

North East Area Commission on Transportation (NEACT)

3012 Island Avenue

La Grande, OR 97850

Phone: 541 963-3179 Fax: 541-963-9079

MINUTES

MEETING DATE: February 1, 2007 9:00 a.m. – 12:00 p.m.

MEETING LOCATION: Oregon Department of Transportation
3012 Island Avenue
La Grande, OR 97850
Large Conference Room

Opening Meeting – (5 minutes)

Roll call of voting members.

Voting Members/Alternates Present

Gary Bieberdorf
Dan Chevalier
Mary Jo Carpenter
Nancy Gover
Steve McClure
Frank Reading
Hal Phillips
Gerald Breazeale
Jack Davis
Bob Jepson
Bob Patterson
Terry Tallman
Fred Warner
Mike Hayward
Russ McMartin
Larry Estes

Others Present

Norm Paullus
Jon Crogan
Ruth Zemke
Allen Rieke
Jeremy Morris
Howard Perry
Nola Driskell
Dana Taylor
Ken Helgerson
Rob Moore
Dan Domey
Janet Dodson
Kathleen Cathey
Judy Loudermilk
Jennifer Watkins
Michelle Owen
Alice Trindle
Joanne Butler
Les Paustian
David DeMayo
Dan Ermovick

ODOT Staff

Tom Strandberg
Monte Grove
Glenis Harrison
Jay Roundtree
Doug Wright

Approved minutes from previous meeting.

*Nancy Gover moved that the minutes from the previous meeting be approved.
Steve McClure seconded the motion. The motion passed unanimously.*

Announcements

Dana Taylor introduced Nola Driskoll working in the Baker Office.

Introductions

Introductions were made around the room.

Public and/or Stakeholders Comments:

None

Old Business and Reports

OTC Update, Commissioner Mike Nelson

MONTE GROVE - Reported on the January 24th – 25th Commission Meeting in Salem. Commissioner Nelson was not at the NECT meeting.

Kelly Taylor and State Rail Planner Bob Melbo provided an informational report on western Oregon rail corridors.

The Commission received a report on the Milestone 0, Scoping Study results on the Sunrise and South Interstate 205 public-private partnership projects under the Oregon Innovative Partnerships Program.

Both Sunrise Project and Sunrise Corridor are:

1. Needed due to continued strong growth in travel demand and significant congestion.
2. Not self-supporting through tolls but could be viable as a “shadow tolling” Public Private Partnership should alternative supplemental sources of funding be identified (shadow tolling involves payments by the government to a private concessionaire; based on traffic volumes and service levels)
3. OTIG’s understanding is that external funds are unavailable to support the project
4. The project could be coupled with other potential toll projects in the greater Portland metropolitan region that could potentially generate excess revenue.
5. The Commission will take time to assess what it has learned and what is available and the feasibility for tolling in this state for these projects. The Commission will not authorize moving the I-205 project forward to Milestone 1 now because this project has not been vetted through the traditional process in the Regional Transportation Plan. This project needs to go through the full public process. If, in that process, this project comes up as a priority, then the Commission will consider moving into Milestone 1. The I-205 project will move forward to Milestone 1 only if the OTC authorizes it to do so.
6. On Thursday, January 25, the OTC, ODOT staff and representatives from Metro held a workshop. The Commission received an update on the Metro 2035 Regional Transportation Plan.

ODOT Update, Monte Grove

1. ODOT is looking at doing some work on balancing programs due to the inflation that we have seen in the last few years. Work is being done to ascertain that projects can still go forward with the inflation calculated in.

2. The Columbia River Crossing Project, the bridge that is going over the river on Interstate 5. We are working on the environmental documents now. At this time we don't have a funding source. We're not far enough in the plans to know what we need. The cost of the project is between \$2 – 6-billion. The environmental document is \$50-million. Washington is involved in this. This is a huge project with a ton of impact on the environment.
3. [OTC minutes](#)

Byways Committee Update, Janet Dodson

ALICE TRINDLE –

1. Appreciate being placed on the agenda each meeting.
2. Marketing, you can watch for a number of cooperative ads with Union, Baker, and Wallowa County Chambers. You will see them in Northwest Travel, Travel Oregon magazine, the Oregon Events Calendar, the Oregonian, the Oregon Snow Sports magazine and several other travel magazines and newspapers.
3. Public Relations staff has a number of new story ideas as we've been going through the storage shed, and we've been assisting the National Historic Oregon Trail Interpretive Center in developing a new plan that we've come up with to start an Oregon Trail Institute. We see that as a significant contribution to our projects.
4. We have been invited to participate in a survey on economic impacts scenic by-ways nationwide. Those surveys are now out and into the by-ways and their leaders and the state Commission is going to get back to us on that. I think there will be some interesting information on the impacts.
5. Alice was invited to an event at the National Resource Center for Scenic By-Ways to present our marketing plan as models for others to look at. It will be held March 20 – 23 in Baltimore.
6. Moving forward with the Phase II Interpretation Plan by hiring two consultants to complete our interpretive plans so that it is fully ready to present and proceed in project adoption.
7. Looking at funding construction at five (5) different sights. The timeline is to award is by mid March and then the week of the 19th – 21st of March three (3) Council meetings will be held, one in each of the Counties to roll out the plans and receive public input. The one in Union County is scheduled for the 20th at Island City, City Hall.
8. There is a disconnect between the State By-Way's Coordinator and our local Federal Aid Specialist and it needs to be discussed at Salem. We thank Doug Wright for being able to help us through this project, but would like to see things coordinated more at Salem.
9. Have applied for the 2007 of the Federal Highway/By-Ways Grant Program. We are applying for the continuation of the management of Corridor Management Plan.

TERRY TALLMAN – *As a follow up from the last meeting NEACT wrote a letter of support to a new task force regarding the Federal Funding for the By-ways. Monte read a draft copy of the letter for approval.*

**Update from sub-committee formed by the November 2nd NEACT meeting
Committee: Janet Dodson, Dana Taylor, Ken Helgerson, Gary Bieberdorf**

1. Discussion of what the committee is doing to obtain funding for reconditioning, reconstructing, or repaving of the Forest Service roads that are main roads through the National Forest Service such as the road that goes to Anthony Lakes in Baker County, as well as several roads in Wallowa and Union Counties. The Committee is not giving up in obtaining funds of some kind for the maintenance of these roads rather than have them be put back into gravel.
2. Showing support for the improvement of the paved roads within the Wallowa-Whitman National Forest; these are very important sections of road. They are a high priority of locating funding we are discussing these improvements with our Regional Office to be able to maintain a standard so that we don't have a disaster of having to down grade to a gravel surface. Some of the roads are close to having funding, but not on all of them.
3. Condition wise, funding is available for two segments. These roads have alligator type cracking and normal potholes. How they will be taken care of, repaved, reconstructed, or however, will depend on the funding, and what kind of long term funding is received. We would hope for at least "band aid" funding, but would always like more.

TERRY TALLMAN - There are approximately 12 miles of roads that are part of the scenic by-ways and funded under that program. It obvious that the roads need repaired or replaced, but the funds aren't there. After the 12 miles of road that is paved it just stops, the rest of the road to Granite is inconsistent; it is part of the scenic by-ways but no funding for maintenance.

STEVE MCCLURE –Recalls when NEACT first started, we received a letter from a person from out of town who came upon a road that changed from pavement to gravel, and that person was disgusted with the dirt and the dust from the gravel road, and complained that we just didn't take proper care of our roads. Obviously, they don't have any idea of what we are up against for funding of the roads in Northeast Oregon. This is what we are talking about here.

If we could have a final draft letter of support for review at the March meeting we could get it sent off at that time.

New Business and presentations

Action Item: Approve letter to Oregon Congressional Delegation asking for support for the Interstate 84 Burnt River Project.

1. FRANK READING – "Most of you are aware of the work on scheduled on Burnt River Canyon in 2008 from mile post 328 to 322. We have the canyon by Ash Grove Cement to the Lime Plant. We are going to do some improvements with signage. We have a program set up that we are working rapidly to get it constructed. We have written a letter requesting discretionary funds for approximately \$1.5-million. There is a copy of the letter in the packets."

Motion: (Mary Jo Carpenter made the motion) to send this letter asking for support for the Interstate 84 Burnt River Canyon project. Seconded by Steve McClure. The motion passed unanimously.

Travel Management Rule, Dana L. Taylor, Transportation Engineer, Wallowa-Whitman N.F. and Dan Ermovick.

2. DANA TAYLOR – In November of 2005, the Federal Register was updated and it affects your travel.
3. DAN ERMOVICK – Any vehicles that are used on Forest Service Lands, not just ATV, but all vehicles, the State of Oregon has them in classes 1 – 2 – 3 from dune buggy's to motorcycles to quads. A few facts of the road users in Oregon from 2004 based on the State Comprehensive Outdoor Recreation Plan. When driving for pleasure, about 21% of the population is from Northeastern Oregon, most people are in there mid 50's that are driving for pleasure. The 2004 figures are up extensively from 2002. The 2004 figures show that 30% of the people coming to Northeastern Oregon are coming here for pleasure in the Forest.
4. Are they Forest Service road users? We have RV's, we have bikes, we had Cycle Oregon last year at the Anthony Lakes pull out, there are ATV's, there is logging traffic, there are all sorts of Forest users. This is important to us to figure out who our Forest users are not only in the street vehicle users using safe roads and gravel roads but also the ATV and off road users. National growth in OHD from 5-million in 1972 to over 36-million in 2002, it is up to approximately 55-million this year. We have both street legal users and OHD users that come to the National Forests for activities. Approximately 6% of the population uses ATV and 7% uses 4-wheel drives, 13.6% of Northeast Oregon uses ATV's and 13.2% use 4-wheel drives. This is the highest use in the state of the recreational uses that were identified. 25% of Oregon in the survey shows that big game rifle hunters use ATV during their activities. Our surveys show that over 10% participated in OHD. We look at these kinds of statistics and we ask who our OHD users are; they riding for pleasure, are they riding motorcycles, are they having family fun, or are they game hunting? Realistically these vehicles are out there, they have different kinds of uses, and they have different kinds of play. They are looking for something different than we may offer. This is a challenge for our Travel Management Plan that may not always be an RV from Iowa or someone big gaming hunting on the road that these vehicles are out there and they are looking for a use.
5. The items of the rules, is that the decisions are to be made at the local level. We interpreted that at the Forest Service Level. It will cover all motorized vehicles, not just ATV, except for snowmobiles they will be handled differently. The designation for each road, trail, or area will have a class of vehicle that will be allowed and also a seasonal use permit. Once the system or designation is in place, this is a new rule; use off of this designation system will be prohibited. So cross-country travel unless an area has been designated as such will be prohibited under the National Standard. This will

be designated with public input and coordination with state, local and public access.

6. The rule talks about stable and better-motorized recreation, protecting the environment, increased public safety and adequate access to the National Forest Service Land. As always when we get into a public meeting we have a good idea of what that means. What public safety means, I know the state is dealing with right now, with some proposed quad use. Some certifications and things like that. Protecting the environment has always been one that we have looked at with public timbers sales or the impact to that land. Now this brings us to another element, social element dealing with public safety as well as environmental protection and providing for sustained motorized use and then the big quencher with the Forest Financial Team finding out about the accessing key issues. Even on Forest Service Lands and getting to private lands, connection from State, private and other ownership lands onto National Forest Service Lands, even just accessing is a key item right now.
7. The rule does talk about a level of public participation involving the steps, validating and looking at the roads and trails that we have, do we have the right ones on the map. Dana, other people and myself have spent a significant amount of time last year going through our system and our vocabulary data to connect it to. We want to know that what we have on the ground that we can display it for public use. There will be participation opportunities in the environmental analysis process and eventually the finally product will be referred to as a motor vehicle use map. This map will available to the public and it will be the information pool as well as the law enforcement pool of what is available for you to travel on in Forest Lands. It is required that we update this yearly. We will be adding, removing, changing each year.
8. The examples that we have seen so far is the Dakota Grass Lands, they set on a 11 x 17 piece of paper, we told them that we have to many acres of land here on the Wallowa Whitman for that to work for us. So we are still working on how we are going to be able to display that to the public and how it can be reprinted each year.
9. DANA TAYLOR – As for law enforcement, it is not a requirement that we sign our own ground. The map should show you where you can or can't be on certain grounds. Law enforcement may or may not write you a ticket because you didn't see it posted on the ground. So read the rules before you go out.
10. DAN ERMOVICK – Local decisions that were part of the planned supplements talk about designation, the Forest Supervisor assisted in designating which roads will be level 2. Then we talk about what vehicle class and what time of year. This is part of the environmental assessment process each. This is off road for big game retrieval. Regional guidelines, which came partly from ODFW, states that there will be no vehicles allowed off of the roads and trails. Which is consistent with Idaho and Washington code enforcement. We all realize this is a huge change. Effective for camping, you

may camp up to 300 feet off the road, to and from and established hunting camp, this does not include day use.

11. Between 2006-2009 we should have the rules and map complete. We anticipate having our map out the end of 2009. Examples that will be changing will be cross-country travel will be prohibited, use of undesignated roads and trails. Those are the main rule changes. We realize that all of those have a significant impact. Woodcutters are required to have a permit. Law enforcement fines can be anywhere from \$50 to \$500. We have law enforcement person at the regional level working on this, and they know it is a continuing process and they know the deadline dates.
12. We are looking at having the new Forest Plan in place by 2008, as there are many changes. Forests that are not doing a new plan will be working under the 1990 or 1995 work plan. Our strategies to get through this in four years is to give deadlines to our committees and to stay in line with that time line and use what data we have in place.
13. The public involvement phase will begin in 2007; they will have an open house similar to what we have done today. The plan is to have the first public meeting in February or March.
14. In summary, there are some major changes to the Forest Plan for the Wallowa Whitman Forest that will be in place by 2009 for any vehicles that are used on Forest Service Lands, not just ATV, but all vehicles, the State of Oregon has them in classes 1 – 2 – 3 from dune buggy's to motorcycles to quads.. There will be a final map showing the road restrictions by 2009. There will be public hearings beginning in the spring of 2007.

Local Program Update – Doug Wright, ODOT, Region 5 Federal Aid Specialist and Marty Anderson, Local Program Design Coordinator.

DOUG WRIGHT – Introduced Marty Anderson, who is his counter part in Salem.

1. Update for the fund exchange. I received a letter to go forward with the fund exchanges; I will be sending that out so that you can respond with your projects for those funds. Also the small City ??? agreements are out, please get those signed and returned as soon as possible.
2. MARTY ANDERSON – I am on the many of the Committees, I'm on the Enhancement Committee, Bridge Committee, Program Manager for Connect Oregon. I do a lot of the review and a lot of critical stuff on most of the programs, like when you were trying to get the Scenic By-Ways Program to start working with that program to tighten it up.
3. Connect Oregon: Has approved two agreements, one is the Milton Freewater project which they have been working with the State of Washington on the railroad crossing. They have been having problems with the State of Washington that they had to work out before this project could be finalized. The next project is the Port of Morrow; this project is on reserve if and when funds are available.

4. I've been given clear direction from the Plant Safety Commission, the Legislature, and from the Director that we are going to be able to finalize the Connect Oregon Projects in a timely manner.
5. DOUG WRIGHT – You are going to be able to sit down with any project that may have a problem and discuss the issues and negotiate the resolution. If you have any problems with your projects, you need to speak up as soon as you know and work with me on the resolution.
6. MARTY ANDERSON – Transportation Enhancement: the Committee met this last week to review projects, and get ready to notify everyone whether or not their project made it and that funds are available and are not under funded. Notification should be out this week for the Transportation Enhancement Project Applications. The Commission will be approving projects in February so applicants can prepare their presentations.
7. **Local Bridge Committee** the tuition on the table for them is OTIA III Local Agency Grants of \$300-million. We actually gave the local agencies the funding. The policy states that we are not going to be covering overruns, so you better keep track of the costs, manage the program, and do your project. The Committee asked last week if they could cover up to 10% of overruns of the original grant amount. If the agency received a grant amount of \$10-million, then that agency would be able to receive \$1-million. We still think we may have some funding left, we just don't know how much at this time. We would like to reuse the original list as much as possible. We redid the list from when it was originally put together under new guidelines. The bridges that we have on the list were built in 1909, 1912, 1915, there are still pony truss bridges with packed rust, and so the bridges that are on the list are going to basically stay on the list because they are bad.

**Tollgate Update – Jay Roundtree, Region 5 Project Manager
(PowerPoint Presentation on file)**

1. This road has been in disrepair for many years. It would get worse each spring with the freeze/thaw, and ODOT would have a weight restriction on the road from March to June, so basically any loaded truck was unable to travel this road. This highway had some major economic impacts to the local economy. So it began with the initial project in 1998, with the design phase in 1999, we sold the project with construct, excavation, road alignment, upgrading the whole road. The bid was awarded in July of 2004 to Tidewater Contracting for \$12.1-Million, on-site work began September 2004. The plans for that season were to go in and do the logging, the grubbing etc.
2. A picture presentation was provided with explanation of each photo showing different things that delayed and caused overruns on the project.
3. They did get six-miles completed last season, and hope to continue on this next season.

STIP Update – Frank Reading, NE Area Manager

1. A handout was provided with information on the STIP update. In mid summer NEACT accepted the list as their 150% list. What it is, is all the projects that we've had through the competitive program through 2011, and a couple of extra ones that are listed. We wanted to show the projects as a whole, so you remembered what we agreed to, and there would be no questions.
2. The next handout was a timeline for the projects. With these handouts you can look at any month and year and know what is taking place in the STIP during that time.
3. In January we sent out electronic copies of the public comments we received on the projects. Included in your packets is a copy so that we can make sure that everyone received them. The comments received in the videoconference we're written down and have been addressed.

Motion: *(Steve McClure made the motion) To send a letter as presented for the STIP Projects, stating that all public comments received have been addressed. (Seconded by Dan Chevalier). The motion passed unanimously.*

1. We have reviewed the STIP Projects to figure out what we need to do for future project overruns and how to handle that funding. We don't particularly want to state that a project is canceled, what we prefer to say is that the project is delayed until the next STIP year.

Motion: *(Fred Warner made the motion) That we accept the recommendations for STIP reduction. (Seconded by Gerald Breazeale). The motion passed unanimously.*

2. TOM STRANDBERG – The Office of Civil Rights is trying to get the word out on the Work Force Development Program, the meeting with various construction companies, employment agencies, city and county representatives, as far as the Work Force Alliance Groups, they have met with Ontario and Pendleton, and we will be meeting with folks in Baker and Wallowa Counties too. The word is getting out that ODOT is willing to talk with the Local Chamber's, Contractors, Cities and Counties groups and other civil groups to talk about the upcoming projects. It is estimated to be \$300-million is transportation work between now and 2011 with the STIP Program and the OTIA Programs. If you know of people who are available for this type of work, to contact ODOT and/or the construction companies that are awarded the projects.

Rural Roads/Forest Receipts – Commissioner Fred Warner

1. Everyone knows that Public Law 106.393 expired in September. Counties received their checks in late December, early January. That means no more funding will be coming in from that law that means that their actual County fiscal year will be getting their forest federal receipts. As a general rule it is about 20-25% of what they usually get. Last meeting we talked about the impact for each County. Baker County it is a loss of \$600-700,000 if you count ??? money and title one money, and not counting title two money. Wallowa County, \$900,000. Union County \$650,000. Umatilla County \$400 – 500,000. About \$60-million actually runs to the school funds. The

Governor has that in the budget, so there is a big short fall in the budget. They are going to be looking at that.

2. We talked some on the federal legislation, yesterday the house did vote on the continuing resolution; the senate has until February 15 to adopt a continuing resolution. Senator Smith has stated that he will filibuster 60 votes to break a filibuster. I can't tell you if he'll be successful, he wants a one-year extension added to that. There are two bills, House Bill ??-17 that was put forth by Congressman Walden and Senate Bill 360. That's a seven-year extension, somewhere to last a lifetime. They aren't having hearings on these as of yet. Defoseo has a bill going through the House of Representatives now to sale 1.2 million acres of old seed lands and setting aside 1.2 million. I had planned to have a handout but it doesn't pertain enough to NE Oregon. We doubt that Congress will allow 1.2 million acres to go back into private ground; we may at a later time weigh in on that. I did ask questions, in one of the pots of funding, it would help the eastern Oregon lands, but that would take Federal Legislation. That means the AOC Transportation Committee is looking into that. The next step that AOC and the Legislative people are doing is looking at a gas tax increase, they are looking at a one-time lump sum, and the pot that I heard was around \$.06. There is talk of a lot of different things, but the gas tax is going to be the biggest. It will not replace the money that we are going to lose with the Federal receipts. There is a bill going through the State Legislature on the special County allocations, I believe that will pass, but there is no funding in that County allocation. They are looking at \$1.5 Counties. It will only help a few Counties. I think the best thing that we are looking at getting reauthorization, if it happens, it's gong to be one year at a time.
3. The one thing that they are talking about with the \$.06 gas tax is that it would take away any local options. I.e.; Baker City could not have a local gas tax. So that will be part of the debate as we move forward.

County Roundtable, (as time allows) County representatives provide brief descriptions of items of interest/happenings/lessons learned, etc.

None

Agenda Build

None

Set Time, date and place for next meeting

April 5, 2007
3012 Island Avenue
La Grande, Oregon

Adjourn meeting.