OREGON TRANSPORTATION COMMISSION

Minutes of the Regular Monthly Meeting
June 16-17, 2016
Hood River, Oregon

On Thursday, June 16, 2016, at 9:00 a.m., the Oregon Transportation Commission (OTC) and Oregon Department of Transportation (ODOT) staff held a premeeting briefing session and agenda review in the Falls Room of the Columbia Gorge Hotel, 4000 West Cliff Drive, Hood River, Oregon. The formal meeting began at 9:45 a.m., in the Benson Ballroom.

On Thursday, June 16, at 3:15 p.m., members of the OTC, ODOT staff, members of the Region 1 Area Commission on Transportation (R1ACT), and local government officials participated in a tour in celebration of the 100th year of the Historic Columbia River Highway (HCRH). The tour departed from the lobby of the hotel.

That evening, at 6:00 p.m., the OTC and the Hood River Chamber of Commerce hosted a reception and film premiere of a Historic Columbia River Highway short film. The screening of this 13 minute film shows the efforts to reconnect the abandoned Historic Columbia River Highway and the Historic Highway State Trail reconnection project. This event was free and open to the public.

Later that evening, at 7:00 p.m., a no-host dinner was held with members of the Oregon Transportation Commission, ODOT staff, invited members of the Region 1 Area Commission on Transportation, and local government officials in the Simons Room at the Columbia Gorge Hotel.

On Friday, June 17, at 9:00 a.m., the Oregon Transportation Commission hosted a workshop with the California and Washington Transportation Commissions to discuss transportation issues affecting the tri-states in the A/B Rooms of the ODOT Region 1 Headquarters at 123 NW Flanders, Portland Oregon.

Highlights of the June 16 premeeting were:

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ODOT Director Matthew Garrett led the commission through a review of the agenda. He explained context for the Newberg-Dundee Bypass agenda item, including a recent meeting with local governments in which they expressed their unanimous agreement on spending any remaining funds from Phase 1 on right of way acquisition for Phase 2. Garrett also explained that he led a meeting Monday between the Werth family, who owns one of the properties along the bypass route that is slated for development, and bypass stakeholders to discuss the Werth's proposal to develop a compromise through a property swap with Ken Austin or a realignment of the bypass route. ODOT has committed to bring all sides together to vet a potential realignment. Garrett explained that with this vetting process going on the commission could either approve adding the Phase 2 funds to the STIP or defer it to let discussions on realignment continue. Region 2 Manager Sonny Chickering

indicated that he plans to have all parties around the table in the near future for these discussions.

Dave Lohman indicated he wanted to say a few words about the Oregon Travel Experience sponsorship agreement that was on the consent calendar.

In a discussion on transportation issues in the Gorge, Chair Baney asked whether we are looking at places where we need creative solutions including transportation for public lands that are being used heavily. In response, Region 1 Manager Rian Windsheimer spoke to the new Gorge Express bus to Multnomah Falls as an example of where we are working with Oregon Parks and Recreation Department on creative solutions.

For the tristate meeting, ODOT will make a briefing paper on the Mosier derailment available but will not discuss the item on the agenda.

Highway Division Administrator Paul Mather discussed a recent chip seal project on OR 58 that has had some problems. Some sections of the chip seal didn't adhere well, so ODOT will have a contractor who will be doing another section of OR 58 this summer redo the sections that are having problems. A large number of claims have come in; it is the responsibility of the contractor to pay these. The contractor has filed a notice of tort against ODOT.

Garrett mentioned that Gregg Dal Ponte will be retiring June 30 and Troy Costales will be taking his place temporarily while we recruit a new administrator.

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The June 16 meeting began at 9:45 a.m. in Benson Ballroom of the Columbia Gorge Hotel.

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:

Chair Tammy Baney
Commissioner Dave Lohman
Commissioner Susan Morgan
Commissioner Alando Simpson (absent)
Commissioner Sean O'Hollaren
Director Matthew Garrett
Asst. Director for Public Affairs Travis Brouwer
Trans. Development Div. Admin. Jerri Bohard
Highway Division Administrator Paul Mather
Communications Section Manager Tom Fuller
Government Relations Section Mgr. Leah Craft
Rail & Transit Division Admin. Hal Gard
Trans. Safety Division Admin. Troy Costales
Int. Deputy Director Central Services Kurtis Danka
Region 1 Manager Rian Windsheimer
Region 2 Manager Sonny Chickering
Region 4 Manager Bob Bryant
Commission Assistant Jacque Carlisle

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Chair Baney called the meeting to order at 10:02 a.m., and asked for a moment of silence for the victims of the Orlando tragedy.

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Oregon Traffic Safety Performance Plan
Agenda Item A

The commission received a request for approval of the 2017 Oregon Traffic Safety Performance Plan and National Priority Safety Program (Section 405) application, and authorized the Transportation Safety Division's administrator to sign necessary agreements to carry out projects in the safety program. ODOT Transportation Safety Division Administrator Troy Costales and Oregon Transportation Safety Committee Chair Victor Hoffer presented the request. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:

The 2017 Oregon Traffic Safety Performance Plan satisfies a federal project and planning requirement for funding. The Oregon Traffic Safety Performance Plan summarizes the major safety issues, goals, how we will approach the goals, and how we will measure success. Areas analyzed include bicycle safety, community traffic safety programs, impaired driving, motorcycle safety, occupant protection, pedestrian safety, police traffic services, roadway safety, work zone safety, driver education, and speed. It also contains the materials for Oregon's National Priority Safety Program application for Occupant Protection, Impaired Driving, Traffic Records and Motorcycle Safety.

The Oregon Transportation Safety Committee reviewed and approved the 2017 Oregon Traffic Safety Performance Plan on May 17, 2016 and will submit it to the National Highway Traffic Safety Administration and the Federal Highway Administration on June 30, 2016. The Governor's Advisory Committee on DUII endorsed the impaired driving program portions at its June 3, 2016 meeting. The Governor's Advisory Committee on Motorcycle Safety endorsed the motorcycle safety program portion at its May 19, 2016 meeting.

The 2017 Oregon Traffic Safety Performance Plan includes all funding sources and projects in the Transportation Safety Division's highway safety programs in 2017.

Presentation:

ODOT Transportation Safety Division Administrator Troy Costales introduced Oregon Transportation Safety Committee Chair Victor Hoffer who helped present the request. Highlights of the presentation on the 2017 Oregon Traffic Safety Performance Plan and National Priority Safety Program (Section 405) application were:

- The plan is an annual document that goes to the National Highway Traffic Safety Administration, (NHTSA), that shares with the federal government ODOT's plans on about 20 various topic areas, recent data received, and performance measures developed in January. The plan documents what is projected; the projects expected to be funded; and the money being used.
- Oregon's plan is more comprehensive than most states' because not only does it include the NHTSA funds, it includes some of the federal highway funds that are safety orientated and state funds directed by the legislature for driver education and motorcycle safety. The plan puts an aggressive expectation on what we are trying to achieve.

- Victor Hoffer talked about what the Safety Committee looked at this year, giving a different charge as we move forward to next year, recognizing that last year there was an increase in fatalities.
- The committee unanimously approved the plan being presented.
- A strong focus was placed on distracted driving, including the Distracted Driving Task Force created by Director Garrett. In addition, an emphasis was placed on law enforcement.

Discussion:
Commissioner Lohman asked if the goal of 350 for 2017 is realistic in light of where we were in 2015. Costales said one of the biggest struggles was trying to figure out the formula they have to use, given the NHTSA template with a rolling 3 and 5 year average. Most of the states saw an increase in fatalities last year, which blows a hole in that model because you can't take into account that spike last year, yet at the same time have the expectation to maintain or lower the numbers.

Lohman asked if the legislatively increased speed limits on the east side of the state are factored in to the goals being set. Costales explained the emphasis in the plan toward speed enforcement with the change from the "basic rule" violation to an actual speed limit violation. This change emphasizes that the changes the legislature made are not just repainting some signs, but they have ramifications throughout the system. Lohman said he hoped the data gathering will be at a fine enough level to tell what impact those increased speed limits have on crashes.

Commissioner Morgan said they drove through some very detrimental conditions to get to Hood River yesterday, including incredibly inclement weather and a lot of congestion on the road. It brings to mind the dynamics of all the factors that go into getting on top of the safety issues. Add to that all the problems we have today with distracted drivers, the dynamic is huge. Based on the experience yesterday, we have a long way to go, and this issue has to be kept at the forefront of the discussion.

Commissioner O'Hollaren thanked them for the work done on this important plan that sees more people on the road as the population goes up and fuel prices go down, and technology enabling distracted driving to a greater extent.

Action:
Commissioner Lohman moved to approve the 2017 Oregon Traffic Safety Performance Plan and National Priority Safety Program (Section 405) application, and authorized the Transportation Safety Division's administrator to sign necessary agreements to carry out projects in the safety program. Commission members Lohman, Morgan, O'Hollaren, and Baney unanimously approved the motion.

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Oregon Department of Transportation's (ODOT) Rail Safety Oversight Program
Agenda Item B

The commission received an informational presentation about the Oregon Department of Transportation's (ODOT) Rail Safety Oversight Program and the Union Pacific Railroad (UPRR) train derailment June 3, 2016 from ODOT Rail and Public Transit Division Administrator Hal Gard***.***

Chair Baney said this tour has been on the calendar for about a year, but it ended up being timely. Baney said she wanted to let the community of Mosier, the community of Hood River, and the entire Gorge know that we have stood at the ready, and stood in support and partnership of the situation that has occurred. We need to applaud the community of Mosier for coming together and supporting one another.

Background:
On June 3, 2016 at 12:15 p.m. a Union Pacific Railroad freight train derailed in Mosier, Oregon. The train contained 94 rail tanker cars loaded with Bakken crude oil; 16 tank cars derailed, three breached and four caught fire. No injuries were reported, but approximately 100 people were evacuated by 1:30 p.m.

The Oregon Emergency Response System sent an alert at 12:41 p.m. of a major derailment with oil cars on fire in Rock Creek near Mosier, Oregon. ODOT and Federal Railroad Administration (FRA) Rail Inspectors immediately deployed to the site to conduct investigations of hazardous materials, track, equipment and operations. ODOT's Rail and Public Transit Administrator and the FRA Deputy Regional Administrator were also notified and helped with management of information.

The incident is still under investigation, but according to UPRR the preliminary finding is track failure due to fasteners that hold together the ties and track. On April 27, UPRR ran an evaluator car and again ran a "hyrail" truck May 11. On May 31, UPRR ran a detector car with ultrasound, which identifies internal rail defects. ODOT performed a crude oil route track examination inspection on this section of track April 27 looking for all track defects. No defective conditions were discovered in the area of the derailment.

Oregon's preparations: In 2014, Governor Kitzhaber initiated an interagency review of the state's role and responsibility in rail safety and hazardous material response. The review was completed in August 2015. This review helped the state's emergency response agencies to be better equipped for this derailment.

ODOT Rail Safety unit works diligently to improve the safety of all rail shipments in Oregon through education and enforcement. Rail safety, including transportation of hazardous material by rail, is regulated by federal law; states are limited in their ability to enact legislation in these areas. However, ORS 824.054 authorizes ODOT to partner with federal agencies having jurisdiction over railroads and share in regulatory oversight of railroad facilities and operations in Oregon. Since 1974, Oregon has participated in FRA's State Rail Safety Participation Program.

This program gives ODOT rail safety inspectors the ability to enforce federal railroad safety laws and hazardous materials regulations relating to railroad operations and rail shippers in Oregon.

In 2015 there were 15 derailments in Oregon, compared to 23 in 2014. The numbers have continued to drop since 2006 when there were 49 reported derailments. In 2015 our rail safety inspection program added four new inspector positions to allow two inspectors for each of the four FRA disciplines and three in the track discipline, for a total of 11 inspectors. Three of the four inspectors have been trained and are now FRA certified (a year-long process). This derailment supports the need for certified inspectors performing regular inspections and investigations.

ODOT rail inspectors work closely with the staff at FRA during inspections and investigations. ODOT and FRA work to provide optimal inspection coverage of the state without duplication of effort. ODOT and FRA share inspection schedules in order to coordinate inspection efforts within the state. ODOT participates with FRA in joint activities such as focused inspections and accident investigations. ODOT performed 865 safety inspections in 2013, 634 in 2014 and 1106 in 2015.

ORS 824.082 and ORS 824.086 require ODOT to determine the necessary requirements for railroads to provide notification of hazardous material transportation. To meet this statutory requirement, in 2015 the Oregon Transportation Commission adopted administrative rules OAR 741-510-010 to OAR 741-510-050. In general, these rules ensure that emergency response agencies have adequate information about the nature of hazardous material transportation on rail lines in their jurisdiction. Specifically, the rules require railroads to submit a report to ODOT each quarter, listing the name and quantity of each hazardous material transported on their rail lines. ODOT makes the information available to emergency response agencies for planning and awareness. In addition, railroads must immediately report any incident involving the release of a hazardous material to the Oregon Emergency Response System so that appropriate state and local entities can be notified. The rules further require that railroads provide emergency response agencies with immediate access to information about hazardous materials on trains to assist in a safe and appropriate response during an emergency.

Presentation:
ODOT Rail and Transit Division Administrator Hal Gard introduced Assistant Deputy Fire Marshall Michael Heffner and Oregon State Fire Marshall Hazardous Material Specialist Chad Hawkins. A presentation was given on the 16-car derailment in Mosier. Highlights of the presentation were:

- The state's roles and responsibilities: As an agent of the Federal Rail Association (FRA), if we at ODOT discover issues, incidents or recommend violations, FRA responds. FRA establishes inspection protocols and ODOT staff add overall to that effort. In addition the state's role includes:
    - Participate in FRA State Rail Safety Participation Program.
    - Prevent rail incidents through education and enforcement.
    - Perform safety inspections and disciplines.
    - Complete accident and compliance investigations.
    - Provide funding.
- A timeline of events in Mosier prior to June 3rd:
    - ODOT performed CORTEX (Crude Oil Route Track Examination) on April 27.

    - Union Pacific track evaluation car with GRMS (gage restraint measuring system) inspected through Mosier on April 27.
    - Union Pacific hyrail truck equipped with GRMS inspected through Mosier on May 11.
    - Union Pacific rail detector car which uses ultra sound to identify internal rail defects inspected the rail through Mosier on May 31.
    - No defects were found during these inspections.
  - A review of the derailment showed the primary cause to be broken lag bolts, which are part of the rail fastening system. The broken lag bolts allowed the rails to spread, creating a wider rail gauge that resulted in tank car wheels moving off the rail. This fastener system has been extremely reliable since Union Pacific introduced it in 1999.
  - Oregon's response to increased oil train traffic includes a review and report from the governor's office, a table top response exercise, increased inspectors on staff, an ODOT rail safety rule revision, and Smith-Warner House Bill 3225.
  - Rail hazardous material reporting rules: ODOT adopted hazardous materials transportation reporting rules in September 2015, which provide for quarterly railroad reports, ODOT posted reports for emergency responders and immediate availability of incident information for emergency responders.

Discussion:
Commissioner Morgan asked what came out of the post-incident review. Hal Gard said they are in the process of planning that exercise now for a date in late July. Morgan said there appears to be an issue around not being able to test tracks for heavy-weighted cars and asked if there are discussions evolving about how to step up that game so we can have an effective inspection program. Gard responded that he would continue to have that conversation with FRA. Union Pacific has responded to the incident by proposing increased inspections, with a very specialized, state-of-the-art piece of equipment, from the current once every 18 months to once every quarter. FRA will establish the protocols for the inspections and Gard said he will continue to push back and ask, "Is that enough?"

Commissioner Morgan asked how efficient this specialized equipment really is because that machine was run over the balance of the tracks in the Gorge and it did not find any issues. Chair Baney shared that concern, saying she finds it hard to believe that the only area of track that has bolts that lack the integrity to keep things moving forward have been found in that one area of the derailment. Gard will follow up with FRA to keep on top of this question.

Commissioner Lohman asked for clarification on the process used to repair that section of line, specifically the tie plates and bolts. Gard said this has not been answered to his satisfaction and he will pursue this until there are answers to whether appropriate inspection protocols are in place to find these types of problems. Until we understand we have the safest rail in the state, we should not be running unit trains with hazardous material across the state. Gard sent a letter to this effect to Mark Daniels, FRA Region 8 Administrator, who acknowledged receipt of the letter last Friday and sent it on to Washington, D.C.

Commissioner Morgan said she appreciates the increased inspections, but said this clearly wasn't an issue about any inspection. From the chronology given, there have been a lot of

recent inspections conducted and clearly they all missed finding this problem. How do you get to a place where inspections find all the problems? Gard said the problem faced is that the authority lies with the FRA. His responsibility is to keep the pressure on FRA until we have the means and methods to find any type of defect that can cause a derailment.

Morgan noted that the rail system is so integral to the economy and social well-being of the state that shutting it down, essentially, is such a gargantuan step to take with incredibly negative repercussions. But the other side is the danger we are putting people in running systems that are unsafe. Because of this importance and this danger we need to move aggressively to get more resources to help sort through what the issues are and what potential solutions exist.

Commissioner Lohman noted that federal funds for rail and pipeline oversight seem to be declining each year. He asked to what extent the current level of oil cars coming through the Gorge, and the expected increase in that level, is driven by Congress' decision late last year to lift the export ban on shipping oil overseas.

Commissioner O'Hollaren asked if there were sufficient assets at the time to properly respond to this incident, both for first responders and for ODOT staff. Oregon State Fire Marshal Chief Assistant Deputy Michael Heffner said they are still doing the after-action review but he did note that everyone struggled with communications because of areas in the Gorge with no signal. House Bill 3225 has helped the State Fire Marshall's office close some of the gap areas it had identified as being unprepared. This includes training for first responders and specialized training and equipment for hazardous materials.

Commissioner O'Hollaren asked if Union Pacific has considered replacing this segment of track with cement ties, versus wooden ties, and would that make a difference? Gard said he would be happy to put that question to Union Pacific.

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Public Comments
Agenda Item C

Public comment was received from:

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Mosier Mayor Arlene Burns said they dodged a bullet in regards to being in the blast zone and it's still very traumatic for the community. The idea that a failed fastener caused the derailment is daunting when you think of how many fasteners are in this redundant system where the broken bolts are not detected with the most sophisticated inspection equipment.

Burns said a couple of questions come to mind. First, what can we do? The community feels so helpless, especially as it was told by the railroad that they don't have any authority. We all believe in the railroad and what it stands for in building our country and that it is what our

country was established on. But Bakken crude did not exist when the common carrier laws came into effect and they are pushing, on a policy level, for a change on the federal level. Also, terminal proposals, which would increase unit trains coming through their front yard from four a month now to five a day, need to be nipped in the bud because they are incredibly dangerous and incredibly heavy; and again, using state-of-the-art cars and tracks that were thoroughly inspected did nothing to prevent this incident. In addition, Burns said the idea of the exportation of this oil to China, where she just found out that Oregon doesn't get even a cent of tax dollars for the transportation of all of this material that's endangering all of our communities along the track, is unacceptable.

Burns said the other big elephant in the room is seismic activity. We are all preparing for the Cascadia event, and if this event, which was not minor, is even a minor representation of what the Cascadia event brings, Burns said she can't imagine how we can move forward in any way with state resources when we are creating a situation this potentially hazardous. If this had happened in Portland, or on a windy day in Mosier, it would have annihilated a whole lot more people and property. The idea that a few people a long, long ways away can make a lot of money, while in the meantime go through our national scenic area which is the base of the economy in the whole Columbia River Gorge is also unacceptable.

Burns said we are moving into the fire season in an area that is already a tinderbox, and we are heading into a place where we have now heard there are rusty and broken bolts, and asked if a moratorium could be put on unit trains until the rainy season. We were on the lucky side of "if" this time, on so many levels.

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Deanna Busdieker, resident, city council member and business owner in Cascade Locks, said the City Council passed Resolution 1359 Monday, which joins the rest of the river communities in solidarity opposing further oil trains and other volatile shipments through the Gorge. Busdieker seconded everything Mayor Burns said and added that those trains are just a few feet from their houses and businesses. The only way to surefire keep our people and habitat safe is to not have that danger in the first place. She agrees with the tribes' stand of no tolerance. Mitigating damage is not the same thing as protecting it. In addition, there is no economic benefit to anyone in the Gorge by having these trains come through and putting our citizens, our businesses and our property at risk. It's about far more than just economics.

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Peter Cornelison, with the Hood River City Council and member of R1ACT, said an article he just read said 59 percent of crashes are blamed on track problems, more than double the overall rate for freight train accidents. Cornelison presented three asks. First, could the commission require that railroads operating in the state have adequate insurance to cover a potential derailment? Second, he requested that the commission withdraw the February 2015 consent it gave Union Pacific Railroad for a double-track project on four miles of track outside Hood River. Third, he requested that the OTC forward the letter Hal Gard sent to Mark Daniels and FRA to Senators Wyden and Merkley, as well as the Washington delegation.

Cornelison commented that House Bill 3225 is a very weak bill compared to a bill that was passed in Washington State. There was no input from the environmental community and it could have included the insurance provision and it didn't.

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Reverend John Boonstra, of the Columbia Gorge Climate Action Network and the Gorge Ecumenical Inter-Faith Ministries, said he has watched with great agitation as the number of oil trains has escalated. The United Church of Christ's Central Pacific Conference (Oregon and Southern Idaho) has been on record since 2014 as opposing the creation of any new fossil fuel infrastructure in the Pacific Northwest. Faith communities have a deep commitment to environmental stewardship which reminds us that the extraction, storage, transportation, and burning of fossil fuels are the sources of immeasurable injustice to people, and also threaten our wildlife, waters and atmosphere.

Boonstra asked that the OTC prioritize developing a rail network that is safe. No compromises. No delays. Future disasters like we experienced June 3 will be inevitable if we do not terminate dangerous rail networks. Our sustainable economy and our state's livability cannot be exchanged to satisfy the appetites of the fossil fuel industry. In addition, Boonstra asked that much higher insurance regulations be instituted that are proportional to the catastrophic risks and that the commission work with federal representatives to secure a moratorium on the transport of this extremely hazardous product.

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Eric Strid, a White Salmon resident with engineering degrees from MIT and UC Berkley, said railroads are complex mechanical systems with many failure modes. A train derailment occurs on the average of every 600 thousand train miles. The seven northwest states together average nine train derailments a month. Those statistics are not improving. Politicians look silly when demanding yet another study to determine the cause of this derailment; the causes of derailments have been tracked for decades. If derailments were fixable, the railroads would have fixed them a long time ago.

Given that oil trains will roll through the Gorge as D.C. legislators desire, the best we can do physically is to urgently prepare for oil train derailments, spills, fires and toxic plumes, and hope that North Dakota really is checking the vapor pressure in the tank cars so they won't explode in a fire. Firefighters ask why aren't railroads required to have fire and spillage resources on each train. That's what ships do at sea. The Mosier fire burned for over four hours before the first firefighting attack took place. Common sense tells us a fire is easier to stop when it is smaller and before it spreads. Why isn't foam firefighting equipment and water carried on each and every train, with pipes running along the length of the train? That is basic off the shelf technology.

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Lynn Burditt, U. S. Forest Service Area manager for the Columbia River Gorge National Scenic Area and a representative of the Secretary of Agriculture with the Columbia River Gorge Commission, said there is a long, long history in the Gorge as a transportation route and a place for people to gather. Burditt talked about all the partnerships that work to protect the Gorge area and commended ODOT and its staff for their excellent work to this end.

Burditt said, in her role representing the Gorge Commission, the commission will be sending a letter to the FRA supporting the two senators and the governor and other members of the delegation that ask for a moratorium on oil transportation through the Gorge until an investigation can occur. She noted that ODOT has a role in portions of a resolution passed in 2014 addressing this. There will be a substantial increase in the number of trains coming through and there are many other issues that the OTC needs to stay aware of like wait time at crossings for these longer trains.

On April 20, 2016 the Gorge Commission hosted, for Oregon and Idaho's governor's offices, a listening session for the four treaty tribes to hear their concerns. The tribes reminded us all that we have a basic treaty with them. It's not the same as being a partner. There were commitments made and follow up later from the governor's office. Although there is that recognition that ODOT is a state entity and a state commission, and the tribal treaties are with the federal government, we need to be aware that it is another element.

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Michael McElwee, Port of Hood River executive director, said the Port of Hood River has four business lines: aviation, recreation, light industrial and transportation. He talked about the Hood River/White Salmon Interstate toll bridge, which is key to transportation and the economies on both sides of the river. The bridge accommodated over four million crossings in 2015. Parts of the bridge are 93 years old and most of the rest is nearly 80 years old and is weight restricted to 80,000 pounds. The bridge is structurally deficient, functionally obsolete, and nearing the end of its useful life. As a representative of five elected officials, he has two requests of the OTC.

First, direct ODOT to better include the port in notifications during emergencies and post-event debrief evaluations. The derailment causing the closure of I-84 resulted in the bridge becoming part of the interstate highway system. ODOT uses it as a primary alternative route. During the June 3rd event, the bridge accommodated hundreds of heavy trucks at or exceeding 120,000 pounds, over the ODOT imposed weight limit of 80,000 pounds. The damage to the bridge deck was extensive. ODOT notification consisted of one voice mail 20 minutes after they had received notice from local law enforcement. No subsequent communication of any type was received.

Second, direct ODOT to proactively and positively participate in bridge replacement planning efforts. It's widely known a new bridge is needed here and it will be especially challenging because it involves two states, a federal waterway and a small rural market.

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Sigma Consultant Group Director Venky Ramakrishnan said his company is an information technology services company based in Beaverton and he is here today to talk about the Driver and Motor Vehicles request for proposal (RFP) for a replacement of its information system, which issued on May 6 and is set to close July 6. Ramakrishnan said the initial estimate by consultant "MATHTECH" in September 2013 was $91 million, but that now the cost of doing the project may go beyond $100 million. The project duration is 10 years.

Ramakrishnan said there is no mention of a subcontractor utilization goal in the RFP. For example a similar RFP from a Maryland DMV system modernization project mentions that the "Minority Business Enterprise (MBE) subcontractor participation goal for its solicitation was 25 percent." If the state of Oregon has a Minority Business Enterprise goal like Maryland, it would be very helpful for certified MBEs that are in IT services who can provide assistance to the Oregon DMV System Replacement project.

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Draft Transportation Safety Action Plan
Agenda D

The commission considered a request for approval to release the Draft Transportation Safety Action Plan for public review. ODOT Transportation Safety Division Administrator Troy Costales, ODOT Planning Manager Erik Havig, Oregon Transportation Safety Committee Chair Victor Hoffer and Policy Advisory Committee Chair Mike Laverty presented the request.
(Background materials in Director/Commission/History Center File, Salem.)

Background:
The Oregon Department of Transportation (ODOT) Transportation Safety Division and Transportation Development Division Planning Section are working together to complete an update of the Oregon Transportation Safety Action Plan. The Transportation Safety Action Plan is a topic plan that further defines and implements the Oregon Transportation Plan's (OTP) goals, policies, strategies, and key initiatives related to safety.

This plan is also a statewide plan under the authority of the governor's appointed Oregon Transportation Safety Committee (OTSC). The OTSC acted to refer the draft plan to the Oregon Transportation Commission for public review release.

The existing Transportation Safety Action Plan was adopted in 2011 and is highly action oriented. The updated plan integrates a long-term policy plan, consistent with other mode and topic plans that are part of the OTP, with the action oriented strategic highway safety plan (SHSP) required for federal funding of transportation safety activities.

Oregon's Transportation Safety programs rely on relationships among ODOT's Transportation Safety Division and numerous other ODOT, state, tribal, regional and local government interests. Consistent with federal regulation, and to assure a comprehensive approach to transportation safety planning, the following interests were represented on the Policy Advisory Committee, with at least one representative from each:

- *All five members of the governor-appointed Oregon Transportation Safety Committee*
- *A metropolitan planning organization*
- *League of Oregon Cities*
- *Association of Oregon Counties*
- *Oregon Health Authority*

- *An area commission on transportation (ACT)*
- *Tribal government*
- *Oregon State Police*
- *Engineering (city, county or consultant)*
- *Governor's Advisory Committee on Driving Under the Influence of Intoxicants*
- *Governor's Advisory Committee on Motorcycle Safety*
- *Trucking – Trucking Association representative*
- *Oregon Walks*
- *State Judiciary*
- *ODOT Transportation Safety Division*

Work on the public review draft was completed under close oversight of the Policy Advisory Committee (PAC). A Plan Coordination Team of ODOT staff working in 18 different programs with safety responsibilities reviewed draft products throughout the planning process to ensure the utility of the plan for current and ongoing safety practice in their work.

Two rounds of statewide meetings were held, the most recent being a public listening meeting in each ODOT headquarters city, plus an online listening meeting available to those who could not get to one of the region meetings. In the course of this outreach, other presentations to the ACTs, ODOT leadership teams and at the invitation of professional organizations yielded an emailing list of about 550 stakeholders who have been kept apprised of the progress of the planning process and provided access to all review materials.

The public review period will end on August 1, 2016, which is more than the 45 day required public comment period. An OTC public hearing is planned for July 21, 2016. ODOT Staff will review and address all comments received and the PAC would convene if necessary to consider significant new information or proposed changes that have not already been thoroughly vetted by the committee. The OTSC will review and approve the final version in September and recommend it to the OTC for adoption at the October OTC meeting.

Presentation:
ODOT Planning Section Manager Erik Havig introduced Oregon Transportation Safety Committee Chair Victor Hoffer and Policy Advisory Committee Chair Mike Laverty, who presented the request. Laverty spoke passionately about the plan's basic goal to bring people home safe. Highlights of the presentation were:

- The two purposes of the plan are to meet federal requirements for a highway safety plan and for the transportation safety "topic" plan.
- The plan's vision is no deaths or life-changing injuries on Oregon's system by 2035.
- Long range goals include a safety culture, infrastructure, healthy and livable communities, technology, collaboration and communication, and strategic investments.
- 5-year action plan emphasis areas are infrastructure, risky behaviors, vulnerable users, and improved systems.
- The plan was created by the Policy Advisory Committee, the Plan Coordination Team, and the public and through statewide scoping meetings, committee meetings and statewide listening meetings.

- Next steps include the 45-day public review period that ends August 1; OTC public hearing July 21; OTSC/PAC review of comments received August 9; OTSC approval September 13 to refer to OTC and OTC adoption proposed for October 13-14.

Havig asked for approval to release the draft Transportation Safety Action Plan for public review.

Discussion:
Commissioner Lohman thanked everyone for all the work put into the plan the past two years. Commissioner Morgan also expressed her appreciation to the committees and the focus it placed on lane departure and distracted driving.

Action:
Commissioner Morgan moved to approve release of the draft plan for public review. Commission members Lohman, Morgan, O'Hollaren and Baney unanimously approved the motion.

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FAST Act
Agenda E

The commission considered a request for approval to add the following six FAST Act freight projects to the 2015-2018 Statewide Transportation Improvement Program (STIP). These six freight projects meet the criteria set in the 2015 FAST Act and were reviewed by the Area Commissions on Transportation and the Oregon Freight Advisory Committees. ODOT Transportation Development Division Administrator Jerri Bohard and ODOT Highway Division Administrator Paul Mather presented the request. ***(Background materials in Director/Commission/History Center File, Salem.)***

1) Interstate 5 SB: Oregon 217 – Interstate 205 auxiliary lane - $13M
2) Interstate 5 Rose Quarter (development) - $2.5M
3) Interstate 5 NB third lane Commercial-Kuebler - $14.5M
4) Interstate 5 add third lane Salem-Albany (development) - $3.0M
5) Interstate 5 NB climbing lane Roberts Mountain - $7.0M
6) Interstate 84 Ladd Canyon EB climbing lane - $7.4M

Background:
The FAST Act authorizes federal highway, transit and safety programs through 2020, with small annual funding increases over the course of the bill. The funding levels in the FAST Act provide additional funding above the levels assumed when the Oregon Department of Transportation (ODOT) developed the 2015-2018 STIP. As a result, the Oregon Transportation Commission has the opportunity to program additional funding for freight projects in the 2015-18 STIP that must be allocated to freight-related projects on high-volume, high-priority truck freight routes, primarily the interstate.

ODOT proposed a list of projects to be amended into the 2015-2018 STIP, including both projects to be funded out of the state's allocation of National Highway Freight Program funds as well as projects funded from other sources. All projects, except those listed above, have previously been approved by the OTC and added to the 2015-18 STIP.

ODOT region managers have sought feedback from their respective Area Commissions on Transportation (ACTs) on the freight projects included on this list and will provide that information to the OTC; these projects are included on the consent calendar for this meeting. These freight projects were also reviewed by the Oregon Freight Advisory Committee in March and were unanimously supported.

2018-2021 projects in the Freight and Strategic Investment Plan, as required by FAST Act, will be selected by the OTC over the course of the next year after input on priorities from the ACTs and OFAC. The freight projects will be selected in conjunction with completion of the Strategic Investment Plan. ODOT anticipates bringing the commission a draft of potential projects to be included in the Investment Plan likely in November with an overall draft of the updated Oregon Freight Plan in the fall of 2017 (an update to the Oregon Freight Plan is required prior to fund obligation.)

1) Interstate 5 SB: Oregon 217 – Interstate 205 auxiliary lane

Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to expand the project scope and increase funding on the Interstate 5: South Bound Auxiliary Lane at Lower Boones Ferry Road project. The proposed project changes are to extend the project southbound to the Interstate 205 interchange and update the project name to reflect the new limits. The proposed funding changes allocate $13,000,000 in FAST Act freight formula funds to construction and transfer $2,000,000 from the Oregon 217: Oregon 10 – Oregon 99W Auxiliary Lane project to preliminary engineering. In addition, $4,405,776 in Enhance program constructions funds will move from 2017 to 2018. The total project funding will be $19,405,776.

Project Name	***Interstate 5 SB: Lower Boones Ferry to Interstate 205 Auxiliary Lane (KN 18836)***	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*2016*	*$2,000,000*
Right of Way	*2017*	*$0*
Utility Relocation	*2017*	*$0*
Construction	*2018*	*$17,405,776*
TOTAL	***$19,405,776***	

This request adds $13,000,000 in FAST Act freight funds to construct the extended auxiliary lane from Lower Boones Ferry Road down to the Interstate 205 Interchange (MP 290.72 - 288.55). The request also identifies the additional $2,000,000 needed for preliminary engineering for this extension to be transferred from the Oregon 217 Auxiliary lane project in a separate request. The additional funding will be added to the existing $4,405,776 of Enhance funds previously awarded to the project.

This change and other proposed changes associated with the distribution of FAST Act freight formula funds were discussed with the Region 1 Area Commission on Transportation (R1ACT). The R1ACT supported securing the total of $15,000,000 needed to extend the auxiliary lane south to the Interstate 205 interchange. Changes made to this project and the auxiliary lane project on OR 217 will help improve freight and mobility operations in Washington County and Region 1. This request is contingent upon OTC approval of the project changes for the Oregon 217 South Bound: Oregon 10 – Oregon 99W Auxiliary Lane project.

2) Interstate 5 Rose Quarter (development)

Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to add $2,500,000 in FAST Act freight funds to the preliminary engineering phase of the Interstate 5: Rose Quarter project in Region 1. This change will increase the preliminary engineering phase of the project to $4,126,545.

Project Name	***I-5 ROSE QUARTER DEVELOPMENT KN 19071***	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*2016*	*$4,126,545*
Right of Way		*$0*
Utility Relocation		*$0*
Construction		*$0*
TOTAL	***$4,126, 545***	

The Rose Quarter Development Plan addresses major issues along the one-mile section of Interstate 5 between the interchanges with Interstate 405 and Interstate 84 (MP 301.58 to MP 303.10) as well as the network of surface streets associated with the Broadway/Weidler interchange. The primary facility, Interstate 5, is a route with regional and national significance with one of the worst crash rates among Oregon highways. Chronic congestion caused by bottlenecks imposes significant costs on the movement of goods and people. The project is needed to work on solutions that will improve freight mobility, reduce congestion, increase safety, and address areas in need of upgrade for seismic standards.

The increase in preliminary engineering funds for this high-profile project will help take the project to the next level in the design process, including environmental planning and impact analysis. The additional $2,500,000 of FAST Act freight funds invested in the next stage of design will ready the project for future funding opportunities. This increase and other proposed changes associated with the distribution of FAST Act freight formula funds were discussed with the Region 1 Area Commission on Transportation (R1ACT). The R1ACT's general consensus is in support of increased investment in the Rose Quarter Development project.

3) Interstate 5 NB third lane Commercial-Kuebler

Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to add a new project, Interstate 5: Kuebler Boulevard to Delaney Road Widening, located in Region 2, Marion County. The funding will come from additional federal funds made available

to Oregon through the recently passed federal transportation funding bill (FAST Act). The total estimated cost of this project is $14,500,000.

Project Name	***I-5: Kuebler Blvd to Delaney Rd Widening Key Number TBD***	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*2016*	*$4,996,000*
Right of Way	*2018*	*$9,504,000*
Utility Relocation	*N/A*	*$0*
Construction	*N/A*	*$0*
TOTAL	***$14,500,000***	

More than 20 years ago, the Oregon Department of Transportation (ODOT) completed a Final Environmental Impact Statement (FEIS) to widen Interstate 5 through the Salem metropolitan area. This is the final project necessary to complete the vision articulated in that document.

The project will require the replacement of one structure that provides an over crossing of Interstate 5 by a local road (Battlecreek Road), that currently limits the potential widening of the freeway. There will also be a need to widen or replace two main line structures on Interstate 5 that currently cross over the northbound off ramp from Interstate 5 to South Commercial Street. There will likely be a need for the installation of sound walls along portions of this length, to be determined as the project design progresses. The $14,500,000 will fund the design and right of way acquisition needed in order for the project to progress to the construction phase, once funding is allocated. ODOT applied for a FAST Act grant to provide construction funding. If successful, a construction phase would be added in the 2018-2021 STIP.

This project was discussed at both the Mid-Willamette Area Commission on Transportation (MWACT) and the Salem Keizer Area Transportation Study (SKATS). MWACT understood the priority of increasing capacity on the interstate for future needs, while SKATS generally felt that modernization of interchanges north of Salem should be a higher priority than increasing mainline capacity on the south end of the city.

4) Interstate 5 add third lane Salem-Albany (development)

Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to add a new project, Interstate 5: Delaney Rd to Albany Widening, located in Region 2, Area 3, Marion and Linn Counties. Funding will come from additional federal funds made available to Oregon through the recently passed transportation funding bill (FAST Act). The total estimated cost of this project is $3,000,000.

Project Name	***Interstate 5: Delaney Rd to Albany Widening Key Number TBD***	
PHASE	***YEAR***	***COST***
Preliminary	*2016*	*$3,000,000*

Engineering		
Right of Way	*N/A*	*$0*
Utility Relocation	*N/A*	*$0*
Construction	*N/A*	*$0*
TOTAL	***$3,000,000***	

Current projections for traffic growth through the Interstate 5 corridor indicate that capacity of the freeway will be reached in 20 years. To prepare for that, the Oregon Department of Transportation proposes to begin analyzing widening the freeway to three lanes in each direction. This project will provide the preliminary engineering funding that will be used to identify design options, potential project impacts and estimated costs. The work will be used to inform future funding discussions including potential federal grant applications.

The project was discussed at both the Mid-Willamette Area Commission on Transportation (MWACT) and the Salem Keizer Area Transportation Study (SKATS). Both groups supported this project moving forward.

5) Interstate 5 NB climbing lane Roberts Mountain

Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to increase the funding on the existing Interstate 5: Roberts Mountain-South Umpqua River Paving and Climbing Lane project in Region 3. The project is currently funded by Interstate Maintenance and Enhance funds. The additional $7,000,000 in funding will come from FAST Act freight funds. The total estimated cost of this project is $20,227,016.

Project Name	***Interstate 5:Roberts Mountain-South Umpqua River paving and climbing lane KN: 18967***	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*2015*	*$2,062,000*
Right of Way	*2016*	*$52,000*
Utility Relocation	*N/A*	*$0*
Construction	*2018*	*$18,113,016*
TOTAL	***$20,227,016***	

The Interstate 5 Roberts Mountain-South Umpqua River Paving and Climbing Lane project is programmed for construction in 2018; it includes interstate paving between MP 112.57 and 117.74 and construction of a southbound climbing lane between mile points 116.30 and 117.70. The addition of a climbing lane will allow trucks to avoid slowing in the primary travel lanes, thereby reducing the likelihood of mainline congestion and reducing the risk of crashes with faster-moving vehicles. This request is to add $7,000,000 in FAST Act freight funding to construct an additional north bound climbing lane between MP. 115.30 and 116.80. Both the South West Area Commission on Transportation and the Rogue Valley Area Commission on Transportation were in support of including the north bound climbing lane as a freight project in the 2015-2018 STIP.

6) Interstate 84 Ladd Canyon EB climbing lane

Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to add a construction phase to the Interstate 84: Ladd Canyon EB Climbing Lane project in Region 5. The $7,400,000 will come from FAST Act freight funding. The total estimated cost of this project is $7,900,000.

Project Name	***Interstate 84: Ladd Canyon EB Climbing Lane KN: 16497***	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*2010*	*$500,000*
Right of Way	*N/A*	*$0*
Utility Relocation	*N/A*	*$0*
Construction	*2018*	*$7,400,000*
TOTAL		***$7,900,000***

The Interstate 84: Ladd Canyon EB Climbing Lane project will construct an east-bound climbing lane from MP 270.5 to MP 272.71 on Interstate 84 just east of La Grande. The addition of a climbing lane will allow trucks to avoid slowing in the primary travel lanes, thereby reducing the likelihood of mainline congestion and reducing the risk of crashes with faster-moving vehicles. The $7,400,000 in funding will come from FAST Act freight funding. In addition, this will position the project to leverage future state or federal funds, should they become available for additional work. This project was discussed at a joint meeting of the North East and South East Area Commissions on Transportation (NEACT and SEACT) in April and May 2016. Both Area Commissions voiced support for the project moving forward.

Presentation:

Paul Mather reviewed the projects proposed for FAST Act funding and the commission was presented input from the Area Commissions on Transportations and the Freight Advisory Committee, all of which support the project list.

Discussion:

Commissioner Morgan commented that being able to add these projects is an important piece in the development of the transportation system. All of these projects will benefit freight movement across the state.

Commissioner O'Hollaren said the projects also help meet the federal requirement to enhance the resiliency of critical highway infrastructure. He gives that extra weight from the standpoint of seismic resiliency.

Action:

Commissioner O'Hollaren moved to approve adding the projects to the 2015-2018 Statewide Transportation Improvement Plan (STIP). Commission members Lohman, Morgan, O'Hollaren, and Baney unanimously approved the motion.

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STIP Amendment
Agenda F

The commission received a request for approval to amend the 2015-2018 Statewide Transportation Improvement Program to change the project scope and funding plan of the Oregon 217: Allen-Denney Southbound Split Diamond project. The proposed funding plan change moves $3,095,832 from the construction phase to preliminary engineering, and reallocates the remaining $2,000,000 from construction to the Interstate 5 South Bound: Lower Boones Ferry to Interstate 205 Auxiliary Lane project (18836). The total estimated cost for this project will change from $6,002,832 to $4,002,832. ODOT Region 1 Manager Rian Windsheimer presented the request. ***(Background materials in Director/Commission/History Center File, Salem.)***

Project Name	***Oregon 217 SB: Oregon 10 – Oregon 99W AUX Lane*** *(KN 18841)*	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*2014*	*$907,000*
	2016	*$3,095,832*
Right of Way	*2016*	*$0*
Utility Relocation	*2016*	*$0*
Construction	*2017*	*$0*
TOTAL	***$4,002,832***	

Background:
Oregon 217 is a highly congested corridor in the region that serves up to 96,000 vehicles daily. In 2014, Washington County was awarded Enhance program funds to construct a collector-distributor road adjacent to Oregon 217 between Allen Boulevard and Denney Road to alleviate congestion in the immediate area. Congestion continues to increase in the Oregon 217 corridor and can stretch as far as three to four miles along the seven mile corridor during peak hours and can last up to four hours during peak times. This condition is anticipated to worsen in the future.

To improve operations throughout the corridor, Washington County and the Oregon Department of Transportation (ODOT) staff request to change the scope of the Enhance project to an expanded shelf-ready design project for the collector-distributor road and an auxiliary lane on Oregon 217 South Bound between Oregon 10 and Oregon 99W (MP 2.05 to 5.69). The shelf ready project would be a highly competitive project for funding opportunities through future state legislative sessions and federal grant programs (i.e. FAST Lane, TIGER).

The shelf-ready design project for Oregon 217 is estimated to cost $4,002,834 which is $2,000,000 less than the current project funding listed in the STIP. The plan is to reallocate the $2,000,000 in funding to the Interstate 5 South Bound: Lower Boones Ferry to Interstate 205 Auxiliary Lane project (18836) for preliminary engineering. This contribution and a $13,000,000 increase for construction from the FAST Act freight formula funds will extend the current Interstate 5 SB Auxiliary Lane project to the junction with Interstate 205. Both projects will help improve freight and mobility operations in Washington County and Region 1.

This change and other proposed changes associated with the distribution of FAST Act freight formula funds were communicated to the Region 1 Area Commission on Transportation (R1ACT). The R1ACT's general consensus is in support of the changes proposed. This request is contingent upon OTC approval of the project changes for the Interstate 5 SB: Lower Boones Ferry to Interstate 205 Auxiliary Lane project.

Presentation:
ODOT Region 1 Manager Rian Windsheimer presented the request for approval to amend the 2015 STIP and change the project scope on Oregon 217. He said FAST Act projects on I-5 southbound have now given us some capacity to improve some of the function of 217. Improvements were not feasible on 217 until the I-5 southbound bottleneck was addressed.

Discussion:
Commissioner O'Hollaren asked, what is the scope of the complete project? Windsheimer responded that this money is sufficient to do the design, the preliminary engineering and design of the addition of the lane and an auxiliary lane that connects Beaverton/Hillsdale Highway southbound with 99 West. We anticipate completion of that project for construction to be about $40 million.

Action:
Commissioner Morgan moved to approve to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to change the project scope and funding plan of the Oregon 217 project. Commission members Lohman, Morgan, O'Hollaren and Baney unanimously approved the motion.

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The commission adjourned for a working lunch and briefing session at 12:19 p.m., in the Falls Room.

Kristen Stallman of ODOT Region 1 and Arthur Babitz, former mayor of Hood River, gave the commission a briefing on the history of the Historic Columbia River Highway and the efforts to reconnect it.

Transportation Development Division Administrator Jerri Bohard provided an overview of the outcome of the *Connect*Oregon Final Review Committee.

The regular monthly meeting was reconvened at 1:22 p.m.

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STIP Amendment
Agenda G

The commission considered a request for approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to add a new project, Oregon 18: Newberg-Dundee Bypass (Phase 2), located in Region 2. The funding will come from the anticipated construction cost savings on the Oregon 18: Newberg-Dundee Bypass (Phase 1) project. The total estimated cost of this project is $10,500,000. ODOT Region 2 Manager Sonny Chickering and ODOT Region 2 Senior Project Leader Kelly Amador presented the request. ***(Background materials in Director/Commission/History Center File, Salem.)***

Project Name	***Oregon 18: Newberg-Dundee Bypass (Phase 2) KN TBD***	
PHASE	***YEAR***	***COST***
Preliminary Engineering	*N/A*	*$0*
Right of Way	*2016*	*$10,500,000*
Utility Relocation	*N/A*	*$0*
Construction	*N/A*	*$0*
TOTAL	***$10,500,000***	

Background:
Oregon 18: Newberg-Dundee Bypass (Phase 2) will construct two lanes of an eventual four lane easterly extension of the current Phase 1 project from Oregon 219 south of Newberg, to a new at-grade intersection with Oregon 99W in the vicinity of North Harmony Lane. The proposed extension is consistent with the permanent alignment that has been identified and approved in the Final Environmental Impact Statement (FEIS) for the full build of the Newberg-Dundee Bypass.

Throughout development of the full Newberg-Dundee Bypass, the Oregon Department of Transportation (ODOT) worked very closely with numerous local stakeholders, including the Yamhill County Commission, the cities of McMinnville, Newberg and Dundee, as well as the Confederated Tribes of the Grand Ronde. These four local agencies and the Tribe have already contributed a total of $20 million toward construction of Phase 1.

In recent months the department was informed that one or more vacant parcels of land along the Phase 2 alignment are proposed for full development in the immediate future. In order to avoid the increased cost of purchasing parcels with developed structures that are occupied by business owners or tenants, ODOT and our local funding stakeholders have agreed that the anticipated construction cost savings on the current Phase 1 project should be reallocated for the purchase of right of way on Phase 2.

Upon commission approval of this STIP amendment, ODOT will immediately begin discussions with property owners about acquisition of right of way for Phase 2 by purchase, condemnation, agreement or donation.

The $10,500,000 allocation to Phase 2 is a current estimate of project savings, and may be adjusted up or down at the conclusion of Phase 1 construction, based upon the actual final amount of construction savings realized. Each of the funding stakeholders will be providing an initial letter confirming their support for this action, to be followed by a resolution or other affirmative action by their governing commission or council. Since JTA funds can only be used on Phase 1, funding for Phase 2 will come from ODOT and/or local funds committed to the project.

Presentation:
ODOT Region 2 Manager Sonny Chickering and ODOT Region 2 Senior Project Leader Kelly Amador presented the request. Highlights of the presentation were:

- A review of OR 18: Newberg-Dundee Bypass Phase 1.
- A review of OR 18: Newberg-Dundee Bypass Phase 2.
- Local governments have a loan through OTIB for Phase 1 and cost savings from Phase 1 would be applied to Phase 2 (right of way acquisition.) Undeveloped right of way lands are currently under negotiation to be developed. Acquiring a developed parcel with buildings, structures and tenants would obviously be at a much higher expense than buying the land preemptively while it is still vacant. Because of the likelihood of the increased costs to the agency and state, discussions with local funding partners recognized the need to create an official Phase 2 project and to apply some funds for the purchase of right of way on that Phase 2.
- The savings from Phase 1 are expected to be around $10.5 million, $1 million of that going to local funding entities. At a meeting with Director Garrett at the end of May, the local funding entities expressed a desire to have their portion of the savings applied to Phase 2. ODOT would also apply its savings to the Phase 2 project.
- Today's request is for approval to amend the 2015-2018 STIP to add the second phase, right of way acquisition, to the Oregon 18: Newberg-Dundee Bypass project.

Discussion:
Chickering gave an update on recent developments this week concerning this project. ODOT was contacted by property owners along the right of way who have an imminent sale pending on one of the parcels. Director Garrett met with the property owners at the beginning of this week to learn more about the development plans for the parcel and how they might be affected by today's action. It was agreed by the property owners and the potential developers that they would apply the brakes for a short period of time. Director Garrett committed that we would not pursue acquisition of the parcels immediately and that we would enter into a conversation with the property owners and the other stakeholders around the project to see if solutions could be found that would allow for the intended development to occur and still accommodate construction of the bypass Phase 2 at the same time.

Commissioner O'Hollaren asked for clarity on the process in the event consensus is not reached in these future discussions; will this come back to the commission at that time to look at other options or does giving approval today give ODOT the latitude to move forward with acquisition by any of the three means available? Chickering responded that approval would give them the latitude to pursue acquisition of the parcels through any means. Chair Baney said the hope is that consensus can be reached, but if it does not reach consensus, the commission would direct that this be brought back.

Director Garrett said he would request direction. It would be his position that no matter where we end up, we come back to the commission. This project is of such import that as we continue to move forward, this commission needs to be involved.

Commissioner O'Hollaren asked if this was in any way setting a precedent for other projects. Garrett said the advance, protective purchase of right of way is not a new concept. What changed here to be the pivot point was the realization of savings funds from Phase 1. In the past, the commission set aside funds for advance purchase of right of way to protect, or buy down, the cost of projects. It is a tool that has been used before and should be used in the appropriate manner.

Commissioner Lohman asked what happens if only $5.5 million in savings is realized, and not the $10.5 million projected? Chickering said there are multiple parcels needed along that alignment we could choose from, we just happen to have a specific interest in a particular parcel at this time. We could proceed, just not as far as desired.

Public comments were received from:

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Yamhill County Parkway Committee Chair Dave Haugeberg provided letters of support for the Phase 2 project. But, he said, sometimes something is too important and a letter just doesn't convey that importance as much as these people's presence here today. He introduced the people at the table with him, and said their presence here speaks volumes about their commitment to the project and their extraordinary desire for the partnership they have with the commission and the Department of Transportation.

- ~ Yamhill County Commissioner Stan Primozich
- ~ McMinnville Mayor and Yamhill County Commissioner Rick Olson
- ~ Yamhill County Commissioner Stan Primozich
- ~ Dundee Mayor David Russ
- ~ Newberg Mayor Bob Andrews
- ~ Confederated Tribes of Grand Ronde representative Chris Mercier
- ~ Michael Gougler and Dean Werth, representing the Werth family

Haugeberg gave some background on the project. He said this project is an extraordinary accomplishment and we are here today because of Director Garrett's commitment to work with local governments and to be a partner. Conversations with Garrett are always in the way of "how do you make something work." Over a long period of time, these conversations have created not only a friendship, but an extraordinary amount of trust and relationship. One thing we do know is that when we deal with Mr. Garrett, you can always depend on what he says. He means what he says and he makes things happen. This department is fortunate to have a man like Matt Garrett to make this project happen.

Haugeberg urged the commission to take action to move this forward. He noted the Werth family and Mr. Gougler who are here today and have been in the bullseye of this project for a long time. They deserve some certainty in their lives. We have not had money, but now we do and it is time to move forward.

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Yamhill County Commissioner Stan Primozich said one of the main reasons this project has not gone forward is that we haven't had money, and said he really feels sorry for people who own property and they've been given no assurance that this thing is going anyplace. That is one of the main reasons we're here today. By putting this in the STIP, we are telling everyone we are serious about this project. That is so critical to the ongoing development of Phase 2 and the ultimate completion of this entire bypass, which will then make Yamhill County and its ten cities really viable for economic development. Getting goods and services to and from market is critical to economic development.

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Michael Gougler, speaking on behalf of Dean Werth and the Werth family, sincerely thanked Director Garrett for the time he took to assemble a meeting on Monday to listen to their concerns and their proposals for fixes to the situation, and for his subsequent letter outlining the steps he would like to take. It was highly professional and very reassuring, and they sincerely appreciate it.

Gougler said their intent was not to drive a discussion to the point where funds were necessary in order to keep us from developing. We were working with the very generous and civic minded people in Newberg to look for a way to modify the route of the bypass, and do so in such a way that we could develop this medical clinic, and preserve the corridor without asking for condemnation or money.

Dean Werth said they are very appreciative of Director Garrett's letter and they support everything he said in the letter. He looks forward to implementing it as quickly as we can. The only people here with a time constraint are the clinic people.

Chair Baney restated that moving forward today would be with the understanding that the commitment is to seek a compromise to move forward to determine if the new alternative might work. She is hearing, on the record, that all of the parties are interested in seeking that compromise and that this is also contingent on the resolutions of the elected bodies as well. This commission will be checking this closely and asked for an update next month on the progress.

Action:
Commissioner O'Hollaren moved to approve an amendment to the 2015-2018 Statewide Transportation Improvement Program (STIP) to add a new project, Oregon 18: Newberg-Dundee Bypass Phase 2. Commission members Lohman, Morgan, O'Hollaren and Baney unanimously approved the motion.

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2015-2017 Special Transportation Fund (STF) Grant Discretionary Awards
Agenda H

The commission considered a request for approval of the 2015-2017 Special Transportation Fund (STF) grant discretionary awards. ODOT Rail and Public Transit Division Administrator Hal Gard presented the request. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
The Oregon Special Transportation Fund (STF) is a state-funded program, defined by Oregon Revised Statutes (ORS) 391.800 and Oregon Administrative Rules (OAR) Chapter 732. The program's purpose is to provide an ongoing source of financial support for transportation services benefiting seniors and individuals with disabilities. The Oregon legislature intended that STF funds be used to provide transportation services needed to access health, education, work, and social/recreational opportunities so that seniors and individuals with disabilities may live as independently and productively as possible. Many portions of the state operate public transportation without local contributions and STF funds are frequently used to leverage and take advantage of federal program opportunities which would otherwise be unobtainable.

The Special Transportation Fund is established in Oregon law with two investment directions. At least 75 percent of the dedicated STF funds must be distributed by proportionate population to 42 designated STF agencies and up to 25 percent of STF funds can be used for discretionary projects by STF agencies, based upon priorities established by the Oregon Transportation Commission (OTC). In recent years the OTC has, with input from the Public Transportation Advisory Committee (PTAC), put the discretionary projects on hold. The discretionary STF funding was combined with the formula funds to sustain the program in a period of declining revenues.

In the 2013 and 2015 legislative budget discussions, Oregon's governor and legislature increased their commitment to the STF program by $9M and $1.7M, respectively. This increased funding created an opportunity to both sustain the formula program and also offer discretionary improvements for communities. In October the Rail and Public Transit Division (RPTD), with concurrence from the PTAC, announced a funding opportunity for $8 million discretionary STF funds, targeted to support local improvements and statewide initiatives.

- *$6 million was targeted to ODOT regions based on each region's proportion of senior population compared to the senior population of the state.*
- *$2 million was reserved for projects that have statewide benefit and could provide a significant improvement for the STF program.*
- *The number of applications each STF agency was allowed to submit was limited and based upon the proportionate senior population relative to other STF agencies.*
- *Projects of statewide significance were identified by staff based upon applicability and transferability, and moved to statewide competition.*
- *STF agencies were encouraged to propose projects that show collaboration and consortium-building in order to build a stronger network of access and options.*
- *Projects are expected to be completed by June 30, 2018.*

Applications for these discretionary funds were submitted through the 42 local STF agencies in March 2016, after a local public process was conducted; 94 projects were submitted totaling $13M in requested funds.

Each project submitted to the program was reviewed and scored against both state and regional criteria by two separate panels, simultaneously, using the same scoresheet. Evaluation criteria included how well the project contributed to PTAC investment goals of providing support for cost-effective programs, innovation, and growing the economy. One panel, the Regional Transportation Coordinators Review Panel, was comprised of Rail and Public Transit Division Regional Transportation Coordinators from each ODOT region who reviewed applications for eligibility, completeness, and feasibility. The second panel, the External Stakeholder Panel, was comprised of four Public Transportation Advisory Committee members who represented entities not eligible for STF monies, and one Department of Human Services representative. Both teams held workshops to discuss all applications, determine which should be considered for statewide significance, and submit a ranked worksheet for review by the joint Review Panel.

The Joint STF Application Review Panel completed ranking of STF discretionary projects in a public meeting on May 3, 2016, awarding $8M in funds. That recommended list is posted on the RPTD website: https://www.oregon.gov/ODOT/PT/Pages/news.aspx. This ranking was reviewed and approved by PTAC on May 9, 2016, and public comment period for those recommendations ran until May 31, 2016. With final OTC approval, funding will be available for approved projects July 15, 2016. If an awarded project is not able to be completed, the unused STF funds will be returned to the program, and either added to the formula fund distribution or allocated for the next discretionary solicitation.

Presentation:
ODOT Rail and Public Transit Division Administrator Hal Gard presented the request for approval of the 2015-2017 Special Transportation Fund (STF) grant discretionary awards in the amount of $8 million. Six million of that will be distributed based on the formula grant to each of the agencies in the program and the remaining $2 million for a pilot to try and develop a list of projects that extended beyond the boundaries of the STF agencies that would come up with efficiencies that would serve the elderly and disabled populations statewide.

Discussion:
Commissioner Lohman asked if the pilot program was successful. Gard responded that it will be if he sees head nods today. Lohman asked if Gard anticipated something similar going forward in the future. Gard said the challenge is that STF funds are relatively uncertain. They are based upon cigarette taxes, Identification Card purchases, and periodic infusions from the legislature. Dependable funding is the biggest problem in Public Transit because it is very hard to grow services if you do not have a reliable source of funds to maintain operations.

Action:
Commissioner Morgan moved to approve the 2015-2017 Special Transportation Fund Grant Discretionary Awards. Commission members Lohman, Morgan, O'Hollaren and Baney unanimously approved the motion.

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Consent Calendar
Agenda Item I

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

1. Approve the minutes of the May 19, 2016, commission meeting in Salem.
2. Confirm the next two commission meeting dates:
    - Thursday, July 21, 2016, meeting in Salem.
    - Thursday, August 18-19, 2016, meeting in Klamath Falls.
3. Request approval to adopt a resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
4. Request approval of the following Oregon Administrative Rules:
    a) Adoption of 734-031-0001, 734-031-0005, 734-031-0010, 734-031-0015, 734-031-0020, 734-031-0025 and 734-031-0030 relating to the Rest Area Sponsorship Acknowledgement Sign Program.
    b) Amendment of 735-040-0040, the adoption of 735-040-0045, 735-040-0110, 735-040-0115, 735-040-0120, 735-040-0125, 735-040-0130, and the repeal of 735-040-0055, 735-040-0061, 735-040-0095, 735-040-0097, 735-040-0100 relating to special registration and group plates.
5. Request approval to amend the 2015-2018 Statewide Transportation Improvement Program to add the Interstate 84: Traffic Barrier project from Hood River County to Umatilla County in Regions 4 and 5. This project will be funded from the Interstate Maintenance Safety Program and the Bridge Rail Program. The total estimated cost of this project is $3,650,300.
6. Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to add a construction phase of $15.3 million for the Interstate 5: Interstate Bridge - Hassalo Street project in Multnomah County. The construction funds to repave this section of freeway will come from the 2015 – 2018 Fix-It Interstate Maintenance Fund. The total estimated cost of this project is $16,600,000.
7. Request approval to amend the 2015-2018 Statewide Transportation Improvement Program to cancel two projects, change scope and cancel construction for one project and add four new projects. Funding will come from the cancellations and scope change projects. The net cost of these changes is $4,656,000. The projects are:
    - Oregon 224: Bridge Deck Overlays, Region 1 (canceled)
    - Oregon 58: Coast Fork Willamette River Bridge Repair, Region 2 (canceled)
    - Oregon 38: Umpqua River (Scottsburg) Bridge Replacement, Region 3 (scope change and cancel construction)
    - Oregon 217/Oregon 224: Bridge Rail Retrofit, Region 1 (new project)
    - Oregon 140/Oregon 238: Bridge and Culvert Rail Upgrades, Region 3 (new project)
    - Oregon 42: Bridge Rail Retrofit, Region 3 (new project)
    - U.S. 101: Coquille River (Bullards) Bridge Rail Replacement, Region 3 (new project)
8. Request approval to amend the 2015-2018 Statewide Transportation Improvement Program (STIP) to cancel the construction phases for Oregon 6: Zigzag Creek (Region 2) and Interstate 84: Ladd Creek (Region 5); and add the funding to six new culvert projects

on U.S. 101 and Oregon 38 in various locations in Region 3 as part of the new Region 3 Corridor Pilot Project. Funds from the above cancelled projects of $5,520,000, as well as $8,560,500 from the Fish Passage Fund, $11,094,500 from savings in the Large Culvert Financial Plan and $4,820,000 from the Fix-It Culvert Funds will provide funding for the projects. The total estimated cost of the six new culvert projects is $24,475,000.

With no issues or conflicts identified by the commission members, Director Garrett asked for approval of the Consent Calendar.

Commissioner Lohman spoke to Consent Calendar Item 4a. That item concerns the rest areas sponsorship rules which, as they existed prior to this proposed change, made it very difficult for the Oregon Travel Information Council to work out sponsorship deals for facilities in rest stops; particularly at French Prairie where the council could not find sponsorship without a change in the rules. Lohman said that Matt Garrett really plunged ahead and made this happen and the members of the Oregon Travel Information Council are very grateful and appreciative of Matt's personal efforts to make this happen. In this case, the tip of the spear was Director Garrett himself.

Action:
Commissioner Lohman moved to approve the Consent Calendar. Commission members Lohman, Morgan, O'Hollaren and Baney unanimously approved the motion.

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Region 1 Area Commission on Transportation's (R1ACT) Provisional Charter
Agenda J

The commission considered a request for approval to extend the Region 1 Area Commission on Transportation's (R1ACT) provisional charter through December 2016 and participated in a panel discussion with members of R1ACT. ODOT Region 1 Manager Rian Windsheimer and Members of the R1ACT led the discussion. ***(Background materials in Director/Commission/History Center File, Salem.)***

Background:
In preparation for this meeting, the commission has previously posed the following questions for Area Commission on Transportation members to consider as part of the discussion.

1. *One year in as an ACT, what have been the greatest successes and challenges facing transportation in the region?*

2. *What are the key opportunities for transportation investments to help with economic development in this part of the state?*

3. *Specific to congestion, the Governor's Transportation Vision Panel found that, "Congestion in the Portland metro area is having a major impact on the economic vitality of all regions. It not only creates challenges for commuters and businesses in the metro area, it*

is also making it difficult for producers across the state to move their goods into and through Portland in a predictable, reliable, and timely fashion." What do you see as the key opportunities for transportation investments (all modes) to help reduce the impact of this congestion on Oregon's economy?

Presentation:
Region 1 Manager Rian Windsheimer introduced the R1ACT members participating in the discussion and presenting R1ACT's provisional charter for approval:

- ~ Clackamas County Commissioner and R1ACT Vice Chair Paul Savas
- ~ Hood River County Commission Chair Ron Rivers
- ~ President, Port of Cascade Locks Commission Jess Groves
- ~ City of Beaverton Mayor Denny Doyle
- ~ Mt. Hood Winery Steve Bickford
- ~ City of Hood River Councilor Peter Cornelison

Windsheimer started the discussion by saying the action today is to extend the provisional charter though December. The ACT has been really busy with the STIP process, *Connect*Oregon and a number of other things and would like to take the opportunity through the fall to revisit and review the ACT bylaws before bringing them back to the commission sometime before the end of the year for approval of the final charter.

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Paul Savas said he is speaking on behalf of the entire Region 1 ACT and not just Clackamas County and represents a half rural/half urban mix. Savas said the ACT is doing well as it is learning, but the very fact that important stakeholder groups now have a voice at the table is an important milestone. With a region comprised of metropolitan, suburban and rural communities, we are learning about our partners, along with communities such as agriculture, recreational business and jurisdictional interests to consider as it relates to transportation infrastructure.

The diverse mix of industries makes freight movement, particularly congestion, a major concern as it relates to economic development. Important to any business is the system's ability to move employees to and from the work place, as well as moving goods and services. Important to all of us is a transportation system that addresses safety, health, the disadvantaged and environmental stewardship.

Savas said that after attending a *Connect*Oregon meeting last Tuesday and seeing its process, he has hope that the charter can be refined to take in some of the highlights of what he learned from *Connect*Oregon. He is encouraged by the *Connect*Oregon process, and said it could be a model the ACT would look to follow.

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Denny Doyle spoke about the three major projects in his area: Highway 217, the I-205 Freight Corridor, and the Rose Quarter bottleneck. He said that with the limited funds available, we need to cooperate and coordinate to try and solve the freight congestion issues and proceed in an order that is beneficial to the system.

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Ron Rivers talked about R1ACT, saying the staff has done a great job pulling all these different interests and ideals together, and everyone is treated with the utmost respect. Rivers said he couldn't be more pleased with his involvement in the ACT. Agriculture drives Hood River County, followed by tourism, both of which need sound transportation systems. While rail used to handle most of the fruit that goes out of the valley, now it's 99 percent trucking. These highways are critical.

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Jess Groves said he echoed the other's comments on the ACT. It has been very professional and the staff has supported them very well. Transportation in Hood River County is unique, he said and applauded the work and commitment that went into rededication of the old highway, but noted that it has created a few issues around traffic and parking that need to be addressed. Groves also talked about the regionally significant issues of the Hood River Bridge and the Cascade Locks Bridge. Not only has local growth been so much it has outgrown the local bridges, but every time there is an issue on I-84, it amps up the need to make sure these bridges are kept in good condition.

There is a great opportunity here to address the two bridges and some exits into the east end of the Cascade Locks industrial area. Congressman Walden helped pass the FAST Act and put scenic areas in the FAST Act to receive funds. Groves said they are working with Director Garrett and WSDOT to prepare for eligibility to receive some of those funds, and asked the commission to work with R1ACT to help receive FAST Act funds. Groves said he spoke to Phillip Ditzler of FHWA, who said he is behind R1ACT in supporting this.

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Steve Bickford said he is the only non-elected official in the group from Hood River County; he is a business person who is involved in R1ACT. He agrees that the ACT has been very fairly treated, but noted they are learning first-hand about some of the congestion issues around the Portland area.

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Peter Cornelison, from Hood River City Council, noted a few items for the commission:

1) Complete prioritizing the flat funding for the Historic Columbia River Highway project completion.
2) From an equity standpoint, the council is very pleased that, because of its small population base, they have not hit the bottom of the list for Enhanced grant funding.
3) Work with ODOT on the signalization of the Rand Road and Cascade Intersection has gone well.
4) Traffic congestion is an issue and roundabouts at Belmont, 12th and 13th, plus a roundabout at the waterfront area would be helpful.
5) Any support for the Hood River Bridge would be greatly appreciated.

Discussion:

Commissioner O'Hollaren welcomed Mayor Doyle and said it does feel like they really have their "act" together. It feels like they are well coordinated and it is refreshing. O'Hollaren asked what ODOT's role is in funding, upgrading, maintaining, etc., on bridges that aren't owned by the state, and on a toll bridge like this, are those tolling revenues being used solely

for the upkeep of the bridge or are they being diverted for other priorities within the port? This is something we need to dig into a bit more to determine if we are being asked to do this stuff just because we're viewed as having more revenue. What is ODOT's obligation on assets it doesn't own? What's the local obligation? What should that partnership look like?

Jess Groves responded that 15 percent of the funding that comes from the federal government can be used for "other" things. Oregon has opted to take some of that funding and use it in other ways. Groves said what they are asking for today is to work through ODOT to get these federal funds for scenic areas through the FAST Act program; these are funds that are available if you qualify. In regard to tolling, Groves said because of economic issues for years, they have kept the tolling down to a point where there has not been a lot of reserves to fix the bridge. That problem was recently fixed and more money is now being put in reserves. We will be a partner in whatever goes on with that bridge.

Commissioner Morgan thanked the group for the hard work it took to make this ACT work, to make it stand on its own and make it operational. This is a tremendously diverse district and they have done a good job of outlining everything from the most congested metro situations to the issues being faced trying to keep their infrastructure funded with the small base of people to draw upon for funding.

Action:
Commissioner Lohman moved to approve extending the Region 1 Area Commission on Transportations provisional charter through December 2016. Commission members Lohman, O'Hollaren, Morgan and Baney unanimously approved the motion.

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Chair Baney adjourned the meeting at 2:40 p.m.

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That evening, at 6:00 p.m., the OTC and the Hood River Chamber of Commerce hosted a reception and film premiere of a Historic Columbia River Highway short film. The screening of this 13 minute film shows the efforts to reconnect the abandoned Historic Columbia River Highway and the Historic Highway State Trail. This event was free and open to the public.

Later that evening, at 7:00 p.m., a no-host dinner was held with members of the Oregon Transportation Commission, ODOT staff, invited members of the Region 1 Area Commission on Transportation, and local government officials in the Simons Room at Columbia Gorge Hotel.

Friday, June 17

On Friday, June 17, at 9:00 a.m., the Oregon Transportation Commission hosted a workshop with the California and Washington Transportation Commissions in the A/B Rooms of the ODOT Region 1 Headquarters at 123 NW Flanders, Portland Oregon. The discussion was on transportation issues affecting the tri-states.

[Original signature on file] Tammy Baney, Chair	***[Original signature on file]*** David Lohman, Member
[Original signature on file] Susan Morgan, Member	*(Absent)* Alando Simpson, Member
[Original signature on file] Sean O'Hollaren, Member	***[Original signature on file]*** Roxanne Van Hess, Commission Support