

# Southwest Chief and Front Range Passenger Rail Commission

## Draft Meeting Minutes

Friday, November 8<sup>th</sup>, 2019

9:30 a.m. – 11:30 a.m.

CDOT Headquarters, South Platte River Trail Conference Room #231

2829 W Howard Place, Denver, CO, 80204

Call in 1-877-820-7831 passcode 418377#

### COMMISSION MEMBERS IN ATTENDANCE:

Member Name	Member Role	Organization	Attendance
Jill Gaebler	Pikes Peak Area Council of Governments	City of Colorado Springs	Yes
Terry Hart	Pueblo Area Council of Governments	Pueblo County	Yes
Becky Karasko	North Front Range Metropolitan Planning Organization	NFRMPO	Yes
Rick Klein	Resident of Huerfano, Las Animas, Otero, or Pueblo Counties	City of La Junta	Phone
Sal Pace	Passenger Rail Advocate	Resident of Pueblo	Phone
Pete Rickershauser	Class 1 Railroad Representative	BNSF Railway	Yes
Nathan Anderson	Class 1 Railroad Representative	Union Pacific	No
Phil Rico	South Central Council of Governments	Mayor of Trinidad	Yes
Jacob Riger	Denver Regional Council of Governments	DRCOG	Yes
Jim Souby	Passenger Rail Advocate	ColoRail	Yes
Bill Van Meter	Regional Transportation District	RTD	Yes
David Krutsinger*	Colorado Department of Transportation	CDOT	Yes
Robert Eaton*	Amtrak	Amtrak	Yes
Dale Steenbergen*	Cheyenne, Wyoming	Chamber of Commerce	No

\*Non-Voting Members

Others On Phone: Bill Craven (NMDOT), Ray Lang (Amtrak)

Others: Randy Grauberger (SWC&FRPR Commission), Spencer Dodge (SWC&FRPR Commission), Sophie Shulman (CDOT), Rebecca White (CDOT), Shoshana Lew (CDOT), Matt Inzeo (CDOT), Jeff Dawson (CDOT), Kyle Montgomery (Amtrak), Mandy Whorton (Peak Consulting), Nathaniel Minor (CPR), Todd Taylor (Friends of the Southwest Chief), John Liosatos (PPACG), Eric Richardson (CDOT), David Singer (CDOT), Andy Karsian (CDOT), Pete Naseth (Public), Brian Hartman (CDOT), Lindsey Sousa (AECOM), Tom Mason (Cheyenne MPO), Laura Shabe (WSP), Dave Thorpe (Radian, Inc.), Wendy Wallach (HDR), Carla Perez (HDR), Jeffrey Range (CDR Associates)

## **A. Call to Order and Introductions – Jill Gaebler**

Jill Gaebler called the meeting to order at 9:40 and asked all in attendance and on the phone to introduce themselves.

## **B. CDOT Director Shoshana Lew**

CDOT Executive Director Shoshana Lew was in attendance and provided an update on CDOT's Statewide Planning Process and provided further information on how that effort ties into the work of the Southwest Chief and Front Range Passenger Rail Commission.

Director Lew began by reviewing the Statewide Planning Process. CDOT's efforts intended to give all areas of the state a chance to be a part of the planning conversation and seek input on where individuals and communities are traveling to and from, not necessarily what road or tracks are utilized to get them there. Small projects are being given an equal chance in the process on par with the larger projects. Aggressive outreach was completed using a range of mechanisms. Every county in the state was visited, as well as 36 additional community events. These additional events ranged from pop-up events at grocery stores to county fairs. In all, 3,500 people were contacted through in-person events. In Colorado Springs, military-specific conversations were held. CDOT staff working on the planning process worked closely with the Transportation Planning Regions (TPR's), these organizations are where input is taken and developed further with the experts on the ground. An online survey was utilized as well, including a feature that allowed the public to provide geographic specific information such as pothole complaints. This garnered 17,000 data points. There were 9,000 survey responses in total. CDOT also held telephone town halls with 16,000 participants.

Three "themes" emerged from the process. (1) Unsurprisingly, road conditions came up throughout the state as a major theme. This speaks to the need for a strong system foundation, regardless of the favored mode of transportation. In rural areas, shoulders and passing lanes were important. The state of key urban arterials was also a theme. (2) Growth and congestion was a prominent theme, particularly along the I-25 Corridor, and seen as impacting "Quality of Life". (3) A lack of transportation options was seen throughout the state; however, what that actually means is dependent on the community. For example, in some locations that meant a lack of redundancy and anxiety due to only one road in some rural areas. In the eastern plains, freight issues emerged. In metropolitan areas, bike/ped issues were prominent.

CDOT leadership, following these engagement efforts, is now working on a list to turn needs into prioritized projects utilizing current funds. The goal is to highlight solid and regionally diverse projects. A high amount of funding goes to corridors where there is high population density, such as the I-25 corridor. A key takeaway is that the legislature put in place a 25% allocation for rural projects. These dollars have to go to more than one project; making a dent in smaller and medium sized roads. There will be a number of state and regional projects included in the priority list. This list is going to the State Transportation Commission at the end of the month to show that there are meaningful changes that can be made, but that there aren't the dollars to do a mega-project. During the late fall and winter, CDOT will develop and finalize a 10-year plan, in close collaboration with the MPOs and TPRs. Longer term, CDOT will establish a process for updating the 10-year plan, with a specific goal of increasing public access and awareness of the plans. Transit projects will lag be prioritized following the highway project prioritization.

Jill Gaebler thanked Director Lew and noted that Colorado Springs was awarded a BUILD grant that CDOT was very supportive of. Pete Rickershauser asked Director Lew if there was anything that the SWC&FRPR Commission could provide that she was not getting. Director Lew responded that they were looking at what they have found through the Statewide Planning Process and thinking about what that tells them and what they need. Director Lew suggested that the SWC&FRPR Commission could find a lot of useful data in the statewide planning effort.

### **C. Review/Approval of October 11<sup>th</sup> Draft Meeting Minutes – Jill Gaebler**

Jill Gaebler asked if there were any questions or concerns regarding the draft October 11<sup>th</sup> Commission Meeting Minutes. There were no comments. Jacob Riger made a motion to approve the minutes, Terry Hart seconded that motion, and the Commission unanimously approved.

### **D. Public Comment Period – Public**

No public comments

### **E. Project Director's Report – Randy Grauberger**

Randy Grauberger provided an overview of his project director's report on activities undertaken since the last Commission meeting. Randy began by thanking Spencer Dodge for his work while he was away. Jill Gaebler reiterated this appreciation and recognition. A final draft of the 2019 CRISI Grant application for the Southwest Chief Thru-Car Service to Colorado Springs Feasibility Study was submitted with appropriate Letters of Support and commitments of matching funds. A series of key stakeholder interviews was kicked off; around a third of these were completed to date with several more scheduled. Randy did a TV interview with CBS 4 regarding the public information survey, as well as an interview with the Colorado Springs Gazette on the same topic. A productive meeting was held on October 21<sup>st</sup> with Federal Highway Administration (FHWA), Federal Transit Agency (FTA), and Federal Railroad Administration (FRA). This group will meet again on January 13<sup>th</sup>, 2020. Federal partners made it clear they want to meet with the Project Team more frequently, and in planning for Front Range passenger rail, the Commission needs to be "as specific as possible about purpose and need." Spencer Dodge presented at the Governor's Transportation Stakeholder meeting held at the Governor's Mansion on November 5<sup>th</sup>. Randy attended a meeting with CDOT Region 1 staff and BNSF Railway regarding Burnham Yard and the implications and possibilities of relocating the Consolidated Main Line (CML).

Segment Stakeholder Coalitions are scheduled for the week of November 11<sup>th</sup>, a Corridor-wide Coalition meeting will be held the week of December 9<sup>th</sup>. Pete Rickershauser asked if Commissioners needed any of these meetings on their calendars. Randy suggested that stakeholder interviews aren't necessary, but that Commissioners were welcome and encouraged to attend Segment Stakeholder Coalitions and the Corridor Coalition.

### **F. Southwest Chief**

#### *2018 CRISI Grant*

On October 28<sup>th</sup>, CDOT resubmitted their Categorical Exclusions (CatEx) document, FRA stated that their approval would need 2-3 weeks. David Krutsinger would be checking next week for that approval. This sets in motion the finalization of the pre-award authority to start final design. CDOT is currently working

on contracts, which have been agreed upon preliminarily, and making sure the work is safe and water quality is good. A fully signed contract is expected in December.

### *TIGER IX*

Bill Craven, NMDOT, stated that letters have gone to the tribal agencies and New Mexico State Historic Preservation Office for work in the Devil's Throne area. They are hoping to have environmental documentation submitted to FRA in December.

### *Amtrak CRISI Grant Application*

Ray Lang, Amtrak, apologized for not being able to attend the Commission meeting. Kyle Montgomery, in attendance, provided the major leg work for Amtrak's efforts. The grant submitted on October 18<sup>th</sup> would finish the work that the Commission originally set out to complete. Todd Taylor asked what work was specifically being done on the Colorado section of track and what would be coming up. Ray replied that updates to rails, bridges, and ties were included in the application. Pete Rickershauser provided further clarification; the information that was just presented on the TIGER IX grant relates to an awarded grant for work on rails, ties, and turnouts that are east of La Junta. That work has not begun yet. There is also a CRISI Grant that has been awarded to implement Positive Train Control (PTC) technology between Las Animas and Dodge City, a requirement from Amtrak to continue Southwest Chief service.

Rob Eaton mentioned that it would be helpful to have a map or infographic of some sort that shows each project and remaining work for the corridor. Amtrak has \$50m to use on improvements. However, there is more than \$50m in needed improvements. Amtrak's strategy is to use the \$50m to leverage further federal grants and funds. Pete Rickershauser suggested that a map like that was included in the TIGER IX application. Phil Rico stated that it might be a good idea to create a glossary of terms, such as TIGER and CRISI, to assist folks that attend Commission meetings, the general public and the Congressional delegation.

## **G. Front Range Passenger Rail**

### *Project Development*

David Singer, CDOT, provided an update on Project Development, which includes the Service Development Plan (SDP) and Pre-NEPA activities. The current process that the project team has developed and scheduled for has been endorsed by the Federal Railroad Administration. The project team is currently developing criteria to use in the evaluation of alternatives and station locations. These criteria will be shown to the Commission at the December 13<sup>th</sup> Commission meeting. The criteria are being developed utilizing past studies and federal expectations. David provided a process flow graphic that outlines the next year of efforts.

### *Segment Stakeholder Coalitions*

Jeffrey Range, CDR Associates, presented an update on the Segment Stakeholder Coalitions meetings that are upcoming. The functions of the members of these coalitions meetings are two-fold: 1) to provide input on project concepts and decisions, and 2) to be liaisons to their communities. Jeffrey reviewed the criteria that was established to help select coalition members. Following the Segment Stakeholder Coalitions, members of each segment will gather for representation on the Corridor Coalition, which aims

to hold more corridor-wide focused conversations. The first round of Segment Stakeholder Coalition meetings will introduce members to the project and Commission, as well as the purpose of the Coalitions.

The main project substance that will be discussed are the Purpose and Need statements. The details of the first round of Segment Stakeholder Coalitions are as follows:

- North Segment Coalition – November 12<sup>th</sup>, Fort Collins
- Central Segment Coalition – November 13<sup>th</sup>, Denver
- South Segment Coalition – November 14<sup>th</sup>, Colorado Springs

Randy Grauberger also discussed the upcoming Corridor Coalition meeting. The purpose and intent of the first Corridor Coalition is to review where the project is at the time, what work has already been done, what previous studies are being used, and informing members on the differences between this project and previous efforts. Criteria, Vision, and Project Objectives will also be reviewed. These meeting locations will rotate, but Denver will be the first setting. Randy asked Commissioners if there was a preference for a specific day during the week of December 9<sup>th</sup>. There was initial interest in holding the meeting on December 12<sup>th</sup>, however, there is a Statewide Safety Plan Steering Committee that meeting. Phil Rico requested there be a conference call option in the event of inclement weather. In regards to Segment Coalition meetings, Greeley and Trinidad have requested that they host Segment Coalition meetings. Phil asked if there was an established end date for the Coalition and what the commitment would be from individuals. Project staff reiterated that there would not be a “contract” but individuals are encouraged to attend every meeting with a long-term commitment. Additionally, organizations are encouraged to have a consistent representative at meetings.

### *Governance*

Andy Karsian, CDOT, presented the four options on governance that are being considered. These are options that provide legislation that will move the Commission from a study entity to a broader passenger rail entity. This is an opportunity to define one step that leads along the path to implementation.

The first option, which is the broadest, is also the most encompassing and flexible for local governments, the state, and the Commission. This option is the creation of Public Rail Authority enabling legislation, which is based on existing legislation. Option #1 provides the mechanism to create a Front Range Passenger Rail Authority; this option is just authorizing language. One of the benefits to this option is that the Commission or local entities would be able to continue their work and when they are ready, can get together and create an authority which would be formed as a Regional Transportation Authority (RTA) that is recognized through the Department of Local Affairs (DOLA). Based on that authority, funding could then be sought. Sal Pace, in response to Option #1, asked if this would still allow for voters in a 13-county region to vote alone on a funding mechanism and, following that vote, would their representatives determine how money is spent? Also, with a “statewide rail authority” would representatives from other parts of the state determine how money along the Front Range Corridor would be spent? Andy responded that local governments who joined together are the ones who determine where and how the money is allocated, other areas would not have a say as they would not be a part of the district. Sal asked if a particular county didn’t want to join the “statewide authority” would they not be a part of the statewide authority. If a county doesn’t want to join, municipalities within that county could join. Sal followed by asking if a dissenting county would, in effect, be vetoed by 12 other counties who joined together. Theoretically, there would be opportunities to include a passenger rail line without the county or municipalities being involved but there would be consequences. Sal asked if a decision was being made

today. No decision was being made as the COGs needed to be advised first. Sal stated that he liked this “hybrid” approach and that he had minor tweaks that could prevent problems in the future. Sal believes that it would be beneficial to have a statewide passenger rail authority but that it becomes less manageable as a working group the more members that are included. Sal was skeptical about doing an opt-in for local governments. Sal wants more time to sit down and talk about this. Jill Gaebler asked if multiple authorities could be created, particularly when talking about the I-70 corridor. This is a benefit to option #1; there is flexibility. If this legislative language is created, the Commission will have something in statute to define and work from. Jacob Riger suggested we refer to this as enabling legislation, a tool or a framework. Sal stated that this description makes Option #1 less appealing. Randy Grauberger suggested that Option #1 no longer be referred to as “statewide.”

The second option is similar to the first, but it is more specific in geographic language. This option would create enabling legislation for a Front Range district. This option is beneficial in that it is more defined and focused. However, project staff have heard loudly that the entire conversation on passenger rail in Colorado should not be limited to the Front Range and should include the I-70 corridor. Sal asked for opinions on something that looked like Option #2 but included both the Front Range corridor and the I-70 corridor and allowed for a vote on either segment separately with local entities still controlling the funding and governance. This is a possible option as the Commission can define things, however they want within the legislative language. Jim Souby stated that Sal’s proposed option would harm Option #1, mentioning that areas throughout the state are strongly supportive of this kind of enabling language for their future use.

The third option is an Enterprise similar to the High-Performance Transportation Enterprise or the Bridge Enterprise. This option would focus on Public-Private Partnerships, allowing for more flexibility to reach out to Amtrak or another entity to help fund and manage Front Range Passenger Rail. This option does, however, have significant limitations on the funding that can be received. Jill Gaebler asked if Options 1 and 2 prevented partnerships with Amtrak or other entities. They do not; there would still be opportunities for Public-Private Partnerships under the first two options.

The fourth, and final, option is expanding the scope and mission of the existing Southwest Chief and Front Range Passenger Rail Commission.

Jill Gaebler agreed with Phil Rico that the Commission needed more time to sit down and discuss, and also mentioned that the Commission will likely have more information from the COG’s at the December Commission meeting. Jacob Riger thanked Andy Karsian for presenting these options to the DRCOG board. Jacob asked why the Commission was doing this now and not finishing the study first. David Krutsinger stated that this was the exact right time; governance is about accountability; the Commission is not just doing a planning exercise. Measures of Effectiveness are how we define success, and before success can be defined, governance is a relationship with accountability. Terry Hart stated that a simple, clearly defined goal is incredibly beneficial to allow for planning. Terry believes that the time for this conversation is now. Andy Karsian reminded Commissioners that, if a bill or legislation is wanted, sponsors will need to be found quickly. The deadline for Legislators’ first three bills falls before the next Commission meeting.

Sal Pace mentioned that one important takeaway from the November 5<sup>th</sup> meeting at the Governor’s Mansion was the amount of questions that the Speaker of the House had and warned that the Speaker could put up roadblocks. Additionally, Sal mentioned hearing from Representative Faith Winter, Representative Winter is up to speed and an advocate for passenger rail and stressed that Front Range Passenger Rail should not be done in the vacuum of I-25; I-70 should be done at the same time and the

mission of the Commission should change. Sal wants to be sure the Commission has received that message. Sal also stressed that Senator Kevin Priola has consistently expressed his wish to be a leader in rail and asked about being in a position to help sponsor a bill in the state senate. Sal believes that the Commission can have strong leadership support.

Jim Souby asked what should be done next. Jill Gaebler asked if the Commission should move forward drafting an option contingent on COG support or if they should wait until the outreach with the COGs and RTD is complete. Andy Karsian suggested one way forward, which would see him begin to talk with legislators about a bill that is flexible, staying away from specifics. Carla Perez, HDR, suggested that the Commission determine that Option #1 is the preferred option but not make a decision on that, this would leave both Option #1 and Option #2 on the table. Jim Souby stated that no one has favored much other than Option #1 and that generally the Commission agrees on Option #1. Suggestion was made to get something drafted based on the Commission's preferences toward Options 1 and 2. Terry Hart prefers Option #1 as this would gain broader support and the process is easier to explain. A straw poll was administered with Commissioners. Bill Van Meter, David Krutsinger, Terry Hart, Phil Rico, Jim Souby, Jacob Riger and Rob Eaton prefer Option #1. Sal Pace prefers a hybrid of Option #1 and Option #2, but if forced to choose would go with Option #2. Jacob Riger suggested that the I-70 Mountain Coalition present to the Commission at a future meeting.

**ACTION ITEM: Randy Grauberger will reach out to Margaret Bowes regarding I-70 coordination.**

### *Study Logo/Branding*

The Southwest Chief and Front Range Passenger Rail Commission is moving quickly with several efforts occurring simultaneously. This Front Range Passenger Rail effort provides an opportunity to brand and create a distinguishing feature of this conversation. Project staff wanted branding to be modern, clean, highly legible, and timeless. Project staff presented the Commission with two concepts that were previously reviewed by Commission staff.

The first concept has a vertical, adjusted infinity symbol that is intended to convey movement. This branding is based around the color blue, which no other transportation entity in Colorado utilizes.

The second concept, using the same color palette, utilizes a representation of trackage across the Front Range. This concept provides options to refer to FRPR in different areas of the corridor. Project staff intended for this branding to be distinct and have longevity beyond the study and into construction and operation.

Jill Gaebler stated that both were great options. Jim Souby, Phil Rico, Jacob Riger, and Bill Van Meter all favored the first concept. The Commission agreed on using concept one. Project and Commission staff will begin using this branding on materials.

## **H. Other Items**

### *Commission/CDOT MOU*

Due to time constraints, this item will be moved to the December 13<sup>th</sup> Commission Meeting.

### *Commission Charter Adoption*

Due to time constraints, this item will be moved to the December 13<sup>th</sup> Commission Meeting.

**ACTION ITEM: Adjust the Version Date on Commission Charter V1.2.9 to reflect the last updated changes.**

*States for Passenger Rail Coalition Membership*

Randy Grauberger and David Krutsinger suggested that the Commission join this Coalition at a cost of \$5,000 per year. Terry Hart made the motion for the Commission to join, Jacob Riger seconded that motion, and the Commission passed this motion unanimously.

*CU Boulder MENV Students*

Due to time constraints, this item will be moved to the December 13<sup>th</sup> Commission Meeting.

**I. Confirm Next/Future Meetings**

In 2020, Commission meetings will be held on the fourth Friday of each month. The December 13<sup>th</sup> Commission Meeting will be held at PPACG in Colorado Springs. This meeting will be a longer, 3-hour meeting from 8:30-11:30am.

**J. Adjourn**

Meeting adjourned at 11:30am.

### Action Items

Date Assigned	Task	Assignee	Deadline	Completed
11/08/2019	Adjust the Version Date on Commission Charter V1.2.9 to reflect the last updated changes.	Spencer Dodge	12/13/2019	Ongoing
11/08/2019	Randy Grauberger will reach out to Margaret Bowes regarding I-70 coordination.	Randy Grauberger	12/13/2019	Ongoing
10/11/2019	Randy Grauberger will work with Steve Long to develop a "ballpark" estimate on an extension of the current study to include Front Range Passenger Rail Service to include Cheyenne, Wyoming.	Randy Grauberger, Steve Long	11/08/2019	Ongoing
10/11/2019	Include joining the States for Passenger Rail Coalition on the November 8th Commission Meeting Agenda.	Commission Staff	11/8/2019	Ongoing
09/13/2019	Commission staff will work with a Commission sub-committee to get a consultant under contract for a public survey.	Jim Souby, Jill Gaebler, Sal Pace, Randy Grauberger, Spencer Dodge	10/11/2019	
09/13/2019	Commissioners are asked to send contact information to consultants for individuals that they speak with in regards to Front Range Passenger Rail.	All Commissioners	Ongoing	Ongoing

8/9/2019	Commissioners are to review the draft Commission Charter and provide comments/edits to Spencer Dodge. Special notice should be applied to the reference section.	All Commissioners; Spencer Dodge	8/23/2019	Completed; to be approved for signatures at October meeting
8/9/2019	Commissioners are to provide comments and edits to Spencer Dodge on promotional materials (one pager and tri-fold brochure).	All Commissioners; Spencer Dodge	8/23/2019	Work in Progress
8/9/2019	Consultants will provide the Commission with a simplified version of the Stakeholder Engagement and Public Involvement plan; including how much involvement will occur with the general public, the time frame and schedule, and a list of possible stakeholders.	Consultant Team	9/4/2019	Completed
8/9/2019	Commission staff will monitor anticipated CRISI grant opportunities, and when available, prepare recommendations as to what purposes and projects the Commission should apply for funding.	Commission Staff	<i>When Appropriate</i>	Application development underway