

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

SPECIAL BOARD MEETING MINUTES

September 24, 2024 • 4:00 – 5:30 pm • Virtual Zoom call/In-person at FMSIB HQ offered
<https://us06web.zoom.us/j/87829370656?pwd=CbHQNFwj5wHPCzgQWZifbtbSEQ8BVn.1>

In Attendance

BOARD MEMBERS

Temple Lentz, Chair
Leonard Barnes
Peter Bennett
Al French
Erik Hansen
Johan Hellman

Roger Millar
John McCarthy
Anne McEnery-Ogle
Art Swannack
Ben Wick

Not Present:
Phil Wallace
Aaron Hunt-Ex Officio

FMSIB STAFF

Brandy DeLange, Executive Director
Kjristine Lund, Interim Executive Director
Sally A. See, Executive Assistant

GUEST PRESENTERS

Erinn Ellig, Parametrix

Meeting Convenes

Chair Lentz convened the meeting at 4:04 pm. Chair Lentz reminded the Board that we have a short time to complete a lot of work and asked the Board to informally approve a timeframe for each agenda item. FMSIB Board agreed.

Public Comment

Chair Lentz asked if anyone would like to offer any Public Comment for FMSIB.

No one stepped forward.

Updated Decision Packages

Chair Lentz asked Director DeLange to update the Board on the work that's been done on the proposed Decision Package for the Legislature.

Director DeLange informed the Board that one decision package introduced to the Board at the September 6th Board meeting has been updated. The Decision Package asks for \$200,000 to continue to build on work being done through the Overburden Communities study. The request would allow testing and training for users of mapping tool and toolkit as well as provide opportunity for outreach and engagement with project applicants and sponsors. A final product would be beneficial to state and local agencies.

Commissioner Swannack moved to approve the Decision Package that will further fund the Overburdened Communities Implementation Plan. Mayor McEnerny-Ogle seconded. Board member Hansen recused himself from the vote.

MOTION CARRIED

(See attached Decision Package.)

Six-Year Investment Program

Chair Lentz reviewed what the Six-Year Investment Program is and how it is the Board's job to think strategically. She then asked Director DeLange to lead off the discussion.

Director DeLange outlined the technical memo that was sent to the Board last week. The Program outlined attempts to provide flexibility to address emerging issues in the out-biennia, and that the list is an evolving document that the Board will need to revisit and adjustment.

Director Lund added that staff and consultant have taken a deep dive into each of the projects taking all criteria that had been approved by the Board, as well as what was contained in our RCW into account. She also noted that the consultant and staff validated submitted information by meeting with some project sponsors, verifying planning documents and funding sources, and reviewing freight generators and freight clusters.

Ms. Ellig presented the attached PowerPoint presentation, describing the criteria and process used to draft the proposal for review by the Board.

Mr. Barnes pointed out the lack of Port projects that were recommended in the first biennium. . The following discussion pointed out that few Ports applied for the Six-Year Investment Program during this solicitation. Each Port project in the list was addressed. Mr. Barnes asked if the projects were ready or did we miss something?

Commissioner Swannack asked the Board to be aware of the new environmental regulations around 6 PPD-q in stormwater runoff, and that getting environmental permits approved are going to be a challenge. It is delaying many other road projects now and likely is delaying the timeline for many projects to later biennium .

Councilman Wick stated that the Board needs to prioritize preservation projects.

Commissioner McCarthy expressed his concern with the entire process. He believes that the process is flawed and needs to be updated. He hesitates to commit to a six-year submittal, believing that we should only submit for the coming biennium.

Mr. Millar asked if the specific charge from the Legislature was for a Six-Year Investment Program.

Chair Lentz confirmed that FMSIB was charged to produce a Six-Year Investment Program. She noted that the document is going to continue to evolve. The Board will have a chance to reevaluate the criteria used to rate the projects, as well as an opportunity for the staff and Board members to solicit project applications from other jurisdictions that would benefit freight across the state.

Mr. Millar suggested that FMSIB submit projects for the first biennium along with previously identified priority categories and explain within the transmittal letter that FMSIB would like to go back to the agencies and provide additional projects for the future biennia.

Commissioner Swannack added that there is room to add projects to the second and third biennia and submit the list as written.

Commissioner Swannack moved to accept the Six-Year Investment Program list as written with a note to the Legislature that FMSIB will be updating the second and third biennia during the coming year. Mayor McEnerny-Ogle seconded.

Discussion followed

Councilman Wick pointed out that the Board needs to consider that there is significantly less design work needed for preservation projects than is needed for other projects. He encouraged the Board to include some of the design work on the preservation projects be funded during the first biennium.

He went on to say that projects will have delays occur, moving projects out in time, opening up funding for additional projects as they present themselves. He also worries that the lower recommended funding amounts in the second and third biennia may infer that that's all that's being requested from them.

Commissioner McCarthy stated that he's going to vote against the motion as the proposal should have only funding requests for the first biennium.

Mr. Barnes asked if the proposal could be modified to two years or is FMSIB mandated to the six-year investment program.

Director DeLange answered that yes, FMSIB was tasked to provide a six-year investment program.

Mr. Barnes noted that if we have to pull out projects that we've asked for funding during the second and third biennia to make room for other projects it will cause a great deal of anguish for those agencies that counted on our funding.

Mr. Hansen suggested that the Board remain flexible regarding the percentage of funding FMSIB recommends for each of the project types. Possibly suggest to the Legislature in the transmittal document that for the second and third biennia, FMSIB requests that a specific percentage of funding go to each of the different project categories. Provide them with a certain percentage for preservation, grade separation, etc.

Councilman Wick pointed out that there were no projects on the list that were fully funded. The partial funding would help agencies to obtain further funding. If they're not able to, FMSIB will have the opportunity to move these out into a later biennium, allowing room for new projects to be added to the FMSIB list.

Mr. Millar recommended that we not use the \$30M as a guide for FMSIB funding. He suggests that FMSIB provide the full list to the Legislature, noting that these are the strategic projects recommended in full. "Here are the projects we recommend funding, but more is needed in the future..." The Board needs to think carefully about how they would like to communicate with the Legislature within the transmittal letter. Present the list of projects for the first biennium and remove the second and third biennia dollar amounts. The chart should also include total project costs, and in the transmittal state that the projects beyond the first biennium are for the broader, long-term work yet to be done.

Commissioner Swannack agreed with Mr. Millar, stating that that approach would show how much demand there is throughout the state and that we could have much more in the coming years.

Mr. Bennett moved to amend the earlier motion with the amounts listed for second and third biennia be removed and add the total project costs requested in a separate column on the project table.

Discussion of the amendment to the main motion followed:

Mr. Millar revealed that there is "conversation" about the possibility of a new transportation revenue package coming to our state. Remaining open to funding additional projects in the future will help to suggest to the Legislature that FMSIB could use that funding for moving freight statewide.

Councilman Wick asked to go back to the issue that FMSIB has not requested any preservation projects be funded.

Commissioner Swannack noted that the new column with total project costs requested will let the Legislature know of the need for preservation funding. FMSIB's transmittal letter needs to state that preservation funding is an extremely high priority.

Commissioner Swannack called for the question. Debate ceased and a vote was taken on the amendment to the main motion. The amendment passed.

There was brief further discussion. Commissioner Swannack called for the question. Debate ceased and a vote on the main motion as amended was taken. The main motion passed to adopt Six-Year Investment Program Legislative Report as written, adding a column with total project costs requested and removal of dollar amounts from second and third biennia to be submitted by December 1, 2024.

MOTION CARRIED

(See attached Six-Year Parametrix PowerPoint and Six-Year Investment Program memo and list.)

The Board directed staff to write a clear explanation letter to go with the submission of the 6-year priority list to the legislature regarding the Board's reason for not specifically recommend funding amounts for the 2nd and 3rd biennia.

Additional Notes:

Secretary Millar recommended the Board convey to the legislature that this is the list in full with total project amounts both individually and as a total at the bottom and more funding will be needed in the future. Mr. Hansen noted the legislature is only able to allocate funding for 1 biennium at a time so that limits the value of us making allocations beyond 1 biennium. The board had discussions about using percentage allocation of dollars to the 2nd and 3rd biennium and the discussion regarding how to properly score preservation projects on readiness. You'd have to listen to recording to get this summed up.

Next Board Meeting

Chair Lentz reminded the Board that the next Board meeting will be held on October 10th, by Zoom.

Meeting Adjourned

Chair Lentz adjourned the meeting at 5:34 pm.

Summary of Board Motions:

- 1) Motion to approve the Decision Package that will further fund the Overburdened Communities Implementation Plan. (Motion Carried)
- 2) Motion to adopt Six-Year Investment Program Legislative Report as written, adding a column with total project costs requested and removal of dollar amounts from second and third biennia to be submitted by December 1, 2024 (Motion Carried)



Temple Lentz
Chair



Attest: Brandy DeLange
Executive Director

