQC either main the oxygenated fuel requirement or that they should initiate rule making that provides for an equivalent reduction in air toxins and greenhouse has; 3) that the DEQC address additional alternative fuels; and 4) that the DEQC address the issue of fuel consumption on a per mile basis.

Councilor Rex Burkholder stated that he sits on the Governors Global Warming Committee which is having its first hearing and will talk about alternative fuels as well as greenhouse gas and air toxins. He said that the question he has is who is the right target to address a letter to. He said that talking to the DEQC and keeping pressure on them is important as well, because there is a desire to see action taking place to help reduce the other issues.

Mr. Fred Hansen directed the JPACT members to the second letter, to the paragraph that begins: accordingly. He would have the paragraph read: "Accordingly, we recommend that the DEQC either maintain the use of ethanol based oxygenated fuels in the Metropolitan area or initiate rule making to require actions that would reduce at least an equivalent reduction in air toxins and greenhouse gas emissions. We believe these actions will also promote independence and support Oregon agriculture and waste reduction."

Mayor Rob Drake asked for clarification that the second letter would retain oxygenated fuels but discontinue the use of MTBE as one of the additives.

Mr. Fred Hansen replied that his suggestions would ask the DEQC to either maintain the current requirement or to initiate rule making that produces the same level of reductions for greenhouse gases and air toxins. His recommendation would be that the DEQC could do either. He said that he is moving away from the mandate on ethanol which, admittedly, some members would like DEQC to keep. However, he would like to see the equivalent reductions in air toxins and greenhouse gas emissions.

Mayor Rob Drake expressed his concern that the argument is being made that ethanol is not being produced in Oregon. However, his understanding is that there is serious intent for a plan in St. Helens, which he assumes would use Oregon, based agricultural products. Secondly, he said that it was difficult for him to not express his cynicism when petroleum producers are not supporting ethanol based fuels especially considering all of the pricing irregularities for fuel in Oregon.

V. NARROWING THE PRIORITIES 2006-09 PROJECT CANDIDATES FOR PUBLIC REVIEW AND COMMENT

Mr. Ted Leybold presented the priorities 2006-09 Project Candidates for Public Review and Comment (included as part of this meeting record).

Mr. Fred Hansen stated that the Safe Crossings project was submitted based upon the direction of JPACT in the last MTIP round. He said that it scored lower than the other projects because it did not qualify for the additional points from the town centers criteria. However, he underscored the importance of providing safe crossings because people cannot get to the town centers if there is not a way for them to reach transit safely.

Mr. Andy Cotugno stated that TPAC wanted JPACT to make the decision of whether to add the ITS project and the Transit Safe Crossings to the 150% cut list because they did not have that prerogative considering the previous directions given by JPACT.

(1) ACTION TAKEN: Mr. Fred Hansen moved and Councilor Karl Rohde seconded the motion to move the safe transits above the line.

Chair Rod Park stated when time comes to approve the 100% list, it is important for JPACT to follow the policy objectives agreed upon and compare the projects against them.

Mr. Andy Cotugno suggested that a policy discussion could take place at the next two JPACT meetings.

Councilor Rod Monroe presented a memo concerning the SW Capitol Highway Project (included as part of this meeting record).

(2) ACTION TAKEN: Councilor Rod Monroe moved and Commissioner Jim Francesconi seconded the motion to move the SW capitol highway project above the cut line.

Mayor Rob Drake asked why the project had not been dealt with previously and further how the project would be further funded and completed.

Commissioner Jim Francesconi stated that the MTIP project application was for preliminary engineering and further that the City of Portland would be completing the funding of the project.

(3) ACTION TAKEN: Commissioner Bill Kennemer moved and Ms. Robin McArthur seconded the motion to move the Clackamas County ITS project above the cut line.

ACTION TAKEN: Mr. Fred Hansen moved and Councilor Karl Rohde seconded the motion to accept all previous motions and approve the entire 100% cut list. The motion passed unanimously.

Councilor Karl Rohde directed the JPACT members to the staff memo and asked for explanation of the Ledbetter extension project.

Mr. Andy Cotugno explained that the Ledbetter project was originally a \$4 million request by the Port of Portland. He stated that TPAC agreed to include \$1.8 million of the request to cover the increase of the cost of the project. However, the remaining \$1.2 million was not recommended for inclusion. He explained that when the Port of Portland applied for \$6 million of OTIA funds, the Port of Portland agreed to commit the local funding match of \$1.2 million. Therefore, TPAC chose to not have MTIP cover a prior local match commitment.

VI. REVIEW AND COMMENT ON DRAFT STATE TRANSPORTATION IMPROVEMENT PROGRAM

Ms. Robin McArthur presented the Draft State Transportation Improvement Program (included as part of this meeting record).

Councilor Rex Burkholder stated that the STIP project list may be confusing to the general public because the projects are broken out per funding category and are not together.

Ms. Robin McArthur replied that she would try to simplify the list for the public listening posts.

VII. DRAFT RESOLUTION NO. 04-3498 FOR THE PURPOSE OF ENDORSING PRIORITIES FOR A LEGISLATIVE TRANSPORTATION FUNDING PACKAGE

Mr. Richard Brandman presented Resolution No. 04-3498, Exhibit and letter from the Governor (included as part of this meeting record).

Mayor Rob Drake stated that the Operations and Maintenance piece of the funding package is critical because roads need to be maintained. He further stated that if the region is not maintaining their roads then it becomes much costlier because the roads must now be rebuilt.

Commissioner Bill Kennemer stated that he had a couple of amendments. He directed the committee to the last whereas on the resolution, he would recommend that the language read, "maintain, improve and operate". He also suggested that #2 of the Be It Resolved, be changed from "heavy rail" to "passenger and freight rail".

Mr. Fred Hansen directed the committee members to the #2 of the Be It Resolved; he recommended changing the language from "light rail" to "transit" because the resolution is speaking to a statewide multi-modal package.

Ms. Robin McArthur concurred with Mr. Hansen and further directed the committee members to the whereas of the resolution that talks about additional funding to meet transportation needs will create or.... She suggested including "sustain" in that sentence.

Councilor Karl Rohde stated that Metro needed to work with the other MPOs to address the growth issue. He said that a funding category that would fund transportation needs in "Big Growth" projects needed to be created because there is a significant unmet need for transportation projects in areas of large growth.

Chair Rod Park stated that he would like to take the resolution with amendments to the MPO Summit and talk to the other MPOs about large growth areas and/or mega projects surrounding the MPOs and see if they feel the same way.

Commissioner Bill Kennemer stated that the definition of projects needed to be addressed. He said that he has been hearing complaints from their cities because they feel that the County is spending money on "regional" projects.

Chair Rod Park stated that it was important for JPACT to take a unified stance on transportation issues as the Governor is beginning to focus on transportation.

Mr. Andy Cotugno stated that the Governor's letter to the OTC would be discussed at their October 21 meeting. He encouraged the JPACT members to try to participate.

VIII. HIGHWAY 217 CORRIDOR STUDY UPDATE

Richard Brandman presented the Highway 217 Corridor Study Update (included as part of this meeting record). He also directed the committee members to the Metro website for further information on the Highway 217 Corridor Study.

IX. TRIENNIAL REVIEW FOR FEDERAL CERTIFICATION OF THE METRO REGIONAL PLANNING PROGRAM

This item was carried over until the next JPACT meeting.

X. MPO SUMMIT II

Councilor Rex Burkholder discussed the MPO Summit II and encouraged JPACT members to attend.

XI. ADJOURN

There being no further business, Chair Park adjourned the meeting at 9:13 a.m.

Respectfully submitted,

Renee Castilla