



FREIGHT COMMITTEE MEETING MINUTES, NOVEMBER 14, 2007

ATTENDEES: Walter Bonin, Chair, John Businger, National Corridor Initiative, Ned Codd, EOT, Marcy Crowley, Dom D'Eramo, Millis, Frank DeMasi, RTAC/Wellesley, John Hersey, MPO Staff, Bill Kuttner, CTPS, Ed Lowney, Anne McGahan, CTPS, Steve Olanoff, Westwood, Chris Podgurski, Mass Corridor RR, Mike Rennicke, PVRT, Abby Swaine, US EPA NE, Marilyn Wellons, Riverside Neighborhood Association

Walter Bonin opened the meeting, (for the record). Those in attendance introduced themselves.

HIGHLIGHTS

1. **CSX/Rail Capacity** – Concern was expressed that the current problem with the Worcester to Boston CSX rail line was a capacity problem. Negotiations over who will control the line will not solve the problem. Reducing or restricting freight volume will only force more trucks on the highways exacerbating that problem with no net gain of overall capacity.
2. **Freight Plan** – The Committee is pleased that a freight plan is being developed (with a targeted completion date of 15 months). However, we believe that it would be most effective if it were done in concert with a statewide transportation plan and that plan followed a statewide economic development plan. It seems to us that it is difficult to plan for added transportation capacity without identifying the areas of the State that will have the greatest growth. In addition, it was felt that someone from the freight committee should participate in the study.
3. **Rail Lines and Rail Trails** – The State has created an extensive plan to convert unutilized rail rights of way to rail trails. That process should be integrated with a statewide transportation plan. Given that our highways and major rail lines are at capacity, we should examine unutilized rail ROW's for potential transportation use and identify those that are good candidates for rail trails.
4. **Regional Transportation Plans** - These plans are fiscally constrained which means the State's economic plan is fiscally constrained. That creates a potentially fatal contradiction in planning. The economic development plan of the State should set spending guidelines based on the opportunities that the State is targeting.

Relationship Updates – Some of us attended the review of the October 11 meeting on the National Consortium, I don't have a formal report because there was so much that was discussed, it was basically hosted by Lt. Governor Tim Murray. Former Governor Dukakis was the luncheon speaker who spoke about high-speed rail, the need for it, up and down the east coast. Every state in New

England was represented, me and Frank, and we had representatives from the Canadian government and the province of Quebec, Freight Committee was there, and Lt. Governor Dall had a meeting with him and the points that were made and that was interesting. The meeting was very well attended and it was an all day affair. A lot of interest on rail freight/passenger and anybody who was there was encouraged by the amount of support was there in New England and in the Canadian provinces for freight and passenger rail expansion, so it which was a very successful meeting. I wave my hat to Jim Repass and John Businger did a great job in putting it together.

Frank, do you have any comments that I might have missed?

Frank - I think we raised the awareness of freight and rail, freight rail in particular. I'm not sure that people are at a point where they can effectually interchange so we need to keep pressing.

WB – This was not a one time event so we need a continuing series of these type of meetings, so I was very pleased by the level of support the Massachusetts administration had at the meeting, Tom Cahir from EOT, the Lt. Governor, etc., so I was very heartened by the response at the meeting. They're making a great deal of progress.

FD – There's so much available on the internet and so many states are doing so much compared to here, it's a no brainer for us to put it together.

The next item – We have a meeting with Maurice O'Connell with CSX this Friday in Westfield thanks to the efforts of Mike Rennie. This is a meeting we have been waiting a long time to have with CSX. Of course, they are the only Class I railroad we have in Massachusetts. They operate the main line from Albany to Boston for passenger and freight and somehow it's very important for us to get CSX to the table and some understanding of what their goals and objectives are in the State. We're as strong a supporter of freight rail as there is in the Commonwealth and somehow we haven't been able to get the kind of support from CSX that reflects the kind of support that we are willing to provide. Plus CSX has some public relations issues – they are being pictured as the bad guy in these negotiations between the State and CSX on this mainline in terms of controlling the mainline. My position in the big problem on the mainline is simply the lack of capacity, not simply the issue of control. I don't want this to become an either/or passenger versus freight discussion. We have to do both. Much of it has to go over that line. I think we need additional rail capacity, that's really the big issue. I'm not sure what CSX is in their position in the State on that particular issue, but I hate to see it become a battle over control. I'd rather see a battle of getting additional capacity and solve the problem. Funding will be an issue because some use is private (freight) and some public (passengers).

FD – The MBTA has a proposal for a third set tracks, was that done by your firm Dominic, or HMTV, it was presented publicly, there was a number of hearings, about a year or so ago, and it's been quiet now. We don't know if that's because the State is negotiating with CSX over those issues as far as who is going to pay or how the extent of the third tracks, the alignment, but we would like to advocate for that. We're not saying we're negotiating with CSX for the State, however, we want to be an informed advocate for the right thing and we certainly need a little more to go on than we're getting from their end. We don't get much from the State and we don't get much from CSX. We don't want to derail negotiations. We don't want to upset that. On the other hand, we want to be good advocates. On the second page behind the Agenda is a list I provided Maurice for tomorrow, for Friday, if you

folks have any ideas, especially you, Ed, I don't know, just between us, you know, if you see something that we're missing that would be helpful to everyone to know about, I'd appreciate your comment. Or anyone at the table. I'm not sure we're going to get an answer to any of these. I've asked these questions repeatedly over the last four years, never got a formal answer from Maurice. We had one great panel discussion about four years ago at RTAC meeting where two persons Paige Kane and Tom Egan gave a very powerful presentation on CSX assets in the State and marketing strategy and those kind of things. That was when they just took over from Conrail and they were marketing to everybody and anybody that would listen. Since then we have heard nothing formal.

I have made a point several times, and we have talked about the meeting with Secretary Cohen and gathered from the reality of the for profit corporation such as CSX, they go into the state of New York, New Jersey, Pennsylvania, Maryland, Delaware, Ohio, and all those states that they serve. They come up with the conversation similar that we have hear about the capacity and they sit down and usually come up with a solution like the state will throw in 4 million, they'll throw in 4 million and they'll build a two mile passing siding, they'll build a facility, they'll do something to enhance the mutual benefit of rail transportation. They come into Massachusetts, there is no conversation about anything monetary, intensity negative, and then, someone like Maurice spends probably 3-4 weeks a year coming here trying to defend positions that we don't have to defend in the other 49 state, so when you look at it from a business point of view, why is it that it's not a friendly place to be. There's a whole element within our government that just pursues a negative influence. They make it very difficult to do business here. So when you have to make a decision where you're going to put your dollar, where your going to invest, this answers a lot of your questions you keep bringing up as to why they're not investing here, because it's not a friendly environment.

That's more their story – Railroads in other states have very, very close relationships and have done huge projects together, funding from both sides, it doesn't exist here. I think that's a big part where Maurice is up against a wall, it is a negative playing field in many respects.

WB – The point is not to find fault with anybody, the point is to work the right issue together and get the problem solved. To me, the problem is primarily one of capacity and the point that Mike brings is that the State has to look at rail freight as an important component of the State's economic development and therefore, as something that the State should be prepared to invest in as appropriate. That's part of our message and we just have to try and get that message sold.

The next item is to get the State rail plan working group that Mike's was invited to participate in. Did I get it right that the first meeting was November 7th? Yes, that's the date. The purpose of the group?

Mike Rennie - I was very happy to be part of the group, there were other railroads there, Maurice of CSX was represented them, Sid Colerford from PanAm, I think he spent 50 years of his life working on that railroad so he could probably give a refreshing new vision of what is going on, Maury Angelini and Scott Conti from Providence to Worcester were available, they're two excellent spokes people for the short lines. Ann Lynch did her usual good job representing the trucking industry, and we have a running joke that everyone thinks we're suppose to fight with each other, but the reality is the trucking association and the rail association have a lot of very common points, and we made that very apparent to the Secretary.

Representatives from UPS and FED EX – UPS, unknown to many people, is the largest single customer to the railroad industry in the United States. They put a huge bottom line of rail moving across the country. They brought up a good point coming out of Worcester, they have 150 trailers a day that they unload in Worcester and drive to Chelmsford. There's a yard 4 miles away in north Billerica that is not serviced, there's issues with MBTA, there's issues with the PanAm railroad, as to why it's not being used. There's 150 trips a day that are being used because of lack of cooperation between various parts of our transportation network. Also represented were people from the association such as Rail Shipper Association, couple of Maritime crews, Tim Brennen was there representing the planning commission, Chairman of the Pioneer Planning Pledge, I guess the head of all the planning commissions in the State, so it was well represented. The Secretary gave us an overview of the desire and plans and spoke of the transportation that they are creating and the transportation fund to try and get some uniformity into the program and bringing more people to the table, talking same language, in the MBTA, talking to freight, talking to Maritime, and so forth and not having such local separation. There were a lot of questions, very open meeting. They're also in the process of putting together a work group and he asked those who were present if we wanted to continue to advise as this goes forward as they start putting a rail plan together through a group of consultants. Did we want to be a part of it and we all agreed to that. I did bring up several points that I continually look at about the investments that the State does not make in railroads, the prohibition that exists here. I also suggested four other states that they can call up today and ask them how they got rid of that prohibition in the last four years. There's a lot of examples out there of very active viable plans that have come a long way of removing truck traffic and congestion off of highways. The Secretary took a lot of notes - a very informative conversation, looking to get the rail plan, State freight plan, I should say, roll out within the next fifteen months, but he did mention if parts of it become viable, it could be implemented much sooner. It seems like there was a pretty aggressive approach on their part to make all that happen. It was a very productive meeting and I was proud to be there.

WB - What was the purpose of the meeting or the group? Is this a new group or an on going one?

It's a new group. I think the Secretary wants to bring in stake holders from a variety of backgrounds to put reality to this plan. I think it works very, very well. A couple of these plans, like the 20 year plan, I think is in the waste basket now. Had no mention of freight rail at all except maybe a sentence. He recognized, coming from my rather distinguished background, that he has in his career, that that has to be included. So he brought some stake holders, some of the biggest trucking representatives, rail representatives, Ameritime people, and he said come in and help us look at this program as it develops so we don't go off in tangents and go off in the wrong direction.

That was very refreshing, thank you.

I don't know exactly what it is titled. I don't think it really had a title. This was the first meeting of a working group that would meet in conjunction with the execution of the State freight rail plan.

Thanks, Ned. Were you a proponent of getting that together?

Yes, I'm going to be working on managing the study.

I think we should have a role in it, I think somebody here, Walter or Frank, if possible, should be part of it. I think we've done enough work in the last 5-6 years, and if we look at it from a neutral position, or advisor position, I don't know if we could do that.

I'll discuss that with the Secretary. This would be an appropriate thing and get some input to the consultant.

WB – What's the next action item coming from the meeting?

The State is going to publish a request for responses – should be posted anytime, sometime this week, on the State bidding/solicitation website. It will be open for responses until early January. We will select a consulting team, and it's anticipated it will be a 15 month process.

WB – What happens 15 months from now? What is the product of that 15 month?

The product of that 15 month process would be a State multi-modal freight plan as well as a companion State rail plan. It would be essentially consistent with and in a lot of areas an overlap but also addressing some particular issues that the railroad faces with relation to interaction with passenger operation and some of the other details relating to rail.

FD – The concern we have without a freight distribution strategy and system in place, it really does no good to do a rail diversion program or to look for betterments on rail. Is that part of the scope?

Yes. The plan will look at all different scopes, trucking, rail, maritime, air, as well as the connections between all of them. It will also look in detail at the freight depots, major terminals, and inter-modal facilities between all different modes.

FD – Current economic models from Class I's show a centralization of the distribution points especially in regards to inter-modal and public policy should counter that. So we're concerned that just look at the way Class I wants to distribute freight. It's not in the best interest of the Commonwealth from our point of view. We really need a third person to look at this issue.

I did bring up that point, now that you mention it, about land use. They are trying to protect some of these areas that may become very valuable that may be reduced to retail or commercial use. One other item I missed also was that the Secretary spoke of a freight coordinator, not creating a person as a rail coordinator, but a freight coordinator. That's a step in the right direction.

Marilyn – How will the study (15 month) be done from January 2008 coordinate with Urban Ring Phase 2 DIR because both, I assume, will deal with Beacon yards.

Well, right. We need to coordinate with the ongoing negotiations with CSX that is going to be a major study that is going to coordinate with all different planning efforts that Beacon Park yards issue and CSX negotiations is a major one but there are going to be a number of issues that this plan is going to need to coordinate with, South Coast Rail, Massport ongoing, the strategic plan, the port, there's a lot going on that's going to be contingent to the town.

Marilyn – When is the Phase II DIR?

The deadline for that is May 2008. All of these efforts are going to be able to live with some degree of uncertainty, as any planning effort needs to and develop certain scenarios and essentially risk management approaches to what happens if things work out this way or what happens if things works out this way.

Is there a component in the work study that we might address so called State Constitution that doesn't allow public funds to buy. The conversation we had yesterday with staff, he really doesn't understand why that is being used. There are many public private partnerships in that I know of, the public stadium, \$70 million, public money spent on private property. But yet, every time somebody comes up with a railroad kind of thing, up comes the flag from the DOT. General Council saying what here's what it says. Nothing can be done.

WB – What I'm concerned with is the transportation plan is sort of a sub-set of an economic development plan. We have a transportation plan, a housing plan, an energy plan all of those things should be integrated to help the State accomplish its economic development goals. Thus far, the two major thrusts I occur on economic development are the casinos, the South Coast rail project, which is fine, and those, obviously, have significant transportation impacts on the Commonwealth. Some of the benefits of those are 10-12 years into the future. My concern is what are we doing, as part of the transportation plan, to address the economic needs of the Commonwealth in the closer in time frame. There's a lot of growth occurring on Route 9, a lot of growth occurring in the intersection of Route 9 and 495, one project at the intersection of Route 9 and 495 is 7000 jobs, which unfortunately, is tangled up in some legal dispute with the town of Southborough Planning Board and the developer. What is the state of the Commonwealth's economic development plan? In developing a transportation plan, you have to have some sense as to where the State is going and where it wants to grow and where it wants to develop. The transportation plan enables that to happen, but in the absence of that, I'm not sure if a consultant, or transportation group, would be able to do in the absence of that strategy.

The study does include economic development as a key part, looking at the existing conditions and the future conditions based on the State's policies, such as they are, as well as history and the understanding of what is happening in different regions of the State. The plan would rely on source of information, such as State agencies, as well as the RPA's and united regional plans on economic development and it will also look at freight industry trends, such as the trends toward consolidation, facilities by railroads, by trucking companies, needs relating to double stack railroads relative to the State's current physical constraints, short sea shipping opportunities, whole range of economic developments, and freight industry development side issues.

FD – Is the scope of the study available for us?

It should be available, if not today, then tomorrow on www.COMM-PASS.com.

You should be able to search for solicitation.

Once you get in there, I would search for open solicitation. Search for freight or rail, key words should get you there.

WB – The other concern I have is this Boston’s MPO’s 2030 Transportation Plan. In my opinion, it isn’t a plan at all. I think MAPC would agree with that having voted to oppose it along with the Metrowest Management Committee who also voted to oppose that plan. To me it’s not a plan but a list of projects and nothing comes together at all as far as that is concerned. How does the rail planning fit with what I think is a problem but with the 2030 type of planning is a concern that I have. I don’t think that really passes muster as a plan. So we can put a lot of work and effort into it the rail plan, which I think is great, but at some point it has to be integrated with the regional planning agencies plans as well. And to me the 2030 plan was a huge disappointment. And I think it’s a major obstacle to doing effective rail planning. I don’t expect you to comment on that I just throw that out as I think its an issue that has to get addressed if we’re really going to do any successful rail planning.

Ned Codd -I don’t think that a regional transportation plan is really able to do original planning and analysis of what are the issues and challenges, what are particular opportunities and open recommendations for addressing those issues. I think that this plan is that effort to really get down and get expert consultants on board who are able to get into that kind of analysis at that the recommendations can serve as inputs to future regional transportation plans.

FD - It seems that it never got past the draft stage and now I’ve looked on website it’s not there anymore. Has it been withdrawn?

It should be on the website.

FD - Is it still draft. No it’s formal.

You’re going to get this today.

FD - So it’s basically in force, it’s a release document now? Yes.

WB – Now on the other side to defend, the 2030 plan maybe the best you can come up with in the absence of the statewide plan and that’s probably the biggest missing ingredient because each RPA sees the world very, very narrowly and focuses on their particular geography, in the absence of the overall statewide plan they have no guidance as to what they should focus on or what’s coming. Probably the biggest single missing ingredient is the absence of a state economic development plan and the absence of a statewide transportation plan. It leaves the local RPAs with not very much to work with in terms of putting a plan together. I think that’s really where the main deficiency lies.

We have a problem with this because the RTPs are supposed to be financially constraint documents. And that’s what really kills it because the things we’re talking about, there’s no funding available to do this even though we know there are mandates that should be done. So how do we address that? Here we have anything that’s in the RTP has to be there before it goes on a TIP so there’s a certain kind of process here that is financially constrained. If we’re having these huge deficits and we’re not even able to keep up with what we have, how do we get around that. Now maybe that’s why this rail plan can stand alone so it won’t be a fiscally constraint document.

Well it normal that overall plan the multi modal plan, the rail plan being a stand alone is to enable the rail to get into the higher level of detail that the rest of the modes and also to satisfy particular federal regulations, guidelines for state rail plans so, but neither of them needs to be a strictly speaking fiscally constrained document like RTPs need to be. That being said they need to include responsible cost estimates and it's required to include potential funding strategies.

FD - That's hopefully where we can flush out people's needs public, private partnerships for rail. Mike and I worked on some proposed legislation in a format we borrowed from FHWA for Virginia guidelines for the regulation that would go with public-private partnerships with rail investors. Mike was also given a copy of Florida's strategic plan which ties in economic development, corridors, internal, external, very nicely. I'm wondering if you were able to tell your consultants here are some areas we might deem appropriate for consideration and be included in your views.

Yes, we can do that, we could scope sights and a number of sources as appropriate. We can certainly say look, we like what Florida has done here and we'd like you to address this in this particular way for this particular issue. I passed on 3-4 copies of this. Florida has a very good program but also Virginia has a newer program which looks very similar to the coastline of Massachusetts.

WB – Let's wrap up this freight plan issue. Is there any other comments anyone would like to make about the freight study?

Abby Swaine – Environmental people are not involved in the working group but they will be involved in the integrating and coordination as well.

What group is this?

It's the Executive Office of Environmental Affairs.

WB – Frank and I attended a Metrowest Legislative Breakfast where we made a presentation on freight rail, which was fine. But there also were some bicycle advocates at the same meeting. They sort of targeted all the abandoned, unutilized rail lines for bicycle paths for recreation. We had a brief discussion of what we ought to do was meet with those people, which really should be part of the freight study, is to identify those rail lines that should be preserved for rail use for passenger and identify those that in all likelihood would not be used and therefore are good candidates for rail trail recreation use. Or identify those lines where the roadbed is wide enough to do both. Is that something that would be included in the freight study?

Ned Codd - Yes, that issue is included in the scope. It's difficult to know if it would get to the level of definitively identifying that these are the ones that are active, these are the ones that should be kept for reserve for rail use, these are the ones that are okay for bike use, but it is an issue that needs to be reviewed.

WB – Getting back to my economic development point, if the State can identify where the economic opportunities are that helps identify the future transportation needs for those particular areas. We can use casinos, for example, we have casinos floating all over the place, Marlborough, Boston, Middleboro, and until those locations are settled, it's hard to identify what the transportation needs are

going to be in terms of being able to support those operations, assuming the State has them. Just to reinforce my economic development, in the absence of a definitive list of where we identify the opportunities, it's very hard to develop a transportation plan, housing plan, or water treatment plan without being able to identify where those major opportunities are. I keep saying this over and over again, but what I'm trying to avoid is a repeat situation where we spend \$25 billion dollars for transportation projects and what we have to show for it is a loss of 100,000 jobs. I need to be convinced that somebody is going to convince me that we are going to change the way we do planning in the State and we're going to get things in the right order. Otherwise, we are going to be spending billions of dollars and lose jobs. That loss of jobs represents roughly 4-500 million dollars a year in revenue. While the country is growing, we are shrinking, so while we're losing 100,000 jobs, we should be gaining 100,000 jobs. That's \$800 million dollars in revenue. Now having \$800 million dollars in revenue is going to solve a lot of problems that the State has. That's why it's very important for the State to identify its economic development opportunities right up front then they have a much better chance of having transportation plans, housing plans, water resource plans that work.

FD – Back in 1996 the Seaport Bond Bill was passed. In it, was a rationale for funding to double stack initiative, on certain line easements, listed what lines were candidates and set up negotiations for agreement as to who would pay how much and what not. Are you aware that I have a copy of that area.

Yes, I am familiar with it. I don't know if I have a copy of it.

FD – I'll just fax the section to you. Those lines are still appropriate I think. What I heard from CSX representatives at the time, when the Conrail split happened, of course it was the Weld administration, a lot of things were going on, the low ports were designated up the east coast, Boston fell out as a potential development sight, all that's changed. Everything now supports the port of Boston, it's development, rail connection, and the double stack. It would be a shame not to use some of that. It wasn't a happy situation, some of the railroads balked at the proposal, but I think it's a start.

Ned Codd - It will certainly be taken into account. Over ten years ago now, what are the double stack and the difference of gradations of double stack in strengths right now? What are the opportunities in different scenarios as how far in, what different levels and what are the costs and benefits of different approaches to it?

FD – In that proposal Beacon Park was the termination point when, in fact, it should have been on dock rail. And the feasibility to do that would be to use the Fairmont line. I don't want to be the broken record on that. That wasn't even considered and I don't know why that was missed, but it's not that I'm happy with that, it's the other version. The way they were proposing to toll per container and only those containers that were going out of the region, seemed like a very good scenario because it wouldn't impact the residence of Massachusetts but it would put a fare in that reasonable burden on Massport and the revenue that it might generate and if the EOGO rail lines over that initial part of the hall, it would generate revenue for the public, MBTA, whatever.

WB – It was nice meeting you, thank you for being here and I'm glad your on the job. So any help we can give you, we'll be here.

WB – Metrowest Legislative Breakfast which Frank and I made a brief presentation on the benefits for freight rail, basically, in the freight rail plan, we forecast that rail freight in Massachusetts in 2010 will be 20 million tons of rail freight. Versus trucks, this represents a fuel savings of 17 million gallons per year in diesel fuel as opposed to bringing it in by truck. This basically removes 12,000 trailer trucks equivalents from our highways every day which brings up capacity for 30,000 automobiles or some amount of mass transit. Generally, it reduces air pollution by about 80%, not to mention significant reduction in road and bridge damage caused by heavy trucks. Our message to the room was that the advantage of rail freight is not being fully embraced by the State. As a result of the State's inattention and as a result of some of the private railroads lack of investment and attention, some of our main railroads are either at capacity or in considerable disrepair, abandonment, or underutilized, or they are wanted for passenger rail or recreation use. I think, companies like CSX, in that environment get the impression that the State would just hope they go away, and abandon the freight use entirely. That would explain, to some extent, CSX attitude with dealing with the Commonwealth of Massachusetts. I can't prove that, it's just a feeling, if they have it, it's probably a justified feeling. In addition, we're losing a lot of our rail infrastructure for warehousing, storage, trans-shipment, etc. Beacon yard being one example. There's countless examples of rail infrastructure being lost to other developments without appreciating the impact that converting all freight rail to trucks will have on the Commonwealth. Our roads are already at capacity, the Mass Pike, Route 9, Route 128, and if we're going to throw another 12,000 trailer trucks on top of that traffic, there's just no way it can be handled. That's the message that we brought and the solution really is basically to expand rail capacity. It can't be either/or argument passenger versus freight. We have to do both.

We need a means of preserving rail infrastructure and properties, we need to do some work with local zoning, we need to actuate federal guidelines to appropriate freight rail transportation planning. That's why I'm pleased that Ned is here and the State is doing serious rail freight planning. We need more programs to divert freight from roads to rails which is what a number of states are doing.

The message was very positively received. They expressed interest to continue to work with us. A lot of communities such as Ashland, Framingham are sort of victims of heavy rail passing freight through the communities sort of cutting the community in half to much of the day and the need for mitigation for that impact. We have to work with them on a solution to those particular problems. The group was very positive towards freight rail. I don't know how you can't be.

FD – I think it was recognition. The meeting was basically, should we establish, a Metrowest MPO. An additional MPO within the structure. Mark Draisen's position as Executive Director of MAPC was No, we divide into more MPO's, we have less to deal with, less allocation of funds, there's more overhead and staffing up, but his remarks in passing, he recognized our efforts as a freight committee on freight distribution and some of the issues that tie in with economic development that Walter was talking about. I think we're starting to hit the resonance we have not had in three years on these issues. I had a presentation that I was using but Walter's is very succinct. What I liked about Walter's approach is it says here is the freight that is currently being handled by rail, it's about 5% of all freight moving, but here is the impact of that went over to trucks. It's tremendous! I've always been saying here's what you could do, Walter's saying, here's what we have, imagine if that were the result of all trucks, here's the impact on the economy and environment and everything else.

If we can go to another slide, I don't want to bore you guys, but there is some very telling statistics here on the current levels of emission generated by removing a certain amount of tonnage versus trucking and it's so lopsided, I just can't understand how this hasn't been put into a toolbox of the current administration in dealing with air quality, and I know I'm a broken record on this, but it just doesn't seem to take. Next slide talks about efficiencies; another slides talks about savings and fuel, which is tremendous. We're talking about being dependent on oil, foreign oil sources and what not. This moving of small percentage, if we could get to maybe 40% of bulk commodities done by rail, we'd have tremendous savings and environmental impact. It just doesn't resonate with folks looking at the CMAQ programs. They say CMAQ is a highway program. It's not! It's an air quality program. If rail can be a tremendous asset getting to attainment, why isn't it on the table? These statistics were generated by a study commissioned with a reputable firm by New England Transrail because when they tried to establish a transload facility, Wilmington to Woburn Terminal Railroad, they included some very bad environmental issues that involved demolition debris management. They had some great statistics on what are the alternatives to trucking, moving forward, and I think it's something we can use for argument for issues we bring up now. That's why I distributed you for your enjoyment and hope we can get the word out to legislatures and our MPO.

I also have a couple of copies of the Rail State Freight version that was presented to us by Carl Martland so if anybody is interested in that. I have a powerpoint on rail freight access to ports. Hopefully, Mike Leone will hit us on it. I sent him a copy and said, Mike, here are some of the things that are on our mind as to what Massport should be doing. Hopefully.

WB – The next item, there was a meeting with Senator Baddour, which is the Joint Committee on Transportation that I was unfortunately not able to attend, but Frank and Dom were there and can give us a brief rundown of how it went.

Dom – Senator Baddour was only there about an hour, the phone rang, there was a roll call, and he had to run off. We were there until 4:00 PM, almost a couple of hours. He was aware of some of the problems. He had a session with someone from Massport and talked about freight and their passion for it. He was shocked. He had never heard that before. Some of the things that they wanted – one, they talked about freight rail plan. What they were suggesting, could we give them some scope that they could include in the bond bill that will be done in January. Could we give them something that they can put in the bond bill, the right that maybe EOT can do something. Maybe we should do, Frank, is to look at the scope they talked about and there's something missing in there, there's a way of reinforcing whatever needs to be done that they're not doing it. The other suggestion made is that we should really talk about this whole freight organization. Senator Baddour was saying that nobody is really a champion of freight. I hear that there was going to be a Director of Rail, now it's a freight coordinator, and it's not a person with authority. Senator Baddour wanted to have a little more, he knew that that was going on, at the same time, was saying well maybe it's something that the MBTA should do. One of the things I'm going to try to do is go over and look at the DOT that have a freight organization within the committee and give them a sample of that. Another suggestion with the data we have here, we should really go and talk to Mike Whitmore, Mike is the president of the Massachusetts Taxpayer Foundation, and make him aware of _____ He is also a member of the Transportation Finance Commission, so we are going to try and arrange that.

FD – In the agenda attachment, I put together the trip report. One of the things that was brought up was the bill that was put out by Senator Hart for the extension of the rail and pall road into the County Terminal and how we felt that was without attaching the revenue stream that wasn't going to go anywhere. So Jevaan also suggested we work with Senator Hart's office and one of the issues that comes out of this is that if we target the forthcoming project transportation bond bill, we can get some kind of writing together, they might be willing to support it for us, included in the transportation bond bill. What we talked about will earmark for studies that will at least get us to a point of effectuating some of these changes.

If you're not familiar with the bond bill it is kind of a catchall. The bond bill I think the last I heard was like 10 billion dollars and where the past bond bill had never been acted on. But studies tend to be carried on. I mean what happens all the reps continue a project in the bond bill but that the administration, whoever that is, has to follow through and they haven't done that. I think Rep. Wagner said one time I think it's like 10 million dollars of project earmarks if you will. The rep can go back to Marlborough say I've got a new highway going through Marlborough but it will be 100 years from now before it's done. Once more, a way to get it done is to put it in the bond bill because the administration will be pushed with the bond bill because that's when they get money authorization for what they would like to do. And I think this port bill will be a good one when we talk to Senator Hart.

WB – I think as you pointed earlier in the phone conversation we don't want to put pressure on EOT through the legislature without their support. We're on their side and need to work with them.

FD - If they look for that kind of support you know sometimes I know there is a liaison between EOT and MPO and the legislatures. There is formal communication channel so what we would want to do is support those programs that EOT is looking to support through the legislatures. So it's not forcing anything, it's something that we can coordinate maybe through the facilitator to but as a public group outside the system and basically that's what the RTAC is supposed to do. It's a public outreach for public opinion and support of the issues. What we don't want to so is fight one against the other and get nowhere so.

WB - Anything also on the Baddour meeting?

FD - Did you get a chance to look at the minutes I wrote up?

Dom - I read what you sent me.

WB – All right then, moving along, I guess the next item on the agenda is approval of the minutes of the meeting on September 12th and October 10th. Approving minutes is something we haven't done before and unfortunately it's a little long, it's sort of like War and Peace, but anybody who has any problems with them let me know, and I will make changes as appropriate, but unless there are any objections, we'll treat the minutes as having been approved. If anyone disagrees, let me know and I will make changes as appropriate.

Moving on, I guess we officially had the status of the freight study when Ed was here so I don't know unless anybody has some additional points to make we can move along.

Also, the response to the rail trail proposal. I put this on the agenda before we had the meeting with the Metrowest legislature, so I think it will be appropriate to send a letter to the people who made the rail trail proposal and to say that we'd like to work with them. They should be part of the freight study so that we don't argue over who gets to use the rail lines so let's make that part of the planning process so that the decision is done rationally and what's best for the Commonwealth, not based on who can fight hardest for the resources.

So we can send a letter to Dick Miller and I don't know what organization

FD - He's involved with the Adversair rail trail, he's involved with the one that goes through Framingham.

WB - There is a group that formally made the rail trail proposal that identified all of the rail lines that they wanted to utilize for rail trail purposes. I don't know who the group is. They're the ones we should send the letter to with a copy to Dick.

FD - It's out of Barbara Lucas's shop. There's a Massachusetts rail trail plan. We don't have a freight plan but we have a bike and rail trail plan put out recently. It came out about a month ago for the State of Massachusetts. It shows the abandoned rights of ways and other trails that are going to be incorporated in the future and there's millions of dollars in Federal money from Mass Highways to do it, so they're organized, we're not.

WB - We can send a letter to that group saying we discussed the matter and that there is a rail study going on and they ought to be participating in, and rationally, make a determination of what's best for the State in terms of how we utilize this resource.

FD - CTPS weighs in on trails and so does MAPC. Did MAPC put out the trail plan? Dom said it was the bicycle plan. CTPS also weighs in on that, right? Is anybody integrating those efforts with DOT on rail plan?

Kathy Lewis works on it. FD - So she would be a good person to inform of our conversations so we should copy her on our correspondence. And Barbara Lucas would be the person for MAPC.

WB - The point is working with them as part of the overall rail plan to integrate the plan as opposed to banging heads with them so that's the best approach, I think. So if there are no further comments on that, we'll move to the economic development. I made a first case in our last meeting so my thoughts on economic development, I kind of repeated them today that we're going to do serious transportation planning there has to be a sequence to that effort if we are going to make it work. I've seen a lot of failed plans. Some of the reasons for that, there is a sequence to these things. In Massachusetts, it all begins with economic development plan, and from that, you sort of set the direction for other resource plans, like transportation, housing, resources, etc.

I'm just concerned that we'll do a transportation plan, a rail passenger freight plan, without any direction from the State in terms of how it wants to develop economically, one has to follow the other, an economical development has to come first, because transportation is an enabling event to make economic development occur. They spent a lot of money and don't make any progress and that's what we've been doing for some time in this Commonwealth.

FD – I'd like to say something positive about the South Coast Rail Plan. They almost got it right. They're talking about transit-oriented development and they're talking about revenue streams to finance commuter rail expansion based on linkages with developers at these transit-oriented nodes. What they didn't include was the freight side, freight distribution, commercial development, or industrial development, so we're trying to influence that, so their model is good, but it's not fully coordinated with the industrial, commercial side. Maybe we can build on that.

Dom – That's how the public CTPS works – When you're old and you've been around a long time, it comes back to the same thing over and over. But that's the problem the way the whole State is organized, with independent cities and towns. I'll never forget a plan that MAPC was developing for putting in a whole development where the water and sewerage was in the center of town and whatever this was called, and one of the places that identified was Burlington and it was an ideal location for that. You know what the town of Burlington told MAPC, go fly a kite! That's the real problem, we don't have the State having any authority over the cities and towns.

FD – 40 B. It's that kind of an issue where there's a policy to develop moderately priced housing, affordable housing, so they say how can we overcome local zoning which is to stop zoning laws? So they say OK, 40B says if you meet the State mandate for developing affordable housing, you can override local zoning. But now they came up with 40 R, which says well wait minute, if you develop 600 residency with 2000 kids, it's going to impact our educational budget, how about we link some of that cost of the schools and infrastructure impact to the developers so that as a State, we override local zoning and we also make a provision for compensation for infrastructure costs as a result of that development. So where is the industrial development? So this is why we have to ally ourselves with the economic developer folks because they do have programs that say if you give me jobs, we'll give you funding, if you give me job creation as part of tax incentives and other things. I just don't think they tie in with the transportation component.

WB -The other problem with 40B is, to make 40B work, it ought to be transit oriented, it ought to be linked to areas which will grow economically, as opposed to putting a 10% number in every community in the Commonwealth, whether they are close to a transportation node or not, whether they are economically development or not, absolutely makes no sense. It ought to be transit oriented, it ought to be oriented to those areas that are growing economically.

FD – Do you have some legislation on 40B? Is that an open discussion right now? Is 40B reformed?

I don't know. It seems that at every meeting it's being discussed.

FD – Well, we're talking about a tie in, something similar, distribution of freight, reservation of industrial land or industry and transit and freight transportation, modals. High-end development is just whooping it out, we're just stuck with zones that exclude industrial zones. How do you get the goods to the big box store, how do you get food to the table, somewhere we need some kind of hook onto these 40R's, 40D's. issues to preserve and consider distribution of goods.

My sense is there are lots of rail, transit, highway meetings and our constituencies for each one of those they are ready to do battle with each other. My sense is you can't look at it in pieces.

WB – In the absence of an overall plan, it's a free for all. Everybody argues for their particular point and it's hard to make a decision so they make a lot of wrong decisions for all the wrong reasons. We need a housing strategy that is integrated with housing development. That's why 40B projects ought to be towards areas that are growing economically, they ought to be oriented towards transit so that there is transportation nearby and projects are to be measured on that criteria, not blanket across every town and village in the Commonwealth because that doesn't make any sense. For example, in Marlborough, our largest 40 B project is adjacent to 495. There's no recreation land, you can't walk to the drugstore, you can't even drive to the drugstore, because of the traffic where this is located, it's a monstrosity and that's what you get when you have this blanket rule that makes no sense at all. And that's what you get when you don't do integrated planning. We have this free for all, we do a lot of dumb things, the result is very unfortunate and that's what is happening with 40B.

It's not strictly a transportation issue, but I think a position that 40B ought to be transit oriented since a project of this size ought to be located either where public transit is available. We're putting these projects in these awful places and the developers don't care. All they want to do is build houses, make money, and they don't care where this stuff goes.

I don't know if RTAC wants to get involved in this 40B thing.

Housing goes helter skelter everywhere, and I guess in some sense so does transportation. The two never really come together.

Dom – Finance Commission came out with a report. They came out with a list of taxes (inaudible).

I'm part of the engineering center and we're involved in infrastructure needs, water, sewage, bridges, highway, and one on freight. We are going to hold regional forums, primarily to educate people on the issue.

Our first forum is going to be in Metrowest, 495 area, and we hope to have 4-5 as an educational process.

You talk about integrated plan, and you may want to meet with everyone on that issue.

WB – I have an article to pass out from Lawrence Susskind from Harvard. He looked at Metrowest/495 and he said Metrowest Planning officials have long prided themselves in calling the region the State's economic development engine but as Susskind sees it, after years of neglect, the lack of maintenance has seen the engine slowly grinding to a halt. He presented a paper to the Kennedy School of Government and he calls for a radical solution. You can all read the article.

He's assuming of course that there is a State plan in existence with which the local community should be integrating with planning with, but he is sorely mistaken in that there is no plan for the local communities or for the regional planning agencies to coordinate with. So that's the deficiency. We have these cities and towns reacting to these huge proposals that come in and they have no preplanning done to prepare for this impact. You have this huge project, 7000 employees at the intersection of Route 9 and 495, roads are at capacity, and yet we're moving with this particular project and there's no

planning to figure out how to get people in and out of this particular project. He's sort of reinforcing the message, and he's assuming the state-wide plan exists. Unfortunately, the cities and towns often do what they think is best for them, looking at it extremely narrowly, and this contributes to this hodge-podge development that we have in the State. He might be a good individual to invite to an RTAC meeting.

It's good to have someone like him advocating for something we're advocating for.

Dom – We need to look at the scope of work and see what is missing on it. It's good for us to react to it, to be actively involved in it.

WB – We need to have our voice heard.

FD – Are we going to formalize a program committee? We've done it very informally in the past and maybe that's a topic for discussion for today.

There's one point of issue on freight and environment. At the end of this month there's a conference in Los Angeles. They already have 400 people signed up to go to that. My limited experience, there's no one on par with some in California in looking at issues of freight and environment. They have a 2 billion dollar program for retrofitting diesel trucks. They don't allow diesel rail in the shipyards any more. They input about 40% of all the goods that gets into the US. You might want to check that out. It's being run by Enrico in Los Angeles Particulate Matters Research Center at USC.

WB – Thank you very much for attending.