

Southwest Chief and Front Range Passenger Rail Commission Draft Meeting Minutes

Friday, December 13th, 2019

8:30 a.m. – 11:30 a.m.

Pikes Peak Area Council of Governments

14 South Chestnut Street, Colorado Springs, CO, 80905

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	Phone
Becky Karasko	North Front Range Metropolitan Planning Organization	NFRMPO	Phone
Rick Klein	Resident of Huerfano, Las Animas, Otero, or Pueblo Counties	City of La Junta	Yes
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	Phone
Jacob Riger	Denver Regional Council of Governments	DRCOG	Phone
Jim Souby	Passenger Rail Advocate	ColoRail	Yes
Bill Van Meter	Regional Transportation District	RTD	Phone
David Krutsinger*	Colorado Department of Transportation	CDOT	Yes
Robert Eaton*	Amtrak	Amtrak	Phone
Dale Steenbergen*	Cheyenne, Wyoming	Chamber of Commerce	No

*Non-Voting Members

Others On Phone: Bill Craven (NMDOT), Ray Lang (Amtrak), Tom Mason (WYDOT), Dan Kline (WYDOT)

Others: Randy Grauberger (SWC&FRPR Commission Project Director), Spencer Dodge (SWC&FRPR Commission), Carla Perez (HDR, Inc.), Jennifer Webster (Catalyst Public Affairs), Laura Shabe (WSP), Karen Hedlund (WSP), Andrew Gunning (PPACG), John Liosatos (PPACG), Lisa Streisfeld (CDOT), Colleen Roberts (Peak Consulting), David Singer (CDOT), Brian Hartman (CDOT), Michael Meyer (Quandel Consultants), Jeff Dawson (CDOT), Kathryn Wenger (PPACG), Joe Pimentel (LiUNA), Jose Soto (LiUNA), Doug Rex (DRCOG)

A. Call to Order and Introductions – Jill Gaebler

Jill Gaebler called the meeting to order at 8:33 and asked all in attendance and on the phone to introduce themselves.

B. Review/Approval of November 8th Draft Meeting Minutes – Jill Gaebler

Jill Gaebler asked if there were any questions or concerns regarding the draft November 8th Commission Meeting Minutes. There were no comments or questions. Rick Klein made a motion to approve the minutes, Pete Rickershauser seconded the motion, and the Commission unanimously approved the minutes.

C. Public Comment Period – Public

No public comments.

D. Project Director's Report – Randy Grauberger

Randy Grauberger provided the Commission an overview of his project director's report on activities undertaken since the last Commission meeting. For brevity's sake, Randy only spoke on the key highlights from the report. On December 12th, the first Corridor Coalition meeting was held. The project team is continuing to work on the beginning elements of the Service Development Plan and pre-NEPA work. Randy convened a meeting with Pete Rickershauser (BNSF Railway) and Nathan Anderson (UP Railroad) to initiate coordination with the Class 1 railroads. Randy also attended a meeting with Bill Van Meter (RTD) and Doug Monroe (RTD) to begin discussing collaboration opportunities between the Commission and RTD. Stakeholder Interviews have been scheduled with the I 70 Corridor Coalition, Weld County, and the Denver Metro Economic Development Corporation in the coming weeks. Randy also discussed a Financial Report that was given to Commissioners. The notification that the 2018 BUILD Grant application was unsuccessful allowed for those committed funds to be placed back into the project budget. Randy also made mention that the Commission will need to address future funding in the immediate Commission meeting. The full NEPA process isn't totally funded and more money will be needed. Phil Rico asked if project staff could put together an informational document for Commissioners to provide to individuals interested in the Coalitions. This document should include when the meetings are, where they are held and what the duties of the Coalition members are. Carla Perez mentioned in response that a lot of that information will be available on the project website which launches in the near future.

The Commission financial report was attached to the Project Director's Report, showing as of December 2019 after expenses or commitments, the Commission had \$192,044 remaining. Randy commented that the Commission will need to come up with additional funding for expenses "in the pipeline."

E. Other Items

Commission Charter

All edits and comments from Commissioners have been incorporated into the Commission Charter (Version 1.3.0). Randy asked if there were any other comments, there were not. Rick Klein made a motion to accept the charter document as presented (Version 1.3.0), Jim Souby seconded the motion. Jacob Riger asked that authority be given to Commission staff to make administrative adjustments to the document as necessary. This was approved. The Commission voted unanimously to accept the Charter document.

Commission/CDOT MOU

A draft Memorandum of Understanding (MOU) has been reviewed by CDOT staff, CDOT management, and Commission staff. Randy informed Commissioners that there was still time for written comments to be submitted. Rick Klein thanked Spencer Dodge for his work on assembling this document and reiterated that the document and content it outlines should help with CDOT relations. Phil Rico asked for clarification on Section II.D.iv.5 of the MOU that reads, “Escalate to next level if required—provide facts and alternative solutions.” There was uncertainty around who the “next level” would be. Randy and Spencer will seek clarification this before the January 24th Commission meeting and will include that on the agenda.

F. Southwest Chief

Tiger IX

Bill Craven, NMDOT, provided an update on the TIGER IX grant. Staff are currently finalizing environmental documentation. There were a few remaining questions for CDOT staff and John Maddox (KDOT) before it goes to the Federal Railroad Administration (FRA) for their first informal review. The tribal consultations and State Historic Preservation Office (SHPO) review have been completed. Kansas, Colorado, and New Mexico have completed their environmental documentation. Sub-consultant agreements are being finalized now. Amtrak, BNSF Railway, and staff are finalizing the budget and this must be in all agreements. This work is expected to be complete in mid-January. Staff are hoping to have the grant agreement in place in March or early April. BNSF is eager to receive the advanced authorization. Rick Klein stated that the pre-award authority won't come until after FRA signs off on the CE documentation. Time is of the essence as crews and materials need to be ordered and scheduled soon. Pete Rickershauser followed by further explaining that the work crews that do rail relay work are scheduled a year in advance, meaning they have likely been scheduled out for all of 2020. Additionally, BNSF won't order rail until there is a signed contract.

2018 CRISI Grant

David Krutsinger informed the Commission that the Categorical Exclusions (CatEX) document was signed on December 19th. The next steps are to submit the formal letter, initiate Final Design efforts, and begin to order supplies. Ordering and delivery of supplies will take between six and twelve months. Pete Rickershauser clarified that this is for the installation of Positive Train Control (PTC) components between Las Animas and Dodge City, as is required by Amtrak. Jim Souby asked how long there is until the grant expires? The grant expires 3 years from when it is signed.

Southwest Chief

Rick Klein stated that he recently read an article about Richard Anderson and his desire for a luxury train for the Southwest Chief. Rick stated that, while he would love to see a luxury SWC train come through Denver, he is concerned about the effects that would have on the ridership and the mission of the Commission; are the riders that FRPR is attempting to reach the same that would presumably want to ride a luxury train? Rick has reached out to Amtrak and would like to know what the long-term plan for the Southwest Chief is. Rick suggested re-energizing the Southwest Chief sub-committee and engaging with Amtrak, which Ray Lang reacted positively to and was supportive. Additionally, Rick commented on the marketing efforts relating to the Southwest Chief. On social media, it seems that Amtrak is promoting the Northeast Corridor and Californian lines with little attention paid to the Southwest Chief and California Zephyr. Phil Rico agreed with Rick. Jim Souby reminded the group that the Surface Transportation Reauthorization Bill has yet to move forward. In the last major hearing at the House, there was a lot of

uncertainty. ColoRail's position is that language from the FY19 Appropriation Act should be included into the 5-year Surface Transportation Authorization Act. This would give the Commission and Amtrak 5 years to work with their \$50m. Pete Rickershauser stated that the Commission was assigned a responsibility for the Southwest Chief from the legislature. The Commission has raised and invested a lot of money from locals and partners. A long-range plan to preserve the Southwest Chief is still missing. Rick continued the discussion, mentioning that a full, long-range plan would help with capital needs and by the time FRPR starts, more grants could be received for the Southwest Chief. Randy Grauberger asked Ray Lang for an update on a near-term future meeting that has been discussed with Amtrak senior executives, CDOT Director Shoshana Lew, and Governor Jared Polis concerning Front Range passenger rail. Ray and David Krutsinger exchanged emails and put in a request to the Governor's office regarding a meeting for the first week of January. They have yet to hear anything back. David indicated that he would circle back with the Governor's office. Ray added that the work on the Front Range is extremely interesting to Amtrak.

G. Front Range Passenger Rail

Segment and Corridor Coalition Summaries

Jeffrey Range provided an update on the recently completed Coalition meetings. The first round of Segment Stakeholder Coalitions was completed over the week of November 11th. Segment Coalitions are staff-level membership from municipalities, counties, Chambers of Commerce, and community organizations. Members are expected to distribute project information to their communities and bring back feedback. The other Coalition, the Corridor Coalition, held its first meeting on Thursday, December 12th. This Coalition is at executive and elected official level.

The next round of Segment Coalition meetings will be the third week of January, as the Segment Coalitions meet every six weeks. Corridor Coalition meetings occur quarterly. Rick Klein asked if any state senators or representatives have shown up, and that it is important to have the right people attend these meetings. Jeffrey responded that state representatives were not contacted. Jeffrey asked the Commission if they believed that the project team was making the most of this platform. Rick responded that the project team will likely find good champions at these coalitions as they will be well-educated and involved. Jill Gaebler wasn't able to stay for the entire South Segment meeting and asked if a way was provided for members to come back and ask particular questions and if it is obvious how members should be reaching out. One thing the project team heard, particularly in the South segment, was that they want to be judicious about when members reach out. Second, the project team will be giving Coalition members a communications toolkit including a one-page informational document, the project website, and a key messages document to be used for social media and email blasts at the January Commission meeting. This communication toolkit includes information on the "who, what, when, where and why" for the project.

The purpose of convening these coalitions was to familiarize members with their roles and responsibilities and introduce members to the project. In the future, more interactivity is expected. The final part of the meeting, the breakout session, was intended to get a sense of important topics. The feedback received included: elements pertaining to the project vision and goals, and criteria. At each of the Coalition meetings, SWC & FRPR Commissioners were in attendance. Jeffrey mentioned the importance of this as members are spending their time, giving input, and utilizing their networks for the Commission. The presence of Commissioners provides the benefit of importance and meaning to each meeting.

Themes from the Coalitions included:

- Connect to local networks
- Future flexibility
- Speedy and efficient
- Support future development.

These themes somewhat align with previous studies' input and are consistent with what has been heard in interviews and other outreach efforts. This consistency leads the project team to believe that they are on the right track. David Krutsinger added that connections to local networks was emphasized. The Colorado Springs Airport Director advised the project team to look at national networks, both long-distance Amtrak lines and air travel.

Key concerns that the project team gathered include:

- Cost
- Challenges with competing with cars and getting people out of their vehicles
- Distrust from previous initiatives and studies
- Possible low ridership

Randy Grauberger pointed out that a counterpoint was presented by members independently at all three Segment Coalitions. This counterpoint was based around the new generation of folks not wanting to own vehicles and preferring transit. Phil Rico brought up needing to solve the First and Final Mile question. An expectation of Coalition members is that they act as problem-solvers. The project team wants unvarnished opinions and input from communities; this helps us meet community needs and issues.

Jim Souby suggested that the project team should look at which state legislators sponsored the Commission and invite those folks. Jim also pointed out the lack of private sector and media participation during the Coalitions. Jennifer Webster proposed sharing the invitation list with the Commission as well as those who attended Segment and Coalition meetings to get their feedback. The project team is looking for influencers who influence the influencers.

Jeffrey Range also provided an update on Key Stakeholder Interviews. The first round of interviews included local municipalities and counties. The second round of interviews are with EDCs and the business sector.

Phil Rico suggested that the project team rotate the location of the Corridor Coalition meetings around to get more involvement and information. The project team shared that this is the plan.

Carla Perez updated the Commission on the status of the project website. The project team has included comments from CDOT as far as the structure of the website. The project team will update the website with activities and other actions that support the project. There is a section on the website for comments. The URL for the website is www.frontrangepassengerrail.com, which was scheduled to go online today (December 13th).

Previous Studies Analyses

David Singer discussed the previous studies that the project team is using to inform the Service Development Plan. All of the studies being considered include:

- 2004-2018 FasTracks Implementation
- 2010 Rocky Mountain Rail Authority, High Speed Rail Feasibility Study
- 2014 Interregional Connectivity Study
- 2014 Northwest Area Mobility Study
- 2015 North I-25 Environmental Impact Statement Commuter Rail Update
- 2017 Interregional Connectivity Study Interoperability Report
- 2018 State Freight and Passenger Rail Plan

Three of these studies are being utilized more than the others. These include the 2014 Interregional Connectivity Study, the 2017 Interregional Connectivity Study Interoperability Report, and the 2015 North I-25 Environmental Impact Statement Commuter Rail Update. David first discussed the 2014 Interregional Connectivity Study (ICS). This study was built on the foundations laid out in the Rocky Mountain Rail Authority (RMRA) study. David showed the Commission, via a PowerPoint, the alignment recommended in the ICS. The Locally Preferred Alternative (LPA) uses the I-25 alignment north and south of Denver, and follows E-470 around Denver. The ICS study also identified an initial operating segment, serving Denver International Airport directly, based on high ridership at the lowest cost. The ICS recommendation was done in conjunction with the Advanced Guideway System recommendation for the mountains.

The difference between the two alternatives in the ICS study is based on the alignments around Denver. One operates on the Southeast Light Rail lines. This alignment requires some retrofitting to make technology compatible. The second uses the A Line and North Metro RTD lines. These alignments face difficulties due to slower travel times and lower ridership numbers. The operating and Benefit/Cost ratios are both over 1.0.

The next step is “Balancing” of alternative potential routes, taking into account (1) Travel Time, (2) (Maximize) Ridership, (3) Cost (capital, operating, revenue), (4) Community and Environmental Impacts (community disruption), and (5) Feasibility/Implementation (engineering complexity, ease of implementation, funding, public support).

Rick Klein asked Jacob Riger and Bill Van Meter to comment on the presented alternatives, as these were located in their region. Bill stated that RTD’s rail corridors are oriented to commuters with more frequent stops than are expected with FRPR. However, this doesn’t preclude interoperability. Jacob Riger had nothing more to add. Pete Rickershauser added that the alignments from the ICS were mostly independent of the Class 1 railroads’ networks. One area that stood out from the ICS is the potential use of the BNSF Railway Right of Way to enter Pueblo. Additionally, Pete mentioned one ICS recommendation that showed access into Denver via E-470, crossing over I-76 and paralleling the BNSF Brush sub-division line going into Denver Union Station. Finally, the Burnham Yard property is important, and the intention from CDOT is to set aside Right of Way for FRPR.

Phil Rico asked if this project should be phased and thinks that the team can identify the first, second, and third projects. Trying to accomplish this entire project in one go is difficult. Colleen Roberts, Project Team, described the recommended phasing of the entire project from the ICS. At this stage, the project team are working on these objectively and quantifiably without outside political pressures. Rick Klein

asked for there to be phasing for Pueblo to Trinidad, Phil Rico agreed with this. Phil expressed concern that this project was beginning to spider out from the original issue of saving passenger rail.

Pete Rickershauser wanted to be sure that the Commission was on the same page with implementation and phasing. Pete stated that you can phase the implementation of the project, but you can't phase where you want it to be. A lesson learned can be found at Denver Union Station; there was once track and Right of Way leading south out of DUS, that track is now gone and cannot be recovered. This is to say that the Commission should be cognizant of what we are doing but also have firmness in where it is going to be. Bill Van Meter stated the importance to have advance right-of-way acquisition permitted for rail and transit projects as is permitted for highway projects.

The last study that was discussed focused on the North segment of the corridor. The I-25 Commuter Rail Update was completed after assumptions were adjusted following the North I-25 FEIS. These changed assumptions resulted in a slight refinement on North Metro. The main takeaways here were that the northern communities supported more Transit-Oriented Development (TOD) and downtown oriented alignments.

Jim Souby mentioned appreciation for David Singer's comment about political circumstances being considered. Jim believes that nobody west of DUS and, likely, nobody west of DEN would vote to spend millions more to get to the airport in a different way. In the ICS study, the ridership numbers were not that different.

Project Development – Criteria Approval

David Singer provided an overview on the evaluation criteria that are being considered. These were provided to allow Commissioners the opportunity to think about them and follow up.

Randy Grauberger revisited the topic of reestablishing the Southwest Chief sub-committee. Members in the past included, Rick Klein, Phil Rico, Terry Hart, Jim Souby, Sal Pace, Rob Eaton, and Pete Rickershauser.

Action: Randy will send an email to these individuals to reconvene that sub-committee.

Governance

Carla Perez and Jennifer Webster discussed the legislative options that have been floated by the Commission over recent months. Carla began by reiterating a message that was given to the Corridor Coalition. That being, this effort is three-pronged. The first two are stakeholder engagement and project development and the third is governance. The conversations within all three of these move forward in support of each other. It is important that none of these get too far ahead of the others.

Jennifer continued by pointing out that governance is just one of the "How?" questions needing to be asked, another is funding. In addition to asking "how", "when" is an important question that needs to be right. The timing might be this year, or next.

Feedback received from the Commission in October had the project team narrow the original list of legislative options down to a preference for Option #1. This option has been socialized extensively and the MPOs have all discussed it with their boards. Sal Pace was interested in a hybrid approach.

Carla handed out a document that outlined the creation of a Public Rail Authority. This provides the framework for the establishing a rail authority. The intention is to let the legislature understand that conversations through our stakeholder engagement indicates that there is growing interest in passenger rail in Colorado, as part of a mobility option. The primary power of the Public Rail Authority is that it would extend beyond what the current Commission is able to do, recognizing the authority can do most of everything needed. The governing body of this authority would be represented by each entity participating.

The funding opportunities under Option #1 were also outlined. These include, sales taxes, vehicle registration fees, lodging taxes and others. These are all already in statute for other authorities. Fares are not included but those are intended to be added. A benefit of this option is that it provides the opportunity to work and partner with local governments and entities. A detriment to this option is that it requires two steps; after the initial Public Rail Authority is established a FRPR authority proposal would need to be brought forward that details exact boundaries and alignments.

Phil Rico asked that, under the formation section, a clear definition of IGAs, MOUs, and a definition of the length of the corridor. Jennifer Webster responded that this was intended to be a tool for the entire state. Margaret Bowes of the I-70 Coalition had expressed approval for Option #1 as this gives them the opportunity to create an authority for the I-70 Corridor. Sal Pace disagreed with the premise that there has to be a choice between Option #1 and a Front Range Passenger Rail Authority. Sal felt this route is just placing more roadblocks in the way and requiring steps that are unnecessary. Jill Gaebler suggested the opposite, by not going in this direction the Commission is precluding themselves from doing anything. NFRMPO supports Option #1, PPACG would like additional time to evaluate.

Jacob Riger stated that DRCOG's position is not final. Option #1 was presented to the DRCOG Board and they had more questions on timing. Jacob believes it is the right process to receive input from the MPOs. Becky Karasko stated that NFRMPO Board members strongly preferred Option #1. Option #1 gives everyone flexibility to be a part of the authority if they so choose. The NFRMPO Board also liked the bottom-up approach rather than a top-down process.

Bill Van Meter briefed the RTD Board of Directors regarding progress on the Commission activities. Bill focused primarily on discussion and recap on the governance options. Bill informed RTD's board that the Commission was leaning towards Option #1, there was no negative feedback for Option #1 and Bill received tacit support for it.

Rick Klein asked Jacob Riger, Becky Karasko, and Bill Van Meter if they needed another month to solidify their boards' position or if they could vote now. Phil Rico wants to see Sal's proposal and take that back to SCCOG, but believes there should be additional thought given to this. Becky was directed to vote for Option #1. Jacob did not get an endorsement on any option. Jill and Jacob both heard from their boards that this discussion felt like putting the cart before the horse. David Krutsinger expressed concern with Option #2 and including the entirety of every county. The alignment is not currently known and there is a risk of pre-determining. There needs to be new language in the RTA language in the statute, otherwise there would be around 100 entities represented on the board.

Jim Souby mentioned that he believes the Commission should get as much as they can when they go to the legislature. If Commissioners can get closer to Sal's option, with more definition and horsepower, that would be a big step. Jim is more in favor of taking something with more detail. Phil Rico stated that he would rather get the legislation right, rather than in a hurry. Jennifer Webster agreed with Phil there are issues of "passability" and political viability that need to be considered. Phil iterated that Commissioners need to be in lock step before anything is taken to the legislature. Jill Gaebler stated she did not want to take the option of introducing something, most likely a legislative proposal for governance, off the table for

2020 and asked, based on the appearance that no decision would be made at this meeting, if another option was brought forward is there still time? Late bill status can still be secured.

Sal stated that a key point for him is to create a Front Range “something” that identifies boundaries, statutory mission, and the ability to go to the voters for funding in that direction. Sal is concerned about the ability to veto a future district when we are asking local counties/municipalities to give a thumbs up on a tax measure referral; a single jurisdiction could veto the entire district.

Becky Karasko stated she could not vote without direction from the North Front Range MPO.

Carla and the project team needed a little more time to put together a fully formed hybrid option. The representatives from the MPOs all expressed concern with this, as they need a long lead time to work with their boards. Project team members are going to work on a hybrid proposal to bring forward for Commissioners. Pete Rickershauser reminded the Commission that there is a long time until the next Commission meeting, due to changing schedules, and an interim conference call might be needed if decisions need to be made.

H. Confirm Next/Future Meetings

The next Commission meeting will be at CDOT Headquarters in Denver on Friday morning, January 24th. The February meeting will be in the northern Front Range.

I. Adjourn

Meeting adjourned at 11:17am.

Action Items

Date Assigned	Task	Assignee	Deadline	Completed
12/13/19	Reconvene the Southwest Chief sub-committee	Randy Grauberger	01/24/2020	Ongoing
11/08/2019	Adjust the Version Date on Commission Charter V1.2.9 to reflect the last updated changes.	Spencer Dodge	12/13/2019	Completed
11/08/2019	Randy Grauberger will reach out to Margaret Bowes regarding I-70 coordination.	Randy Grauberger	12/13/2019	Completed
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	Completed
10/11/2019	Include joining the States for Passenger Rail Coalition on the November 8th Commission Meeting Agenda.	Commission Staff	11/8/2019	Completed
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	Completed
09/13/2019	Commissioners are asked to send contact information to consultants for individuals that they speak with in regards to Front	All Commissioners	Ongoing	Ongoing

	Range Passenger Rail.			
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 January 2020 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	Completed
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>	Completed