

MEETING NOTES

DATE OF MEETING: April 12, 2001

GROUP/SUBJECT: Joint Policy Advisory Committee on Transportation (JPACT)

MEMBERS PRESENT:

Rod Monroe, Chair
Rob Drake
Rod Park
Bill Kennemer
Charlie Hales
Fred Hansen
Rex Burkholder
Stephanie Hallock
Dave Lohman, alternate
Craig Pridemore
Royce Pollard
Karl Rohde
Kay Van Sickle
Don Wagner
Roy Rogers
Jim Kight, alternate
Dean Lookingbill
Susie Lahsene

AFFILIATION:

Metro
City of Beaverton, representing Cities of Washington County
Metro
Clackamas County
City of Portland
Tri-Met
Metro
Oregon Department of Environmental Quality (DEQ)
Port of Portland
Clark County
City of Vancouver
City of Lake Oswego, representing Cities of Clackamas County
Oregon Department of Transportation (ODOT) – Region 1
Washington State Department of Transportation (WSDOT)
Washington County
Cities of Multnomah County
SW Washington Regional Transportation Council (RTC)
Port of Portland

GUESTS PRESENT:

Annette Liebe
Neil McFarlane
Mary Legry
Andy Ginsburg
Steve Kelley
Deb Wallace
Martha Bennett
Ross Williams
Louis Ornelas
Ron Papsdorf
Karen Schilling
John Rist
Steve Dotterer
Lynn Peterson
David Bragdon
Patti Seastrom
Bob Paine
Alan Lehto

AFFILIATION:

Oregon Department of Environmental Quality (DEQ)
Tri-Met
Washington State Department of Transportation (WSDOT)
Oregon Department of Environmental Quality (DEQ)
Washington County
Washington State Department of Transportation (WSDOT)
City of Milwaukie
Citizens for Sensible Transportation/CLF
Oregon Health Sciences University
City of Gresham
Multnomah County
Clackamas County
City of Portland
Tri-Met
Metro Council
Department of Environmental Quality (DEQ)
Multnomah County District #4
Tri-Met

GUESTS (continued):

Pat Collmeyer	Godschmidt Imeson
Tamira Clark	Oregon Department of Transportation (ODOT)
Leo Huff	Oregon Department of Transportation (ODOT)
Judy Edwards	Westside Transportation Alliance
Dave Nordberg	Department of Environmental Quality (DEQ)
Bernie Bottomly	Tri-Met
Beckie Lee	Multnomah County – Serena Cruz’s Office
Dave Cowens	GS Warriors
Brian Newman	Milwaukie-Clackamas Cities

STAFF:

Andy Cotugno	Mike Hoglund
Richard Brandman	Francine Floyd

SUMMARY:

The meeting was called to order and a quorum declared by Chair Rod Monroe at 7:37 a.m.

MEETING REPORT:

Action taken: Stephanie Hallock asked that Andy Ginsburg (guest) be added to the meeting attendance for the March 15, 2001 report. Councilor Rod Park moved, with a second by Commissioner Bill Kennemer, to approve the March 15, 2001 meeting reports. The motion passed unanimously.

RESOLUTION REFERENCE (APF NO. 1531) FOR THE PURPOSE OF AMENDING THE MTIP TO INCREASE TRI-MET’S FY 01 AND 02 PREVENTATIVE RAIL MAINTENANCE PROGRAM BY \$5.4345 MILLION TO ACCOMMODATE TRI-MET/ODOT FUND EXCHANGES.

Andy Cotugno explained that ODOT has historically provided a fund exchange program mostly for small jurisdictions that received small allocations (STP funds) which were difficult for them to process because of the federal requirements. ODOT’s fund exchange involves trading state funds for federal funds. In recent years, state funds for this type of exchange have dried. Tri-Met has local funds available to trade for federal funds, shifting part of their capital program into a federally funded program requiring that it be included in the Metropolitan Transportation Improvement Program (MTIP). This resolution is an exchange that allows ODOT to restore that fund exchange program for the rest of the state. Mr. Cotugno added that approving this resolution would amend the MTIP to allow ODOT to proceed with those federally funded projects.

Bill Kennemer commented that historically Clackamas County has benefited by this exchange, but under this arrangement their county is ranked so low in priority that they would not benefit by this resolution.

Fred Hansen said this does not alter what would have happened had it been in ODOT. If there was a change in priorities, it is a system that would have occurred anyway. All that Tri-Met would be doing is serving as a “banker.” Tri-Met is making no changes to anything that would have normally happened, except being able to provide for the fund exchanges.

Tamira Clark explained there has been a change in the program. In the past, ODOT opened the doors to anybody who wanted to make an application for a fund exchange and planned the program at about \$16M per year. With the program at \$5M, the program will have to be based on need. Clackamas County was welcomed to enter into the discussion on how the funds will be allocated.

Fred Hansen asked that unless JPACT take action today with this resolution, is there a risk that 1) ODOT may run out of the ability to match some of the federal dollars that could be utilized here and 2) those dollars may not be able to be accessed from the federal government. Tamira Clark agreed with Mr. Hansen’s concern. ODOT’s state cash reserves are running alarming low.

Karl Rohde asked if this involved the growing crisis of not being able to meet matches to federal dollars, regardless of whatever our congressional delegation does to bring us federal dollars because we haven’t increased taxes? Councilor Monroe answered yes. He added that at their Washington, D.C. trip, they got that message loud and clear from their congressional representatives—if the state doesn’t find financial resources for transportation, despite all the good efforts of our congressional delegation, we may be giving up federal money because we can’t match it. It is a serious crisis.

Action taken: Mayor Rob Drake moved, with a second by Fred Hansen, to approve Resolution (APF No. 1531). The motion passed unanimously.

DISCUSSION ITEM – CHANNEL DEEPENING

Dave Lohman discussed Columbia River channel deepening. Given the interest JPACT has had in the channeling deepening project and the strong support given for the project, Dave Lohman gave a brief update on the progress to date (“Executive Summary – Container Transportation Cost-Benefit Analysis” from the Port of Portland dated December 2000—white handout provided). The Port of Portland hired HDR Engineering, Inc. to conduct a study on transportation cost impacts through the Port’s Terminal 6 facilities. They tracked exactly where all the containers came from to get here and where those containers would have gone otherwise. These impacts were tracked by counties and included shipping costs and shipper benefits. Another way to think about this is, which counties benefit from having a container terminal in the Portland Metropolitan area. There has been some news discussion about the President’s budget in the fact that there was no money for channel deepening in his budget. From JPACT’s discussion a few months ago, the Port of Portland wasn’t seeking funding in this budget for channeling deepening. They are not seeking money appropriations at this time because there is money from last year’s appropriation to continue with preliminary engineering and environmental work. On the legislative side, they are making progress in the Oregon legislature where they have received strong support for the State re-upping money they have provided in the past and now needs to be re-upped because the money has been used on the schedule they originally anticipated. On the Washington side, legislation is more complex. Mutual funding they provided, which is a little less than half of what is needed in the state of Washington, got tied up in their transportation ballot measure that went down and they are still

struggling to figure out where they will get the money. The Port of Portland will probably not get all the money they need from Washington until next year's session. On the reconsultation effort with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service, we (The Corp of Engineers, the two federal fish agencies, and the Ports) are trying to put a lid on scientific advocacy that is non-secular and to use science appropriately in decision-making. A group here in town, called the Sustainable Legal Systems Institute (non-profit), is trying to build a business in mediating scientific disputes. All of the federal agencies and agencies involved have gone together to hire this group to help them to work their way through this reconsultation process. They have been the broker to hire seven scientists from around the country, who are pre-eminent in their fields, to work with the NMFS, Corps scientists, and consultants hired by the Port. Firstly, to figure out what the real scientific issues are. This group provides peer review back to the agency scientists as to what the real issues are, help them identify what constitutes the best available science, and what studies will actually help in the decision-making; rather than lead to more general scientific data. Additionally, this will help all these agencies identify what the level of competence is that one can have in the conclusions reached about any particular management decision. If you want additional information, Mr. Lohman suggested that there are several websites available (i.e., SEI.org). For more information on the channel deepening project and Q&A on the project, you can go to website: channeldeepening.com.

Karl Rohde asked about the timeline on the project. Dave Lohman said that the federal agencies have agreed to finish the biological assessment by October 2001 and reach a biological opinion by the end of this year.

Rod Monroe said that on their Washington, D.C. trip this year, they got the message that the congressional delegation was unanimously in support of the channel deepening and were doing all they could to make it happen. They emphasized the message to Washington, D.C. that JPACT was strongly in support of the channel deepening project and considered it a critical project for the economic well being of this region. Hopefully, in time, this project will happen and this region will continue to be a viable, international port that can compete successfully in the Pacific Rim.

DISCUSSION ITEM – LAND USE APPROVALS AT PDX

Dave Lohman said that relating to PDX's master plan effort, their commission has approved the 20-year master plan, which included major changes at the airport. The master plan is a planning document for them to use to ensure that as incremental decisions are made about a property or lease, they won't do something that forecloses future options. However, it is not a commitment to do all the projects in the master plan. What the commission has authorized them to do is to take a land use application to the City that looks out for another 10-year period in which the things they are going to be doing at PDX are considerably more modest than what is contained in the 20-year master plan. These are essentially the same things included in the 1993 conditional use approval they got from the City. (Memo from the Mike Thorne/Port of Portland, dated April 5, 2001 regarding "April 10, 2001 City Council Informal on PDX Land Use Approvals"—handout).

DISCUSSION ITEM – HOV

Don Wagner gave a brief update on the HOV and Washington legislature. He said in their legislature and budget for next year, the conversion of a lane of I-5 for HOV required additional funding of about \$265,000 for re-striping and signing on the stretch that is not currently HOV but has three lanes of moving traffic. Senator Benton pulled that budget item when the budget went through the Senate Transportation Committee. What they are currently struggling with is trying to get that money back into the budget. The dollar value is not the real issue, but rather a philosophical issue around HOV or no HOV in Clark County. Yesterday, they had expected a decision to come out of the House that included or excluded HOV funding. The House had not made a decision yet. Mr. Wagner said there was support among many of the legislative delegation from Clark County for HOV to move forward, but there are also others who are not supportive. If they can get it back into the House, then it is still alive and they can work it out in the conference committee. If it doesn't end up in the House budget, then there will not be State funding for the HOV segment southbound. Mayor Royce Pollard added that the lower region elected officials and RTC over the past days have told the legislature that the region has made this local decision, and that they expect them to support this decision. The HOV is a demo that they want to do. Mr. Pollard said he was optimistic that they will be able to move forward when the "final bell rings."

RESOLUTION REFERENCE (APF NO. 1532) FOR THE PURPOSE OF AMENDING THE MTIP TO AUTHORIZE A \$2.0 MILLION CONGRESSIONAL APPROPRIATION FOR PRELIMINARY ENGINEERING OF NORTH AND SOUTHBOUND IMPROVEMENT OF I-5 FROM DELTA PARK TO LOMBARD.

Andy Cotugno introduced Resolution APF No. 1532 that deals with Oregon's side of the bridge. In the appropriations bill adopted last fall, there was money earmarked to allow for preliminary engineering of the Delta Park section. This resolution would put that preliminary engineering money into Metro's Transportation Improvement Program (MTIP). The preliminary engineering would allow for the project to be designed as options are looked at (i.e. HOV lanes, general purpose lanes). This resolution puts the preliminary engineering money into the TIP to allow the process of evaluating those options.

Rod Monroe said that Councilor Rex Burkholder had an amendment to this resolution, but added that first they needed a motion on this agenda item (APF No. 1532).

Action taken: Commissioner Charlie Hales moved, with a second by Mayor Rob Drake, to approve Resolution APF No. 1532.

Councilor Rex Burkholder gave his amendment (handout) and concerns. He said that the project runs through the center of his district and he was asked by people in his community to come to the meeting to express concerns about 1) the apparent predisposition that the project be built while they were going through the I-5 Trade Partnership this session and the task forces that have been going on and 2) what the community has been hearing. The community asked Mr. Burkholder to provide some language that would tie this into the I-5 Task Force work as an additional piece, and that the process would be completed before any decisions are made on any projects in that area.

Mr. Burkholder recommended that JPACT consider taking out the fourth WHEREAS clause in the Resolution and insert his first three WHEREAS clauses which would tie them into the I-5 task force, and recognizes that there is congestion during the morning peak drive on Lombard, and adds in the fact that there is a great movement issue with Columbia Boulevard connecting to I-5. One of the issues is that, presently, freight travels through the Kenton neighborhood to get onto I-5. Additionally, replace the fourth WHEREAS in the resolution, with Mr. Burkholder's fourth WHEREAS. This is his amendment to the motion.

Andy Cotugno added that the Trade Corridor study process is well underway and about one year away from having an overall corridor decision. This may allow for design work on this project. At the end of the design work, a decision has to be made on what to proceed with, if anything. We do have the opportunity to coordinate those decisions, so what is decided at JPACT can be integrated with whatever is decided on in the process.

Kay VanSickel said that she agreed with Andy Cotugno. Her concern was the timing of this, should that study not conclude at exactly the same time as the design work. She would like some leeway to be able to deal with that timing issue. Ms. VanSickel added that they would look at all options for the southbound lane at Delta Park and would incorporate that with the Trade Corridor Study. With the timing for the conclusion of that study, she isn't sure it will coincide with the final decision at exactly the same time the design work is concluded. Ms. VanSickel asked JPACT to consider giving her some leeway because she was told not to delay the decision on this if the final decision isn't out for the Trade Corridor Study at that time.

Councilor Monroe said that this amendment doesn't slow JPACT down in terms of spending these \$2.0 million on the study. Rod Monroe clarified once again Rex Burkholder's four WHEREAS clauses and which WHEREAS clauses they were replacing in the resolution.

Rod Park said he was trying to understand Kay VanSickel's concern regarding the timing issue. He asked, why would you move ahead with a conclusion prior to the I-5 study being completed?

Kay VanSickel asked that she be given some leeway in case that should happen. In the event that the Corridor Study is not yet completed, don't tie them down during that period of time because it's uncertain what the timing for funding at the federal level may be. This is why she was asking for consideration from JPACT.

Rod Monroe said that JPACT will have to be involved at that point anyway and would have the discretion to do that.

Rex Burkholder said his amendment would not preclude that. What the concern in the community was, is that they have been told repeatedly that decisions in this area would not be made until the public involvement process by the I-5 Task Force was finished. It's important to be able to tell those people that this is a high priority.

Jim Kight asked Kay VanSickel if she was in support of this language change. Ms. VanSickel said yes, she was in support of what was being proposed by Rex Burkholder. She is in support of going through the full public process and incorporating all the public input. Ms. VanSickel added that as

the person who has to spend the dollars that come to her, there are certain limitations—time for spending and committing those dollars.

Commissioner Charlie Hale said that he doesn't see any damage to the resolution from Rex Burkholders' amendment language.

Action taken: Motion to amend the resolution by Rex Burkholder and seconded by Craig Pridemore.

Roy Rogers said that the resolution accentuated the southbound. Are you looking at the northbound as well? Why so much emphasis on the southbound? Rod Monroe said that there is already, in the northbound, a HOV lane in place. Kay VanSickel added that with the \$2.0 million, they are looking at both lanes (north and southbound). The northbound analysis will focus on making the current "interim" HOV a permanent fix.

Action taken: A vote was taken on Rex Burkholder's amendment. The amendment was approved unanimously. A vote was taken to approve the resolution as amended. The resolution was passed unanimously.

Fred Hansen reported the administration released their budget in terms of transportation, and included their "IOU" (the full funding grant agreement for the Interstate MAX project) that would have called for \$70 million in this fiscal year in terms of appropriation. They were short the year before a \$40 million request. It came in at \$7.5 million. The administration has requested just over \$80 million for this fiscal year for the IMAX rather than the \$70 million identified in the full money grant agreement. That started the process. It probably comes at the expense of Seattle. It helps the debate if you go through the congressional process.

Rod Monroe asked Mr. Hansen, why did Seattle fail and why we are succeeding? Mr. Hansen answered that Seattle was substantially over budget and does not have a defined project ready to go.

PORTLAND OZONE CONTINGENCY PLAN AND STATUS

Andy Cotugno introduced Patti Seastrom from DEQ who would share information about ozone. Metro does a conformity analysis each time an RTP is adopted or a transportation improvement program is amended, in order to demonstrate that the standards are met. In recent situations, Metro has exceeded those standards. The requirements have been in a state of flux at the federal level with changes from a one- to an eight-hour standard. Because Metro's decisions are so intertwined with air quality, it is useful to have an update.

Patti Seastrom, DEQ, gave an overhead presentation which included the "History of Ozone Violations in Portland," Portland's Contingency Plan, Changing Status, Study Factors and Conclusions, and Ozone Public Health Standards (yellow handout). Included in the handouts was a letter dated December 21, 2000 from the Department of Environmental Quality (DEQ) regarding the "Portland Ozone Contingency Plan." Ms. Seastrom planned on returning to JPACT again at a later time to give another update.

Ms. Seastrom added that they don't have enough data yet to answer whether or not population and vehicle growth will be what the projections indicated. In the next few years, they will have additional data to answer some of these questions. Past assumptions will be revisited as the maintenance plan is updated in a few years.

TRI-MET MTIP UPDATE

Lynn Peterson's presentation included the following:

- the last round of transportation monies,
- MTIP 2040 Implementation including revenues and investments,
- FY 04-05 MTIP application (white handout "2040 Implementation - Tri-Met presentation to JPACT April 10, 2001"),
- transit choices for livability.

In addition, Ms. Peterson gave conclusions on Tri-Met revenues and operating costs, investments, accomplishments and future plans for service increases.

Fred Hansen said people ask for a transit service that connects. Rod Monroe added that when you can run that 15-minute transit service; ridership increases. When you provide service with frequency, people use that service.

2002 – 2005 MTIP SUBMITTALS

Andy Cotugno reported that the MTIP deadline was last week. He mentioned the "Priorities 2002 MTIP Update Project summary" dated April 12, 2001, which was included in the handouts (purple). In addition, Mr. Cotugno presented the "MTIP Schedule Update" (white handout) that listed MTIP's project submittal funding process scheduled from April 2001 through the Fall 2001.

RTP ACKNOWLEDGEMNT UPDATE

Andy Cotugno discussed the letter from Metro, dated April 10, 2001 to Mr. Richard Benner (ivory handout) regarding the 2000 Regional Transportation Plan (RTP)—compliance with state transportation planning rule (TPR). The letter attachment "RTP Acknowledgement Supplemental Exhibits" included the following:

- Proposed amendments to general TPR findings,
- Proposed RTP amendments,
- Proposed amendments to I-5 to 99W Corridor findings,
- Proposed amendments to Sunrise Corridor findings.

Metro staff will be representing the RTP to LCDC on May 4 for the purpose of "acknowledgement" with state planning goals. A number of issues will be addressed and modifications to the RTP are likely. Andy Cotugno noted the two main issues revolve around the approval of including the Sunrise Highway and a revised I-5/99W connector corridor in the plan. The issue revolves around the need for an "exception" due to their potential location outside the UGB.

GREEN STREETS UPDATE

Andy Cotugno gave an update on the Green Streets Project (green handouts). Mr. Cotugno pointed out that the big issue was stormwater. This information addressed that concern as follows:

- 1) retrofit and structure treatment costs,
- 2) Metro has a street connectivity standard for local governments for local streets of 10 to 16 streets per mile. This conflicts with stream crossings. If there are 10 – 16 streets per mile at stream crossings, then more environmental damage is created along the stream corridors. So what is the right standard? How often should the network of streams and streets cross? This study will give information about what standard makes sense from the connectivity and environmental point of views,
- 3) the study is producing information on the whole regional culvert inventory, consolidating some that were done with local governments, and adding the one's that were missing in order to have a strategic plan to include the most important ones to deal with from a cost-effective point of view, as well as a benefit on how much watershed is opened for salmon at a particular culvert.

Karl Rohde asked if this was an item that JPACT would be adopting? Mr. Cotugno said we would have to decide how to adopt it and what action JPACT will want to take. We adopted the Street Design guidelines as guidelines but also required that any of these MTIP projects funded, meet those guidelines. JPACT will have to decide on the implementation. Mr. Cotugno said the 10-16 streets per mile connectivity would probably become an RTP amendment. The culvert inventory becomes a future decision on how to spend money, so it is not part of this MTIP cycle but will be in the future.

The Green Streets Summit workshop on May 1, 2001 is aimed at the technical and interest groups. A lunch is scheduled that same day with Dr. Patrick Condon for an informal, policy level discussion. It will be held at the Oregon State Building.

Rod Monroe announced that the South Corridor Policy Group was scheduled to meet May 7 to make decisions on the EIS for the South Corridor Project.

The next JPACT meeting will be held on May 10 (2nd Thursday of the month), at 7:30 a.m. There being no further business, the meeting was adjourned at 9:10 a.m.

Respectfully submitted,

Francine Floyd
Recording Secretary

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