

Southwest Chief & Front Range Passenger Rail Commission

Meeting Minutes

Friday, April 12, 2019

10:00 – 12:00

Location - Pikes Peak Area Council of Governments

14 S. Chestnut St., Colorado Springs, CO 80905

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

COMMISSION MEMBERS IN ATTENDANCE:

Member Name	Member Role	Organization	Attendance
Sara Cassidy	Class 1 Railroad Representative	Union Pacific	Phone
Jill Gaebler	Pikes Peak Area Council of Governments (PPACG0	City of Colorado Springs	Yes
Terry Hart	Pueblo Area Council of Governments	Pueblo County	Yes
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	Yes
Pete Rickershauser	Class 1 Railroad Representative	BNSF Railway	Yes
Phil Rico	South Central Council of Governments	Trinidad Mayor	Yes
Jacob Riger	Denver Regional Council of Governments (DRCOG)	DRCOG	Yes
Jim Souby	Passenger Rail Advocate	ColoRail	Phone
Bill Van Meter	Regional Transportation District (RTD)	RTD	No
David Krutsinger*	Colorado Department of Transportation (CDOT)	CDOT	Yes
Robert Eaton*	Amtrak	Amtrak	Phone
Dale Steenbergen*	Cheyenne, Wyoming	Chamber of Commerce	No

* Non-voting member

Additional attendees: Randy Grauberger (Project Director, Southwest Chief & Front Range Passenger Rail Commission); Sophie Shulman (Chief, CDOT Office of Innovative Mobility), Forrest Whitman (citizen, KHEN radio); Jose Soto (Laborers' International Union of North America [LIUNA] Local 720); Charlie Stanfield (RTD); Rick Orphan (Fort Carson); Tyler Gehauf; Pete Bond; Craig Blewitt (Mountain Metro Transit); Norm Steen, Andy Gunning, John Liosatos (Pikes Peak Area Council of Governments [PPACG]); Brian Vitulli (City of Colorado Springs); Eric Richardson (CDOT); Larry Sly (WSP); Mandy Whorton (Peak Consulting); Jennifer Irvine (El Paso County); Cathy Storey, Carla Perez, Wendy Wallach (HDR).

By phone: Jim Souby; Becky Karasko; Sara Cassidy; Bill Craven (New Mexico DOT); Grant Bennett (representing Pueblo); Ray Lang, Rob Eaton (Amtrak).

A. Call to Order and Introductions - Jill Gaebler

Meeting was called to order at 10:06 and those in the room and on the phone introduced themselves. Jill welcomed the group to Colorado Springs, and Norm Steen welcomed the Commission to the Pikes Peak Council of Government office.

B. Review/approval of March 8 Meeting Minutes

Randy Grauberger led a discussion regarding the March 8 meeting minutes. Pete Rickershauser noted a correction or clarification to page 3, section E. b. Also on page 3, section E. b, the Commission noted an error and the words “dropped off, while focusing on Tiger grant” should be removed. Randy Grauberger read the changes aloud. Jill Gaebler made a motion to approve the amended minutes, Terry Hart seconded the motion, and all approved.

Research regarding other Commission’s minutes: Randy recommended, based on the minutes from the HPTE (typically about 9 pages long) and the Bridge Enterprise group, that they should be called “minutes.” Jill agreed.

Disposition of Pre-February 2018 meeting minutes: Minutes have been taken since this Commission was formed in July 2017, but minutes previously were never formally approved. Randy asked whether the Commission should post the meeting minutes on the website as-is, or if the group should now review and approve them. Jill recommend we leave the minutes as-is, and the Commission agreed. These minutes will be posted to the website.

C. Public Comment Period – Public

Commission Chair Jill Gaebler recognized the public in the room and asked each attendee that wished to speak to come to the podium and introduce themselves. Andy Gunning, PPACG Executive Director, welcomed the group to PPACG and thanked the Commission for its work. Terry Hart noted that the fact we have such a nice audience demonstrates that Jill’s idea to take the Commission meetings on the road was a good one. Forest Whitman of KHEN Radio noted that he has interviewed Randy, David Krutsinger, and Jill. He wants to interview all Commissioners for his “On The Rails” show. Norm Stein, Chairman of PPACG noted that County Commissioners from around the U.S. will be coming to the Transportation Technology Center northeast of Pueblo in late May or early June. The rest of the audience members introduced themselves.

D. Project Director’s Report – Randy Grauberger

Randy provided an overview of his activities since the Commission’s last meeting, which he briefly summarized for the benefit of those on the phone and guests in the room who do not have the packet:

- Numerous meetings with CDOT Director Shoshana Lew, David Krutsinger, Rebecca White, and other CDOT staff regarding the Commission’s upcoming RFP and the level of environmental effort; conversations with FRA and subsequent review of documents recommended by FRA for the Coachella Valley – Gorgonio Pass Rail Corridor Passenger Service
- Developed Draft Update to the Commission Charter
- Drafted Position Description for “soon to be hired” new staff member
- Participated in meetings with CDOT Region 1 Central I-25 PEL Staff, DRCOG, City and County of Denver, and RTD re: Burnham Yards
- Met with consulting firms interested in the upcoming RFP
- Conducted interviews with *Trains* magazine and KHEN Radio
- Gave presentations to ColoRail Board, I-25 So. PEL Technical Working Group, and North Area Transportation Alliance (NATA)
- Clarified that because their terms are expiring, Sal Pace and Sara Cassidy will each have to fill out a new application to continue their service on the Commission.

Randy also noted that the June Commission meeting will be in Fort Collins and the August meeting may be in Pueblo. Randy is hoping to attend APTA Rail Conference in Toronto in late June.

Jill asked if Randy had spoken with Bob Briggs of the Rocky Mountain Rail group. Randy said he and Bob have been exchanging voice mails and texts. Jill asked if Bob understands the Commission's role and that he is working in opposition to it. Randy indicated he can't say for sure if Bob understands the Commission's role. Randy is having lunch with Bob on April 19, and will see if he Bob is interested in making a presentation to the Commission at the May meeting.

Pete Rickershauser noted that Randy's report indicates that Shoshana Lew is going to Washington, DC and advocating for Front Range Rail. It would be helpful to know with whom she is meeting and what her focus will be. BNSF has extensive Public Relations team in DC and it would be good for BNSF to be informed so they can participate or provide information. Pete also emphasized the importance of the Commission understanding the outcome of meetings held with I-25 Central PEL and I-25 So. PEL teams.

Randy said that Bill Van Meter also noted that he would like to update the Commission, possibly in May, with more information on what RTD is now doing with Boulder County stakeholders in regard to NW Rail. Pete noted that BNSF is modeling additional train service to Longmont at the request of RTD.

Jill noted that she would be able to go to DC and represent the Commission with Shoshana Lew at the 5/13 meeting. Sophie Shulman noted that Shoshana will be in DC for another purpose and has requested a meeting about Front Range Passenger Rail with USDOT. Sal Pace recommended that if the Director of CDOT is attempting to obtain some of the rail funding from California that has reverted back to the federal government for passenger rail, the Commission should use its DC connections to help lobby for those dollars, either formally or informally.

Jim Souby reported positive meetings with our Congressional delegation in DC last week. The problem is finding money from other sources to fund our activities, but it was the most positive meeting Jim has had to date with respect to Front Range Passenger Rail.

E. Legislative Update

David Krutsinger read the update provided by CDOT's Andy Karsian:

- State Senator Lee is not introducing a bill on behalf of Rocky Mountain Rail
- House Bill 19-1034 (train crew size requirements) has passed and been signed by the Governor.
- The Legislature is almost finished with the budget; an additional \$100 million will be transferred to CDOT. It is not clear yet if any funds will be available for transit or rail.
- A bill for transportation funding is expected to be introduced in the Legislature next week.

F. Southwest Chief and Amtrak Update

1. TIGER and CRISI Grant Status reports

Bill Craven provided an update on TIGER IX grant: NM DOT and BNSF are working to reduce the scope since the grant was for \$1.6 million less than the original request. The monthly TIGER IX conference call is scheduled for April 23. Bill is working on submitting the environmental cat ex and getting in place all the agreements needed before the TIGER grant agreement can be executed. Pete Rickershauser noted that BNSF is also going through the final process of reducing scope to match the award amount. The work (replacing rail, grade crossings, and turnouts) will result in increasing speed on 37 miles of track to Class 4 or Class 5 speed, and BNSF wants to push this process forward.

For the CRISI grant, David Krutsinger is working to build out the communication structure for the team, and setting up a meeting immediately before or after the TIGER grant meetings. A question for FRA is whether BNSF

can get pre-award funds to help complete the PTC design. Pete noted that in the past, this pre-release of dollars has taken place and BNSF has asked CDOT to work with FRA to see if this can happen again. David has contacted FRA about BNSF's request.

2. La Junta – Pueblo Through Car discussion – Rob Eaton

Rob Eaton said there is no update on anything new on the through car issue but he will be at the Commission meeting on May 10, and recommended that this group have conversation on May 9th to identify the items to start developing a strategy to advance this issue. Sal Pace and Rick Klein offered to attend the May 9 meeting. Rob will reach out to the Commission to set up a pre-call to prepare for meeting. Pete Rickershauser will see if BNSF wants to be involved. The first thing should be to look at previous studies/work and re-evaluate strategy. Randy volunteered to set up a mid-afternoon meeting on May 9th at CDOT headquarters.

3. Proposed letter to Amtrak re: Financial Plan for SW Chief

Randy Grauberger prepared a draft letter to Amtrak for the Commission's review. When Amtrak announced that they were providing \$3 million in matching funds, Amtrak said they are working on a long-term financial plan. Our letter would say that the Commission is anxious to participate in developing that plan and would be able to host a meeting to kick off development of that plan. Pete Rickershauser noted the Commission's desire to meet Amtrak's request for a long-term plan to maintain the Southwest Chief, one that goes beyond fixing track and installing signals. Pete asked Ray Lang if the Commission sends the draft letter to Amtrak, would it take us in the direction of starting a financial plan discussion for the Southwest Chief? Ray recommended that the Commission send the letter, and Amtrak will respond. Ray Lang noted that many Southwest Chief issues are unique to the Chief; other long distance trains don't have some of the Chief's issues. A large commitment will be required and Amtrak will need to act in cooperation with the Commission. Sal Pace noted that this Commission is the right group to correspond with Amtrak regarding the Southwest Chief. Although we lack permanent voting members from NM and KS, no similar Commission exists for those states. Terry Hart clarified that the Commission has agreed to send the letter to Amtrak.

Phil Rico stated that he found it disturbing that Amtrak CEO Anderson and the Secretary of the U.S. Department of Transportation are discussing the possibility of eliminating long distance trains. The Commission needs to be part of the conversation. Rick Klein noted two recent articles with mixed messages – one about a proposed connection from Texas into Kansas that would help keep the Southwest Chief, and a second article about Amtrak going to city pair markets and eliminating long distance trains. Ray Lang stated that he had not seen the articles about Amtrak eliminating long distance trains. Rick will forward them to Ray. Rob stated that there may be some confusion: Amtrak's legislative request has been submitted and it doesn't call for eliminating long distance trains, but does call for looking at city pairs. It is important for the Commission to express its views on Amtrak's network to your delegations. Rick stated that our nation needs long distance trains; poor communities throughout the country are important to this nation and people deserve passenger rail; also, 6 U.S. Senators received the Golden Spike award recently, and an extra \$50 million was approved by Congress to keep the Southwest Chief running. Phil noted that the U.S. is far behind in passenger rail compared to other countries, but thanked our Congressional delegation who are supporting our efforts to support passenger rail.

Ray Lang noted that Charlie Monte Verde's leaving Amtrak is not a sign of any change in direction regarding long distance trains. Jim Souby noted that the reauthorization of surface transportation will take place during this Congress, and he thinks the Commission needs to be involved to be sure of protection for the Southwest Chief and other long-distance rail lines. Phil Rico noted that each Commissioner has various contacts and recommended developing a list of names that we all can share. Jill Gaebler agreed. Randy will ask CDOT legislative staff to prepare such a list prior to the next meeting. Pete Rickershauser noted that a new 2019 BUILD grant cycle will be announced shortly. The notice of funding availability is expected to be released in mid-April with applications due in mid-July. BNSF will pay for David Tennant at Seneca, who has been successful in submitting previous SW Chief grant applications, to assist with the grant writing. When the grant opportunity comes out, we need to be all hands on deck.

G. Communication Plan Sub-committee

1. Logo/Letterhead – Six new logo concepts were distributed, based on voting and comments from the March 8th meeting. Randy recommended changing the car behind the locomotive look like a passenger car rather than a loaded coal car; Terry Hart agreed. The group agreed on the logo shown in the center of the bottom row. Rick Klein recommended developing a single-color version also. Grant Bennett recommended that the logo include the Colorado C. The Commission agreed, and Randy will have the intern make these suggested changes for the Commission's final approval.
2. Website – Randy will set up a meeting to discuss issues with current site (website currently says the Commission last met in April 2017 – this was the last meeting of the Southwest Chief Commission, and the website should clarify the formation of the Southwest Chief and Front Range Passenger Rail Commission), then get additional ideas for website improvement from the Communications Subcommittee members. Randy would like to add the previous meeting minutes, and the latest version of the PowerPoint presentation he has developed. The Subcommittee (including Jill, Jim, Pete, Phil, Rick and Bill) should send ideas to Randy. Substantial changes are still probably at least a month out.
3. One-page "Commission Overview" document – Randy has not had a chance to develop this yet. The Subcommittee should be thinking about it. We want to have this in the hands of each Commissioner so they can distribute to interested people.
4. Additional press release timing – Randy had a meeting yesterday about the RFP and CDOT recommended a press release when the RFP is released. A press release could also be issued when the website is updated.
5. Phil Rico stated that in Trinidad, there have been several recent articles about the Southwest Chief and he is going to look into the source of these articles. Jill Gaebler noted that each Commissioner should send Randy any relevant articles that Commissioners are aware of.

H. RFP Status

CDOT Director Shoshana Lew has now suggested that we move forward with a project-level EIS in addition to the SDP (rather than a Tier 1 programmatic EIS). CDOT's environmental staff and traffic modeling staff would be used as part of blended team (CDOT, consultant). Randy, David Krutsinger, and Rebecca White (new Director of the Division of Transportation Development) are meeting every week, and have a meeting scheduled with Shoshana Lew on April 24, with the goal of finalizing a strategy regarding the RFP, Service Development Plan and EIS. Randy will provide the latest draft of the RFP to the RFP subcommittee on Monday. The goal is to have a draft RFP for Commission review, discussion and approval prior to the next Commission meeting, May 10. Randy noted that he keeps reminding CDOT that this is the Commission's RFP, not CDOT's, and that CDOT is on board with that.

Sal Pace asked 1) What does adding a full-blown EIS do to the timeframe for completion of the work that the Commission is trying to accomplish?; 2) Is there a scenario where this Commission could be bringing a referred ballot measure to the voters before this is complete? He also noted that an election in 2020 would have more voters than in 2021 or 2022, and more voters are typically better for tax-type questions. Randy answered that Shoshana Lew would still like the Commission to be developing enough information to give to the Legislature so they can refer a measure even though the EIS could not be complete by 2020. The goal would be to have enough information through scoping and public involvement tasks that we could move forward with a 2020 ballot measure; the Commission's original plan. Sal said that's great news, as it's a much more favorable electorate in 2020. That means that we need something to deliver to the Legislature in about 8 months. Randy noted that Shoshana Lew would like to have Colorado be a showcase for completing an EIS in less than 2 years. Sal noted that regardless of the EIS status, for the ballot measure, we need to know the route, technology, governance, and district boundaries. Sal noted that the Commission can define its own district boundary, and then constituencies that might not want to participate in a Front Range Passenger Rail authority would not have to be included. Rural precincts in Pueblo, Weld, and Larimer Counties might not want to be in this district.

Jacob Riger stated that he agrees with everything that's been said but wants a realistic timeline. It will take 4 months to get consultant on board, so then we have only 4 months and what can we produce in that time? Are there other ways to get from point "a" to point "b"? Sal asked if instead of a full-blown consulting team, could we issue smaller contracts regarding some of these pieces such as governance? Sal thinks that 4 months is too long

to wait for consultant, and then 4 months is too short to get anything done. Randy stated that the April 24th meeting with Shoshana Lew will also discuss schedule.

Sal Pace noted that there are a lot of talented smart people at CDOT – could some of the work get started using CDOT staff? David Krutsinger stated that part of the concept of a blended team is that CDOT could offer travel modeling needed for the SDP and EIS – and we could start that sooner rather than later. Travel modeling done in house will also save money for the Commission.

Jacob noted that, at least in metro Denver, given the recent failure of other transportation funding ballot measures, there are conversations about other 2020 ballot measures, so the Commission needs to coordinate with other transportation efforts. Jill Gaebler noted that the Pikes Peak region also has plans to go back to ballot.

Terry Hart recommended preparing a list of what steps we think we need in order to go to ballot, and then scrubbing to a shorter list of what is critically necessary. It would be nice to get it in front of the Legislature in December. How can we best use the time from January to May while the Legislature is in session? The Commissioners all agreed 2020 would be best time for ballot initiative.

Jacob Riger noted there are long checklists of federal requirements for a SDP or EIS. We do need to get enough material in front of the voters that they can get excited about passenger rail. Jacob suggested starting with figuring out what problem we are trying to solve. Is it commuter oriented? Inter-city service? Let's figure that out first, and then we get to what alignment is best, the technology, the service parameters. We won't know every stop, but we can focus on first deciding what problem we are solving.

Terry agreed and said he is running out of patience. We have been talking about this for a long time and we need to really focus in on what does the electorate need to know and then do our best to get it on the ballot in 2020. If we fail, we fail. But, we've got to try.

Randy stated he will work with David Singer, CDOT environmental lead, and take this input on what we have to do vs what we'd like to do. Randy noted that both the SDP and the EIS would need a well-defined purpose and need statement. Randy will find some various examples and send them to the Commission so they can begin thinking about the possible Purpose and Need for Front Range Passenger Rail.

I. Commission Charter Update - Randy

Randy produced a draft update of the Commission Charter and asked the Commission for general comments. Below is a summary of the comments:

- Identify the time each year to hold an election of Chair and Vice-Chair; preferably January
- Focus Charter elements on building up to the 2020 election.
- Be more specific when describing the Wyoming non-voting Commission member
- Updated Charter should focus on the future and not December 2017 activities.
- Make sure goals related to the Southwest Chief included a long-range Financial Plan.
- The Charter may not be an appropriate document to include "dates".
- Since the Charter mentions Cheyenne, should all the Colorado cities/towns be listed as well?
- Is the term "Special District" included in the Charter

Jacob asked that Commissioners provide comments to Randy in 2 weeks so that he can bring a revised version to the next meeting.

J. Possible Update of December 2017 Legislative Document (Phase 1 – Phase IV Vision)

Randy included in the Commissioners' meeting packet the document that Jacob Riger and Sal Pace took to the legislature in December 2017, outlining the vision of the Commission. Randy has been asked about this document by people who have seen it online, and suggests that perhaps this document should be updated since we are moving into an EIS and SDP. Jacob stated that the document was a communications tool to communicate

to the legislature, and we should be thoughtful about what we would use the updated document for. Terry agreed. Pete noted we might only want to update this document if we needed to go to the Legislature again.

K. Commission Staffing Update

Randy reported that he is getting the position description finalized and through the personnel process. Job announcement will be generated, posted for 2 weeks, then interviews, etc. The position will be called an Administrator III, and combines some administrative support (pulling meetings together, taking notes, communicating with the Commission) with activities such as researching other rail passenger service entities or other information needed by the Commission. The position will also work with the Communications Subcommittee to update the website; upgrade presentation materials, and develop social media communications. If the successful applicant has an environmental or technical background, he/she could be involved in assisting in looking at deliverables from consultants as we move forward through the SDP and EIS. BS degree is minimum requirement. Randy believes the person will be on board in June.

L. Other Items

Pete noted that when Jim Souby asked about PTC installation at the March meeting, he was correct; BNSF has indeed installed PTC on portions of BNSF-owned line between Denver and Pueblo.

Phil noted that the Commission does not have a mission statement and recommends that the one-page "Commission Overview" document spell out our purpose.

Jim Souby met with the Congressional delegation, and the issue of train horn noise came up. ColoRail has also heard this from many people. Front Range Passenger Rail will run into this issue as we engage stakeholders. Randy agreed that quiet zones would be a critical element of Front Range Passenger Rail.

M. Confirm Next / Future Meetings – Date/Time/Location

The next meeting will be May 10, 2019, at 9:30 a.m. at CDOT. Other meetings to be aware of between now and May 10:

- ColoRail April 27: Randy and Rob Eaton and Sierra Club are on agenda.
- Upcoming TIGER 9 and CRISI conference calls on the 4th Tuesday of each month
- CRISI grant meeting April 23 1:00 p.m.

Terry Hart will prepare for the August Commission meeting in Pueblo. Pete said it might be interesting to have the meeting at the Transportation Technology Center (aka "Test Track") to learn about research they are doing there. Randy noted that it might be possible to extend some of the out-of-Denver meetings – for example, in Pueblo we might have a 2-hour morning meeting in the Historic Depot and then go to Test Track in the afternoon. For the meetings in Denver, we want to coordinate with the TRAC meeting which is held in the afternoon of the 2nd Friday of every other month.

N. Adjourn - Jacob

The Commission adjourned at 12:00. Jacob Riger thanked the PPACG for hosting us.