

# "FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD MEETING MINUTES

March 17, 2023 • 9:00 a.m. – 1:00 p.m. • Port of Kalama, WA

[TVW Recording](#)

## In Attendance

### BOARD MEMBERS

Temple Lentz, Chair	Roger Millar	<i>Not Present:</i>
Leonard Barnes	Art Swannack	Anne McEnerney-Ogle
Peter Bennett	Ben Wick	Aaron Hunt
Matt Ewers		Johan Hellman
Erik Hansen		John McCarthy

### FMSIB STAFF

Jane Wall, Interim Executive Director  
Sally A. See, Executive Assistant

### GUEST PRESENTERS

Eric Yakovich, Director of Economic Development, Port of Kalama  
Bill Fashing, Executive Director, CWCOG

## Meeting Convenes

Chair Lentz convened the meeting at 9:00 am. All Board members accompanied Director Yakovich to tour the Port of Kalama project.

Chair Lentz brought the meeting back to order at 9:45 and stated that this Board meeting is being conducted in accordance with state and local health guidelines regarding COVID-19 and public meetings. Some members of the public and some participants may choose not to participate in person, so the meeting is being conducted via Zoom teleconferencing software. The meeting is also live-streamed on TVW and archives of the broadcast will be available shortly after today's meeting. This is an open public meeting and all provisions of the Open Public Meetings Act (OPMA) apply, as amended by recent orders of the Governor.

Chair Temple Lentz requested that Board members introduce themselves, as well as FMSIB Staff. All guests were then asked to introduce themselves.

## Public Comment

No one stepped forward.

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## Approval of Minutes

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**Motion Item:** Adoption of January 20, 2023 Meeting Minutes.

*Chair Lentz* entertained a motion to adopt the January 20, 2023 meeting minutes.

*Mr. Barnes* moved to accept the minutes. *Commissioner Swannack* seconded.

**MOTION CARRIED**

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## Port of Kalama Project and Other Funding Timelines

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*Director Yakovich* presented information regarding the Port's Commission, their mission, and three points of their responsibility: Jobs, capital investments, and environmental protection. He and the Port are very proud that they are community focused. <https://portofkalama.com/>

Several very impressive ongoing projects were discussed.

*Director Yakovich* encouraged FMSIB to take Board action and request from the Legislature reappropriation of past funds that were granted to Port of Kalama, but not able to be used by end of biennium to next biennium when the time comes. He also invited everyone to return and spend time in Kalama and at the Port.

Staff thanked him for the great onsite tour this morning.

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## CWCOG Project Presentation

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*Canceled last minute due to emergency on CWCOG's behalf. Executive Director Bill Fashing's presentation will be made at FMSIB Board meeting December 1, in Vancouver.*

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## Legislative Bill SHB 1084 Update

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*Chair Lentz* discussed proposed HB 1084 and updates to the Bill that have been made and approved by Representative Fey.

*Mr. Barnes* spoke to what he referred to as the "hole" in the Bill asking who will be managing the grants that are currently funded. *Commissioner Swannack* suggested that the Board confirm reading of bill to include that FMSIB has monitoring responsibilities of grants. *Mr. Hansen* pointed out that he believes Section "2d" of SHB 1084 covers FMSIB monitoring these funds, although Secretary Millar/*Mr. Pate* will speak with FMSIB's Attorney General Lisa Kelley Christianson to ensure that we don't need additional language to make that clear.

**Motion Item:** For the Board to support SHB 1084 as written with caveat of AG's direction on Section 2d.

*Chair Lentz* entertained a motion for the Board to support SHB 1084 as written with caveat of AG's direction on Section 2d.

*Mr. Barnes* moved to accept the motion. *Commissioner Wick* seconded.

**MOTION CARRIED**

HB 1084 will be heard in the Senate Transportation Committee on March 24<sup>th</sup>. If there is no additional language needed to clarify who will monitor grants, *Chair Lentz* will testify to the committee that the Board supports the bill as written. She will also thank Representative Fey and staff on behalf of the Board for working so closely with us on requested concessions.

Sidenote: Chair Lentz did have a virtual meeting scheduled with Senator Lias on March 24. She was going to share what she discussed with the Senator, although he was unable to make the meeting due to illness.

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## **FMSIB Budgets and Update on Other Legislation**

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Please see the board meeting packet for Budget documents that were discussed.

*Interim Director Wall*, Executive Director of County Road Administration Board (CRAB) addressed the FMSIB budgets and project standings. She discussed the fiscal note for SHB 1084 for the study, six-year plan, and new FTE. She also pointed out that Port of Kalama is the project with the most concerns. \$3.9M has not been expended and there isn't enough time to complete the tasks needed this biennium. This indicates that the Board will need to discuss the request to move funding to next biennium's budget at the June meeting.

Interim Director Wall also thanked Commissioner Wick for all the work he's done to keep the FMSIB capital budget on track.

*Commissioner Wick* provided additional information on project fund standings. He also noted that the current biennium operating budget negative amount is money for the unexpected state audit that occurred in 2022. This funding was included in the Governor and House budgets, but not in the Senate's proposed budget.

Revenue forecast is due out Monday, March 27<sup>th</sup>. It is not clear whether or not the House or Senate budget will be coming out first. Interim Director noted, but is not sure why budgets will be coming out a week later than normal.

SB 5487 regarding truck parking is the only truck parking bill still alive, although the Governor has \$2M set aside for a truck parking study.

SB 5726 regarding prevailing wage is still alive in the Legislature. This bill is in regard to establishing the prevailing wage is to be set at the amount that was prevalent at the time the work was done, not the wage that was correct at the time of the signing of a contract.

*Mr. Pate* addressed a labor bill that if passed will increase the cost of transportation projects. The Governor has asked his WSDOT division more questions in regard to the truck parking study they provided in November 2022. He will let the Board know how those discussions progress.

*Ms. Sheri Call* thanked the Governor's office, Legislature, and FMSIB for the support shown for the important issue of truck parking.

*Commissioner Swannack* mentioned that there are some issues being worked out on the carbon emissions tax that has been collected in the past. All parties are working to clear up inconsistencies.

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## **Board Member Reports – Freight Outreach Efforts**

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*Commissioner Wick* took part in a tour of the Port of Tacoma Road project and was impressed by what they were doing. He stressed that FMSIB should continue to work closely with MPOs. He also stated that Spokane's Barker Grade Separation project is only missing the fence before the project is complete.

*Secretary Millar* stated that there are a number of safety bills that have fallen off the Legislative radar but will be brought back next session. WSDOT snow management team is doing well in getting roads back open for Spring. WSDOT continues to work hard on employee recruitment. Transportation Commission is assisting in trying to close homeless camps, but it's hard work.

Secretary Millar also noted that the Federal government FMSA is working on rulemaking for long-haul truckers. AASHTO Spring Safety Summit will be held in October of this year.

Mr. Ewers responded to federal mandates regarding safety concerns on reducing truck speeds. Because of the difference in speed limits from automobiles and trucks are so different that it's difficult for cooperation on the highways. 85 percent of truck accidents are caused by automobiles. Some of the new technologies coming out just aren't going to work well for safe truck drivers.

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### **Process for Support Letters (added to Board discussion)**

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Chair Lentz brought up Letters of Support (LoS) that are requested from different local agencies. She requests that FMSIB put together a process by which to approve or deny LoS and what criteria is needed to make those decisions. Mid-April, FPAC will convene to discuss this issue. This will also be discussed at the June workshop.

The most recent request from Washougal contained a project that was never vetted by FMSIB. They will be informed that FMSIB is working on a process for these letters, regardless of the merit of the project. That the Board will be unable to provide a letter until after the process is discussed at the June FMSIB workshop.

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### **FPAC Committee Update**

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Please see the board meeting packet for project documents that were discussed.

Councilman Wick thanked the FPAC Committee and WSDOT for their assistance in putting together the list of projects provided by the Legislature into high/medium/low freight benefit. He provided additional information on the current FMSIB project statuses, as well as the list of projects that was requested from the Legislature. Both lists were finalized by the FPAC Committee. He also provided additional information on project funding moves that will be needed in the coming capital budget.

Mr. Ewers, Chair Lentz, and the rest of the Board thanked Ron Pate and Jason Beloso of WSDOT for all the work they provided in reviewing the projects that were submitted to FMSIB by the Governor for ranking.

Commissioner Swannack expressed concern for the amount of data needed to provide a worthwhile list to the Governor and asked where we might find the different resources needed. Hopefully, the new FTE will have those resources so that FMSIB doesn't need to lean so much on WSDOT for their assistance.

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### **June Workshop Agenda**

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Chair Lentz asked for ideas on agenda items for the June Workshop.

Commissioner Wick asked that Mr. Pate speak to where the state is on truck parking. Also, he would like to discuss having a workplan for FMSIB moving forward.

Ms. Call suggested that Ted Prince of Tiger Cool Express be requested to present current issues around truck transport. She will provide contact information for Mr. Prince to staff.

Inviting local MPO to the workshop? (Stevenson's RTPO is Southwest Regional Transportation Council (RTC))

Schedules/timing of FMSIB task due-dates. When should the workshop be held in 2024?

Recommendations for potential consultants for Legislative mandate study. DES has a list of qualified consultants that FMSIB could use.

Refresh understanding of Grade Separation and the education of the Board regarding how freight works with intermodal topics. (Ron Pate will consider a presentation for FMSIB Workshop.)

Discuss factors in expanding the Board by five members as mandated by the Legislature.

Calendaring meeting locations for 2024. (To include a possible meeting in Mount Vernon to enable the Board to take a Pac Car tour.)

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## Next Meeting

**Board Action Item:** Adoption to affirm the FMSIB Workshop on June 1, 2023, and the next FMSIB Board meeting on June 2, 2023, in Stevenson WA.

Chair Lentz entertained a motion to affirm the FMSIB Workshop on June 1, 2023, and the next FMSIB Board meeting on June 2, 2023, in Stevenson WA.

*Commissioner Wick moved to pass the motion. Commissioner Swannack seconded.*

**MOTION AFFIRMED**

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## Meeting Adjourned

Chair Lentz adjourned the meeting at 1:00 p.m.

### *Summary of Board Motions:*

- 1) Adoption of January 20, 2023, Board Meeting Minutes. (page 2)
- 2) For the Board to support SHB 1084 as written with caveat of AG's direction on Section 2d. (page 2)
- 3) Adoption to hold the next FMSIB workshop on June 1, 2023 and next Board meeting on June 2, 2023 at Stevenson, WA. (page 5)

### *Summary of Future Agenda Items:*

- 1) Bill Fashing, Executive Director of CWCOG, will return to the December 1, 2023 Board meeting in Vancouver.
- 2) For the June 2 Board meeting: discussion to request of the Legislature that Port of Kalama funds be transferred to the 2023/24 biennium.
- 3) Board would like to move forward in inviting Legislative Members on a tour of projects in their Districts whenever a Board member is in their area.
- 4) Chair Lentz to testify to Senate Transportation Committee on March 27<sup>th</sup>, re: HB 1084.
- 5) FPAC will convene mid-April to discuss and bring to a vote a process by which to review Letters of Support from local agencies. This will also be discussed at the June FMSIB workshop.
- 6) Ron Pate will work on putting together a presentation for the workshop to re-educate the Board on how freight works and how intermodal applies.



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Temple Lentz  
FMSIB Board Chair



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Attest: Jane Wall  
Interim Director