

RVACT *Rogue Valley Area Commission on Transportation*

155 N. 1st Street • P.O. Box 3275 • Central Point, Oregon 97502 • 541-664-6674
FAX 541- 664-7927

To: Members, Rogue Valley Area Commission on Transportation
From: Pat Foley, RVCOG
Re: Summary of September 8, 2015 RVACT meeting
Jackson County Public Works Auditorium

Members and Alternates in Attendance: John Stromberg, Ashland; Tom Humphrey, Central Point; Robert Miller, Eagle Point; Colleen Roberts and John Vial, Jackson County; Jim Lewis, Jacksonville; Simon Hare, Josephine County; Dan Bunn, Medford; Pam VanArsdale, Rogue River;; John Bullion, Rail; Mike Quilty, RVMPO; Rob Brandes, MRMPO; Arthur Anderson and Jerry Marmon, ODOT; Bern Case, Aviation; Jon Elliott and Paige Townsend, RVTD; Steve Haydon, Bike and Pedestrian; Donald Stone, Trucking; Mike Montero, Earl Wood, Craig Stone, Justin Gerlitz and David Kellenbeck private sector representatives from Jackson County and Josephine County

Members Absent: Butte Falls, Cave Junction, Gold Hill, Grants Pass, Phoenix, Shady Cove, Talent and private sector representatives Larry Ford and James Lowe.

Staff: Frank Reading, Lisa Cornutt, Michael Baker, and Gary Leaming, ODOT; Pat Foley, RVCOG

Other Attendees: Susan Morgan and Dave Lohman, OTC; Jerri Bohard, Chris Cummings, Roseanne O’Laughlin, Sharon Kantz, Becky Knudson, Alison Wiley, ODOT; Susie Lahsene, Martin Callery, Alan Unger, Sal Hernandez, Mitch Swecker, Tracey Whalen, Dave Harlan, and (*Michael Montero & Michael Quilty*) OFAC; Terry Fase, Oregon Department of Agriculture; Jenna Marmon, Jackson County; Scott Fluery, Ashland; Alex Georgevitch, Medford; Fred England, Rogue River Councilor; Gary Taylor, HDR Engineering; Brodie Harvey, Knife River.

1. Welcome, Roll Call
Mike Montero

Roll was taken. A quorum was present.

2. Review Agenda – Additions or Deletions
Mike Montero

Mike Montero acknowledged a letter from Matthew Garrett, Director that was in response to the letter sent to him from the RVACT regarding the presentation at the November 4, 2014 RVACT meeting given by Jerri Bohard and Michael Tynan, Public Health and Transportation, and the concerns and experiences articulated by members of the RVACT.

3. Consent Calendar
Mike Montero

Approve July 14, 2015 RVACT minutes: **Simon Hare made a motion to approve the minutes. Mike Quilty seconded the motion. The motion was approved.**

4. Public Comment

Mike Montero

Paige Townsend: Paige has flyers available for: Livability Solutions Form: Economy, Housing, Transportation.

5. MRMPO Coordination Policy

Art Anderson

The two Coordination Policy's (RVMPO and MRMPO) have to be modified. The modifications include are in lieu of changes that are to be made to the RVACT Bylaws.

Recommended changes include:

2. ~~The sitting chairperson of the Rogue Valley Area Commission on Transportation from Jackson County.~~

TO

The sitting Chair of the Rogue Valley Area Commission on Transportation.

3. ~~The sitting chairperson of the Rogue Valley Area Commission on Transportation from Josephine County~~

TO

The sitting Vice-Chair of the Rogue Valley Area Commission Transportation

ADD Signature line at bottom of page.

Mike Quilty made a motion to accept the recommended changes. John Stromberg seconded the motion.

The motion was unanimously approved.

6. Review Tribal Inquiry Letter

Art Anderson

Three information items pertaining to Tribal invitations were emailed to RVACT members; Art reviewed the OTC's "Policy on Formation and Operation of Area Commissions on Transportation which includes the statement: Representation shall include City, County, and MPO officials within the ACT boundaries. Tribal Governments, Port Officials, and Transit officials shall also be invited to participate as voting members and will count toward the requirement of at least 50% elected officials.

At the last RVACT we were directed to find out which tribes would be the correct tribes to add to the list to invite to participate in the RVACT.

He then reviewed the process for reviewing/accepting the draft tribal letters and communications received. Trevor D. Sleeman, ODOT Tribal Liaison, contacted Karen Quigley, Legislative Commission on Indian Services. Trevor then contacted Michael Baker with the following list of tribes to be contacted; 1) Cow Creek Band of Umpqua Tribe of Indians, 2) Confederated Tribes of the Grand Ronde Community of Oregon and, 3) Confederated Tribes of Siletz Indians.

Draft letters to the three tribal interests were given to RVACT members;

Discussion/Questions/Comments:

John Stromberg: What was the criterion for selecting these three tribes? Response: No specific criterion was presented. These are the recommendations from Trevor Sleeman.

Mike Montero: I think that the important thing regarding the suggestions for tribal representation that we had at the last meeting (tribal interests presented by Pat Foley that she has used when doing federally funded project environmental assessments) is that we are wanting to do this right and we are going to rely on our transportation experts to guide us.

John Stromberg: What if another tribe comes to us and asks “Why weren’t we included?”

Art Anderson: Mike, did Trevor relay to you any more details on the selected tribes?

Mike Baker: This all gets back to the tribal ancestral lands. The tribes of the Grand Ronde and the Siletz, this is part of their ancestral lands and they have a lot of tribal members living in this area. The Cow Creek tribe is also a federally recognized tribe in Oregon with interests that come down into Josephine County. We looked at other tribes’ one being the Smith River Rancheria which is located a few miles south of the Oregon border in California. The majority of their ancestral lands are in Curry, Josephine and southern Jackson County. However we did not invite them because they are not federally recognized in the state of Oregon.

John Stromberg: Can we direct staff to explore further with Trevor to get a clear set of criteria that we can rely on in the future if this is ever challenged? Response: It has nothing to do with the lands listed in the Bureau of Indian Affairs. It had to do with federal recognition in the state of Oregon. That is how they got there. We could reference that element in the letter: “You have been selected because you are recognized in the state of Oregon.”

Frank Reading: I think Mike did a great job. I think we can easily get together with Travis. Travis can easily pull together information on how and why you have been selected.

John Vial: What have other ACTs done?

Susan Morgan: As long as I have been on the Commission I do not remember this ever being addressed.

David Lohman: I don’t remember it either.

Susan Morgan: It may be a benefit to have a statewide discussion. If there is an interest in having a tribal member there should be a standard protocol that would apply to all of the ACTs across the state. It would be a pretty awkward situation for different ACTs to have different selections for membership. This may be something that should be looked at the OTC level.

Mike Montero: Given the fact that the reason that this is on our agenda because of the interpretation of the mandate that we have from the OTC, I wonder if it might not for the sake of that consistency that the two of you have identified that we may want to do is defer sending this out and instead have some input and guidance from the OTC.

Susan Morgan: We are actually going to be meeting here for our October meeting. This is something that we could put on that agenda to discuss.

Mike Montero: It is my impression that the direction that we received from our two OTC members is that we request that this be put on the OTC October meeting agenda and provide them the content of our discussion.

Simon Hare: I am not opposed to this but we are spending a great amount of time on the administrative element of government structure. If I look back at the time that I have served on the ACT we seem to spend an inordinate amount of time on administration. We have a minimum standard that we have adopted. I am not saying this is not something that can be discussed over time for the OTC to study and make a recommendation back to the ACT. My understanding of the Bylaws, we can have the opportunity to say no to whomever. If they want to sit at the table I don’t want to say no come in and give your input but I imagine getting it right for the future for ACTs in the state but if it isn’t an issue let’s not make it an issue. I want to make sure we are working toward making the transportation infrastructure is given the highest level possible. That is my goal for sitting here.

Mike Montero: That having been said we are all aware that we serve for the pleasure of the OTC and are entrusted to follow their administration of the process to be more specific then I think that is the request we are being given.

Simon Hare made a motion that the OTC addresses guidance on tribal membership serving on ACTs. Jim Lewis seconded the motion. Motion pass.

7. Enhance Program Update

Lisa Cornutt

Lisa reviewed the definitions, project eligibility and Region 3 process for the 2019-2021 Enhance Non-Highway STIP funds (\$4M).

Definitions:

- Enhance - Projects, investments, programs that improve or expand the state's multimodal transportation system.
- Non-Highway - Infrastructure for non-auto, non-truck modes of travel. May be on state or local system.
- State Highway System - Public roads, facilities and right of way owned and/or operated by ODOT.
- Super ACT - One (1) ACT member from Middle Rogue MPO, Rogue Valley MPO, RVACT, Coos County, Curry County, Douglas County (6 representatives).

\$4M total – Requirements:

- Projects may be on the State or Local System.
- Projects competing for these funds may or may not be 'leverage' projects.
- Projects need to be consistent with state and local plans.
- Applicants will be required to provide 10.27% matching funds.

Parameters:

- ODOT and local agencies will compete for funds via a proposal process due November 20, 2015.
- The SWACT and RVACT will compete for \$4M (Neither ACT is guaranteed projects).
- Total project cost must be a minimum of \$1M for projects requiring construction except the construction of transit and bicycle and pedestrian stations.
- Limit one proposal per jurisdiction.

Selection Process:

- Region staff receives and reviews proposals for eligibility (November/December).
- Each ACT will hear presentation and reduce their area's proposals to \$4M (January/February).
- Region will field scope proposals (February/March).
- Region will coordinate with proposers about possible phasing, scope reduction, and/or increased matching funds.
- MPOs will review MPO area projects and recommend high priority projects up to \$4M (April/July).
- ACT will reduce list back to \$4M considering scoping estimate, additional coordination with proposers, and MPOs recommendation.
- Super ACT representatives selected.
- If necessary, revisit MPOs.
- Region staff will develop a draft project proposal list for Super ACT consideration (April-July).

- Super ACT will hear presentations and recommend projects to the OTC up to \$4M (August 1, 2016).

Questions/Comments:

Art Anderson: If any of the jurisdictions want to start sending proposal ideas to me they can do so at any time. Response: If you have a project you are highly encouraged to contact ODOT so that we can look at your proposal so that we can provide feedback and comments to help you prepare a better proposal.

Rob Brandes: Can we submit more than on pre-proposal? Response: You can but we want to know what your number one choice is.

Stephen Haydon: How did we get the \$4M changed from \$20M? Response: That is a legislative issue.

8. 150% Fix-It Update

Jerry Marmon

Previously the Operational and Preservation/Maintenance project's 2015-2018 150% list were presented to the RVACT. Today Safety, Bridge and Fish Passage projects are being presented.

- Safety: There has been a huge transition in our agency in regard to safety. In the past dollars were spent on the state system. Map 21 changed that stating that ODOT had to look at the entire system, state and local. This means that all jurisdictions are eligible for ODOT Safety dollars. Two different categories; systemic and hot-spot. We identified a total of 65 projects.
- Bridge: One project in area. Twin Bridge (South of Valley of the Rogue).
Deck overlay
Joint Replacement
Girder Repairs
- Fish Passage: (culverts to be replaced)
 1. Fruitdale Creek (OR 99 Grants Pass)
 2. Coleman Creek (OR 99 Phoenix)

9. ConnectOregon VI Update

Chris Cummings

ConnectOregon are for non-highway projects covering air, marine, rail, transit and bike/ped projects.

- Lottery funds
\$45M for 2015
Each region receives a minimum of \$4.5M (10% of total)
- 30% match requirement coming from the applicant.
- Open to public entities, private entities, non-profit organizations of person within Oregon.
- Application packets coming out October 5th. Applications due November 20th.
- Selection criteria, attributes, goals. 1. Transportation costs reduction, 2. Economic benefit, 3. Critical link, 4. Project cost borne by applicant, 5. Readiness and 6. Project life expectancy.
- Scoring methodology: Tier score based on legislative considerations, ranking by review committees.
 1. State staff – scoring
 2. Mode committees – ranking
 3. ACTs – ranking
 4. Final Review Committee – ranking

5. OTC for approval August 2016

Program changes:

- Match changed from 20% to 30%
- Bicycles are not eligible for reimbursement
- Loans are not an option
- Operational costs are not eligible
- Jurisdictional representatives that are submitting an application cannot serve on the Selection Committee

Selection Considerations:

- Whether a proposed transportation project reduces transportation costs for Oregon businesses or improves access to jobs and sources of labor
- Whether a proposed transportation project results in an economic benefit to this state
- Whether a proposed transportation project is a critical link connecting elements of Oregon's transportation system that will measurably improve utilization and efficiency of the system
- How much of the cost of a proposed transportation project can be borne by the applicant for the grant
- Whether a proposed transportation project is ready for construction
- Whether a proposed transportation project has a useful life expectancy that offers maximum benefit to the state

Complete applications are extremely important.

10. Local Construction Project Updates

Gary Leaming

Interstate 5: Exit 61 Merlin Interchange – Signal poles are up and lane restriping being done.

Hwy 199: Caveman Bridge Rehabilitation – Project will be done in the future. Complete rehab.

Fern Valley Interchange – Paving concrete for interchange being done. Project is going well. By the end of this year we will be driving on the new bridge, new roadways (ramps). This will allow the contractor to tear down the old structure and start to build the new northbound off-ramp.

Hwy 140 Project – Currently working on this safety project. Project is wrapping up.

Oregon 62 Corridor Project – Set to go out for bid in late October

Siskiyou Rail Line Rehabilitation – Tiger grant. By the end of fall trains should be using the tracks.

11. Oregon Transportation Commission/State Updates

David Lohman and Susan Morgan

Susan Morgan addressed the STIP Funding process: We recognize this is another round where there is no money. The process is going to be difficult especially in a Region like this. It is going to be tough working through this where there are a lot of projects and not enough money to go around. The discussion at the OTC is to use the Enhance monies to supplement the Fix-It Programs. As you move through this program think about how you can apply that Enhance money to coincide with a Fix-It project. The Congress is back in session today. We are in touch with them regarding transportation funding. There needs to be a resolution on this, not just a short term resolution. Highway funding on the State level is another big issue for highway improvements around the State. This is a discussion that is going to take place in the state legislature. From my perspective there is going to be a lot happening in the February 16 session and my anticipation is that this is going to be defined by the elections. Governor Kitzhaber

started a Transportation Visioning Committee that is made up of a number of sub-groups. When Governor Brown took office this was put on the backburner. That is now up and running. They will start meeting again in the fall. Stuart Foster serves on the seismic impacts committee. I will serve on the funding committee. Real time signage is one of the things that we will start to develop down here in this Region from the Siskiyou to Glendale. The OTC had a presentation a couple months ago on how real-time signage was working in the Hillsboro area. It has proved to be a great addition to an arsenal of features to help with the congestion in that area. At the last OTC meeting some funding was added to a project in north Douglas County that adds a climbing lane on I-5 (Anlauf to Elkhead Road) to address the traffic congestion in that area. ODOT has just finished implementing Rail Administrative Rules in response to oil trains and what can be carried on trains (re: Bakken Crude), reporting, emergency response and safety inspections. The OTC will be meeting in Ashland in October: renewing bylaws, charters and work plans. This is your chance to talk to us about the issues that you have. We have an OTC workshop scheduled for Silverton in November: ACT Chairs, modal Chairs – STIP, *ConnectOregon* process changes, update OTC work plan.

David Lohman: Sue mentioned the relationship between the Enhance and Fix-It projects. Given the presentation given earlier, this gives you a chance to figure out how to coordinate your Fix-It projects with your Enhance projects. You may look at that list and put some things together that will make your Enhance project stronger. Please look at the whole program and also *ConnectOregon* in order to enhance the statewide transportation system.

12. **Agenda Build November RVACT Meeting**

Art Anderson/Mike Montero

The next RVACT meeting is scheduled for November 10th in Grants Pass.

LUNCH BREAK

Convene Joint RVACT/OFAC meeting

13. **Meeting Overview**

Mike Montero

This is a rare opportunity where the RVACT and the OFAC are meeting together to discuss and ask questions about issues affecting the area in relation to freight/transportation concerns.

14. **Handout(s) Overview**

Roseann O'Laughlin

Roseann reviewed the meeting materials:

- Oregon Freight Plan
- 2014 OFAC Report
- Freight Project Attributes
 - Connectivity & System Benefits
 - Accessibility & Mobility
- Economic Overview of the Rogue Valley ACT Region
 - Population, Employment and Personal Income
 - Employment and Wages by Major Industry Categories, 2014
 - Rogue Valley Top 5 Industries by Number of Jobs
 - Rogue Valley ACT Commodities traded by Region
 - Rogue Valley ACT Range of Commodity Production
 - Rogue Valley ACT Commodity Flow by Corridor in ton-miles

15. **Introductions**

Mike Montero

All participants introduced themselves stating their representation

16. **OFAC Background and Information**

Susie Lahsene

Since its inception in 1998, OFAC has met regularly to address freight issues, participate in project reviews and provide information to the OTC, ODOT and the Oregon legislature. OFAC is comprised of 17 General members and 11 Associate members. General members are persons who represent a freight service provider, shipper, trade association or business directly related to freight activities and citizens experiences in freight mobility issues. Associate members is a person who represents a public agency, development commission or ACT. OFAC members are appointed by the Director of Transportation and serve four-year terms.

17. **Freight Issues Discussion**

Mike Montero

Questions/Comments:

John Stromberg: I am interested in system issues. Could you give a couple examples of system issues?

Susie Lahsene:

- Central Points Exit 33 is a bottleneck concern.
- I-5 through Medford (Viaduct) – narrow shoulders
- I-5 Stage Hill climbing lane capacity
- I-5 Smith Hill northbound climbing lane capacity
- Coos/Douglas County US 101

Dave Lohman: During a recent meeting there was a discussion on the loss of container services in Port of Portland and how each region might come up with ideas on how to deal with that problem. There was discussion on pushing Union Pacific to move into this region so that goods could be shipped from this area down to Los Angeles. There was a lot of discussion about bringing shippers together to try and influence users to think that way. Have other ideas come up?

Susie Lahsene: Here are a couple of ideas that I have heard. The fundamental problem is that the primary shipping line has quit calling at Terminal 6 in March of this year. This created a big impact to the shippers in the state. Through a series of meetings around the state asking the shippers and the users we asked questions/ideas on how to reduce impacts. Getting shipping back to Terminal 6 is the long term goal. In the short term there are things that can be done. Some of the issues center on consolidation of containers so that they can be moved by rail or truck. The challenge is the rail system's capacity in certain areas. The challenge is that rail service is limited in certain areas. There are also operational issues that could potentially be modified. The other issue is location of the containers. Once a container is picked up from an certain area you then you have a to go back the facility to pick up the container. This incurs a huge expense. Need to organize the containers in some way that will be more efficient and cost effective. For example, think of it as Uber for trucks.

Tom Humphrey: A number of years ago you came down to the Tolo area when we were going through our Regional Planning process and identified that area as a possible multi-modal location. How realistic is it to expect this to happen in Central Point? Response: That is not as goofy as it sounds to share truck/rail. It really depends on the length of haul and what that system looks like and what the cost would be. Rail does not like moving one or two containers.

They like a full load (150 containers or so). You need to have the loaders to transfer the containers from the trucks to the rail cars. I don't know if there is enough volume in this area. Also they usually stack the containers on top of one another and because of the constraints posed by the southbound rail line tunnels this could not be done.

Don Stone: Time is money. If you have inventory that is being delayed at a terminal or some sort of facility then whoever owns that is losing money for every minute or every hour of delay. Because the International Offshore Union has their own agenda and they also have an interest in whatever happens. It seems to me they have input. Has there been any interest from the association to reach out to them for input or participation. Response: Your point is an excellent one. In terms of reaching out to the International Offshore Union – they are responsible for moving containers: there have been some efforts to reach out to them as well as the owners of Terminal 6. Those efforts are ongoing. There are a number of lawsuits that are layered on top of all of this and until those issues are resolved we are not going to see much happening.

Jon Elliott: Does the Port of Portland own Terminal 6 and all of the equipment? Response: Yes, the Port of Portland owns most of the equipment.

Mike Montero: One of the things that we have talked about at OFAC is the impact of congestion in our freight system and the reduced driver hours. If you are shipping something out of Medford and you used to make this delivery in a day. As the congestion increases and with the number of available hours based on federal safety standards, what do you do? Where do the trucks stop at? With the Oregon land use system you can't lay over in many areas. Response: We just completed this Cost of Congestion Study and that was the fundamental issue. Congestion in Portland is growing at 6% which is the sixth or seventh worst congested area in the country. If you can't get through Portland in one turn then you do have to have some place to put your truck outside of Portland. The question for all of us is where this will be, a truck terminal, a rail yard or an area of some kind. We have not grappled with that and this is an issue that we will have to face.

Mike Montero: Another issue is the Viaduct in Medford. Forty-six percent of all the traffic that uses that facility is local. Basically it has become the local system for the City of Medford. OFAC has looked for funding for alternative local roads where there is a nexus to reduce the demand for local traffic using that facility. You can either build another road (too costly) or you can construct roads that serve as alternate routes.

David Lohman: Does OFAC need more support from the shipping industry? Would it be helpful if somehow to get our shippers and manufacturers organized through OFAC or some other group so that they can make their needs better known and have their voice heard.

Susie Lahsene: Do you have a Chamber that includes like businesses.

Mike Montero: We have a transportation committee. There really hasn't been much outreach. Tomorrow on the regional tour we will stop at two of the major shippers but beyond that, having a specific shipper's group not much has been done. Think this is an underserved opportunity. Response: Getting back to your Chamber so that can connect the dots would be a good start. That would be helpful because businesses do work individually and do not work together.

Bern Case: A number of years ago our Foreign Trade Zone at the airport was struggling. We had a few clients that brought in \$150K a year and now the estimate is \$230K. We strived to get businesses to utilize the Foreign Trade Zone and we struck out. We did go through the Chamber. That was the last time I saw a major effort of getting traders together in one room. I would support getting that group together again because if we don't we will be having this discussion next year and the year after.

David Lohman: When I worked in the Economic Development Department years ago we organized various industries into groups who then could express to the Department and the

Legislature what their needs were. If we could go beyond the products involved and get people involved on that basis and not on the products might help us figure out some solutions.

Bern Case: We need to pull together on this issue.

Tom Humphrey: Rather than the Chamber, the Rogue Valley Council of Governments (RVCOG) is staffing the MPOs and other freight related things, the RVCOG is a natural body to foster a freight organization or we could involve SOREDI.

Mike Montero: Tom I wonder if this is something that we could bring to the Regional Solutions Team. This is a regional issue looking for a solution.

Bern Case: TRADCO and the Chamber combined have that interest. This group has that interest. There are so many entities that have the interest. If we get one more entity I don't know if that is the answer. I think there are plenty of mechanisms out there. Question: Who got your group together when you were working on the Foreign Trade Zone? Bern: I got the Chamber to help me but it was my group that led. The County could not bear the cost of keeping it open for the number of people using it. We were trying to convince people to use our Foreign Trade Zone and not those in Portland or Oakland. When we talked about money a lot of them said no I am going to use Oakland. It is shortsighted but money is money.

Trucking: Typically I have found that shippers individually are mostly concentrate on their own self-interests. I think that it would be an interesting exercise for OFAC to branch out into a shipper's organization as a portion of OFAC's function. It seems that this would be a logical outreach.

Mike Montero expressed appreciation and thanks to OFAC, Commissioner's Morgan and Lohman for their participation in today's meeting.

RVACT meeting adjourns

DRAFT