

January 18, 2022

**TO: Members of the Senate and House Transportation Committees**

**SUBJECT: Joint Transportation Committee Annual Activity Report**

In 2021, the Joint Transportation Committee (JTC) completed five studies as directed by the Legislature. Attached are brief summaries of those studies:

1. Hood River Bridge Bi-State Authority (p. 2)
2. Broadband Infrastructure in Highway Rights-of-Way (p. 3)
3. Assessment of State Support for Short-Line Rail Infrastructure (p. 5)
4. Truck Parking Action Plan (p. 7)
5. Washington State Ferries Workforce Plan – Phase 1, Overtime Assessment (p. 9)

The Joint Transportation Committee held five meetings in 2021 via videoconference on June 22, September 23, October 20, November 17, and December 16.

Our annual tour was cancelled due to the COVID-19 pandemic.

Additional information about JTC activities including links to all current and past studies with meeting presentations and reports is available on the JTC website at [leg.wa.gov/jtc](http://leg.wa.gov/jtc).

If you have any questions, please contact the JTC staff:

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Representative Andrew Barkis



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# Summary of 2021 Joint Transportation Committee Studies

January 18, 2022

## **Hood River Bridge Bi-State Authority**

JTC Project Manager: Paul Neal

The Washington State Legislature directed the Joint Transportation Committee (JTC) to contract for legal advice to analyze and recommend options for a local government bi-state bridge authority to build and operate a bridge to replace the current span connecting Hood River, Oregon and White Salmon, Washington.

The JTC's consulting attorney identified options and made a recommendation for a statutory vehicle enabling a bi-state bridge authority to:

- Issue bonds for bridge construction;
- Collect tolls; and
- Secure and administer state or federal grants and loans.

### **Background**

The Hood River Bridge crosses the Columbia River connecting Hood River on the Oregon side with White Salmon on the Washington side. The bridge was built in 1924 and is currently operating as a toll bridge administered by the Port of Hood River. Local governments on both sides of the border have been working on a replacement plan since 1999. This effort included the formation of a [Bi-state working group](#). The working group determined that there was no current authority in Washington law allowing creation of a bi-state local government authority with all the necessary powers.

### **The JTC Study**

The JTC contracted with the Legislature's independent bond council, Pacifica Law Group, to work with the Bi-state Working Group to provide the required analysis.

Pacifica produced a comprehensive legal memorandum outlining options for accomplishing the legislation's directive. Those two options were: 1) amend existing statute to extend the required authority to an existing local government structure (such as a transportation benefit district); or 2) create a new authority specifically tailored to building and maintaining a bridge connecting Washington and a neighboring state.

The Bi-state Working Group preferred the option of creating a new authority. JTC's consultant assisted Senate Transportation Committee staff with a bill draft. This draft became Senate Bill 5558 sponsored by Senators King and Liias, which will be heard during the 2022 session. The authority provided in SB 5558 is limited to local governments.

The final legal memo is available here: <https://leg.wa.gov/JTC/Pages/hoodriverbridge.aspx>

# **Broadband Infrastructure in Highway Rights-of-Way**

JTC Project Manager: Paul Neal

The Washington State Legislature directed the Joint Transportation Committee (JTC) to develop strategies that will facilitate installation of broadband infrastructure in highway rights of way as part of the statewide effort to improve broadband access in Washington state.

## **Background**

The 2021 Legislature passed ESHB 1457 to facilitate broadband access to state highway right of way. Prior to that time WSDOT treated broadband the same as any other utility. Access to state highway right-of-way was generally prohibited and only available through a variance process. ESHB 1457 reversed this by generally authorizing broadband access to state highway rights-of-way subject to permitting by WSDOT. The bill included a direction for a JTC study to assist WSDOT in developing policies to implement the new process.

## **The JTC Study**

ESHB 1457 §7 required the JTC study to include:

- Overlay mapping of current broadband infrastructure gaps/underserved areas with state highway map including currently planned projects affording potential for adding broadband infrastructure;
- Prioritizing broadband expansion opportunities in state highway right of way including finetuning a classification system for unserved and underserved areas;
- Analyzing costs and value of providing broadband access;
- Recommending role of WSDOT in a coordinated state agency approach to expanding broadband access;
- Analysis of relevant planning and financing tools;
- Potential for partnerships between WSDOT and broadband service providers that would also benefit the transportation system;
- Identification of potential safety, operations, and highway preservation impacts and strategies for mitigating those impacts;
- Approaches from other states and possible application in Washington;
- Identifying state and federal laws and regulations relevant to broadband expansion via transportation infrastructure that might be a barrier to the above recommendations and suggested legislative modifications to any barriers.

The JTC hired consulting firm KPMG to provide the required analysis. KPMG has previously provided similar analysis to other states. KPMG produced the required report by the statutory deadline of January 1, 2022. No legislation is expected to flow from the report as the charge was to provide recommended policies for WSDOT to adopt administratively.

## **Key Findings**

### **Mapping Washington's current broadband infrastructure is challenging**

Much of Washington's broadband infrastructure is built and maintained by private companies. Much of the specific information regarding capacity and access is proprietary. Given the lack of direct access, KPMG used publicly available data to develop a map for the purposes of this study. This map allowed the consultant to use the Washington Broadband Office's broadband coverage goals to identify areas underserved or unserved by the current Broadband network.

## **A recommended decision matrix should be used to evaluate right-of-way access applications**

The recommended decision matrix provides point values for different factors which allow WSDOT to score right-of-way access applications. The recommended factors are:

1. Service need: Number of unserved/underserved households
2. Current infrastructure: Where is open access to fiber optic cable lacking?
3. Population centers/Points of Presence addressed.

WSDOT may add to these factors as it goes through the process of adopting agency policies.

### **Policy Adoption Recommendations**

The JTC's consultant recommended several policies for WSDOT's adoption to facilitate the goals of ESHB 1457.

The recommended policies are related to:

- Governance, including roles and responsibilities for WSDOT and the Washington State Broadband Office to facilitate a coordinated approach for installation of middle mile fiber/conduits and related infrastructure on WSDOT's right of way (ROW).
- Strategies for WSDOT and the State of Washington to effectively authorize other entities to install broadband infrastructure in WSDOT ROW.
- Strategies for mutually beneficial WSDOT and service provider partnerships to provide broadband services for transportation purposes, as well as addressing connectivity gaps to meet the state broadband goals.

The final report is available here: <https://leg.wa.gov/JTC/Pages/Broadband.aspx>

# **Assessment of State Support for Short-Line Rail Infrastructure**

JTC Project Manager: Dave Catterson

In 2021, the Legislature directed the JTC to update the Washington State Short Line Rail Inventory and Needs Assessment, to assess the effectiveness of state support for short-line rail infrastructure and to make recommendations to improve and enhance that support.

The JTC contracted with DB Engineering and Consulting to conduct the study. The consultants began their work in August of 2021 and the final report was completed in December 2021.

## **Background**

Short lines are smaller railroads that run shorter distances and connect shippers with the larger freight rail network. In Washington state the freight rail network includes two Class I (main line) and twenty-seven Class III (short line) railroads. Short line operations play a vital link in the freight network, linking Class I railroads with ports, industries, agriculture, and other customers.

The Washington State Department of Transportation (WSDOT) currently administers a grant and a loan program to support and improve the short line rail system.

- **Freight Rail Investment Bank (FRIB)** – The state loan program is used to fund small capital rail projects with at least 20 percent match. FRIB loans provide funds to build new or improve existing rail infrastructure across the state. but only for publicly owned railroads, port districts, rail districts, and local governments. There was \$7 million for eligible projects in 2019-2021. For the 2021-2023biennium, a total of \$5.08 million is available for FRIB loans
- **Freight Rail Assistance Program (FRAP)** - The state's grant program is open to both publicly and privately owned railroads, rail shippers or receivers, and port districts with rail for purposes of rehabilitation, infrastructure preservation or economic development. This program is directed toward larger projects where it is difficult to gain a contribution and where the rail location or the project is of strategic importance to the local community and the state. The state provided \$7.6 million in grants in 2019-2021. For the 2021-2023 biennium, a total of\$7.04 million is available for FRAP grants.

## **The JTC Study**

The specific elements of the study included:

- Consultation with agencies and stakeholder groups. The first objective of this outreach was to gather information regarding specific infrastructure needs for specific short lines within the State of Washington. This information was gathered from the short line operators and other entities responsible for funding or maintenance of short line rail infrastructure through an on-line survey, interviews, and site visits. The second objective was to gather feedback on the successes and opportunities with the state's current support programs.
- Compilation of data and information to update the 2015 Inventory and Needs Assessment. The report includes single page profiles for each short line operator in the state that highlight specific infrastructure needs.
- Development of recommendations aimed at improving and enhancing state support for short-line rail infrastructure. These recommendations are based upon input from stakeholders and research of programs in other states.

## **Key findings:**

**Infrastructure maintenance and improvement is a significant challenge for most short lines.** Many short line railroads in Washington face a significant backlog of deferred maintenance but do not earn enough revenue to

address it. There are also increasing needs to upgrade infrastructure to meet industry standards for heavier rail cars that could interchange on to the Class 1 network.

**Short lines need to maintain and expand their customer base.** All railroads, including short lines, are both most economically and environmentally efficient as the volume of traffic moved over their railroad is maximized. The continued health and growth of Washington's short line industry is dependent on its ability to not just maintain existing customers and levels of service, but to execute on opportunities to site and serve new customers as well.

**Land use restrictions can be a barrier to new business opportunity for short lines.** Railroad facilities may be restricted by land use codes and siting new rail customer facilities or railroad expansion may face local opposition.

**Ports are important partners for short lines.** Ports are in a unique position to leverage their local economic development authority to improve short line access to their facilities resulting in an expanded customer base for the short line and the Port.

**Most short lines do not see a perceived or actual bias towards grants to WSDOT-owned routes.** Interviewees did not perceive the selection process being used by WSDOT for the FRIB and FRAP programs to be fundamentally unfair, nor did they perceive favoritism towards public entities nor projects on WSDOT owned rail lines. However, since the process for approving projects under these programs is lead by WSDOT, some applicants believe the process should be more transparent incorporating other state governmental entities and municipalities.

### **Key recommendations**

**Increase funding for grants.** Increased funding to short line railroads not only provides social and environmental benefits due to decreased congestion and emissions, but also decreases highway maintenance needs from reduced truck traffic. Survey participants articulated that there is an overall greater desire to use grants vs. loans for project funding. This is due, in part, to the relatively low rates for gaining capital in the open market. Loan conditions from the state can result in restrictions that are not present in private financing options, and private financing can be obtained at a faster rate and at timing determined by the borrower state funding cycles.

**Evaluate creation of a state tax credit program.** Numerous participants desired the implementation of a state tax credit program mirroring the federal Short Line Rehabilitation Tax Credit. Tax credits serve as a potential source of funding outside the grant or loan program and encourage additional private investment in railroad properties.

**Streamline grant application and review process.** The grant and loan application processes mirror each other in the lengthy and detailed application process. Private entities noted that the complexity and time constraints in the application process require resources that are often not available prompting the need for contracting with others to write applications and increasing the costs for participation. Time constraints to match the provisions of the programs also tax resources and provide a disincentive to utilizing the program, particularly for the smaller entities. Multiple respondents noted a desire for technical support from the state for the development of grant proposals.

**Increase state's ability to serve short line economic development needs.** To best support the economic development needs of short line railroads there must be an experienced facilitator envisioning the project, developing consensus, and directing negotiations. The usual expertise in economic development and community consensus building must be supported by a working knowledge of railroad economics. This role could be taken on by public or private economic development organizations.

**Increase statewide engagement with short line owners/operators.** Washington state line owners and operators would be well served by a state level short line association.

The final report is available here: <https://leg.wa.gov/JTC/Pages/shortlinrail.aspx>

# **Truck Parking Action Plan**

JTC Project Manager: Alyson Cummings

In 2021, the Legislature directed the JTC to develop a truck parking action plan to address the shortage of truck parking in Washington State. The focus of the project was developing recommendations for immediate next steps to achieve near-term and lasting change in the availability of truck parking. The actions developed include options to provide parking: with access to adequate services for drivers; needed to comply with federal and state rest requirements; and for both long and short-haul commercial motor vehicles.

The consultant team chosen to conduct the study has a strong background in truck parking solutions and was led by Cambridge Systematics with support from WSP USA, Inc. The consultants began their work in August 2021 and the final plan was completed in December 2021.

## **Background**

A lack of truck parking is well documented in Washington State and around the country:

- In 2016 the Washington State Department of Transportation (WSDOT) published the Washington State Truck Parking Study. The study explores in-depth the:
  - Significance of truck freight in the state
  - Current lack of adequate parking while truck traffic is growing in volume
  - Complexities encountered by truck drivers trying to find parking, especially to ensure they meet safety requirements for rest breaks
- In 2017, the Washington State Freight Plan incorporated several potential solutions
- During the summer of 2021, in partnership with the Federal Highway Administration (FHWA), WSDOT hosted a Truck Parking Workshop to explore further potential solutions. The latest FHWA figures identify WA State as having the 6<sup>th</sup> fewest truck parking spots per vehicle miles traveled (VMT) in the nation.

Despite this agreement on the current and growing problem, few solutions have received funding or been implemented. Last session WSDOT requested funding for a comprehensive solutions and implementation plan, while trucking industry stakeholders requested immediate action. This action plan was a way to address both.

## **The JTC Project**

The goal of this project was to build upon past studies and develop a step-by-step plan identifying actionable items for the legislature that will make substantial improvements in truck parking, both near and long term. The recommended actions were determined by the project consultants and based on stakeholder input and best or promising practices in other states and Canada. Stakeholders were a key component of the project, providing critical expert input and guidance for the details of the plan.

Stakeholders consulted included those from:

- WA Trucking Associations (including truck drivers)
- Truck labor organizations
- Shipping industry
- Truck stop owners
- Association of Washington Cities
- Washington State Association of Counties
- Washington State Department of Transportation

- Washington State Patrol
- WA Public Ports Association
- UW STAR Lab
- local community groups

**Key findings and recommended actions:**

- Near and long-term improvement in the availability of truck parking is feasible and the state should take immediate action
- While there was stakeholder disagreement on some of the details, all stakeholders agreed the categories of actions identified are feasible and would lead to improved truck parking availability
- Seven categories of recommended solutions were identified. Each action is identified with a timeframe: immediate (1 year), near (1-3 years) and mid-term (beyond 3 years). The total cost (in 2021 dollars) to implement all options is estimated to be \$14,500,000 to \$25,700,000. (detailed table included below)
- The Implementation Workgroup (the first recommendation under the “Maintain Momentum” category) in combination with a coordinated focus within WSDOT that aligns priority truck parking actions along with other business priorities of the Department would be the most effective way to ensure truck parking needs are met within the state.

<b>Categories of Actions</b>	<b>Number of actions</b>	<b>Planning Level Cost Estimate</b>	<b>Timing</b>
Develop More Parking in High Demand Areas	4	\$6,100,000-\$10,650,000	Immediate & Near-term
Better Utilize Existing Parking in Urban Areas	4	\$725,000-\$2,000,000	Immediate & Near-term
Shippers & Receivers Provide Parking & Basic Amenities	4	\$25,000-\$75,000 in firm costs; remainder TBD	Immediate
Develop Truck Parking Information Systems	3	\$5,150,000-\$8,350,000	Near & Mid-term
Secure Federal Funding for Next-Gen Truck Parking	2	\$1,600,000-\$3,150,000	Immediate & Mid-term
Better Utilize Existing Infrastructure Along Mountain Passes	2	\$65,000-\$150,000	Near-term
Maintain Momentum	6	\$825,000-\$1,825,000	Immediate-Mid-term

The final action plan is available here: <https://leg.wa.gov/JTC/Pages/truckparking.aspx>

# **Washington State Ferries Workforce Plan – Phase 1**

JTC Project Manager: Paul Neal

The Washington State Legislature directed the Joint Transportation Committee (JTC) to develop a workforce plan for the Washington State Ferries (WSF). Like many employers WSF is grappling with finding qualified candidates to replace retiring baby boomers and increase diversity in the workforce. The available pool of employees is further limited by extensive Coast Guard licensing and certification requirements. The difficulty in staffing has contributed to a significant increase in overtime costs. During 2021 it has also caused canceled sailings.

## **Background**

The Legislature commissioned two recent studies on WSF overtime. One by WSF and one by the UW Foster School of Business. The current JTC effort builds on those studies to create a concrete plan for developing WSF's workforce addressing:

- Recruitment
- Retention
- Diversity
- Training needs
- Leadership development; and
- Other elements needed to ensure sufficient and cost-effective crewing and staffing.

The Covid pandemic has significantly affected WSF operations. The service schedule was initially reduced due to reduction in travel occasioned by pandemic restrictions. WSF's efforts to restore service were compromised by staffing challenges. These challenges flowed from 1) underlying lack of resiliency in WSF staffing levels; and 2) significant decreases in staffing availability due to Covid isolation and quarantine requirements.

## **JTC Study**

The JTC hired Seattle Jobs Initiative to develop the workforce plan. The consultant will produce two reports:

1. Recommendations on short-term strategies to reduce WSF overtime expenditures without requiring significant additional expenditures.
2. A workforce plan addressing the issues listed above, including implementation strategies and identification of any needed legislative or budgetary changes.

The Overtime Report was delivered by January 1, 2022. The Workforce Plan is due December 20, 2022.

WSF's Covid-related staffing issues made it clear that the need to restore service was paramount. This requires the use of overtime, compromising development of short-term overtime management strategies. Given the current situation, there essentially are no strategies that could be implemented in 2022 to reduce overtime costs. It was deemed ultimately more useful to use the available time and resources to develop a thorough analysis of the components of the current WSF overtime situation that inform the final report due in December 2022. The final report will include short, medium, and long-term strategies for reducing WSF's reliance on overtime.

## **Key Findings**

### **WSF Overtime Challenges**

In addition to the shortage of maritime workers generally, WSF's overtime difficulties are exacerbated by:

- The lack of a staff buffer to cover unscheduled absences, both typical, pre-pandemic sick and disability leave and the more acute Covid-19 related leave.

- Hiring all Deck and Engine crew as on-call Ordinary Sailors or Oilers. The volatile hours and pay make on-call positions unattractive to potential applicants and inaccessible to many.
- Operations seasonality causing a sharp reduction in hours for on-call employees after the summer season. The variable income is untenable for many, particularly as they are still expected to fill any shift on short notice.
- Employees remaining in on-call positions until a permanent position opens, typically long after they have exited the probationary period, often years.
- Complex licensure and training requirements limiting the supply of experienced crew (e.g., Captains, Mates, and Engineers)

### **Near Term Recommendations to Strengthen WSF's Workforce**

While the short-term horizon contemplated in the study proviso, i.e., recommendations that can be implemented before the full report in December 2022, has been overtaken by events, there are near-term steps available to set the stage for the long-term workforce plan. These are:

- Leverage local workforce development boards and workforce development organizations to reach new pools of applicants who are unaware of the opportunity for stable, meaningful employment at WSF.
- Redesign job posting wording and reach, emphasizing the potential for career advancement and skills development within WSF and avoid language that discourages nontraditional applicants.
- Provide funding for the credentials that are required to apply for WSF positions to reduce barriers for low-income applicants
- Expand training to include swimming to expand the number of applicants
- Increase core crewing levels beyond USCG minimums.

The final overtime assessment report is available here: <https://leg.wa.gov/JTC/Pages/WSFworkforceplan.aspx>