

OREGON TRANSPORTATION COMMISSION

**Minutes of the Regular Monthly Meeting
November 16, 2011
Silverton, Oregon**

On Wednesday, November 16, 2011, at 8:00 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a pre-meeting briefing session and reviewed the agenda in the Lotus Room at The Oregon Gardens, 895 West Main Street, Silverton, Oregon. Highlights of the pre-meeting were:

A review of the agenda.

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Highway Division Administrator Paul Mather discussed major projects under development by the department, which have no construction funding allocated.

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Paul Mather explained what the Winter Recreation Advisory Committee recommended for Sno-park fees.

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The regular monthly meeting began at 9:16 a.m. in the Orchid Room.

Notice of these meetings was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meetings included:

Commissioner Dave Lohman
Commissioner Mark Frohnmayr
Commissioner Tammy Baney
Commissioner Mary Olson
Director Matthew Garrett
Chief of Staff Joan Plank
Interim Deputy Director of Operations Jerri Bohard
Communication Div. Administrator Patrick Cooney
Technical Services Div. Manager Cathy Nelson
Interim Rail Division Administrator Betsy Imholt

Region 1 Manager Jason Tell
Region 2 Manager Sonny Chickering
Region 4 Manager Bob Bryant
Region 5 Manager Monte Grove
Senior Federal Affairs Advisor Travis Brouwer
Innovative Partnership Project Manager Art James
Interim Commission Assistant Jacque Carlisle

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Commissioner Lohman called the meeting to order at 9:16 a.m.

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Public comment was received from:

City of Silverton Manager and Police Chief Rick Lewis thanked the commission and ODOT for the work done in Silverton over the last several months and the last fiscal year. The City of Silverton received over \$500,000 in grant funds to improve pedestrian safety and complete a paving project in the downtown area, and to make Safe Route to School improvements. He invited the commission to view the work done in the downtown area, to see how far that money could go and how much it improved the community environment. The commission received a letter from Public Works Director/City Engineer Gerald Fisher recognizing ODOT staff members who participated in the projects.

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Silverton Chamber of Commerce Executive Director Stacy Palmer welcomed the commission to the City of Silverton and the Oregon Garden. She expressed the chamber's gratitude for ODOT's investment in its community, and invited the commission to look at the infrastructure changes that have taken place.

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Director's report highlights were: (Presented by Jerri Bohard)

Last Thursday, on the Marine Corps birthday, a joint press event was held at the VA Hospital in Portland with the Oregon Department of Veterans Affairs and the Federal Veterans Administration to transfer eight vehicles for elderly, disabled or medically-in-need veterans. Seven vans are equipped with lifts, and one is a 12-passenger bus. ODOT's Public Transit Division coordinated the process, funded the inspection of the refurbished vehicles, and paid for needed repairs. The vehicles came from Benton and Coos Counties, Salem Area Mass Transit District, and the Tillamook County Transportation District. This joint effort is something ODOT can be proud of and it is a very small way to honor our veterans.

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The Transportation Safety Division has changed the conversation on traffic fatalities from reporting the daily traffic fatality toll, to highlighting the number of fatality-free days. Rather than counting those losses, the focus will be on the positive and celebrate those days on which no deaths occur. Oregon's choice to discuss these tragedies in a more positive light has been recognized by the leaders of the national coalition for *Towards Zero Deaths: A National Initiative*.

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A 135-foot-long dismantled B-1 bomber traveled up Interstate 5 from California to a temporary parking site at the Portland Airport last week. Even with wings detached, the fuselage was 29 feet wide and 15 feet high. Moving this behemoth required a multi-vehicle convoy escort during a three-day trip through Oregon that began Monday night at the Siskiyou Pass. There were three pilot vehicles in front, three in the rear, and a

spare truck that could haul the plane if needed. The jet is among the biggest loads to pass through Oregon. The largest windmill blades going through the state these days are about 20 feet longer, but much more narrow.

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The Oregonian published part two of its look at state government expenditures on Sunday, November 13, under the headline "State Contractors Hit Jackpot". A recent report from the Secretary of State Audit Division states that ODOT's contracting operations are among the best in state government. The issues the paper seemed to focus on were contracting with retired or former employees, contracts with out-of-state firms, and contracts for "soft" services like headhunting and transition services. Director Garrett can provide more information in reaction to this story next month.

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The commission participated in a workshop discussion with the chairs of the Area Commissions on Transportation (ACTs) and other Oregon Department of Transportation Advisory Committees about the commission's work plan for 2012-2013. *(Background materials in Director/Commission/History Center File, Salem.)*

Deputy Director of Operations Jerri Bohard started the conversation by saying the intent of the discussion with ACT members, and other advisory committee chairs, is to provide information to assist the commission in developing its work plan for the coming year, and is a continuation of the workshop started at the October OTC meeting.

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The discussion began with a presentation from ODOT staff on "Current Realities." The presentation covered some of the critical realities that are important to understand as the commission develops its work plan.

Senior Federal Affairs Advisor Travis Brouwer talked about the *Financial Realities* facing ODOT and the state's transportation system. He said ODOT has made some significant investments the last 10 years, most funded by bonds. With VMT (vehicle miles traveled) flat, and fuel efficiency creeping up, revenue has not kept pace with needs. It will be difficult to continue and sustain the current levels of investment we've had across all modes of transportation. ODOT faces seven main funding challenges:

- The OTIA and JTA programs were front loaded and will involve significant debt service
- State Highway Fund revenue is down significantly from previous estimates
- Rapid construction cost increases have eroded purchasing power
- Operations costs have grown faster than State Highway Fund resources
- Federal funding is at a significant risk of being cut
- The gas tax will not be a sustainable funding source in the long term
- There is no adequate, long-term, sustainable funding source available for non-highway modes

Highlights of the presentation were:

- Inflation adjustments
- Fund revenue projections versus State Highway Fund expenditures/debt service
- Federal Highway Trust Fund finances
- Future of the gas tax
- Multimodal funding
- Condition of the system
- System trends

Region 5 Manager Monte Grove talked about the *Condition of the System*. He said highway conditions will worsen, and maintenance costs will increase as the system deteriorates. Bridge conditions will deteriorate significantly over the next several decades. Highlights of his presentation were:

- Bridge conditions and preservation strategies
- Pavement system conditions
- Pavement treatment – cost versus condition
- Statewide pavement strategies
- Culverts – the gap between need and funding
- Slides and rockfall
- Bikeways and walkways – maintenance and funding

Interim Rail Division Administrator Betsy Imholt spoke about the *Passenger and Freight Rail System*. She said the system is jointly operated by Oregon, Washington State, and Amtrak, and talked about revenue sources for funding of rail services, the rising cost of maintenance and operation, and the future uncertainty around Amtrak costs, train maintenance costs, and expanded service.

Deputy Director of Operations Jerri Bohard talked about *Public Transit*, and discussed some of the critical issues facing public transit: uncertain federal funding levels, flat state funding, a growing demand for services, increasing expenditures, and unknown programmatic changes as a result of reauthorization. She talked about the role of public transit, funding sources, issues facing transit providers, ridership needs, and the uncertainty of federal reauthorization.

Public Transit Advisory Committee member Terry Parker said that considering the relationship and interconnectivity of the public transit system's reliance on roads, emphasis should be placed on how the interrelationships should occur. Oregon is challenged in its public transit environment because it is so rural. The public transit system outside of the four metro areas is a lifeline service and very reliant upon the stability of the human services system to provide services in small communities. The relationship of public transit's reliance on the human services system does not get talked about enough when focusing on transit.

Technical Services Division Administrator Cathy Nelson led the presentation on *Practical Design*, a foundational strategy to focus system investments. *Practical Design*

identifies five key values (SCOPE): safety; corridor context; optimizing the system; public support; and efficient cost. Cathy gave a brief overview of the evolution and implementation of Practical Design.

Jerri Bohard gave an overview of the *Active Transportation Section*, which Director Garrett created in July 2011 as part of ODOT's *right-sizing* conversation. The section is located in the Transportation Development Division, and its goal is to bring focus to a multimodal organization by combining the Sustainability, Scenic Byways, Bicycle/Pedestrian, Transportation Enhancement, Safe Routes to School, and Congestion Management programs, with implementation of *ConnectOregon*, Flex Funds, and state highway programs. The objective is to manage these programs more efficiently by developing common criteria and application processes, and to integrate programs and funding sources strategically to promote multimodal and sustainable transportation solutions.

State Aviation Board Chair Mark Gardiner gave an overview of the *Aviation Mode* of transportation. The federal government is not only a key funder, but also an integral part of the operations of the aviation transportation system. The Oregon Department of Aviation's mission is: to support, promote, and manage aviation as a transportation system; to plan, develop and manage airports; to support the needs of aircraft and pilots; and to assist in the development and expansion of the aviation industry in the state. Highlights of his presentation were:

- Revenue of Aviation/Jet Fuel Tax
- Condition of airport pavement for 66 public use airports
- Infrastructure condition at Oregon's ports
- Port investment priorities
- Critical annual system needs for Oregon ports: system maintenance, safety improvements, congestion reduction

Michael McEwlee from the Oregon Public Port Association talked about the *Port Association*, which represents 23 member ports in Oregon. He discussed priority projects, infrastructure condition at various port facilities, investment priorities, federal funding, and maintenance needs.

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The next portion of the workshop consisted of a discussion with the Chairs of the Area Commissions on Transportation (ACTs) and other Oregon Department of Transportation Advisory Committees about the commission's work plan for 2012-2013.

Participants in the discussion were:

- Mike Hollern – Governor's Regional Solutions
- George Endicott – Central Oregon ACT (COACT)
- Mike Montero – Rogue Valley ACT (RVACT)
- Fred Warner – Northeast ACT (NEACT)
- Roger Nyquist – Cascade West ACT (CWACT)
- Terry Parker – Public Transit Advisory Committee

- AJ Zelada – Bike/Ped Committee
- Shirley Kalkhoven – Northwest ACT (NWACT)
- Ken Woods – Mid-Willamette ACT (MWACT)
- Martin Callery – Southwest ACT (SWACT) and the Freight Advisory Committee
- Bob Hooker – Lane County ACT (LCACT)
- Chuck McLaren – Oregon Rail Committee Chair
- Michael McEwlee – Oregon Public Port Association, Port of Hood River Manager
- Mike Laverty – Oregon Transportation Safety Committee
- Mark Gardiner – Oregon Department of Aviations
- Gary Thompson – Lower John Day ACT
- Mark Frohnmayer – OTC Member
- Dave Lohman – OTC Acting Chair
- Mary Olson – OTC Member
- Tammy Baney – OTC Member
- Matthew Garrett - ODOT Director
- Jerri Bohard – ODOT Interim Deputy Director of Operations
- Paul Mather - ODOT Highway Division Administrator
- Betsy Imholt - ODOT Interim Rail Division Administrator
- Travis Brouwer - ODOT Senior Federal Affairs Advisor

In preparation for this portion of the discussion, the commission had posed the following questions for the ACTs and Advisory Committee members to consider.

1. What does a successful transportation system look like in your community?
2. Recognizing the financial issues that are affecting transportation, what are the priorities for expending these limited funds? What are some of the opportunities and what are some of the threats to these priorities?
3. How do the roles of the ACTs and advisory committees change in view of Governor Kitzhaber's direction to the commission? What do you see as some of the opportunities and some of the difficulties in changing the model? *Governor Kitzhaber's six principles to OTC (from Governor Kitzhaber's address to the OTC in August 2011)*
 - *Do we have the right group of individuals at the table at the beginning of the process to define the problem and solution together?*
 - *Should ODOT manage or own the facility or would it be better managed for a diverse set of outcomes, by another agency or jurisdiction?*
 - *Are we creating programs that do not simply invest in the future of the transportation system but meet a multitude of community objectives?*
 - *Does each decision move us closer to a sustainable, safe, low-carbon, multimodal system?*
 - *Does the decision maximize benefit for the least cost under the limited resources?*
 - *Finally, does this decision or policy move us closer to finding a more rational transportation funding mechanism for the future?*

4. Given the “Current Realities” and the governor’s principles, what do we collectively do differently to achieve the outcomes we want? How can we use the talent on the ACTs and OTC advisory committees better?

Acting Chair Lohman proposed two additional priorities to consider: 1) take maximum feasible advantage of non-auto modes, new technologies, and efficient utilization of the existing infrastructure; and 2) refine and advocate for new funding mechanisms that are sustainable and flexible, that is, can be used on multiple modes.

Commissioner Olson said the gas tax will not keep up with funding needs. The legislature is considering an alternative called the vehicle miles traveled (VMT) tax. She asked for any comments on how that alternative tax could be structured.

Commissioner Baney said the ACTs are a reflection of on-the-ground, and asked what the OTC could do to assist them in making things move forward because the OTC’s actions can determine economic development in their communities. How can we take the vision of where we’re try to go, and assist in partnership together to get something on the ground? What are the unintended consequences, the benefits, and how would that roll out on the ground?

Commissioner Frohnmayer said the transportation system we have now was built, and is predicated on, cheap energy. That is a reality that no longer exists, and the system of today can not sustain the assumptions of yesterday. As we look forward, how can we craft a plan that yields a system that we can sustain over time?

Comments were received from:

- o Mike Hollern said he does not believe Oregon will be the state to determine how to calculate, tax, or pay for vehicle miles traveled. That, and all the efforts taken to reduce cost and downsize make tremendous sense to him. In a tough fiscal environment, the OTC’s job is to make sure the department has the true respect of the public in every way possible. The long-term answer is clearly more revenue, possibly from vehicle miles traveled. He posed the following questions to the commission and staff. What are you doing now in terms of federal lobbying or efforts to encourage more funding? And on a more specific state level, when talking about downsizing the design construction engineering staff, why doesn’t ODOT go even farther than that and have the engineering staff and design people within ODOT primarily be people working with outside engineers (private bid) rather than actually doing the design work themselves.
- o George Endicott talked about cost reduction and a closer linkage to LCDC and the land use work being done. For example, some of the things being done in terms of encouraging more mixed-use live-work-play in a common area to try and reduce miles driven. Also, adopting the *Great Neighborhood* principles that encourage more pedestrian and bike friendly kinds of things. He spoke against the road condition

deterioration caused by studded tires, saying we should take a hard look at the technology used in the new studless snow tires.

- o Mike Montero said whatever the funding solution is, it is in the future. We don't know what it is, but we have what we have. Contrary to all the bad news, out of this crisis there may come an opportunity for the commission to really change its culture. To its credit, many of the tools that we're going to need to do that are presently being developed. When looking at the governor's list of objectives, the obvious answer to meeting those objectives is more revenue. But we don't have that, so how are we going to get there from here? The question then comes down to what role does the ACT play in having that occur? While the amounts of modernization funds are meager, they are funds. When area commissions are charged to evaluate transportation recommendations, the Rogue Valley ACT created a comprehensive matrix some years ago. He said ODOT's least cost planning model is even more comprehensive than the matrix. This is important from the area commission standpoint because it gives a second set of criteria to use when agencies come to the ACT with their projects. The adoption of the least cost planning model will force ACTs to look at a broader array of impacts when looking at projects or bundles of actions. It will obligate them to look at impacts dealing with everything from congestion mitigation, alternative transportation options, health, transit, livability, and equity.

There will also be an obligation to prove you can deliver. Senate Bill 795, which required that the Oregon Highway Plan and the Transportation Planning Rule be revised to provide sufficient protection for public investment in the system, will also provide a more streamlined approach to the capital investment that doesn't come in with the huge risk that it does now. We're setting the table for a very different future, where the leverage component, which used to be how much money you brought to the table, will be very different. It won't be how much money you bring to the table, it'll be questions like what will it do for freight? Can we work together with the transit district and local government to put in place commitments? There's a way to knit these various things together, including public health. It's going to be a new world for the Rogue Valley ACT when we start looking at what leverage means. It will take a period of time, but he is optimistic that over time, the decisions being made will be a lot more comprehensive, transparent, and flexible.

He suggested the OTC/department identify case managers for projects who would work with the engineers, transit staff, and other specialists inside the department. This case management would be critical to getting it done.

Lastly, another problem in delivering projects has to do with the siloed effect of different agencies that has caused them to have to rely on the Governor's Solution Team. A needed component is for the commission to work with the Governor's Office to smooth out silos between agencies.

- Fred Warner said the STF money (de-federalized fund) is extremely important to the Northeast ACT because it gets so little of those dollars that if the federal strings were attached, they wouldn't get anything on the ground. That program has been vital to those counties. He said a lot of project money is spent on engineering, consulting, and environmental, and we need to work on streamlining that. We might not be doing that in the most efficient way as possible. If we could 'de-state' money the same way we de-federalize money, the county could deliver more product at a county and city level. NEACT works very well with ODOT in Region 5, but has heartily resisted taking jurisdiction over some roads it probably could have, because even if money comes with it, the ACT does not trust the legislature to keep its commitments long term. To enter into those conversations, he would need a pretty tight contract that funds would follow for maintenance of the road. Those are things we are going to have to look at as we go forward because there will be significant cuts in ODOT for crews, and the counties and cities will be there to help, but we have to try and take some of the regulations and rules off as we move forward. He said Eastern Oregon has built a pretty good transit system to move people between Baker, La Grande, and Pendleton. The system is growing because the ridership has been growing every day.
- Roger Nyquist said he thinks ODOT has done a good job during his tenure as a county commissioner to recognize the economic development impact of what it does or does not do. Next to public safety, the transportation infrastructure is the most basic thing government should be doing. He applauds the goal of doing things more efficiently and pushing back on engineers. The question he asks is if we should stop all new projects at this point, knowing that the best use and efficiency of the dollars now is for preservation. Right-sizing the agency sounds nice, but when it was done at the county level, and staff was reduced by 30 percent, they found that the problem is that the vast majority of expenditure is pavement on the road, so he does not see this as a meaningful, long-term solution. As someone who participates in the ACT process, he asked that with only \$10 million available, should we be wasting anyone's time in the next three years. If prioritizing projects is all an exercise in the abstract, let's be honest and just not do it.
- Terry Parker said that from a public transit perspective, it is very easy to measure roads and rail lines, but it is very hard for people to get their heads around what the infrastructure is that public transit represents. While we have done a very good job of combining all the little money streams into a coordinated effort, we talk in terms of silos. An example of this is that she can't go to Public Transit and tell how all this money works together throughout the state. Where are there gaps in the system, or where do we need to put those different pots of money together? There are regional transportation brokerages located throughout the state that were primarily designed to deal with Medicaid medical transportation on the human services side. Those brokerages have evolved, in most areas, to include other transportation to try to fill empty seats. This is a technological challenge. We need a computerized infrastructure to make those kinds of things happen. If Public Transit could look at the brokerages as a business model that can be expanded, and spread costs across

multiple streams of small funds, we could make some headway. As a Public Transit Advisory Committee Chair, her role with the other committee members is to sit at the *ConnectOregon* table and compete, and to prove public transit's worth as being eligible for some of the money at the table. We need to get advisory committees away from a competitive model and get them into an interactive meaningful conversation. Again, it is very different when you're talking about moving vehicles, and moving people. There may be synergy in the suggestion about passenger rail and transit because there are empty seats on trains going from Eugene to Portland that could take veterans up to the Veteran's Hospital as long as a connection can be made in Portland. If we could get low-cost seats, to fill empty seats, we might get a few more cars off the road.

- AJ Zelada commented that simply having more bicycle/ped and more alternate people on the ACTs may make a difference and help buoy the difficulties the ACTs face with the shrinking dollars. People in the bike/ped community have a lot of energy and some positive issues to bring forward. When you look at the number of short trips done by people in automobiles, it's less than three miles. Our Planning Commission is unable to plug that number into the Green-Step Model, which gives us predictions for reducing gas particulates. We're missing some planning issues; we're missing 60 percent of automobile trips as an entity to really focus on. How do we move the meter higher for nonmotor commuters? We need to relook at trails as a viable mode. Metro has produced statistics showing that 70 percent of people on the Springwater Corridor are using it for transportation issues, not recreational purposes. Trails are the orphan of the transportation system that need more money, maybe from the STIP program or the *ConnectOregon* program, because trails move people.
- Shirley Kalkhoven said she lives in a county that has the worst roads of all of Oregon's 36 counties. Last week, a \$15 million bond issue failed by 500 votes even though there was a very serious outreach effort and people knew that roads were going to be torn up and turned to gravel if the bond failed. People still think somebody else is going to pay for this, and that is a big problem. More needs to be done in terms of public information and education because there isn't a Santa Claus that's going to come and give us some money to fix our roads and build new projects. That's just reality, but the message does not seem to have reached everyone that dollars are going to be very scarce, and we need to be extremely frugal about how they're spent. Living on the north Oregon coast, Shirley has spent a lot of time the last couple years talking about the Cascadia subduction earthquake that could happen any time. People that are close to this say the predictability factors are terrifying. When that happens, the West Coast is going to be in shambles. If that happens, and hundreds of bridges fail, what will we do to help all the communities that will be isolated?
- Ken Woods said the Mid-Willamette ACT's watershed seems to be the crossroad of destinations – people passing through that area to get to somewhere else – and the recipient of other areas' needs that it can do little to fix. MWACT tries hard to work with the other ACTs to come up with the right projects to line up with the other areas.

But there needs to be some regional decision making because not all ACTs are the same. There are different needs. How do we affect freight or mass movement of people from one area to another area? How do we keep roads safe for the locals in our tricounty area? Last year, Polk County's population increased 19 percent, and traffic increased 70 percent. These are some of the problems they have. They also have problems crossing the Willamette River. The daily traffic count on the downtown Salem Marion and Center Street bridges is higher than the Market Street/I-5 interchange. There's more traffic going into downtown Salem than there is going north and south on I-5. There have been some successes though. The Rickreall Interchange Project was a design-build project, with flexibility with the engineers and the design, that came in under budget. He said the definition of a successful transportation system is one that allows citizens of the community to get from point A to point B safely. There are over 35 communities in the tricounty area with people trying to move about, and we need to allow the citizens and freight from outside areas to get to their destinations safely without causing safety and congestion issues for our local citizens. We need to promote economic development.

- o Martin Callery spoke first on behalf of the Oregon Freight Advisory Committee, (OFAC) saying that *ConnectOregon* has been critical to keeping Oregon competitive in our various trade and sector economy, whether agriculture, industrial production, or whatever else. OFAC and other modal committees have worked very hard to be rigorous in their review of the projects, and have tried very hard to keep projects that make sense to the Oregon economy out in front. OFAC looks at *ConnectOregon* as very critical to maintaining market access, whether domestic North America or international. OFAC is concerned about how *ConnectOregon*, or some similar program, is going to move forward funding nonhighway freight mobility and transit, because many times transit is critical to getting a worker to a production site or agricultural operation. There is no magical solution for how to keep that money flowing into these nonhighway freight mobility projects. While gas tax is constitutionally dedicated, he is concerned we're going back to thinking in silos again when we should be looking at system. Developing modal task forces to look at funding criteria is great, but somewhere at a higher level we have to say, "How do we leverage an investment over here on the highway side that will benefit a modal connection over here on marine, rail, aviation, etc.?" Least cost planning is critical, and we need to move forward with it and integrate it. As we start looking at projects on the ACT level, we should have access to that multidisciplinary team so it can advise us about how the project fits the system requirements. That kind of input from professionals is beneficial, and ODOT's Freight Mobility Unit has outstanding planners that he would like to see out in the field to help them better understand the on-the-ground-type challenges facing freight mobility every day.

Mr. Callery also spoke on behalf of the Southwest ACT (SWACT). He said SWACT worked very well with the Rogue Valley ACT when there was money available for modernization. A SWACT project was too big to fund in a particular STIP, so RVACT funded a portion. The next time around, SWACT funded a portion of a RVACT project. It worked. The ACTs don't have that option right now, so they are taking a

more pro-active approach looking at safety issues, advising ODOT staff in their region, and preservation issues. Are there alternatives to a particular commodity movement or transit project? The ACT tries to provide this type of feedback to the system. Even if there is no modernization funding for a while, the ACTs have an important role to play. ODOT and the Transportation Commission can expand that by saying, "tell us what you think about X, Y, or Z". The ACTs should also work together and create some sort of a database so that if somebody needed a ride, they can make the right connections.

- o Bob Hooker said the Lane County ACT (LCACT) is on the same page as everyone else for the most part. He thanked the ODOT staff that has worked very diligently to help get the ACT up and running. A successful transportation system needs a long-term infrastructure plan with regular funding sources. We should be planning for the next 30-40 years while still meeting today's needs. There was unanimous consensus that we must focus on economic needs, like finding transportation solutions that make sense to the businesses in our regions by helping them effectively deliver goods and services. Without the businesses, and without the economy, it's going to get worse and worse. The economy needs to be built back up and we can do that through the proper transportation system. ODOT's initiatives, like least cost planning and establishing measures for project performance, are very, very important when talking about priorities for what to spend money on and spending wisely.

The gas tax revenue is a sinking ship and there has to be some type of new funding source. LCACT feels the role of the ACTs and advisory committees should be enhanced significantly. It's imperative that the concerns of each region be addressed and incorporated into all the future transportation systems. The ACTs are in a perfect position to gather this information for the commission. The ACTs are there talking to the people in the cities, knowing what's going on, and getting the input. There will be resistance to moving away from the old way of doing things, but we have to be more innovative if we plan to survive. We need to approach this as an challenge and an opportunity, to improve our processes to come out stronger in the end and be prepared to weather the storm down the road. In conclusion, LCACT feels the ACTs should be brought in the process in the early stages and work together with the OTC to develop the best and most cost effective solution. The earlier the ACT becomes involved, the greater chance for support throughout the community. The ACTs should have the correct stakeholders in place to make decisions down the road.

- o Chuck McLaren agreed with prior comments about the need to get the ACTs in place. However, in addressing the problems, sometimes we get into situations where we find there are rules and regulations that were not brought out at the very beginning of the process, or items thrown in by the legislature or other government groups. In response to the question of whether the right group of people is at the table, he said maybe we should consider bringing in representatives from other groups, like the legislature or environmental groups like 1000 Friends of Oregon, to find out if we are going in a direction that will interfere with these other rules and regulations we have never heard of. The federal government keeps putting in regulations, and he has

been following some the regulations coming out in regard to air quality. This is going to have a great effect on business. In order to turn around Oregon's financial situation, we must depend upon business and figure out how we can support business in the transportation area. Interstate 5 is the only through road between Mexico and Canada west of the Rockies, and we are seeing more and more trucks on Interstate 5. One of the ways we can begin to alleviate this is to have rail double-tracking between Portland and Eugene. The rights-of-way are already there. This has been talked about before in the Rail Division, and had we started 10 years ago and done a 10-year bite each year, we would have that now, and the rail transportation system would be much better. Right now it is congested, there is an over-abundance of rail, and consequently trains have to stop. That is also one of the problems with ridership. There are vacant seats on trains, and there are people who would ride to Portland all the time, if a couple trains were added that would return in the evening at a reasonable time. These are things that need to be considered. Even though the money is not there, we have to look at the entire transportation system to see what's blocked.

- Shirley Kalkhoven said NWACT is in the early stages of preparing a set of priorities and issues for transportation in its three-and-a-half county area. There will be two lists. One will be project modernization and that sort of thing. The other list will be maintenance needs. When completed, NWACT will compare this to the matrix the Regional Solutions Group prepared approving a list of priorities for the region to see where the two intersect. She suggested the other ACTs do the same, and the ACTs meet to compare and set some priorities for ODOT Region 2.
- Michael McEwlee echoed the comments on the need to recognize the importance of economic development. We have to be able to create jobs and focus to a significant extent on addressing what businesses need. The production of fruit is the mainstay of the economy in Hood River, and getting that fruit to market is critical. Highway 281 is one of the key routes getting that fruit shipped, and there are some significant barriers to getting trucks down the valley on Highway 281 to Interstate 84. This goes back to the point that we have to look at the whole system. There are some fairly modest changes that could be made in that particular roadway to allow farmers to get the product to market and improve the situation significantly. This is an example of the need to identify stakeholders for projects. There are 23 member ports in Oregon, each of whom represents an economic development entity in its community. ODOT should look at ports and other organizations like that as partners. The OTC approved a \$250,000 Immediate Opportunity Grant to the Port of Hood River. That \$250,000 leveraged \$100,000 of private money, leveraged another \$100,000 from the port, and \$500,000 from the state through an EDA grant. The decision ODOT made to approve a fairly modest amount of money resulted in a very significant project and is leading to the development of an industrial area with an order of magnitude expected at about \$40 million, and the creation of 350 or so new jobs. One of the first questions to ask when looking for a project to fund, is who are the partners and how can we make sure we have the maximum number of partners at the table to participate in giving input and in terms of funding? Look for those opportunities and make that a

key threshold criterion on which you base some of the decisions. Flexibility in terms of intersection design is very important, and more aggressive creative thinking is needed with the significant planning process and the individual design projects. Lastly, we don't have the funding our system deserves, and we all need to find ways to educate elected officials and citizens about the state of the transportation system and the significant challenges it faces.

- Mike Laverty stressed the need to keep safety involved in the conversation at all times. Last year, fatalities in Oregon were the lowest since the 1940s, and that's an impact. As a member of an ACT, he said they do a good job, but can do better by looking for where there's the biggest bang for the dollar. Maybe it's time to start sharing with the neighboring ACTs because if we can give money to a neighboring ACT so it can finish a project, maybe it will give us the money we need to finish our project.
- Martin Callery said the Oregon Freight Advisory Committee is working with the Freight Mobility Unit to compile a set of system-wide bottlenecks that will be identified as items that are constraints to the Oregon economy. We need to move forward with this and not let it be just a study sitting on a shelf. There needs to be a capital plan developed by the legislature to deal with these issues. It's a tough time to talk about this, but it needs to be moved forward so some of these projects can be addressed when there is a recovery, and also create economic vitality where people make investments and others go to work. There was talk about creating a slide show as a public education tool. This is a great idea, but it needs to be a partnership where ODOT staff, teamed with transportation advocates for the particular community, goes out so ODOT is seen as being proactive in trying to educate not just the people who come to transportation meetings, but everyone possible about the serious situation of the transportation system.
- Mike Montero said that while we are in an economically constrained climate, policy can substitute for currency. The proposed change to the Transportation Planning Rule and Highway Plan does precisely that. Once a participating community has an acknowledged, comprehensive plan, frequently the zone changes that have to occur to effectuate those remain yet to be done. With the proposed rule in place, if a city elects to update its Transportation System Plan and have it acknowledged, then an applicant is exempt when it comes to local government for a zone change to promote economic development. It would be a great utility to have ODOT and the OTC reach out to local government to make sure their mobility standards are concurrent with that. Under the old program, the process was costly, time consuming, with little probability of success. The practical effect of what is before the commission and the LCDC now, will be to reverse that while still providing sufficient safety for the transportation investments made for the public. The other important point is for the area commissions to start reaching out to local government to seize opportunities in ways they haven't done before.

- OTC Commissioner Mark Frohnmayer said that as we start to articulate solutions and look at funding mechanisms that will sustain over time, we need to start relying on the ACTs to really spread the word to their communities.
- George Endicott said we need to be shovel-ready and prepared should there be another stimulus package. There should always be proposals ready for future projects if funding does become available. He noted there were attempts in the legislature this last year to try and expand the definition of tourism related activities as it pertains to transit tax revenue. We should continue to pursue this to see if the legislature would entertain it.
- AJ Zelada said health is often considered as outside the silo of ODOT. When you consider the number of obese Oregonians, and the dollars just that layer of people spend on medications monthly to combat the effect of that obesity, which is money we could be taxing or that they could be spending that could be taxed. The health issue is a big drain from transportation if you look at this from a transportation view. Some would say ODOT's lack of support for health measures could be associated with a decline in the health infrastructure, and this has an economic effect of taking money away from state concerns.

The Columbia Gorge, Historic Columbia River Highway Project is an uncompleted project that through tourism could bring more money into the state. Two-and-a-half million people fly to Oregon for tourism to a tune of about \$7 billion, of which Oregon gets millions in federal, state and local taxes. The investment to finish this project would bring in money to stimulate the economic vitality of those communities and possibly trigger larger businesses to invest in Oregon. Tourism is a healthy, income-generating business that is dependant on transportation.

- Acting OTC Chair Lohman said ODOT's vehicle miles traveled program has the potential to be an opportunity to lead the nation out of its transportation woes, which would be an economic advantage for the state if we can make it work. He asked if it is realistic for this state to move to a vehicle miles traveled method of funding transportation and making it flexible for use on more than highways. The following comments were made:
 - ODOT has some of the very best people and thinkers in the country, but one of the problems is the political reality of having less than two percent of the people in the country, and thinking there will be some kind of vehicle mile travel system to collect revenue for a trust fund in the future. If this revenue collecting venue should be established, it should be a national effort instead of a state-by-state effort, but politically we are not big enough or strong enough to influence other states. Instead, spend research efforts looking to see what other states are doing.
 - One of the things coming out of Senate Bill 1059, Greenhouse Gas Emissions, is that part of the vehicle miles traveled tax is a sub-paragraph of doing congestion pricing. That, in tandem, becomes something concrete for citizens to comprehend. The venues for charging are here, but is there a will? You have to

think about the whole tapestry of transportation. For example, we do not tax shoe leather for pedestrians in order to build sidewalks, but we need taxes to build sidewalks. We need to think outside the silo of just ODOT to build roads.

- Consider the bottle bill – what was it about the bottle bill that grabbed people at that point in time to make it successful? Is there anything today that can grab in the same way?
- Until there is a national policy, the revenue curve is upside down. Maybe it's time for that discussion to occur. We use a fuel tax and have a collection infrastructure in place, but until it's done on a national basis, it won't be supported. It's time for the federal delegations to start having a dialog with other states in the same boat.
- There still exist the issues of density and fairness. What do you do about the practicalities like getting tourists to help support our infrastructure? It has to be a national solution.
- A gas tax just was passed, which challenges the notion that a gas tax is not sustainable. It's sustainable at a decreasing level, but that doesn't mean you can't raise the gas tax. One fear with the straight mileage tax is that it becomes a privacy issue for people. The only way a vehicle miles traveled tax would work would be to build a coalition, led by businesses because they know that a lack of mobility is bad for business. We've had certain levels of success in the past using this model.
- If we're going to wait for our federal government to solve this particular problem, there's a chance we could wait a long time. Discussion is needed at a state level, if only to consider things like the bottle bill. Though we represent a small portion of the overall population, we have a history of fairly forward-looking legislative efforts that then caught on, on a national scale. When you talk about something as different as vehicle miles traveled tax, it might be an advantage to have a small pool to pilot the idea, even within the state. We shouldn't be afraid to think outside the box, especially given the broad consensus regarding the current state of our financial prognosis.
- The problem with a vehicle mile tax is finding out how much people drive outside the state of Oregon and how much is done in Oregon. A person might drive X number of miles in a year, but how do they convince the powers-that-be that a certain amount of those miles were driven out of state? It's time to think about tolls at certain areas for maintenance, like bridges. There are other areas in Oregon where a toll would work very effectively for maintenance.
- It seems to be implied that ODOT is giving up on the idea of raising any more revenue on a state level through taxes. This should not necessarily be the case. The federal government won't act on a big program for vehicle miles traveled for a long time, so we have to deal with the interim. We still need to encourage the legislature to consider a program of two cents starting two years from now, and the every three or four years after that.
- Encourage members of the Nonroadway Transportation Funding Committee to disburse a request to every stakeholder possible, with a goal of getting as many comments as possible submitted to be forwarded to the committee.

Acting OTC Chair Lohman thanked all the participants for their time, involvement and constructive comments. He hopes we all find opportunities to carry on these discussions throughout the state and help the general public come to realize some of the challenges that we face as a state and help develop the solutions to them.

Staff gave copies of the Work Plan to each participant. Jerri Bohard asked that any comments or suggestions be submitted to Interim Commission Assistant Jacque Carlisle at ODOT.

Acting OTC Chair Lohman introduced the newest Oregon Transportation Commission designee, Pat Egan.



The commission considered approval of a request to present the Mid-Willamette Valley Area Commission on Transportation's (MWACT) biennial report and to amend the MWACT Charter pertaining to the designation of alternates (the amendment request is explained in detail in the Biennial Report). (*Background materials in Director/Commission/History Center File, Salem.*)

Region 2 Manager Sonny Chickering introduced Area Manager Tim Potter, MWACT Chair Ken Wood, and MWACT Vice-Chair Cathy Clark. He gave a brief background of the MWACT, which was chartered in 1997, and was the first Area Commission on Transportation.

MWACT Chair Ken Wood gave a brief overview of MWACT and presented the Biennial Report, which describes MWACT's procedures and accomplishments over the past two years. The report also demonstrates how the ACT met the OTC's "Policy on the Formation and Operation of Area Commissions on Transportation", and the Highway Division directive that implements the policy.

MWACT is requesting an amendment to its charter to clarify use of alternates. The use of alternates has been encouraged to maximize involvement and representation, and the ACT requested the following language be added to the charter to clarify the use and status of alternates: *"MWACT members are encouraged to designate an alternate to attend meetings when the primary member is unable to attend. Alternates have the full voting rights of the member. It is preferred that alternates for elected officials also be elected, and should represent the same jurisdiction or travel shed, but could be an appointed official or a staff member on an occasional basis."*

MWACT Vice-Chair Cathy Clark talked about some of the key projects MWACT has been involved with since 2009:

- o STIP review FY 10-FY 13 STIP and STIP update FY 12-FY 15 STIP
 - Review draft STIP projects
 - Overview of the draft STIP
 - Public comment

- Develop prioritization process/eligibility criteria
 - Solicit projects for consideration
 - Prioritize modernization projects
- Review progress/status of projects and area issues:
 - Salem-Keizer Regional Transportation Systems Plan and Air Quality Conformity Determination Update
 - Chemawa Interchange Area Management Plan (IAMP)
 - Aumsville Interchange Area Management Plan (IAMP)
 - Willamette River Crossing Alternative Modes Study
 - OR 99W Rickreall to Monmouth Facility Plan
 - SB 1059 – Oregon Greenhouse Gas Regulations
- Reviewed and provided input related to:
 - Oregon Freight Plan
 - OTC Work Program
 - Safety Data Collection and Analysis
 - Hwy. 22 Safety Corridors
- Received reports related to:
 - Construction Season Previews and Post Season Reports.
 - House Bill 2001 – Jobs in Transportation Act 2009.
 - MWACT Modernization Funding and Unmet Needs
 - Oregon Forest Highway Program including the Long-Range
 - Transportation Coordination Plan for Forest Highways.
 - ODOT State of the System
 - OTC Work Program
 - ODOT Access Management Program/Senate Bill 264
 - Roundabouts
- *ConnectOregon3*:
 - Overview of ConnectOregon 3 process
 - Preview of MWACT area ConnectOregon 3 projects.
 - Project application review by the MWACT Steering Committee.
 - Project application review by MWACT commission members.
 - Review and discussion of Steering Committee recommendation.
 - Project prioritization and ranking.
 - Status report of ConnectOregon 3 projects
- Transportation Enhancements
- Meet with the OTC

The commission said it's good the Mid-Willamette Valley ACT looks different than other ACTs. If every group across the state looked the same, it wouldn't work. There's flexibility, and the ACT has made what works in its community/region come together.

Acting Chair Lohman asked if there was a standard approach to recruiting alternates in the ACTs. Jerri Bohard responded that most all of the ACTs have alternates. It's an area where, if the ACT has reached agreement on the alternate, ODOT just wants to see the meetings happen with consistency in the membership.

Commissioner Olson moved to approve the Biennial Report and amend the charter pertaining to alternates. Commission members unanimously approved the motion.



The commission received an informational presentation on the Oregon Department of Transportation's Interim Climate Change Adaptation Strategy Report from Geo Environmental Section Manager Hal Gard and Sustainability Planner Liz Hormann. *(Background materials in Director/Commission/History Center File, Salem.)*

Geo Environmental Section Manager Hal Gard said that in spite of the national debate on the validity or cause of global warming, most state and federal agencies are taking the issue very seriously. The West Coast states have been recognized as being significantly ahead of most of the nation in this effort.

Sustainability Planner Liz Hormann said ODOT's mission is to provide a safe and efficient transportation system. Issues like flooding, landslides, extreme storms, and wildfire events are all projected to increase in both frequency and magnitude across the state, resulting in significant impacts not only to the infrastructure, but on system operations. ODOT's Interim Climate Change Adaptation Strategy Report outlines how to deliver on ODOT's mission in the face of a changing climate. The commission viewed a PowerPoint presentation on ODOT's Interim Climate Change Adaptation Strategy. Highlight of the presentation were:

- Mitigation versus adaptation
- Related efforts regarding adaptation: Oregon Climate Assessment Report (OCAR); Oregon Climate Change Adaptation Framework; and ODOT's adaptation efforts
- ODOT's Sustainability Plan
- Development of interim strategy
- Precipitation, flooding, and landslides: potential impacts to ODOT assets and systems operations
- Wildfire risks
- Adaptation planning framework
- Vulnerability and risk assessments



The commission received a presentation on the Oregon 217 System Management Study, and considered approval of a request to amend the 2010-2013 Statewide Transportation Improvement Program (STIP) to add preservation project, Oregon 217: Pavement Repair and Shoulder Widening. *Background materials in Director/Commission/History Center File, Salem.)*

Region 1 Manager Jason Tell, and Planning and Development Manager Ryan Windsheimer requested approval to add to the STIP, a project which will develop and implement some of the key findings from the Oregon 217 System Management Study.

Approval will allow ODOT to get into development for the project and coordinate using different operational strategies to address safety issues on Oregon 217, a highly congested corridor.

There are three main strategies involved in this effort: getting information to travelers; variable speed – giving people cues as to when to slow down; and shoulder widening in key areas.

The commission viewed a six-minute video on the Oregon 217 pavement repair and shoulder widening project.

Jason Tell noted that public outreach and expectations will be very important. Seattle has implemented variable speed on Interstate 5, and the substantial amount of outreach done by the Washington State Department of Transportation was not enough to make the public understand what it was meant to accomplish. In addition, we need to be careful not to set an expectation that this will solve congestion. It will not. The focus will be on safety and reliability.

Commissioner Olson said she appreciates the recognition of the need for outreach, and asked if there was any benefit to starting that today with the idea of reducing speed on the interstate and other major routes where we have congestion? Is there any benefit to planting in people's mind that you'll lose less time by slowing down? Jason said we currently use the big variable message signs to give people information when there is a crash or lanes are closed ahead. This project will take it to a much larger scale in a corridor and adds quicker reaction time and more signage. It also adds another element where people approaching Oregon 217 will see small signs telling how long it will take to travel to a certain point, with the idea being giving people approaching Oregon 217 information to determine the best route to take. Jason will follow up with Patrick Cooney on Commissioner Olson's suggestion.

Commissioner Frohnmayer moved to approve the amendment to the STIP.
Commission members unanimously approved the motion.



The commission considered approval of a request for 22 host sites for installation of Fast Charge Equipment for Electric Vehicles (EV) as required by Grant Agreement with U.S. DOT. (*Background materials in Director/Commission/History Center File, Salem.*)

Innovative Partnership Program Project Manager Art James presented the request and gave an overview of the Electric Vehicle program, which currently consists of three projects: the EV Project that covers the Willamette Valley from Portland to Eugene and is administered by ECOtality; the Southern Oregon project to place fast charge stations from Eugene to the California border, which is funded by the Oregon Department of Energy; and the project to place an additional 22 fast charge stations in Northwest Oregon. The locations of the stations are:

- Astoria: Astoria Transit Center, 900 Marine Drive & Pig n' Pancake, 111 West Marine Dr.
- Banks: Jim's Thriftway, 660 South Main Street
- Cannon Beach: Midtown Parking Lot, Evergreen @ Gower St. & Surfsand Resort, 148 West Gower
- Cascade Locks: Best Western/Columbia River Inn, 735 WaNaPa Street & Cascade Inn Restaurant, 410 Cascade Locks Hwy
- Clatskanie: Humps Restaurant, 50 W Columbia River Hwy
- Detroit: Cedars Restaurant, 200 Detroit Ave. N
- Florence: Port of Siuslaw, 1499 Bay Street & Three Rivers Casino, 5647 Oregon 126
- Government Camp: Ski Bowl West, 87000 E. Hwy 26 & Govy General Store, 30521 E. Meldrum
- Grand Ronde: Spirit Mountain Casino: Service Station & Convenience Market, 27100 SW Salmon River Highway
- Hood River: City of Hood River public parking lots, 7th & Columbia & City of Hood River public parking lots, 4th & Cascade, and Hood River Shell, 1046 East Marina Drive
- Lincoln City: Pig n' Pancake, 3910 NE Highway 101, Tanger Factory Stores, 1500 SE Devil's Lake Road, & Lighthouse Square (Safeway/Rite Aid parking lot), 4157 N Highway 101
- McMinnville: Winco/Arby's, 2585 NE Highway 99W & Shell, 1347 NE Baker St
- Monmouth: DQ, 320 Pacific Avenue South (OR-99W) & Shell Service Station, 595 Main Street SE
- Newberg: Grocery Outlet, 1510 Portland Road (OR-99W) & Chevron Gas Station/Coyote Joe's Coffee, 3745 E. Portland Road (OR-99W)
- Newport: City of Newport Public Parking, 9th & Hurbert (925 SW Hurbert Street, Newport, 97365) & Staples, 721 North Coast Highway
- Sisters: Ray's Place, 445 West Highway 20 & Sisters Mainline Station, 1001 Rail Way
- St. Helens: Burgerville, 715 S. Columbia River Hwy & Skinny's Texaco, 373 South Columbia River Highway
- Tillamook: Chevron/Shiloh Inn, 2525 N Main
- Veneta: West Lane Center/ Ray's Food Place, 25013 Oregon 126 & Shell, 25547 Oregon 126
- Welches: Hoodland Thriftway, 68280 E Highway 26, Subway, 70000 E Hwy 26, & Barlow Trail Roadhouse, 69580 E Hwy 26
- Yachats: LeRoy's Blue Whale Restaurant, 580 Highway 101 N & The Adobe Resort, 1555 Highway 101 N

Commissioner Olson expressed concern that because this is such a new business model, a 'Plan B' should be in place in case it does not work out or succeed as the contractor anticipated. She is also concerned that ODOT might get caught up in rates, even though it has nothing to do with that, and she hopes the legal documents are such that should the contractor go bankrupt, ODOT could step in and continue operating the stations, so the public is not affected.

Office of Innovative Partnerships and Alternate Funding Transportation Electrification Project Analyst Ashley Horvat said that AeroVironment, Inc., the company installing the fast charge stations, is a large Department of Defense contractor, is fully vetted, and receives very good feedback from its stakeholders.

Commissioner Frohnmayer moved to approve the host sites for installation. Commission members unanimously approved the motion.



The commission considered approval of a request to amend the 2010-2013 Statewide Transportation Improvement Program (STIP) to add a construction phase to the U.S.395: Freight Improvements project. Funding for construction will come from a redistribution of funds already programmed for the Preliminary Engineering (PE) phase of this project. The estimated cost of this project is \$500,000. (*Background materials in Director/Commission/History Center File, Salem.*)

Region 5 Manager Monte Grove gave a brief history of the project and talked about what it hopes to achieve.

Commissioner Baney moved to approve the amendment to the STIP. Commission members unanimously approved the motion.



The commission participated in a public hearing on Draft Oregon Highway Plan Policy 1F Revisions (Mobility Standards) currently available for public comment. (*Background materials in Director/Commission/History Center File, Salem.*)

Principal Planner Michael Rock started by giving a brief background. The Oregon Transportation Commission (OTC) reviewed the draft revisions to Oregon Highway Plan (OHP) Policy 1F (Highway Mobility Standards) at the Commission's September 21, 2011, meeting and released the draft for public review and comment. As part of this public review period, ODOT staff is consulting with Area Commissions on Transportation (ACTs), OTC-appointed advisory committees and other interested stakeholders through meetings, presentations and notification of public review information.

One stakeholder concern that stood out was that the Oregon Highway Plan and the Transportation Plan were having unintended consequences in a number of areas. One in particular was economic development and other community objectives. Michael Rock discussed some of the other feedback received, pro and con.

This public hearing will provide an additional opportunity for interested stakeholders to submit comments and the opportunity to testify directly to the commission. The public comment period will close November 21, 2011, allowing staff to incorporate feedback received and prepare final draft language for commission review and action in December 2011. This schedule allows the commission and ODOT to meet the legislative deadlines established in Senate Bill 795 (2011 Legislative Session) to have Oregon Highway Plan amendments done by January 1, 2012.

The Oregon Transportation Commission conducted a public hearing on the Oregon Highway Plan Policy 1F Revisions (Mobility Standards). Public comment was received from:

- Matt Crall from DLCD (Oregon Department of Land Conservation and Development) spoke in support of the amendments. DLCD has been working with the OTC to coordinate the amendment process, but because the two commissions work slightly differently, the process is not identical. DLCD has completed a draft for the Transportation Planning Rule. The draft is currently out for public review, and a public hearing will be held December 8 in The Dalles.
- Carlotta Collette spoke on behalf of Metro, the Metro Council, the Joint Policy Advisory Committee on Transportation, and the Metro Policy Advisory Committee. There is a pretty strong consensus in the Metro area in support of the changes in the plan. Specifically, they support the new ODOT definition of success that is multimodal and flexible.
- Tom Kloster spoke on behalf of Metro, the Metro Council, the Joint Policy Advisory Committee on Transportation, and the Metro Policy Advisory Committee. He asked that the Highway Design Manual be updated to reflect changes in design standards that come about as a result of the amendments. Related to that, a question came up about correlating the new MMAs with what already exists in the Highway Plan as special transportation areas (STAs). In the Metro area, the MMAs don't align with the STAs, and the concern is that when a project is funded on the state system, it is usually funded to the MMA boundary, which is usually different than the STA boundary. That triggers different designs on either side of the line. This is a good opportunity to pull the two together so that the state talks as one voice in terms of how to design projects on the ground.
- Stephan Lashbrook, City of Wilsonville, testified on behalf of Wilsonville Mayor Tim Knapp. He said Wilsonville is a very business orientated community and with more than half of the city's jobs being freight dependent, is very concerned about truck mobility in, out, and through Wilsonville. While Wilsonville supports the efforts to increase flexibility in the mobility standards, it does have concerns about some details and the about the potential for unintended consequences to the detriment of existing freight dependent businesses. Wilsonville sits on the edge of several different jurisdictions, so discretion will be required in determining the appropriate mobility standards. The City of Wilsonville is asking that four things be inserted in the language, or in the implementation going forward: traffic studies by competent professionals be required with a adequate breadth of scope; there be notice to parties potentially affected; opportunity for meaningful participation; and standing to appeal if there was disagreement to the outcome.
- John Charles, President of Cascade Policy Institute, has been in the policy arena for 35 years and has followed the Highway Plan for 20 years. He said any time he sees proposed rule making where terminology moves from 'standards' to 'target', he sees total, unconditional surrender. This is surrender to the land use

planners around the state, and will lead inexorably to a loss of mobility and increased congestion.

- Liam Sherlock of Hutchinson, Cox, Coons, DuPriest, Orr & Sherlock, PC spoke in representation of Willamette Oaks LLC, and Setniker Farms. As a lawyer, he said, you don't see any real action or meaningful consequence coming out of 'targets'. The term is so squishy, so vague, and so contrary toward clear and objective standards. He feels the change from standards to target will have some very serious unintended consequences to mobility across the state as well as climate, energy consumption, health and safety. Taking away the mobility standards takes away our ability to measure the impacts on a particular facility based on the use and demand on that facility. The VC ratio description in the current policy clearly lays out what the consequence is of exceeding a road or intersection's capacity. If you remove that standard, and go to a target that uses language like infeasible or impractical to meet mobility standards, where is the criteria to measure what is impractical or what is infeasible? That will create a whole plethora of concerns that are not clear and objective, but rather vague and subjective. That is the trend of where this language is leading.
- Toby Bayard, representing Hunnell United Neighbors in Bend, said Hunnell is in full support of the work being done to the mobility standards to make them more flexible. She said rigid mobility standards put the purpose and need of the project in conflict with the project itself because if you improve mobility, you shut off access. She strongly encourages a move toward relaxing the standards.
- Zach Mittge from Hutchinson, Cox, Coons, DuPriest, Orr & Sherlock, PC spoke in representation of Willamette Oaks Retirement Community. He drew the commission's attention to two issues around statewide planning goal compliance: 1) a failure to provide findings addressing consistency between the proposed amendments and the statewide planning goal; and, 2) a failure to provide the DLCD required notice of how ODOT proposes to conform to goals within 45 days as required by the rule. This is significant because proposed changes to the state's transportation system plan will have far-reaching impacts on statewide planning goals.
- Linda Ludwig, Deputy Legislative Director of the League of Oregon Cities (LOC) spoke in support of the draft policy changes. There are some concerns, however, so LOC will follow what is adopted and any amendments that might come forward before final adoption in December. LOC will also follow implementation of what is adopted, both internally and with jurisdictions across the state. LOC hopes these changes will help change the past perception that ODOT has been hard to work with, and sees this change in flexibility as a wonderful opportunity to start working closer.
- Mark Whitlow, Attorney for Perkins Coie, spoke on behalf of the International Council of Shopping Centers (ICS). On the issue of objectivity versus flexibility,

it's good to have both. The idea of target causes concern, but at the same time, if you have a situation where growth boundaries remain tight, and policies for land use are intensified, something has to give on the transportation side. However, ICS supports the experiment because it thinks it is necessary. ICS will submit written comments about the need to look at the circumstances on the short term and the long term, and will propose language that will match the new amendments.

Acting Chair Lohman said a number of issues have been raised in the testimony today, and in letters received, and asked Michael Rock to prepare responses for the next meeting. Acting Chair Lohman closed the Public Hearing.



The commission considered approval of the Consent Calendar. (*Background materials in Director/Commission/History Center File, Salem.*)

1. Approve minutes from the October 19-20, 2011, annual workshop in Gleneden Beach.
2. Confirm the next two Commission meeting dates:
 - Wednesday, December 21, 2011, in Salem
 - Wednesday, January 25, 2012, in Salem
3. Adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Approve the following Oregon Administrative Rules:
 - a. Amendment of 735-062-0015 and 735-070-0004 relating to fraud suspensions.
 - b. Amendment of 735-070-0054 relating to implied consent forms; suspensions.
 - c. Amendment of 740-055-0100 and 740-300-0010 relating to inadequate motor carrier records.
5. Approve a request for a determination, under the authority of OAR 731-070-0240, that the Broadband Data Network Project is a transportation project eligible for the Oregon Innovative Partnership Program (OIPP) and that enrolling it in the program will have the potential to accelerate cost-effective delivery and promote innovative approaches to carrying out the project.
6. Approve a request to adopt the Interstate 5 Exit 19 Interchange Area Management Plan (IAMP) that implements Policy 3C of the Oregon Highway Plan. Findings of compliance in support of this action are found in Exhibit B. Adoption of the IAMP will constitute an amendment to the 1999 Oregon Highway Plan. The IAMP is consistent with the Jackson County Transportation System Plan.
7. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program (STIP) to add the U.S. 101: Umpqua River and McIntosh Slough Bridge Paint Project. This project will be funded from the 2012 State Bridge Program Reserves. The estimated cost is \$3,375,000.
8. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program (STIP) to add the Oregon 130: Little Nestucca River Bridges Steel Truss

- Paint Project. This project will be funded from the 2012 State Bridge Program Reserves. The estimated cost is \$840,000.
9. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program (STIP) to add the Oregon 38: Elk Creek Tunnel Rehabilitation Project. This project will be funded from the 2012 State Bridge Program Reserves. The estimated cost of this project is \$1,725,000.
 10. Approve a request to adopt the Pendleton Interchange Area Management Plan (IAMP). The adoption of this IAMP will amend the Oregon Highway Plan (OHP) to include an Interchange Area Management Plan for the Pendleton Interchange Area (Exit 209) along Interstate 84.
 11. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program (STIP) to add the Oregon 99W: NW Circle Boulevard to UPRR Overcrossing (Corvallis) Project in Region 2. The estimated cost of this project is \$307,153.
 12. Approve a request to amend the 2010-2013 Statewide Transportation Improvement Program (STIP) to add the U.S. 101: Alsea Bay Bridge Painting Project. The estimated cost of this project is \$2,550,000 and it will be funded from the 2012 State Bridge Program Reserves.

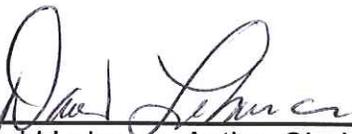
Commissioner Olson moved to approve the consent calendar. Commission members unanimously approved the motion.

Commissioner Lohman identified a potential conflict with Consent #6 because he is City Attorney for the City of Ashland.

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Commissioner Lohman adjourned the meeting at 3:41 p.m.

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 David Lohman, Acting Chair



 Tammy Baney, Member



 Mary Olson, Member



 Mark Frohnmayer, Member



 Roxanne Van Hess, Commission Support