

JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION  
MEETING NOTES  
MAY 9, 2002

<u>MEMBERS PRESENT</u>	<u>AFFILIATION</u>
Rod Monroe	Metro
Rex Burkholder	Metro
Rod Park	Metro
Fred Hansen	Tri-Met
Charlie Hales	City of Portland
Karl Rohde	City of Lake Oswego, representing Cities of Clackamas County
Rob Drake	City of Beaverton, representing Cities of Washington County
Royce Pollard	City of Vancouver
Bill Kennemer	Clackamas County
Bill Wyatt	Port of Portland
Maria Rojo de Steffey	Multnomah County
Larry Haverkamp	City of Gresham, representing Cities of Multnomah County
Roy Rogers	Washington County
Kay Van Sickle	Oregon Department of Transportation (ODOT – Region 1)

<u>MEMBERS ABSENT</u>	<u>AFFILIATION</u>
Stephanie Hallock	Oregon Department of Environmental Quality (DEQ)
Don Wagner	Washington Department of Transportation (WSDOT)
Craig Pridemore	Clark County

<u>ALTERNATES PRESENT</u>	<u>AFFILIATION</u>
Annette Liebe	Oregon Department of Environmental Quality

<u>GUESTS PRESENT</u>	<u>AFFILIATION</u>
Lynn Peterson	Tri-Met
Dick Feeney	Tri-Met
Alice Rouyer	City of Milwaukie
Beth Wemple	Kittelson & Associates
Thayer Rorabaugh	City of Vancouver
Dean Lookingbill	SW Washington RTC
John Rist	Clackamas County
John Gillam	City of Portland
Ron Papsdorf	City of Gresham
Karen Schilling	Multnomah County
Kathy Lehtola	Washington County

GUESTS PRESENT (cont.)    AFFILIATION

Jerry Parmenter	Washington County
Clark Berry	Washington County

STAFF

Renée Castilla  
Mike Hoglund  
Ted Leybold  
Tom Kloster

I.     CALL TO ORDER

Chair Monroe called the meeting to order and declared a quorum at 7:40 am.

II.    CITIZEN COMMUNICATIONS

There were no citizen communications.

Rex Burkholder stated that due to a full agenda, they were forced to drop the Northwest Environmental Watch presentation. However, a full presentation would be made to the Metro Council at 2:00 pm.

Annette Liebe asked if they would be returning later because she is interested in seeing the full presentation.

Chair Monroe stated that every effort would be made to bring them back later.

III.   MINUTES OF APRIL 11, 2002 JPACT MEETING

ACTION TAKEN: Karl Rohde moved and Rob Drake seconded the motion to approve the meeting minutes of April 11, 2002. The motion passed.

IV.    OREGON TRANSPORTATION INVESTMENT ACT – II, ODOT RECOMMENDATION

Mike Hoglund directed the committee to several documents; 1) April 26, 2002 letter to Steven Corey, Chairman, OTC from Tom Brian, Washington County; 2) November 2, 2002 Revised letter to Steven Corey, Chairman, OTC from Rod Monroe, JPACT Chair, Metro; and 3) May 3, 2002 memo to Kay Van Sichel, Region 1 Manager, ODOT from Cam Gilmour, Executive Director, Clackamas County; 4) May 4, 2002 memo to John Rosenberger and Kay Van Sichel, ODOT from Dave Williams, ODOT – Region 1. (Included as part of the meeting record.)

Kay Van Sickel presented a memo written to the JPACT Committee regarding ODOT's OTIA - II recommendations to the OTC. (Included as part of the meeting record). She reported that an evaluation of current bond rates resulted in unexpected savings which may allow an additional \$100 million of projects funded.

Fred Hansen asked about the Sunnyside and Boeckman Road projects.

Rod Monroe stated that JPACT committed future MTIP money to backfill both the Sunnyside Road and Boeckman Road projects. There was a shortfall of available funding during the previous OTIA-I process so the effected jurisdictions met with Metro and ODOT staff and committed to share in filling the funding gap. JPACT also committed future MTIP money, ODOT committed future STIP money and the local jurisdictions increased their match. The Oregon Transportation Commission has decided not to change that agreement with OTIA II money but to move forward by funding future construction phases of Sunnyside Road.

Fred Hansen asked for reiteration of the language of the JPACT commitment.

Mike Hoglund explained that Boeckman Road was short \$6 million. The City of Wilsonville committed \$2 million, \$2 million was committed by ODOT out of future STIP money and Metro committed \$2 million from future MTIP money. Last month JPACT adopted a request to the OTC to use \$6 million of OTIA-II money for the Boeckman and Sunnyside Road projects. The Oregon Transportation Commission disagreed with backfilling any projects and stated they wanted to move ahead with funding as many new projects as they could.

Bill Kennemer stated that the OTC has suggested that they did not want to backfill any projects, although the County would have liked to receive assistance with their 51% match. He then directed the committee's attention to the memorandum written May 3, 2002 by Cam Gilmour and asked for JPACT's assistance.

Rod Monroe stated that if the Sunnyside Road to 152<sup>nd</sup> is one of the projects submitted in the next MTIP round he is certain it will rank as a high priority.

ACTION TAKEN: Charlie Hales moved and Bill Kennemer seconded the motion to thank the Oregon Department of Transportation for their assistance and accept their recommendations for the Oregon Transportation Investment Act – II. The motion passed.

#### V. RTP AMENDMENTS

Tom Kloster referred the committee to his memo and explained that the committee will consider a package of four post-acknowledgement amendments to the Regional Transportation Plan (RTP); Part 1- Post-Acknowledgement Technical Amendments, Part 2 – Elderly and Disabled Transportation Amendments, Part 3 – Amendments from the corridor Initiatives Project, Part 4 – Amendments from the Green Streets project; at the next JPACT meeting scheduled for June 13, 2002.

Karl Rohde asked if these RTP amendments would make implementation of Green Street designs a guideline or as a direction.

Tom Kloster responded that TPAC and MTAC are still debating that issue. The Metro staff recommendation was to insert it as a guideline but to require local jurisdictions to amend local codes to allow developers to pursue the Green Streets design. He explained that staff learned that many jurisdictions have codes that do not allow the Green Streets design. If the Green Streets Project is inserted as a “shall consider” guideline and with a requirement to update codes to allow the design to be built, these types of roads would be able to develop.

Karl Rohde clarified that these RTP amendments require consideration of Green Streets design during project development and for local jurisdictions to amend codes to allow for construction of a Green Street design but does not require Green Street designs to be constructed.

Tom Kloster stated that was the original staff recommendation but that the TPAC committee did not want to take the language that far. TPAC would like the amendments to require local governments to consider these options but not necessarily act to amend local codes. He stated that since they have not gone to MTAC yet, they do not have a complete technical recommendation, but will before the next JPACT meeting.

Rex Burkholder asked whether amendments that do not require an action would be considered by the National Marine Fisheries Service (NMFS) as meeting the Safe Harbor Practices.

Tom Kloster stated that there are two routes for local jurisdictions. He stated that Councilor Burkholder pointed out the good news regarding the Green Streets handbook and that is that it has been endorsed by NMFS as a Safe Harbor Practice and that a facility can be designed to reduce liabilities from lawsuits concerning violations of the Endangered Species Act and not be subject to a vigorous review process for federal regulations. However, local jurisdiction can still elect to use their own design and take that through the federal process. This gives them incentive to use the Green Streets designs because it makes the review process easier.

Rod Monroe stated that the spectrum of discussion is all the way from “adopting a Green Streets Plan and make it mandatory for everyone to implement” to “not talk about Green Streets”. The discussion is everyone in between those two and finding the right language and the right compromise is something staff is still working on.

Rob Drake stated that there is a natural sensitivity but he does appreciate having the Green Streets Design as an option. Local governments always are concerned when something is mandated, however, he is comfortable with the “shall consider” and “shall amend local codes to allow” language.

Rod Monroe stated that it is recognized that the Green Streets design works better with some soil types and not others but they would like to see it at least taken into consideration. How the Green Streets design is used and to what degree is still at the local jurisdiction’s discretion.

Larry Haverkamp stated that he feels this issue is extremely important and that developers should have the ability to look at these designs so he feels that the codes should be amended to allow the possibility of building these designs but not to require use of them.

Rex Burkholder asked how the Green Streets handbook integrates with the Street Design handbook already in place.

Tom Kloster stated that the Green Streets project is not an alternate for every cross section a street because some areas in the region do not have the right soils or topography to use the Green Streets designs. The approach in which the designs are used will be different for local areas. There is a recommendation that there be a funded prototype so developers can be shown how these designs can be used, with pilot projects that can be monitored for effectiveness

Rod Park stated that it will be interesting to watch 1000 Friends of Oregon in the Damascus area during the summer because they will be proposing the Green Streets designs in many of their streets.

## VI. HIGH SPEED RAIL

Christine Deffebach presented to the committee a draft letter which will be sent to the Oregon and Washington Delegation from the JPACT committee requesting support for pending legislation to help fund intercity passenger rail infrastructure. (Included as part of this meeting record.)

Jason Tell stated that there has been a lot of activity this year in Congress on rail issues for both freight and passenger. Most of the activity has been at the subcommittee and committee levels. Therefore, it is uncertain yet where these different pieces of legislation are going to go and whether they will get all the way through the floor on both the house and senate this year. There are three different things that Congress is looking at; the first is reauthorization of Amtrak, the second is trying to find a way to boost capital investment in passenger rail corridors and the third is coming up with capital federal funding for short line rail road improvements. The House and Senate are approaching these issues differently. On the Senate side, the Senate Commerce Committee has reported out a bill that combines a 6-year Amtrak reauthorization with a capital improvement program. The Capital improvement program side of the bill has a couple of elements; 1) over \$1 billion in improved security on Amtrak system; 2) \$1.3 billion a year for the northeast corridor for capital improvements; 3) \$1.5 billion a year for capital improvements in other corridors throughout the country. Those would be new monies that do not exist today and it would be in addition to authorizing Amtrak for another 6 years. Therefore, this combines Amtrak reauthorization with a capital program. That has gotten out of committee but has not been taken up on the floor. It does face some challenges on the floor.

Yesterday in the House, the Rail Subcommittee of the Transportation Committee which Earl Blumenauer sits on reported two bills separate. One is an Amtrak reauthorization for 1 year. The second bill is a Capital Improvement Bill but unlike the Senate version, which is grants, the House version relies mostly on loans and federal tax exempt or tax credit bonds. The main

difference is in the House approach where the states really have a primary role in funding passenger rail, the feds will create this tax exemption or tax credit bond program to help create an incentive for states to take on debt and issue bonds to raise capital. Two very different approaches. Giving state's approval to borrow money versus giving states grants similar to how a highway program or transit program works. Both of those bills also face an uncertain future in full committee and whether or not they get to the floor.

The timing of the letter is good. Jason noted that the letter points out a couple of things, the importance of rail and the need for federal involvement to fund a passenger rail system in the Pacific northwest corridor and other corridors nationally. The positive thing is that Congress is looking at things and is trying to act on them. However, Congress needs encouragement to move further. Loans are great, however in this corridor, the state is already paying the operating costs of the trains in this corridor. Amtrak is not, the federal government is not. If the state has to pay full costs of operations then the federal government should be there for capital much like the highway program and some transit programs.

He further stated that many people are encouraged that Congress is recognizing they have to do something. He is unsure if it will be a program that they need, but now is the time to weigh in. They will hear a little about rail capacity in the corridor. This region has an immediate need in the corridor for \$15 million of track improvement because of capacity issues. They also would like to be able to purchase another train set to help lower operating costs and then they have about \$100 million of track improvements that is needed in the corridor in order to get the run times up for competitive reasons and to add capacity for better service.

Karl Rohde asked how many bills are being considered right now.

Jason Tell replied that there are currently three in the House and two in the Senate. The House is currently looking at an Amtrak reauthorization bill and a bonding/loan program bill. The third bill in the House, which deals with short-line railroads, has not been taken up yet but probably will in the next month. The Senate is currently looking at a combined Amtrak reauthorization/capital improvement bill and a separate short-line bill.

Karl Rohde asked if this region is reaching a point of recommending a certain bill.

Jason Tell stated that if Congress does complete a bill this year it probably will take some portion of all three of these bills. The final version will not be just one proposal under discussion. He is not sure if JPACT should support one bill over another. However, the region should highlight the important elements and one of the important elements being raised in this letter is of having a grant program and having capital improvement come from the federal government similar to a highway program. He stated that it is important for the federal government to know that a grant program and not loan program is needed. It is also important that this corridor in the Northwest does not get lost and that there is attention paid to other corridors then just the Northeast. He further stated that delegation from Oregon is very actively involved in several committees and subcommittees and are doing their part to secure funding for the Northwest corridor.

Bill Kennemer stated that this letter is very general. For example, JPACT has gone on record and asked the federal government for \$1.1 million for the Oregon City station to match the money Oregon City has on hand. He asked if JPACT wants to add something that specific to this letter.

Jason Tell stated that there are no earmarked projects in the legislation as it exists today.

Mike Hoglund suggested that they include an additional sentence in the letter. He further stated that because this letter is going to the Oregon/Washington delegation, the sentence can state “this letter is consistent with previous annual letter on appropriations that call out support for high speed rail including a station in Oregon City.”

Tom Picco presented a slideshow presentation on the preliminary findings from I-5 Partnership Freight Rail Capacity Study. These findings show that the existing rail system is already experiencing delays and that investments in the infrastructure are needed now. (Included as part of this meeting record.)

ACTION TAKEN: Karl Rohde moved and Kay Van Sichel seconded the motion to approve forwarding the letter of support to the Oregon and Washington delegations with amendments. The motion passed.

## VII. ADJOURN

There being no further business, Vice-Chair Burkholder adjourned the meeting at 9:10 am.

Respectfully submitted,

Renée Castilla