



## Freight Advisory Committee

May 8, 2014, 8:30 a.m.

Ellen Trout Zoo, Lufkin, Texas

### Attendees

| Committee Member                   | Organization                                    | Attendance                        |
|------------------------------------|---|-----------------------------------|
| Judge Ed Emmett, Chair             | Harris County                                   | Present                           |
| Judge Carlos H. Cascos, Vice-Chair | Cameron County                                  | Not Present                       |
| French F. Thompson, III            | BNSF  | Present                           |
| Rigoberto Villarreal               | City of McAllen                                 | Designee Present (Keith Patridge) |
| Steve Stewart                      | Gulf Winds International, Inc.                  | Designee Present (Patrick Maher)  |
| Kevin McIntosh                     | Kansas City Southern (KCSR)                     | Present                           |
| Brenda Mainwaring                  | Union Pacific Railroad                          | Present                           |
| Joseph Adams                       |   | Present                           |
| Mike Graham, Sr.                   | HEB   | Not Present                       |
| Michael Dyll                       | Texas International Freight                     | Not Present                       |
| K. Alan Russell                    | The Tecma Group of Companies                    | Designee Present (Toby Spoon)     |
| Jack Todd                          | Texas Association of Manufacturers              | Present                           |
| John LaRue                         | Texas Ports Association, Port of Corpus Christi | Designee Present (John Roby)      |
| Judge Clay Lewis Jenkins           | Dallas County                                   | Designee Present (Lauren Trimble) |
| Amir Mirabi                        | Governor's Office of Economic Development       | Not Present                       |
| Carlton Schwab                     | Texas Economic Development Council              | Not Present                       |
| Kenneth Dierschke                  | Texas Farm Bureau                               | Designee Present (Glen Jones)     |
| Steve Boecking                     | Alliance Texas                                  | Present                           |
| John Esparza                       | Texas Trucking Association                      | Present                           |
| Todd Frease, Sr.                   | McLane Global Logistics                         | Present                           |
| Ronnie Volkening                   | Texas Retail Association                        | Not Present                       |
| Miguel Perez                       | Border Trade Alliance                           | Not Present                       |
| Ron Beeson                         | East Harris County Manufacturers Association    | Present                           |
| Roger Guenther                     | Port of Houston Authority                       | Present                           |
| John Hill                          | Gulf and West Coast for Hapag Lloyd             | Not Present                       |

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|--------------------------|------------------------------------|---------|
| Senator Sylvia R. Garcia | Texas State Senator: District<br>6 | Present |
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### **TxDOT & Texas A&M Transportation Institute (TTI)**

|                             |   |
|-----------------------------|---|
| Marc Williams, PE           | Director of Planning, TxDOT                       |
| Caroline Mays, AICP         | Interim Freight Systems Branch Manager, TxDOT     |
| Jessica Butler, P.E.        | Unified Transportation Program Coordinator, TxDOT |
| Laura Perez                 | Planner, TxDOT                                    |
| Sondra Johnson              | Planning and Programming, TxDOT                   |
| Julie Beaubien              | Public Involvement Specialist, TxDOT              |
| Jay Bond                    | State Legislative Affairs, TxDOT                  |
| Kevin Buranakitipinyo, P.E. | Nacogdoches Area Engineer, TxDOT                  |
| Kevin Harbuck, P.E.         | Livingston Area Engineer, TxDOT                   |
| Andrea Lofye                | Federal Affairs, TxDOT                            |
| Bill Orr                    | Design Division, TxDOT                            |
| Michael Perez               | TxDOT   |
| Shelley Reynolds            | TxDOT   |
| Jesse Sisco, P.E.           | Lufkin Area Engineer, TxDOT                       |
| Mark Werner                 | Rail Division, TxDOT                              |
| Kathi White                 | Public Information Officer, TxDOT                 |

### **Other Speakers**

|                      |  |
|----------------------|--|
| Judge John Thompson  | Polk County Judge                                    |
| Kim Sachtleben, P.E. | Transportation Project Manager, Atkins               |
| Mark Jensen          | Principal, Cambridge Systematics, Inc.               |
| Randy Butler         | Transportation Specialist, USDOT                     |
| Nelson Balido        | Chairman & CEO, Border Commerce and Security Council |
| Gary Kuhn            | President, Piccolino Consulting                      |
| Robert Pulliam       | President, Tubular Rail, Inc.                        |

### **CDM Smith Consultant Team**

|                     |                                    |
|---------------------|------------------------------------|
| Vince Mantero, AICP | CDM Smith                          |
| Janna Rosenthal     | CDM Smith                          |
| Mark Berndt         | Olsson Associates                  |
| Craig Secrest       | HighStreet Consulting              |
| Marie Lewis Adams   | Nancy Ledbetter & Associates, Inc. |

### **Other Attendees**

Mayor Bob Brown, City of Lufkin  
 Mayor Roger Van Horn, City of Nacogdoches  
 Louis Bronaugh  
 Michael S. Bomba, University of North Texas  
 Gary Bushell, I-69 Alliance  
 Thad Chambers, City of Lufkin  
 David Colling  
 Georgi Ann Jasenovic, FHWA  
 Elise Johnson  
 Robin Paoli, MMI Agency  
 Gary Pedigo, BLET  
 Hans-Michael Ruthe, Houston-Galveston Area Council  
 Robert Sakowitz, Hazak Corp.; E-ndeavor Corp.

## Meeting Action Items

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### **Texas Freight Mobility Plan – Draft Strategies and Recommendations**

- System operations: consider adding a recommendation about developing protocols for barge/ship interactions on the Gulf Intracoastal Waterway and at ports
- Rural connectivity: consider adding a recommendation for a campaign to educate rural areas on their freight options, e.g. whether they can ship by rail
- Energy/environment: consider adding information on rail's contribution to environmental and energy policies

### **Texas Freight Mobility Plan – Draft Freight Project Prioritization**

- Consider adding “achievable” as an objective.

### **Other**

- The project team will distribute background information on freight data gathered during the TFMP process to new members.

## 1. Welcome & Introductions

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Judge Emmett opened the meeting and welcomed Ellen Trout Zoo director Charlotte Henley, Lufkin Mayor Bob Brown, and Nacogdoches Mayor Roger Van Horn. Mayor Brown also recognized former Lufkin Mayor Louis Bronaugh, who served as former Board Chair of the I-69 Alliance.

Judge Emmett then turned to introductions and new members; he introduced Roger Guenther as the new representative from the Port of Houston, and Brenda Mainwaring as the new representative from Union Pacific. Joseph Adams, former Union Pacific representative, will still participate in the TxFAC as an ex-officio member due to his long experience.

Members of the committee introduced themselves, as well as those who were sitting in for TxFAC members. Glen Jones was sitting in for the Texas Farm Bureau, Keith Patridge was sitting in for the City of McAllen, Toby Spoon was sitting in for the Tecma Group of Companies, Patrick Maher was sitting in for Gulf Winds International, John Roby was sitting in for the Texas Ports Association, and Lauren Trimble was sitting in for Dallas County Judge Jenkins.

## 2. I-45 Freight Corridor Study

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The meeting changed from its initial schedule, and Kim Sachtleben delivered a presentation on the I-45 Freight Corridor Study. She provided an update on the project and schedule, and discussed the importance of I-45. The project team has been working on analyzing existing conditions. Areas of bottlenecks and congestion mainly occur through central Houston; there are projects underway, mainly managed lanes, to improve I-45 in this area. Most of I-45 is a 4-lane facility, but about 43-miles are 8 lanes. While 88 percent of the corridor has pavement in

good condition, there are five bridges in poor or very poor condition. Several bridges have less than a 16.5 foot clearance. The team studied commercial vehicle crash rates per 100 million miles traveled; urban areas consistently show the most crashes, and the crash rates match closely with the levels of service along the corridor (congestion appears to correspond with higher crash rates). The highest truck volumes and lowest truck percentages of overall traffic are through central Houston, while rural sections shows the reverse trend. Major employers on the corridor are located in the urban areas. In terms of cargo, the corridor carries significant amounts of petroleum and coal. She closed by delivering an update on public outreach and discussed upcoming listening sessions.

Marc Williams noted that I-45 is an important study for TxDOT. The Panama Canal Working Group had focused on I-45 and pointed out its significance. There are projects currently underway in Houston on I-45; TxDOT is undertaking two environmental studies for upgrading portions of I-45 from four lanes to six lanes. TxDOT wants to clear the projects environmentally, even though they are not currently funded. House Bill 1 (HB1), which proposes to divert oil and gas severance taxes to pay for transportation improvements, will go to the voters in November; TxDOT is looking to finalize the environmental studies so if the bill passes, the projects will be ready to start. Much of the work can be done in the existing right-of-way.

Another issue, Mr. Williams continued, is that I-45 in Dallas technically terminates at I-30; to drivers, however, it extends north and transitions into US 75. The short piece of highway that connects I-45 to US 75 is called I-345. It is an elevated section which needs \$200 million worth of rehabilitation work. There is discussion in the Dallas area about tearing that section of highway down to make way for new development, new urbanism, etc. TxDOT is open to working with city planners, but feels it is important to maintain that transportation connection. The state needs to balance interstate and freight needs with planners who want to reinvent communities and who see highways as a barriers.

A meeting attendee asked a question regarding a statistic in Ms. Sachtleben's presentation, regarding crash rates per 100 million miles. He wanted to know whether there was a specific fatality number along the corridor.

Ms. Sachtleben answered that that data is available to answer that question, but fatality rates depend on the area being studied and the time frame. An exact fatality number for the whole corridor was not available at the moment.

John Esparza said he didn't think the group could overemphasize the importance of additional lanes. Regarding the data on congestion and truck traffic, he noted that time of day is highly important. Truck traffic significantly increases at night, especially in urban areas. The more congested a road is, the more likely accidents are to occur.

Judge Emmett said the ideal scenario is to find ways for trucks not to be in the downtown Houston area. Trucks do not want to be there, and cars do not want trucks there. Bypass options are necessary.

### **3. TxDOT Unified Transportation Plan and Project Funding Overview**

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Marc Williams began by stating that the Unified Transportation Plan (UTP) is the document that TxDOT uses to match money to projects. Not all projects and money in the UTP are wholly within TxDOT's jurisdiction, but Ms. Butler's presentation is intended to provide an overview of how TxDOT manages funds and projects.

Ms. Butler delivered a presentation on the UTP, which is a fiscally-constrained 10-year plan that is updated each year. She discussed the planning process, and how projects progress from long-range transportation plans through the UTP to implementation. The UTP takes broad transportation goals and connects them to both projects and funding. The plan includes multiple funding sources. Funding is unpredictable; within the last 10 years, funding levels have varied widely. Overall, projections for funding are dropping.

Mr. Williams pointed out the significance of the graph showing funding levels over the previous 10 years. Funding is historically unpredictable. Looking to the future, there is no guarantee of additional money. The current federal transportation bill expires soon, and needs action by Congress to renew or extend its actions. More funding means more projects which can be included in the UTP, but without a sustainable, reliable source of funds it is hard to plan for new projects.

Jack Todd asked what the major current source of funding is for UTP projects.

Mr. Williams replied that the fuel tax provides most of the funding. That tax is basically flat and has been so since the early 1990s; it has not been raised since 1992 and is not indexed to inflation. A percentage of it also goes to education at the state level. The trend towards more fuel-efficient vehicles also means that users are paying less into the system and revenue is declining.

Keith Patridge asked how much the ballot measure for the oil/gas diversion (HB 1) would add to TxDOT's funds.

Mr. Williams said HB 1 would increase funds coming in by \$1 - 1.4 billion. This would bring total funds to close to \$4 billion.

French Thompson then asked how much funding is needed for TxDOT's "wish list" – \$5 or \$6 billion?

Mr. Williams replied that in order to maintain current level of service and road conditions, TxDOT needs an additional \$5 billion beyond what it currently has, or \$8 billion total. This would go to road widening, maintenance and addressing the needs of energy sector.

Steve Boecking asked Senator Garcia about the likelihood of "fixing" the fuel tax.

Senator Garcia said the chances were fairly low. The question really depends on what happens during the next legislative session. There is the issue of fuel efficiency as well as the fact that alternative fuels are currently not taxed. Those are all important topics of discussion. The proposition currently on the docket is a one-time fix, not a long-term solution.

Steve Boecking followed up by asking about the chances of taxing alternative fuels. He noted that it can be difficult to change taxes and regulations once something is well established, but as alternative fuel use is relatively new, it might be the right time to implement taxes.

Senator Garcia said there would likely be significant resistance, and that chances were slim.

Judge Emmett noted politicians do not want to be seen as voting to raise the gas tax. Until that fact changes, it will be difficult to raise additional revenue.

Joe Adams asked whether there were any lessons learned from the vehicle miles traveled (VMT) tax in Oregon.

Mr. Williams said it was progressing as a pilot project. There are test cases, but it is not yet something Oregon has fully implemented.

French Thompson asked whether the \$8 billion needed to maintain the current system is based on keeping the current traffic mix the same, such as the amount of freight currently transported by truck. How would the number change if more freight was shifted to rail – would that lower the \$8 billion?

Mr. Williams said there was recent testimony by a committee that looks at this issue. The \$8 billion figure is indeed based on current trends. They are exploring what impact different scenarios would have, e.g. more fuel-efficient cars, more telecommuting, etc. Regardless, TxDOT needs additional funding.

Ms. Butler continued with the presentation. She discussed funding categories and provided examples of how projects are selected to match funding sources. TxDOT ranks projects based on need, funding availability and project readiness, and assigns them a score with a maximum of 100 points. In order to maximize flexibility in unpredictable funding scenarios, the Supplemental Program Authority (SPA) includes additional projects that may be considered if additional funding above the fiscally-constrained forecast becomes available. Several freight-related projects are currently in the SPA.

Toby Spoon asked whether the \$5 - \$8 billion is needed to maintain existing infrastructure, or to maintain the projects planned in the UTP pipeline.

Mr. Williams said today, there is about \$33 billion included in the 10-year UTP, or approximately \$3.3 billion per year. TxDOT has about \$1 billion of unallocated capacity in the back years of the UTP. As it is today, the UTP is full in a funding-constrained environment; TxDOT has confidence that they will be able to fund those projects. The additional \$5 billion is required in realizing that the projects in the UTP will not maintain the transportation system at today's levels. The Legislature asked how much additional funding would be needed, which is an additional \$5 billion.

Toby Spoon said TxDOT and the committee need to "shout" this issue and get the word out. With port expansion, the Panama Canal, greater trade with Mexico, etc., freight travel will increase. Is there funding available to handle that kind of growth?

Mr. Williams said no. For the state to provide the level of service that freight has today, the additional \$5 billion is necessary. There was a recent analysis of roadways around the state that face severe congestion, and that number of roadways will triple over next 20 years.

Steve Boecking asked whether raising the gas tax, indexing it to inflation, and taxing alternative fuels would solve the funding gap.

Mr. Williams said it depends on how much is indexed and how much revenue it will generate. Most people have indicated that the gas tax will need to be increased by 20 cents per gallon as well as indexed.

Jack Todd said raising the gas tax by that amount is preferable to tolling every road.

Judge Emmett said that as the group gets to later meetings, that will be a decision they will need to make. The Legislature is looking at every alternative, including increasing vehicle registration fees. Any time they tried to look at new revenue sources in past, people rejected the idea of new fees.

Jack Todd said not funding the transportation system would cause the state's competitiveness to go down.

Senator Garcia said people do not care – they just do not want more taxes or fees.

Judge Emmett noted a County Commissioner from an adjacent county recently said “investing just means bigger government.” If that is what politicians think, it is a problem.

One meeting attendee said he thinks Texas and the U.S. are using gas taxes the wrong way. Europe uses a pay-per-use model for highways. It can be considered a radical idea, but it is the only way. Cars will continue to be more fuel-efficient, so gas tax revenue is not consistent.

Judge Emmett said this is a discussion the committee will have down the road. Tolls are an option, VMT taxes are an option (although there is the issue of how VMT is tracked). That will be the end discussion; first the TxFAC needs to figure out what the freight network will look like, then figure out how to pay for it.

Mr. Thompson noted that BNSF is looking at working with state DOTs on Long Range Transportation Plans, in order to find partnership opportunities. Is the UTP the place to look for projects that railroads may want to partner on?

Mr. Williams replied yes. The project evaluation process in the UTP includes unfunded projects, and includes the freight network. TxDOT needs to be more sophisticated in its selection process and include partnership opportunities.

Keith Patridge asked whether TxDOT ever undertakes the opposite of congestion studies – determining the available capacity on the existing system.

Mr. Williams said no, but it is an interesting idea.

#### **4. I-69 Alliance Texas**

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Judge John Thompson delivered a presentation on the I-69 Alliance. Upgrading and designating I-69 is a multi-state effort. In Texas, the I-69 route runs over 1,000 miles, including rural and urban areas. It is already a significant freight route, and is also important for hurricane evacuation. Several sections already meet freeway standards, with more on the way. I-69 upgrades in Texas are being developed as a series of incremental projects; funding shortages make it difficult to execute planned projects. Freight traffic on the corridor is expected to grow significantly. He also discussed I-14, a new east-west interstate highway (and major freight corridor) starting in Texas. Upgrading these routes will mean greater freight efficiency in Texas. The state's current freight network is ours to lose; it is important to make these improvements happen. I-69 is becoming a reality today.

French Thompson reflected back to the \$8 billion needed to maintain current service levels. Does that include new highways as well? There are improvements needed to be able to designate highways as interstates.

Mr. Williams said the \$8 billion indirectly accounts for new highways. It is based on a system wide look at how much traffic is anticipated to grow, and how much investment it will take to improve the system to manage that traffic. It includes improvements to I-69 and I-14.

French Thompson noted that this also increases TxDOT's investment in maintenance.

Todd Frease asked whether I-14 will be tolled.

Mr. Williams said there are no current plans to toll I-14. It could be possible depending on needs; TxDOT will need to look at financial feasibility. In the current state of affairs, any time new capacity is added, TxDOT looks at whether the road could be tolled as a means to help bring in more funding and provide an ongoing stream of revenue for maintenance.

Judge Emmett noted that the maps in Judge Thompson's presentation did not show an I-69 bypass around Houston; he said he knew the omission was intentional, but clearly it is important. He also asked whether there were any plans to re-designate US 69; otherwise I-69 will intersect with US 69.

Judge Thompson agreed about the importance of the I-69 bypass, and said he was not aware of any plans to re-designate US 69.

Judge Emmett mentioned there is some resistance in Houston to re-designating US 59 to I-69 from businesses who will have to change their addresses. The committee needs to be aware of these kinds of hidden issues.

Joseph Adams asked whether there was an I-59 currently. Judge Emmett said no.

Judge Thompson said the extension and designation of I-69 was determined decades ago.

Judge Thompson closed by noting that the I-69 Alliance has had good experiences working with government officials at the local and state level. Progress will require someone stepping forward and identifying things that are the government's responsibility, and highways are one of those things.

## **5. Texas Freight Mobility Plan – Draft Strategies & Recommendations**

Judge Emmett introduced the next section by noting that it would move into the "meat" of what the TxFAC is all about.

Marc Williams acknowledged Dennis Cooley, TxDOT District Engineer in Lufkin. Mr. Cooley and his staff have contributed a great deal in terms of logistics for the TxFAC meeting. He also acknowledged TxDOT's new employee, Mike Perez from the Port of Harlingen.

Vince Mantero thanked the committee members. This meeting is a follow up to Fort Worth where the group tossed around ideas for strategies and recommendations. Now the team is getting further into the details. He described the TFMP background and development process, and provided a recap of the Fort Worth meeting. The draft recommendations fit into 10 topic areas that were developed with input from the freight community and the TxFAC. The team is looking for projects and recommendations that deliver the most "bang for the buck" and will

hopefully address needs in multiple topic areas. The project team continues to identify projects, and needs TxFAC's input to ensure the plan is on the right track. The committee members were provided with a list of draft recommendations, which would be referenced throughout the discussion. He mentioned the second round of upcoming listening sessions which will discuss the recommendations with the broader freight community.

Judge Emmett noted that the list of recommendations is not a TxDOT list, so if the list goes out of the room, it is not an official list.

Marc Williams echoed that it is a consultant list at this stage.

Mark Berndt began the discussion on the draft recommendations. The plan has 10 topic areas/themes, and the project team is also looking to determine who is responsible for carrying the recommendations through. He hoped that responsibility would be part of the day's discussion.

### **System Capacity**

Mr. Berndt first discussed system capacity, beginning with maritime and rail. Recommendations included increasing use of the Gulf Intracoastal Waterway (GIWW); improving ports; expanding rail capacity and double tracking; and remediating rail crossings. He said some of the suggestions would likely fall under existing TxDOT programs, but asked the TxFAC to weigh in on who other than TxDOT should be responsible for these recommendations.

Joseph Adams noted that on the rail side, the Gulf Coast Rail District in Houston has played a role in planning and applying for federal funds as part of the Transportation Investment Generating Economic Recovery (TIGER) program. A number of rail districts around the state have been active in this regard.

Mark Berndt asked how the districts currently work with TxDOT.

Mr. Adams said as part of the TIGER process, TxDOT needs to sign off on the plans and applications, so it has a significant role.

Brenda Mainwaring stated that clearly, rail has to be part of the solution. There are real anti-trust concerns in play. The railroads' task is to understand how they can engage with TxDOT and other government agencies at a deeper level.

John Roby stated the best way to use the GIWW to address the issue of freight congestion on highways is to develop a marine highway system. It would take trucks carrying intermodal containers off of the highways and put them on barges. He suggested that the consultant team tweak the recommendation in order to have TxDOT be engaged in developing the marine highway system, particularly the use of barges to move freight between ports.

Mark Berndt said during the last TxFAC meeting, someone attended from Osprey Lines; at one time there were subsidies that made barge travel work, but now barges are not cost-effective. They do not make enough money to sustain operations.

John Roby mentioned a program in California that is almost self-sufficient. He said he would work with the team on closing that loop. He also noted an existing state program for port infrastructure funding which has never been capitalized. TxDOT could work to find ways to capitalize that fund.

Mark Berndt explained that some topics end up in multiple areas; there is a recommendation in the list to capitalize the port fund.

Kevin McIntosh said Kansas City Southern (KCS) recently met with TxDOT's Rail Division and identified critical current and future projects for partnership opportunities. There needs to be a nexus between the rail division, planners and consultants to connect the dots.

Vince Mantero said the team has met with the Rail Division, and those connections are happening.

Joseph Adams inquired whether the group should suggest how some of the recommendations may be financed, such as public-private partnerships (PPPs) and federal funds for rail, user fees for barges, etc. How does it all come together?

Mr. Berndt said that the committee will get to funding. He suggested the members take a few days, look through spreadsheet in more detail, and let the team know if anything is missing.

Caroline Mays echoed if committee members have specific issues or concerns, TxDOT can meet with members to ensure the issues are addressed. In June the team will take the recommendations to stakeholders, so it is important the team gets it right.

Roger Guenther noted the helpful comments regarding removing intermodal trucks in the Beaumont/Houston areas. How much study has been done on freight movement to be able to understand what may be the best methods of moving shipments around?

Mr. Berndt said TxDOT bought the Transearch database, which includes significant information on freight movement.

Ms. Mays said significant analysis has been done and is available to committee members. The team can send out background information on flows, origins and destinations, etc. She said the team will get that information out to new members.

### **System Operations**

Mr. Berndt next discussed system capacity recommendations for highways, including expanding the highway network; developing minimum capacity standards; and improving bridges and interchanges. He asked the TxFAC if anything had been missed.

French Thompson said he did not see multimodal connectivity in terms of capacity. The freight system needs capacity to transition between highways, rail and ports; this includes turnarounds, overpasses, etc. Those areas are often major bottlenecks with safety issues.

Mr. Mantero said the recommendations include a full multimodal category. He acknowledged that there is some overlap between categories; there are multimodal issues that address capacity as well.

### **System Operations**

Mr. Berndt next discussed system operations recommendations, including expanding the use of freight technology solutions; developing statewide traffic management capabilities; developing an oversize/overweight movement program; developing a GIWW operational improvement program; increasing use of off-peak and 24-hour operations; and developing a commercial motor vehicle (CMV) managed-use lane program.

Judge Emmett said given the recent barge/ship collision in the Galveston Bay area, there should be an examination of the interactions between the vehicles; as traffic in shipping lanes increases, adding barges into the mix creates issues. Perhaps there is a better way for barges to interact with ships; that should be added to the list.

Toby Spoon talked about his experience with off-peak operations. Customs and Border Patrol (CBP) tried to force shippers to use off-peak hours, but significant dialogue is needed to make that happen. Most planning chains take a long time to change; it can take from six months to a year. CBP tried to do it too quickly and received disappointing results.

Mr. Berndt said the examples the team is using are the result of talking with the industry about what would entice them to use off-peak hours – lock boxes, etc. Once those things were in place, companies found that off-peak activity was more successful.

Mr. Spoon said manufacturers need to be part of the conversation, since they determine when things are shipped.

One meeting attendee said that in Los Angeles there is a financial penalty for delivering during peak hours and that now many deliveries happen during an evening shift. The financial penalty was important in making that happen.

Keith Patridge asked whether TxDOT is engaged with technology companies like Google and freight software developers in order to incorporate information into GPS systems, etc.

Mr. Berndt said it is probably not happening to extent that it could; there may be greater opportunities.

Randy Butler of FHWA said FHWA is working with technology companies. In Orlando's off-peak delivery program, schedules are dictated by when docks are available; routes are optimized back to that. It is important to put devices on trucks to get information to drivers.

Senator Garcia inquired whether there was agreement on which hours are considered "peak". It can be different across the supply chain.

Mr. Berndt said that the team was referring to peak commute hours from approximately 5-9 a.m., and from 3 p.m. on in the afternoon. The traffic forms a bell curve during these hours, driven by commuter patterns.

Senator Garcia noted some corridors are congested all the time, which makes it difficult to determine peak and off-peak. Data is important because there are differences across the state.

Mr. Berndt said in freight studies, recommendations to move to off-peak operations are common, but it never really happens. No one has clear responsibility for this. The project team wants input from the TxFAC on where that responsibility lies in Texas.

### **Safety/Security**

Mr. Berndt next discussed safety and security recommendations, including expanding the Commercial Motor Vehicle Safety Program; developing a truck parking and rest stop program; updating freight network design standards; and developing education campaigns on how drivers can safely interact with trucks and rail crossings.

Judge Emmett noted that most TxFAC members have only had the list of recommendations for a couple of days, and clarified that there is more time available to communicate and comment after the meeting.

Caroline Mays invited members to email her with comments.

### **Intermodal Connectivity**

Mr. Berndt next discussed intermodal connectivity recommendations, including improving access to intermodal facilities and upgrading system geometry, signals and signage; enhancing port-rail and port-truck connections; identifying routes for better truck connectivity; and expanding the use of short line railroads. He specifically asked for feedback on responsibility for short line programs.

French Thompson asked whether Mr. Berndt's question referred who takes the lead on short line programs.

Mr. Berndt said other states have low-interest loans, etc. for short line railroads to allow them to expand tracks or implement other improvements. Should Texas look at something along those lines?

Mr. Thompson noted there are programs out there, but some short lines may not be aware of them, and some may have had bad experiences. The TxDOT Rail Division and Rail Association should educate the short lines. More focus on short lines may encourage them to invest. The short line railroads' timeframe for investment is shorter than Class I railroads, so there are different needs for different carriers.

Mr. Mantero said the project team conversed with Rail Division Director Erik Steavens last week, as well as Mark Werner who was in the TxFAC audience.

Joseph Adams said some states have aggressive programs, like Pennsylvania and Oklahoma. Texas has fewer short lines than other states. Some short lines have leases over existing Class I railroads. It is not as big an issue in Texas, but there is a need to preserve short line facilities that may be endangered due to business conditions. It should be part of the recommendations.

Judge Emmett noted there are different kinds of short lines. Some were spun off in the 1980s/1990s, but are still connected to Class I railroads. In those cases, they will work together. Other short lines were created when Rural Rail Transportation Districts formed to save railroads which were in danger; those will need more help. With the Eagle Ford Shale, there are also new railroads which are all private enterprise, which is tricky.

Joseph Adams noted that most of the latter are very short.

One meeting attendee asked Joe Adams about a recent court case regarding property rights for abandoned railroad lines.

Mr. Adams said traditionally, old railroad lines could be banked or kept to lay new track if needed in the future. Now the right-of-way reverts to the adjacent landowner. For years it was assumed that Rails to Trails would keep old lines intact, but due to the recent case it can be adopted by these adjacent owners. Eminent domain would be required to get the right-of-way back.

Mr. Berndt said there are states developing TIGER-like programs, including Minnesota, to encourage PPPs. Texas could hold peer to peer studies with other states which have been aggressive with short lines; a video on the research is available online.

### **Rural Connectivity**

Mr. Berndt next discussed rural connectivity recommendations, including continuing I-69 improvements; exploring PPPs to expand rail access in rural areas; identifying key corridors for energy and agriculture sectors; and identifying relief routes to maintain traffic flows in small towns on the Secondary Freight Network.

French Thompson said a more cost-effective, efficient way to improve rail connectivity in rural areas is to encourage more trans-loading. This would ground all the freight to a specific location that the railroads can serve, rather than building more rails. It is better to develop industrial parks with a spur than build whole new lines. The freight plan should not tell rural areas that many new rail lines will be built; it is better to build industrial parks.

Mr. Berndt mentioned that some states have programs to work with rural areas on whether they have enough traffic to warrant building an industrial park.

Mr. Thompson said the team needs to recommend education for rural areas to let them know what programs are available, and whether there are options for them to ship by rail. For economic development purposes, TxDOT should talk with small businesses about their freight options.

### **NAFTA and Border**

Mr. Berndt next discussed NAFTA and border/ports of entry recommendations, including developing a Border Freight Movement Coordination Program involving multiple agencies; analyzing staffing needs at border crossings; and facilitating the use of technology-based solutions for cross-border travel. He again asked for input on responsibility in this area.

Kevin McIntosh noted that in Laredo, KCS partnered with CBP, and local elected officials to develop a comprehensive plan (the Secure Corridor Initiative) that allows them to move freight to and through the border efficiently. It allows KCS to shift trains from a yard in the U.S. to a yard in Mexico in one seamless move, without stopping to get inspected in Laredo.

Toby Spoon said most people think that CBP is responsible for all delays and inspections, but the other two agencies, DPS and Department of Federal Motor Carriers account for more than 50 percent of problem. There is no current discussion between those agencies and no will to start coordinating; perhaps TxDOT could facilitate that conversation. It could help expedite entry for commercial vehicles.

Mark Berndt clarified that Mr. Spoon was referring to TxDOT as a lead facilitator to bring the parties together, and Mr. Spoon agreed.

John Esparza mentioned that TxDOT recently held a conference in Laredo to involve Mexican officials. It is a first step; registration process is a start.

### **Energy/Environment**

Mr. Berndt next discussed energy and environment recommendations, including incorporating freight into NEPA Purpose and Need Statements for freight network projects; developing an energy sector freight transportation plan; coordinating with state agencies on marine projects;

supporting CNG and LNG conversions; and increasing use of off-peak and 24-hour operations. He specifically asked the TxFAC how the state can encourage CNG/LNG conversions.

Keith Patridge recommended installing fueling stations for alternative fuels.

Steve Boecking noted private industry currently has a large supply of money ready to implement fueling stations. One company has \$100 million ready to invest in fueling, but trucking companies have not been able to commit to converting their vehicles.

John Esparza said CNG/LNG conversion is clearly an investment for the trucking industry. The technology is simpler than diesel, and the industry is heading for a tipping point. The technology for fuel cells keeps improving and getting more fuel efficient. It can really change the debate about infrastructure.

Roger Guenther said the Port of Houston is ready to partner with companies to implement fuel stations, but they will not start until truckers sign up to convert. The shift is coming.

French Thompson asked whether there were any policies that could encourage the conversion.

John Esparza noted that the weight of the additional technology can be an issue. Trucks may need an exemption for additional weight. The worst thing that could happen for conversion would be a drop in diesel prices.

Mr. Thompson said raising the diesel fuel tax would solve that problem.

Steve Boecking asked whether there was any debate in the state Legislature about subsidizing conversion to CNG and LNG. It would be in TxDOT's best interest to subsidize the conversion, but under the current taxing system it would not get any revenue from fuel sales.

Senator Garcia replied that she had not heard anything about it.

Mr. Berndt said no states are currently subsidizing conversion. Certain public agencies are adopting alternative fuels in their own fleets in order to encourage the private sector.

Patrick Maher said Gulf Winds International is currently studying conversion, which differs between fleets. Drayage conversion may not have an economic impact back to the driver. It needs to show savings in order to be implemented. It could be a way to strengthen the driver pool by increasing wages.

Mr. Boecking asked whether it was simple to calculate the savings.

Mr. Maher said they are looking at it on a per-mile basis. There is a difference between local and over-the-road travel.

Mr. Esparza said the savings will be different for every company, depending on their specialty.

Judge Emmett noted Gulf Winds International is already engaged with companies with natural gas fleets. Many companies can put in fueling stations, but as soon as the big energy companies get on board, it will take off.

Brenda Mainwaring noted a missing item on the list of recommendations; she did not see anything about rail's contribution to environmental and energy policies. Rail's effects are well known and should be in the plan.

## **Education/Public Awareness**

Mr. Berndt next discussed education and public awareness recommendations, including developing a campaign linking freight and the economy; developing a dedicated Freight Movement Signage Program; and establishing a program led by border state governors to promote the benefits of trade.

Judge Emmett pointed out an error in the presentation; there are more than four border governors when you include the Canadian border.

Caroline Mays asked the TxFAC to comment on partnering with the private sector on awareness and education campaigns. How can TxDOT move forward and implement these programs?

John Esparza mentioned the “Be Safe Drive Smart” campaign, where the trucking industry partnered with TxDOT on a successful program. When discussing public education campaigns, it is important to get into the meat of what the public needs to learn. With the aforementioned campaign, the message was to give trucks space. Congestion causes accidents.

Jack Todd said education campaigns are soft money. TxDOT really needs to solve the project funding issue. Education is easy to talk about, but it is more important to educate the public on raising the gas tax to pay for improvements. All projects require funding. The group should not get sidetracked on things might not matter in 10 years because the roads have not been improved.

Mr. Mantero noted the team has been struggling with the fact that freight campaigns are mainly safety focused, while more is needed on the economic impact of freight. That is where TxDOT can capture attention. The issues of level of service and congestion are not resonating with the community, but perhaps the economy will.

French Thompson said rail campaigns have succeeded in terms of telling people about environmental benefits. A campaign spearheaded by TxDOT and the freight industry may work. It is important that the campaign be non-partisan; elected officials are beholden to their parties.

Mark Berndt said some states have been successful in raising taxes. He asked whether TxDOT should hold a peer-to-peer or leadership summit with those states to determine lessons learned. Any plan that includes raising taxes needs to show the public what they will get in terms of projects.

One meeting participant said the major question is not awareness; the key is the call to action. What do you want the public to do? It is important to get that message out.

## **Institutional and Funding/Financing**

Mr. Berndt next discussed institutional and funding recommendations, including increasing cooperation between TxDOT and other agencies; encouraging consistency of regulations; establishing a Multimodal Freight and Economic Development Division at TxDOT; exploring alternative funding sources including PPPs; and seeking additional port funding from multiple sources. He asked the TxFAC members about likely reactions to TxDOT expanding its freight oversight responsibilities.

Judge Emmett said he did not think people will like the idea of TxDOT having its own economic development department; the Governor’s office will likely want to keep that for itself.

Marc Williams agreed, but asked the TxFAC to think about how TxDOT should look at implementation and sustain the effort going forward.

Mr. Berndt encouraged the TxFAC to think about the recommendations and provide further input.

Vince Mantero discussed next steps in the process, including refining recommendations and seeking input from stakeholders during the upcoming listening sessions. He again encouraged committee members to review the recommendations in more detail and send in additional comments.

Mr. Williams said the project team will be struggling with organizing and prioritizing recommendations in the coming weeks, and they will need to focus the recommendations in order to not lose sight of the most important things. In addition to looking at specific recommendations, the team needs to know what key themes to emphasize throughout the freight plan document. The plan will be built around emphasizing those themes.

Joseph Adams asked whether there was a benefit to linking funding recommendations to projects TxDOT wants to move forward, such as how to pay for bridge height improvements, etc. He suggested considering user fees in addition to additional fuel taxes.

## **6. Working Lunch & Special Guest Speaker – Gateway Cities Freight Technology Plan for Goods Movement**

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Mark Jensen of Cambridge Systematics delivered a presentation on new technology to automate and connect commercial vehicles. He began by providing an overview of the Gateway Cities Logistics Corridor in southern California, anchored by the Ports of Long Beach and Los Angeles. I-710 connects the ports with greater Los Angeles and points north, and improvement alternatives for I-710 include widening and implementing a freight corridor.

Autonomous/connected truck technology could help move trucks more efficiently through a busy highway. The trucks can guide and space themselves without driver input, and can sense the presence/movement of other trucks in order to prevent collisions. This allows for greater safety, a smooth drive cycle, increased throughput (“platooning”), signal coordination and efficient route selection. The technology ranges from partial driver assistance to full automation. Tests are being conducted and local authorities are working to partner with private sector industries.

Joseph Adams asked how the I-710 project will be funded.

Mr. Jensen replied that a majority would be funded through Measure R, a local sales tax initiative.

French Thompson asked about the regulatory climate. What is the biggest hurdle to implementing this technology? Are trucking firms supportive?

Mr. Jensen said the trucking firms have not learned enough about it yet to have an opinion. Some states have passed legislation that allows automated vehicles on roads. USDOT has passed some initial high-level instructions for the technology usage.

Jack Todd inquired about pushback from labor organizations.

Mr. Jensen said that implementation is not to that stage yet, but it will obviously be an issue when it comes up.

Judge Emmett said as he saw it, the technology is not really getting rid of the drivers; they will still be in the truck and subject to the whims of the truck, which could be a bigger issue.

Mr. Jensen noted that for the next 20-25 years, drivers will still be in the trucks and ceding some control to the automation. Perhaps there are certain designated corridors where the technology could be used, while drivers maintain control off those roads. That could be a way to keep everybody happy.

French Thompson said railroads have been implementing Positive Train Control and have received pushback from labor, so it will be interesting to see how it plays out on the trucking side.

Mr. Jensen said southern California trucking companies are excited about the technology, but he is not sure about drivers.

Judge Emmett mentioned that the technology is not much different than automated pilots. He also noted the trucking industry is less unionized than the railroad industry.

Ron Beeson asked about the insurance industry's stance towards the technology.

Mr. Jensen said insurance companies are still biding their time.

## **7. Texas Freight Mobility Plan – Draft Freight Project Prioritization**

Craig Secrest delivered a presentation on project prioritization within the TFMP. He first discussed the methodology and objectives, which state the process, should be reasonable, understandable, multimodal, complementary with existing TxDOT selection processes, aligned with TxDOT's strategic direction and flexible to meet changing needs. He asked the committee if any changes should be made to the objectives.

Joseph Adams suggested adding "achievable" as an objective.

Judge Emmett asked about information relating to prioritizing projects as more important than one another; French Thompson asked about cost considerations.

Mr. Secrest said those topics will be covered in the discussion on evaluation criteria. He continued by providing an overview of the project selection and prioritization process, and discussed different ways the projects could be organized within the plan. He asked whether the committee had any preference on organization.

Judge Emmett noted the prioritization needs to address which projects have the greatest impacts.

Mr. Secrest next discussed evaluation criteria and weighting. The criteria were developed to align with goals and performance measures within the plan, and include the broad categories of multimodal connectivity, mobility and reliability, asset management, safety and other.

French Thompson asked whether the criteria weighting decisions incorporated input from the listening sessions and other outreach.

Caroline Mays replied yes; when the team developed performance measures and the major topic areas, a survey was sent out which allowed stakeholders to weigh in on each topic's importance to the freight community.

Mr. Secrest said the team took input from stakeholder surveys and the TxFAC in developing the criteria. For example, safety is very important to TxDOT, but it was not as important a consideration for other stakeholders.

Judge Emmett noted since multimodal connectivity is fairly heavily weighted, the evaluation process will skew in favor of multimodal projects. A pure rail or highway project will get a "0" on multimodal connectivity. He suggested that single-mode and multimodal projects be evaluated separately.

Todd Frease noted that some of the criteria and weighting decisions seem subjective and emotional rather than scientific.

Mr. Secrest said this evaluation methodology represents the freight element that will go into a broader project evaluation procedure; it is not the totality of TxDOT's project selection process.

French Thompson clarified the TFMP project evaluation process generates a freight score, which then gets applied towards TxDOT's larger process.

Mr. Williams said with this methodology, the project team is recommending a process to provide a relative score from a freight standpoint. It is a systematic process, but is also as much art as science. This is a starting point to apply to the list of projects in order to derive some relative priority.

Mr. Secrest discussed several other evaluation considerations, some of which were more subjective than others, such as whether projects have stakeholder and elected official support or whether projects have a high potential for leveraging TxDOT funding. Mr. Secrest agreed with Judge Emmett's comment that multimodal connectivity might be too heavily weighted.

Marc Williams noted that Mr. Thompson previously brought up cost considerations. One of the "other" considerations (will the project have a significant economic benefit in relation to cost) includes elements of this.

Mr. Secrest said the team may not know exact projects costs, as the recommendations are conceptual.

Mr. Thompson suggested the plan evaluate the potential for projects to leverage funds, be eligible for alternative funding, etc. Often, the problem is not just funding but public opposition.

Mr. Williams stated that leveraging funds and determining how much local funding is available are important considerations in project prioritization.

Ron Beeson asked about the level of effort in the plan to calculate quantitative costs and benefits.

Caroline Mays said MAP-21 requires benefit-cost analyses. There may be some estimating, but the plan will include analysis of that kind.

Mr. Williams added that the analysis will be high-level and will follow a kind of "low/medium/high" ranking.

Mr. Secrest said the team can generalize costs and benefits by the nature of projects. Some types of projects have a higher cost/benefit or greater economic development impacts than others. He closed by discussing next steps, in which the project team will refine the prioritization process, apply the evaluation criteria to proposed projects, and present the results.

## **8. Freight Advanced Traveler Information System (FRATIS) Program**

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Randy Butler delivered a presentation on the FRATIS program that is currently in the testing phase. The program allows for “dynamic mobility” by communicating real-time information on delays and providing travel-time estimates tailored to actual conditions. FHWA and USDOT are working with the trucking industry to assure the system works for a variety of carriers. The absence of advanced traveler information has a negative effect on freight efficiency, the environment, energy consumption, and safety. Truckers want the ability to change routes based on real-time knowledge of road conditions. Cooperation between the public and private sectors is crucial to developing a program to optimize freight movement.

Judge Emmett asked whether there were people in the private sector working on the same kinds of things as the FRATIS program.

Mr. Butler replied that some companies are using optimization, such as UPS, but none are using real-time or historic traffic information. This is a research project using open-sourced code, which can be re-used by anyone.

Steve Boecking inquired whether the FRATIS model will offer alternative routes to congested roadways.

Mr. Butler answered yes; the software can use a dynamic routing program.

## **9. Project 21**

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Nelson Balido delivered a presentation on Project 21, a PPP between the City of El Paso, CBP and El Paso-based Secure Origins. Project 21 improves the process at ports of entry by pre-clearing and tracking trucks throughout shipment, saving time and inspections at border crossings. Improving border crossing processes is key, as CBP and DPS are not incentivized to speed border crossings – their function is safety, not facilitating trade. The agencies involved are not communicating, and do not know what the others are doing. Simple processes such as lane segmentation for pre-cleared trucks save time. Project 21 data provides information on where trucks are going and where delays occur, which can be beneficial for the whole trucking industry. Project 21 did not add any additional lanes, staff or infrastructure, but improved processes and reduced border crossing times for pre-cleared trucks significantly. Efficient border crossings will continue to become more important in future as trade with Mexico increases and freight shifts to new locations.

Kevin McIntosh noted another phenomenon is that shipping can be faster if freight enters through the Port of Lazaro Cardenas from California.

Toby Spoon asked whether this kind of tracking is confined to the border, or if it can be applied to track freight throughout the state.

Mr. Balido replied that wherever the device is placed, the company is able to collect data on that vehicle.

Judge Emmett asked who the customer is for this type of service. He also asked what would be required to move this type of operation to Laredo, Hidalgo, etc.

Mr. Balido said manufacturing companies, trucking companies, and government agencies use the service. It can be implemented at any border crossing. Secure Origins has asked TxDOT to spread the word about pilot programs. Normally there is a cost of \$50 per month per truck. Transport companies are the lowest on the totem pole for profit margins, but once they realize the service will save them money, they are on board. TxDOT can help kick start this.

John Roby asked Mr. Balido to describe a scenario where the ITS system could be used at a normal intermodal facility. Does it need to be used at a border?

Mr. Balido replied that as long as there is a device that sends a signal, the conveyance can be tracked anywhere. Once it hits a port of entry, it can be tracked in terms of how long it takes to move from ship to truck, from x to y. If it takes a long time, the data can back that up and show how that time was used. Now there is a way to quantify delays with data.

Patrick Maher inquired whether the data comes from the truck or trailer. Sometimes there are three or four trucks involved in a shipment; how is this tracked?

Mr. Balido said they could track the trailer, the truck, or both. Everything is controlled by the manifest. It does not matter who is carrying the shipment as long as it is linked to the manifest.

Steve Boecking asked if the tag is easily installed and removable.

Mr. Balido said that Secure Origins is not in the “widget” business. All of the devices link to satellites and the company collects and uses that data. It could come from a variety of sources. The devices are not easy to take off; they are rarely removable.

Marc Williams noted TxDOT has talked with the Secure Origins team. Project 21 has good data and micro-level information on border delays, which could be useful to TxDOT. They have had success in El Paso with Customs and DPS, pre-clearance, etc. TxDOT sees the statewide solution to this problem as a PPP opportunity, and wants to work with the private sector to expand the use of technology if there is a willingness. TxDOT cannot dictate use of the technology, but there may be an opportunity to expand it.

John Esparza asked about eligibility for the pre-clearance program.

Mr. Balido said that C-TPAT shippers (Customs-Trade Partnership Against Terrorism) are eligible, and there is a 90-120 day free trial period.

John Esparza asked if data is used to pre-clear shippers, and who owns the data.

Mr. Balido said sometimes yes, data is used for pre-clearance. Shipping companies own their own data; law enforcement does not own the data.

Toby Spoon mentioned that the same trucks do not always cross the border. There is a secondary benefit when trucking companies turn over their entire data set, even historical information. They have data on 6,000 trucks across North America, and the aggregated data is very useful in determining trends.

One meeting participant asked to confirm that trailers are tamper resistant. Are there video cameras in order to see what cargo is being loaded on trailers?

Mr. Balido replied that there can be video cameras, but it is up to the customer. The system can handle it but it is not a requirement.

The participant continued by inquiring whether CBP would take the word of the pre-cleared shipper, and just assume that shipment is what it is supposed to be without inspection.

Mr. Balido said that pre-clearance does not mean a truck will never be inspected, but investing in the program ensures fewer inspections.

## 10. Freight Shuttle

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Gary Kuhn delivered a presentation on the Freight Shuttle, a conceptual vehicle that would move containers along elevated rails using electric propulsion. The proposed corridor for this technology would run from the border at Laredo to Dallas, although it could be used in many different areas. The electric vehicles would be able to carry either truck or rail shipping containers, and would operate cheaply and almost noiselessly. Border crossings would be handled by scanning items inside containers and diverting questionable loads for inspection without delaying other vehicles. The freight shuttle would not interact with roadway vehicles or trains due to its elevated right-of-way; shipping would be highly predictable by eliminating sources of delay. In order to compensate for the loss of fuel tax by removing trucks from the roads, TxDOT will receive seven cents per mile, indexed to inflation. Testing of freight shuttle technology will start in 2014.

Steve Boecking asked about the difference in cost to a shipper between the freight shuttle and truck or rail. He wondered what distance the freight shuttle would need to travel before the cost becomes competitive.

Mr. Kuhn said relative to trucks, there would be a saving. Savings can be realized with even cross-border travel. The freight shuttle can run a full load on its fixed guideway from an energy perspective of under 5 cents per mile.

Mr. Boecking noted that the 5 cent figure did not include infrastructure costs.

Mr. Kuhn said the initial infrastructure cost is approximately \$12 million per mile, privately funded.

Ron Beeson inquired why a grassroots investment in the freight shuttle is preferable to intermodal rail.

Mr. Kuhn replied that railroads have said they do not want to carry shorter-distance freight; they only want to carry for distances of 600 miles or greater. The freight shuttle is essentially an electric truck.

Brenda Mainwaring asked when the conversation with railroads took place, and whether it was about 10 years ago.

Mr. Kuhn said that the initial conversation took place several years ago but that railroads are well aware of the freight shuttle; there have been many discussions.

## 11. Tubular Rail

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Robert Pulliam of Tubular Rail delivered a presentation on the Drive-On Drive-Off Truck Ferry. The ferry, which would operate like a rail car, consists of an eighty-foot-wide platform that carries entire trucks. The sides of the platform are hinged and allow trucks to drive on and off. This provides benefits of reduced operating cost, lower carbon emissions, and safety by removing trucks from congested highways. Ferries can be implemented in areas with unused rail right-of-way.

Judge Emmett noted that Mr. Pulliam's conversation should be with the railroads, because the underutilized assets he refers to are railroad facilities.

Mr. Pulliam said that some rail right-of-way is state-owned; it can belong to a combination of interests. He said he had been in touch with FHWA.

Judge Emmett said that if the right-of-way is abandoned, the corridor doesn't exist; it belongs to the adjacent landowners.

Mr. Pulliam said the adjacent landowner could be TxDOT.

Judge Emmett said TxDOT did not own abandoned rail right-of-way.

## 12. Open Discussion

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Judge Emmett asked whether there were any further comments from the committee. He thanked participants and mentioned the next meeting will be in West Texas.

Caroline Mays closed by noting the next meeting will likely be on August 14 in West Texas. She thanked participants and looked forward to seeing everyone at the next event.

**Meeting adjourned at 3:30 p.m.**