

MEETING REPORT

DATE OF MEETING: February 8, 1996

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

PERSONS ATTENDING: Members: Chair Rod Monroe, Metro Council; Dean Lookingbill (alt.), Southwest Washington RTC; Rob Drake, Cities of Washington County; Greg Green (alt.), DEQ; Tom Walsh, Tri-Met; Dave Lohman (alt.), Port of Portland; Craig Lomnicki, Cities in Clackamas County; John Magnano, Clark County; Gerry Smith, WSDOT; and Roy Rogers, Washington County

Guests: Kate Deane and Steve Dotterrer, City of Portland; G.B. Arrington, Tri-Met; John Kowalczyk, Howard Harris, Annette Liebe, and Liz Ellis, DEQ; Gregg Kantor, Kantor & Associates; Mary Legry (JPACT alt.), WSDOT; Mike Mabrey, City of Gresham; Maureen Quaid, Oregon Environmental Council; Tom Novick and Neil Koehler, Northwest Bio-Products; Susie Lahsene, Port of Portland; Rod Sandoz and John Rist, Clackamas County; and Neil A. Moyer, Texaco

Staff: Mike Burton, Executive Officer; Andrew Cotugno, Richard Brandman, Mike Hoglund, and Lois Kaplan, Secretary

SUMMARY:

The meeting was called to order by Chair Rod Monroe. Lacking a quorum at the onset of the meeting, agenda items requiring a vote were postponed for consideration until a quorum was established.

UNION PACIFIC/SOUTHERN PACIFIC MERGER

Dave Lohman provided a slide presentation and brief overview of the proposed Union Pacific/Southern Pacific (UP/SP) Railroad merger. He felt our regional concerns should be based on the proposed operating plan that was submitted for this region, what we stand to gain from the merger, and what we have to do to realize the potential benefit.

The proposed merger was filed on November 30 with the Interstate Commerce Commission (ICC) and we are presently in the 195-day comment period. Some of the other major railroads and some of the key shippers have expressed concern about the proposed merger. A ruling is expected in mid-summer.

Dave reported that the operating plan consists of:

- a. Rationalizing of facilities for efficiency (for example, by consolidating and moving the Southern Pacific intermodal facilities at the Brooklyn Yard to the Albina yard) for handling of both domestic and international containers. The Brooklyn yard would then be dedicated to manifest traffic (boxcars, flatcars and lumbercars), and the Barnes yard would be used for handling bulk cargo. This would represent a significant decrease in truck traffic between the Brooklyn and Albina yards.
- b. Increasing their market share. The UP/SP Railroad will try to capture and better serve more of the Willamette Valley cargo market. A merged railroad would provide single-line north/south service all along the I-5 West Coast corridor. It would take a lot of truck traffic off I-5 in the Willamette Valley and also enable them to efficiently reposition empties to Portland, which has been chronically short of empties.
- c. Focusing and developing the shuttle or unit-train concept so as to bypass the yards. This would result in air quality benefits and savings in terms of time for shippers. It would also make it more attractive for rail lines to operate here. To accomplish that, the region would need to make road improvements and support railroad efforts to upgrade access to T-4 and acquire some right-of-way. In addition, the railroad has the need for additional tracking on existing right-of-way for unit-train staging to work. The City of Portland would need to make investments for freight operations which should result in some pretty efficient train movement in the Portland metro area. The railroad will make the investment in additional trackage and the Portland metro area will see a dramatic increase in the efficiency of train movement only if the City can find ways to fund certain related road improvements not now on any list of planned projects.
- d. Working more closely with the short-line railroads so that they can get the cargo into the core area without getting into the main lines. Dave Lohman noted that T-5 is being developed as a bulk facility.

Commissioner Magnano noted that one of the biggest headaches for Burlington Northern has been allowing high-end condominiums and development that won't tolerate the noise of the operation. Dave Lohman indicated that UP/SP is hoping there won't be new housing development near their yards.

Dave reported that 1.3 million rail cars per year go through the Portland metro area. We are presently served by the Southern Pacific, Burlington Northern/Sante Fe and Union Pacific Railroads. Union Pacific must go through Portland to get to Seattle and go over a Burlington Northern corridor to get there. Dave spoke of a congestion problem in the I-5 corridor. He noted that Union Pacific is spending \$120 million to do some double-tracking there to cut down on delays. Without the merger, UP doesn't have good access to the Gulf Coast area although BN/SF does. It is a high-cost route for them for intermodal containers and Southern Pacific's access to Port facilities is limited to T-2.

Dave reported that the most exciting possibility created by the proposed merger is the prospect of sharing their Columbia Gorge routes. The Gorge rail corridor is a highly congested area at this time. Dave felt that millions of dollars could be saved if the two sets of tracks could be shared. This would make the Columbia River corridor the undisputed low-cost rail route to the West Coast. He also spoke of its potential air quality impact as well. If barging on the river is lost, then more trucks and trains will be carrying that load.

Chair Monroe thanked Dave Lohman for his presentation on the proposed Union Pacific/Southern Pacific Railroad merger.

MEETING REPORT

Upon establishing a quorum, the January 11 JPACT meeting report was considered. Commissioner Lindquist asked, via Andy Cotugno, that the following language replace the last paragraph under "ISTEA Reauthorization" on page 6 of the January 11 JPACT meeting report:

"Commissioner Lindquist commented that, in Oregon, we are fortunate to have ODOT which is willing to work with Metro as an equal partner. Commissioner Lindquist said that a majority of the other states in the country (42) favor a strong state control and do not want MPOs to have a say in where and how ISTEA funds are spent."

Action Taken: Tom Walsh moved, seconded by Mayor Lomnicki, to approve the January 11 JPACT meeting report as amended. The motion PASSED unanimously.

RESOLUTION NO. 96-2260 - RECOMMENDING TO THE ENVIRONMENTAL QUALITY COMMISSION (EQC) THE TRANSPORTATION CONTROL MEASURES (TCM'S), CONTINGENCIES, AND EMISSIONS BUDGETS TO BE INCLUDED IN THE PORTLAND REGION'S OZONE AND CARBON MONOXIDE (CO) MAINTENANCE PLANS

John Kowalczyk reminded the Committee that they approved a preliminary recommendation on the Ozone/CO Maintenance Plans at their January 11 meeting. He felt that the unresolved issues have been addressed and reviewed his January 30 memo with accompanying exhibits.

Dave Lohman expressed concern about the 500 tons/year limitation for an industrial growth cushion and the inadequacy of that amount for a 10-year period. It represents half that recommended by the Governor's Task Force on Motor Vehicle Emission Reductions. Some of the industries that emit 250-300 tons per year could virtually use up all the growth cushion, and some industries might have to be turned away.

John Kowalczyk responded that DEQ is committed to increasing the growth cushion in the future. He noted that they have not recovered as much of the unused emissions as had been anticipated because of less stringent parking ratio, ECO, and vehicle inspection programs.

Dave Lohman suggested that if additional emissions could be found somewhere, they should go into the industrial growth cushion. He cited the possibility of turning away industries that can't be accommodated in the Portland metro area. He proposed that DEQ come back in a few years and re-evaluate the situation. Currently, industries must buy offsets as an alternative. DEQ agreed to re-evaluate the status of the growth cushion after two years experience to determine if it is meeting the needs of the region.

Greg Green acknowledged that 500 tons/year represents a low amount and felt that, in the trading program, some of the growth allowance could be recovered.

In further review of the exhibits, John indicated that concern was expressed since the last TPAC meeting that the term "bike facilities" may be too general and unclear. DEQ's recommendation coincided with descriptions referenced in the 1996 Oregon Bicycle and Pedestrian Plan with reference to the Oregon Transportation Plan. Andy Cotugno suggested changing the wording to "bikeways" to better tie it to the constrained bike system in the Regional Transportation Plan, as recommended in his February 7 memo to JPACT.

In discussion on the oxygenated fuel issue, John Kowalczyk noted that, in the Clean Air Act, it states that you can only regulate fuels if needed for attainment and maintenance. John spoke of the risks we might anticipate if oxygenated fuel is dropped. Mayor Drake noted that the region's partners in Southwest Washington have made a decision not to go with oxygenated fuels. He wondered whether we would be going against a legal decision. He supported TPAC's recommendation to maintain oxygenated fuel until the winter of 1998-99 at which time it would be re-evaluated as to need but felt the recommendation may become invalid.

Chair Monroe suggested adopting the maintenance plans as presented and letting others prove the region wrong. A discussion followed on whether something in the emission budget would have to go up if oxygenated fuels are legally thrown out. The intent is that the budget would have to be adjusted in that event. The committee agreed that language be provided in the Staff Report that clarifies that, if continuation of oxygenated fuel is found to be illegal, the region's CO transportation emissions budget would be adjusted accordingly.

In a clarification from EPA, DEQ found that the parking lid would only be reinstated if a violation of CO occurred in the downtown area.

Action Taken: Dave Lohman moved, seconded by Commissioner Magnano, to recommend approval of Resolution No. 96-2260, recommending to the Environmental Quality Commission (EQC) the transportation control measures (TCM's), contingencies and emissions budgets to be included in the Portland region's Ozone and Carbon Monoxide (CO) Maintenance Plans with amendments as follows:

- . Under Bicycle Transportation Control Measures, reference should be made to bikeways rather than "bike facilities" and the bikeways should be referenced in the financially constrained RTP (as defined in Andy Cotugno's February 7, 1996 memo to JPACT, which is attached hereto as part of this record).
- . That clarification be provided in the Staff Report that if continuation of oxygenated fuel is found to be illegal, the region's CO transportation emissions budget would be adjusted accordingly.
- . That language be provided in the CO contingency plan clarifying that it provides for reinstating the Downtown Parking Lid only in the event there is a CO violation in downtown Portland (to be reflected in Exhibit E as outlined in John

Kowalczyk's February 2, 1996 memo to JPACT, which is attached hereto as part of this record).

- . The understanding that DEQ will re-evaluate the status of the industrial growth cushion after two years experience to determine if it is meeting the needs of the region.

Chair Monroe opened the meeting to anyone wishing to give public testimony, but none was offered.

In calling for the question, the motion PASSED; Greg Green abstained.

ISTEA POLICY POSITION PAPER

Andy Cotugno explained that ISTEA won't expire until September 1997. He noted that a lot of parties are participating in various national associations that are forming positions on ISTEA. Andy proposed a common regional position that can be communicated with our Congressional delegation. ODOT will be organizing a group to formulate a statewide position.

Andy asked that the draft ISTEA Reauthorization Position Paper be treated as a work in progress. He felt the region may wish to take additional positions and wanted this initial direction from JPACT. The principle is to acknowledge that a good portion of the first adopted ISTEA has benefitted national planning and funding actions, citing multi-modal funding, flexibility with funds, cooperation with the states, and good progress made in addressing issues. He emphasized the importance of maintaining and supporting those objectives.

A handout was distributed on "Project Priorities." Andy explained that the individual projects were submitted by the jurisdictions and are based on the established criteria and the understanding that they can be built within the timeframe of the next ISTEA. He then reviewed the criteria for those projects.

Andy suggested adopting the position paper in its current draft form as a work in progress and continue to work with the state to see whether modifications are needed.

A copy of ISTEA II was distributed as prepared by the Association of Metropolitan Planning Organizations.

Dean Lookingbill reported that the Southwest Washington RTC has not taken any specific action as yet but is working on a statewide draft that is also a work in progress. The main thrust is on flexibility and the ability for the MPOs to make the funding

decisions. Dean indicated Clark County is in support of the direction we are headed, has not reached the point of having a specific recommendation, and is undecided about demo projects.

It was noted that AASHTO is not headed in this direction. They want to reduce the amount of MPO responsibility and control. There is support for control at the MPO level in the states of Washington, Oregon and California.

Dave Lohman took issue with the second paragraph under "Flexible Funding" with respect to the "major user group" reference and cited the need for a category for access to Port facilities. The Association for Port Authorities is seeking a category of funds that would provide access to terminals. He felt that such a category would create an opportunity for funds that may not otherwise come to this region. After further discussion on the realities of the current budget restraints, it was agreed that the language in the second paragraph under "Flexible Funding" be substituted by that identified under "Action Taken."

The committee did not support categorical funding as it has the effect of reducing flexibility. Andy Cotugno was given the discretion of rewriting the paragraph to reflect the committee's position.

Commissioner Rogers spoke of Washington County's work on a commuter rail project that would connect Wilsonville with the Beaverton transit center. For that project, he indicated they would be looking for future funding that could be used for demo or start-up projects.

Tom Walsh suggested that the region focus on what separates us from the other 20 states that have similar position papers. He noted our focus on project funding, maintaining a strong metro area, transportation systems, and livable communities and felt that we should emphasize our greatest strengths to set the tone and strategy of our paper. Andy Cotugno felt it should be built into the Introduction. Commissioner Magnano suggested that the verbiage could be taken from the Governor's Transportation Initiative that is tied in with land use. Most of the emphasis in the other states is on the needed connections to the metro area.

Action Taken: Commissioner Magnano moved, seconded by Tom Walsh, to recommend approval of the ISTEA Reauthorization Position Paper with the following conditions:

- . That it reflect that it is a work in progress that will be revisited.

- . That Andy Cotugno be given the discretion to modify the "Introduction" to include language that focuses on objectives that maintain and improve the region's mobility in order to support economic competitiveness; maintain and improve vital connections between metropolitan areas; provide effective connections to international passenger and freight terminals; and provide for growth management and livable communities.
- . That the second paragraph under "Flexible Funding" delete the reference to user groups and be modified as follows: While the region supports continuing the existing categories for Surface Transportation Program funds, Transportation Enhancement funds and Congestion Mitigation/Air Quality funds, including metropolitan set-asides, there should not be any additional categorical funding allocations in the next ISTEAs as these if they have the effect, particularly in the environment of reduced or level funding, of actually reducing rather than increasing flexibility. This can occur if there is less funding split up along more categories. The region
...

The motion PASSED unanimously.

INTERIM OVERARCHING REGIONAL PARKING MEASURES

Committee members were asked to review the draft recommendation from MTAC on interim parking measures in readiness for consideration at their March 14 meeting. Andy noted that decisions will have to be made on whether there should be minimum and maximum parking level requirements.

ANNOUNCEMENT

Andy Cotugno announced that the next JPACT Finance Committee meeting is scheduled for Monday, February 26, at 1:30 p.m. at Metro.

ADJOURNMENT

There being no further business, the meeting was adjourned.

REPORT WRITTEN BY: Lois Kaplan

COPIES TO: Mike Burton
JPACT Members