

# PACTS

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Portland Area Comprehensive Transportation Committee

## **PACTS Policy Committee Meeting Notice**

February 21, 2008  
1:30 p.m.

GPCOG, 68 Marginal Way, Portland

- 1. Call to order**
- 2. Public Comment**
- 3. Welcome John Cannell, MaineDOT Region One Manager**
- 4. Minutes of the January 17<sup>th</sup> Meeting**
- 5. PACTS Process Review**  
Report from the Transition Team
- 6. High Priority Projects Committee**  
Reports from our recent public forum, and today's noon Committee meeting
- 7. FY 2008 to FY 2010 Transportation Improvement Program**  
Make several amendments, including the allocation of the FY 2008 FTA 5307 funds
- 8. Consent Agenda**
- 9. Adjourn**

*The Metropolitan Planning Organization for the Portland Urbanized Area*  
68 Marginal Way • Portland, Maine 04101  
Telephone: (207) 774-9891 • Fax: (207) 774-7149 • [www.pactsplan.org](http://www.pactsplan.org)

## Attachments for the February 21<sup>st</sup> Policy Committee Meeting

### Minutes of the January 17<sup>th</sup> Meeting

**Members Present:** Bill Shane, Vice-Chair, Cumberland; Bob Burns (for David Cole), Gorham; MaryAnn Conroy, Old Orchard Beach; Kevin Donoghue, Portland; Dale Doughty, MaineDOT; Kathi Earley, Portland; Joe Gray, Portland; Tex Haeuser, South Portland; Judy Harris (for Mike Bobinsky), Portland; Tom Meyers, Public Transportation; Rick Michaud, Saco; Tom Milligan (for John Bubier), Biddeford; Dale Olmstead, Freeport; Nathan Poore, Falmouth; Nat Tupper, Yarmouth; David Willauer (for Neal Allen), GPCOG

**Members Absent:** Jerre Bryant, Westbrook; Jim Gailey, South Portland; Mike McGovern, Cape Elizabeth; Ron Owens, Scarborough; John Perry, FHWA; Anthony Plante, Windham; Paul Schumacher, SMRPC; Scott Tilton, North Yarmouth; Conrad Welzel, MTA

**Staff and Guests:** Maddy Adams; GPCOG; John Duncan, PACTS; Carl Eppich, PACTS; Mike Laberge, MaineDOT; Steve Linnell, GPCOG; Chris Mann, MaineDOT; Paul Niehoff, PACTS;

- (1) **Call to Order.** Bill Shane called the meeting to order at 1:30 p.m. Introductions were made.
- (2) **Public Comment.** This is a new addition to the agenda. There were no public comments today.
- (3) **Minutes of December 20, 2007 meeting.** *A motion was made by Mary Ann Conroy to approve the minutes, seconded by Kathi Earley. The motion passed.*
- (4) **PACTS Process Review.** Nat Tupper provided some background. The ten-member Transition Team has met three times since the two retreats. They were provided with four models to consider, three of which had the common element of allocating funds on a sub-regional level. The other model maintained the existing committee structure and allocation systems but divided the work functions of the Policy Committee between a smaller Executive Committee and a larger Policy Committee or Board of Directors. The Transition Team refined the sub-regional allocation model to a point quite similar to the “Clean Slate” model first developed in the retreats and recently re-proposed by submittal from the Town of Freeport. After all was said and done, the Transition Team still had doubts about the wisdom and workability of sub-regional allocations, and has thus brought the issue back to the Policy Committee. All of the details are spelled out in a letter (included in meeting packet) that Nat wrote to Mike Bobinsky. Bottom line – there are too many meetings and too little money. There is a small minority on the Transition Team that talked about fewer committees but that didn’t necessarily go much further.

The Executive Committee model would keep the same basic structure but would change the decision-making authority so that a small committee could make certain decisions and the Policy Board wouldn’t meet as frequently. There was concern that not meeting monthly could present problems and the group could lose momentum. Nat responded that the group felt that the work of the Policy Committee was very beneficial and it was important for them to meet on a regular basis. An Executive Committee or General Assembly-type of format might be used additionally. Dale mentioned that at the second retreat it was asked if we could have consensus on the Clean Slate proposal and there was no opposition. He thought the Clean Slate proposal was going to be what the Transition Team would be using as their approach. The sub-region proposal mirrors the Clean Slate proposal with a couple of exceptions. He likes the idea of sub-regions because you would be talking about areas that you are interested in. The current process is complex and

convoluted, and it takes too much time and energy. Bringing the managers, planners and the technical people together could be done through a sub-regional approach.

Bill S. pointed out that staying with the present model had everything to do with money. One of the good things was to try to set some decision criteria; we really need a simpler process. The notion of the sub-regional allocations would mean rescinding our TIP policy manual. It would need real simple rules. We need to continue to work on how to make this simpler. There was a sense that the Policy Committee meetings are not always as productive as they could be. An Executive Committee could cut back these meetings somewhat by dealing with the more routine items. Dale Doughty explained that the reason that there are MPOs with the right to program the funds is that it is the proper place for the decisions to be made. A PACTS-wide policy would be necessary. A regional PACTS-wide context is important.

Dale O. asked if the Transition Team reached out to the other MPOs to see how they do things. Bill responded that they didn't look into this. Dale Doughty noted that the size of this MPO makes a difference. In some of the other MPO's, collector paving is not selected for use of the funds. Lewiston/Auburn is oriented toward reconstruction; they are focused on key development areas. Dale D. noted that you need to define what your ultimate investment mission is and determine the best use of the funds.

There was some discussion about the possibility of PACTS becoming a TMA and what preparations would be needed. It was mentioned that it should not be a given that PACTS will become a TMA. John D. explained what would need to occur in order for PACTS to become a TMA (a population of 200,000 with an urbanized core of 50,000).

When PACTS expanded to 15 communities, we wanted to find a way that everyone got a piece of the pie. Maintaining the existing structure has always been considered important and using pavement condition ratings has worked well. The bad part of the pavement program is that it takes money away from other projects. It all comes down to dollars. We need to determine if we are performing the planning function on a regional basis as we have been charged. We need to look at the issues regionally. An Executive Committee format could be a prudent way to move ahead. Many Committee members agreed with continuing on with our current format with the addition of an Executive Committee. The Executive Committee would need to be sure to include representation from the sub-regions. Dale O. suggested that the budgeting process should not begin until we know exactly what the allocation will be. Bill suggested that John D. and Dale Doughty put together a sheet that shows the MaineDOT schedule that drives the PACTS TIP schedule. Dale O. said that he was nervous about having an Executive Committee as it could mean less input at the town level; it is important to keep this conversation going. He made a comparison to the RWS board. Perhaps we need a third party to help us with this. Tom M. suggested that sub-regions need to be a focus but maybe not formally. Tex agreed with the structure as is or with the Executive Committee. The potential for friction between the regions could exist. The thing that is missing is that we never talk about economic development. On a regional planning basis, there ought to be something about what we want to do in the future.

Nathan suggested several ideas: PACTS administration should develop an annual work plan and have a calendar listing upcoming projects; have consolidated and concise regular financial reports (minimize our time); have a public process policy; finish collector road assessment update with Technical Committee; establish paperless packages and file/document archiving on a web site. PACTS members receive numerous e-mail communications and it would be helpful to have this information accessible on the PACTS web site. The Transition Team should develop a plan for

Policy Committee/Executive Committee and introduction of elected officials to the governance, and continue to work on the Executive Committee idea.

Regarding sub-regions, it was suggested that we think of an informal experiment to run to see how it would work. Kevin expressed his concern about the idea of sub-regions. He suggested encouraging regional land use planning using the carrot and the stick approach. Sub-regions could have the potential for conflict. The land use/transportation connection could also be lost with sub-regions. Dale supported Tex's economic development planning idea. Bill asked if there was interest in continuing to look into the sub-regional model. Dale O. responded that he is interested in the sub-regional concept. The idea of trying the sub-region model on a trial basis was suggested. Tex suggested stopping the committee work on sub-regions and have staff look at sub-regional planning instead. He was more interested in having staff look into the items on Nathan's list. Many of the committee members concurred with focusing on the items Nathan addressed. Nathan asked if PACTS would object to Cumberland, Yarmouth, Freeport and Falmouth getting together to talk about what they would talk about as a sub-regional group. Nat said that we need to be careful about an Executive Committee format; some committee members could lose their voice. Sub-regional groups could get together to talk about their priorities and those communities could collectively bring their support for projects. Forming coalitions is a good idea.

Dale O. stated that public participation at PACTS is a welcome change. It is critical and can only help our image in the public's eye. MaryAnn pointed out that the public isn't aware of our public process and perhaps we should do a charette of some sort. Bill responded that PACTS has done that in the area a number of times, but agreed that we could do more with getting information out to the public. Bill will send this back to the Transition Team. They can look at the sub-region idea through a planning approach. ***A motion was made to send this issue back to the Transition Team so they can take another look at it considering the options presented today. The motion passed.***

**5. Consent Agenda.**

- There is a February 27<sup>th</sup> information session with PACTS staff and MaineDOT geared toward understanding the TIP process. Please let John Duncan know if a number of people from your community will be attending that meeting.
- A Portland Peninsula Transit Study meeting is scheduled for February 21<sup>st</sup> at Ocean Gateway.
- Kathi asked to see an updated collector paving list.
- David W. reported that GPCOG will be working with MaineDOT on project solicitation for 2010-2011 for the non-MPO towns and will be sending letters out soon. MaineDOT feels that COG's assistance will help with cross-synergies. It is to add value not to add distance. MaineDOT has had poor participation at meetings on this subject and they are hoping that COG can do better at it because COG deals with the towns on a more regular basis. The project applications will still be going to the same people at MaineDOT and will still have the same field review.

***The consent agenda was passed.***

**6. Adjourn.** The meeting adjourned at 3:05 p.m.

## **Agenda Item 5 – PACTS Process Review**

Member Resources: The members of the Transition Team

Staff Resources: John Duncan, Neal Allen and David Willauer

Recommendation: Accept the Committee's report

### Background

The Transition Team recently met to follow up on the direction given by the Policy Committee in January. The members reached consensus on many topics. They intend to recommend the following to the Policy Committee for action on March 20<sup>th</sup> after more work on some details:

- Amend the PACTS bylaws to create an Executive Committee with broad authority.

The next three pages outline the functions of the Executive Committee and the Policy Committee.

- Create a 9-member Executive Committee composed of the two Policy Committee officers, and Chairs of Planning, Transit and Technical, and four geographically balanced representatives.

The officers of the Policy Committee will be the officers of the Executive Committee. The four “geographically balanced representatives” will come from the Policy Committee, and will be nominated by a Nominating Committee of the Policy Committee.

Members of the Executive Committee may not send substitutes to meetings.

- Keep the Policy Committee structure as is, but meet quarterly or even less often.
- Keep the Planning, Technical and Transit Committees as they are.
- Amend our mission statement to have a more regional tone and a more active verb than PACTS “enhances” the work of others.

In this context the members had a lengthy discussion of the future planning role of PACTS.

- Encourage our members to collaborate sub-regionally and ask staff to provide support to sub-regional efforts.

## **Potential Executive Committee and Policy Committee Roles**

Feb 8th

Here are three pages of Policy Committee decisions made in 2007 and to be made in 2008. They are organized in four categories.

		<b><u>Role for Executive Committee</u></b>	<b><u>Role for Policy Committee</u></b>
	<b><u>Regional Planning Decisions</u></b>		
1	Revised 2-year Unified Planning Work Program based on reduced federal funds.	Yes	No
2	Endorsed proposals to fund two new studies.	Yes	No
3	Heard detailed presentation on Regional Transit Coordination Study.	Yes	No
4	Accepted a report on the Portland Explorer Bus Service.	Yes	No
5	Accepted a report on the development of changes to the STPA Rules of MaineDOT.	Yes	No
6	Will accept results of regional collector paving study in 2008.	Yes	No
7	Acted on Consent Agendas.	Yes	No
8	Will endorse the goals of the Active Transportation Initiative in 2008?	Yes	No
9	Will accept in 2008 reports regarding the upcoming PACTS study of new ways to increase funding for transportation in our region. Is this a policy action?	Yes	No
10	Accepted report from Ron Roy on passenger rail planning and finance.	Yes	No
11	Conducted annual meeting.	No	Yes
12	Decided to do a Policy Committee priority setting exercise for our next two-year planning work plan.	No	Yes
13	Did the priority setting exercise.	No	Yes
14	Adopted 2-year Unified Planning Work Program.	No	Yes
15	Endorsed Regional Transit Coordination Study at annual meeting.	No	Yes

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<b><u>Funding Policy Decisions</u></b>		<b><u>Role for Executive Committee</u></b>	<b><u>Role for Policy Committee</u></b>
1	Accepted reports on work by Legislature and others on funding policy.	Yes	No
2	Accepted reports from High Priority Projects Committee.	Yes	No
3	Accepted reports on meeting with MaineDOT's leadership team and the other MPO's.	Yes	No
4	Adopted policy to cover all cost increases for 06/07 collector paving projects.	Yes	No
5	Revised and clarified the objectives of our Collector Paving Set Aside policy.	Yes	No
6	Agreed on a framework for revising the 2008/2009 list of MPO Allocation projects due to increasing costs and reduced federal funding.	Yes	No
7	Asked staff to draft policy language to improve coordination with MaineDOT on their "non-MPO" projects.	Yes	No
8	Accepted report on new MaineDOT policies regarding our MPO Allocation funds.	Yes	No
9	Endorsed new formula for the sub-allocation of FTA 5307 funds.	Yes	No
10	Accepted staff report on costs of collector paving projects.	Yes	No
11	Will agree to adopt a PACTS Six Year Plan list of capital improvement projects (an MaineDOT request).	Yes	No
12	Will adopt a PACTS Six Year Plan list of projects.	Yes	No
13	Will adopt a PACTS 2010/2011 list of MPO Allocation projects.	No	Yes
14	Will endorse TIP Policies and Procedures document for 2010/2011 at PACTS.	No	Yes
15	Acted (Dec. 2007) on several funding policy recommendations for 2010/2011 from the TIP Process Committee.	No	Yes

		<u>Role for Executive Committee</u>	<u>Role for Policy Committee</u>
<b><u>Project and Programming Decisions</u></b>			
1	Endorsed subcommittee recommendation for FY 2008 Congressional earmark submissions.	Yes	No
2	Advised MaineDOT on our priorities for projects to go to bid in 2007.	Yes	No
3	Made big cuts to the 2008/2009 list of MPO Allocation projects due to increasing costs and reduced federal funding.	Yes	No
4	Endorsed Transit Committee's recommendations for programming of FTA funds.	Yes	No
5	Adopted for public comment a draft 2008 to 2001 PACTS Transportation Improvement Program.	Yes	No
6	Amended the PACTS TIP for a variety of projects per local requests, and per MaineDOT request (including ones regarding FTA funds).	Yes	No
7	Endorsed staff proposal to add and cut some collector paving projects.	Yes	No
8	Will endorse in 2008 a short list of projects to undergo Enhanced Project Scoping later this year.	Yes	No
9	Adopted a final 2008 to 2011 PACTS Transportation Improvement Program.	No	Yes
10	Will endorse in 2008 a list of 2009 High Priority Projects for submission to Congressional Delegation.	No	Yes
<b><u>Organization and Administration</u></b>			
1	Completed the annual evaluation of the PACTS Director.	Yes	No
2	Appointed new "appointee" to the Planning Committee.	Yes	No
3	Adopted update of PACTS Title VI and Public Participation Plan.	Yes	No
4	Endorsed staff proposal to reconvene the TIP Process Committee.	Yes	No
5	Endorsed leadership's recommendation to hold a PACTS process review retreat.	Yes	No
6	Accepted a report from the Transition Team.	Yes	No
7	Conducted two retreats.	No	Yes
8	Gave direction to the Transition Team (Jan. '08).	NA	Yes
9	Will revise in 2008 the PACTS By-laws and take other actions to complete the PACTS Process Review that we are currently doing.	No	Yes
10	Elect new Policy Committee officers.	No	Yes

## **Agenda Item 6 – High Priority Projects Committee**

Member Resources: High Priority Projects Committee

Staff Resource: John Duncan

Recommendation: Accept the report from our recent public forum, and today's Committee meeting

### Background

Staff and the High Priority Projects Committee have been briefing the Policy Committee regularly for many months on their work to develop a list of major regional project proposals to our Congressional Delegation for the 2010 to 2015 federal reauthorization. Before today the last meeting of the High Priority Projects Committee was in September.

We shared a draft list of ten project candidates with our Transit, Technical and Planning Committees in October and November. During that time we received an unusual amount of interest in our work from the general public. As a result, we decided to hold a regional public forum before coming to the Policy Committee for action. We waited to hold it until after the MaineDOT's recent public forum in Portland regarding their I-295 Corridor Study draft recommendations and their just starting "Portland North" passenger rail planning study.

There has been a tremendous amount of media coverage about the MaineDOT's studies, and our High Priority Projects planning process. There were more than 100 people at our forum. Fifty of them filled out our "ranking sheets". Carl Eppich is compiling the results, and will summarize the opinions articulated in many emails received since our forum. The most remarkable set of comments at the forum was the delivery of a summary of 435 emails by a representative of the League of Young Voters. ***The people speaking up primarily want our region and state to invest much more in public transportation and less in highways.***

We are hopeful that the great attention being given to this planning work by MaineDOT and PACTS will mobilize the general public and our elected officials to find ways to invest more public resources in the transportation systems of our region and our state.

The High Priority Projects Committee will report this afternoon regarding their meeting at noon. Their agenda was:

1. Status reports
2. Review of public comments
3. Update on project candidates
4. Nexts steps

The Committee members have talked of seeking the endorsement of our fifteen city and town councils and the boards of our seven passenger transportation systems. We are operating with the understanding that we should finalize a list of projects no later than the end of this year.

## **Agenda Item 7 – FY 2008 to FY 2010 Transportation Improvement Program**

Member Resources: MaineDOT, Transit Providers, Nathan Poore, Tony Plante, Tom Meyers

Staff Resources: David Willauer, Steve Linnell, Tom Reinauer, John Duncan

Draft Motion: To approve the following amendments to the PACTS 2008-2010 TIP

1. MaineDOT Bridge Program: To program \$750,000 for the engineering of Veterans Bridge improvements (S. Ptd and Ptd), and \$150,000 for engineering for a Route 100 bridge (Fal.).
2. METRO: FY07 JARC\* funds (50/50), \$60,000 to be added to the TIP for Falmouth Flyer to continue service with one bus. Falmouth currently pays annual matching funds of \$60,000.
3. YCCAC: FY07 JARC funds (50/50), \$80,021 to be added to the TIP for WAVE\* to expand door-to-door van service between the Sanford Labor Market and Biddeford with connections to employment at the Biddeford Crossing development, to the ZOOM Turnpike Commuter Express service, and to the ShuttleBus Intercity and Tri-Town services.
4. METRO: FY06 JARC \$50,000 & FY07 JARC \$50,000 funds to be added to the TIP, operating costs for the proposed Lakes Region Transit Service, weekdays from Bridgton to Portland.
5. METRO: FY07 5307 funds: TIP amendment *to transfer* \$230,000 from operating to capital maintenance.
6. 5307 FY08 Capital and Operating funds\* for area transit providers to reflect actual budget allocations from the Federal Register published on January 28, 2008. NNEPRA and YCCAC will be added to the TIP.

<b>Operator</b>	<b>Capital</b>	<b>Operating</b>	<b>Operating</b>	<b>Planning</b>	<b>Total</b>	<b>Percentage</b>
	<b>Maintenance</b>		<b>ADA</b>			<b>by Provider</b>
BSOOB		\$178,371			\$178,371	6.49%
CBITD	\$465,182				\$465,182	16.94%
METRO	\$165,383	\$1,450,000			\$1,615,383	58.82%
RTP		\$196,851			\$196,851	7.17%
SPBS	\$30,000	\$159,037			\$189,037	6.88%
YCCAC		\$93,051			\$93,051	3.39%
NNEPRA*		\$8,550			\$8,550	0.31%
<b>Total</b>	<b>\$660,565</b>	<b>\$2,085,860</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,746,425</b>	<b>100.00%</b>

Notes:

1. **JARC** = Job Access and Reverse Commute program of the Federal Transit Administration.
2. **WAVE** = “Wheels to Access Vocation and Education” program created by YCCAC in 1999.
3. **5307** = FTA funds allocated to the six PACTS Transit Providers--can be used for capital, operating, ADA operating, planning and capital preventative maintenance purposes. The allocation is based on a formula approved by the PACTS Policy Committee on January 17, 2008.
4. **NNEPRA** – Northern NE Passenger Rail Authority portion is a one time allocation for 50% of the Portland Explorer shuttle service operating costs Sep-Oct 2007.

## **Agenda Item 8 – Consent Agenda**

MaineDOT recently asked the Maine Air Quality Conformity Interagency Group to assist in setting priorities for the use of air quality projects for the next biennium. The Group is composed of staff from MaineDOT, MaineDEP, EPA, FHWA, FTA, KACTS, ATRC, the Turnpike Authority and PACTS. The Group will submit project candidates to MaineDOT this spring, and will grade this fall all of MaineDOT's CMAQ-eligible candidates based upon anticipated emission reductions and present a list of recommended projects to the MaineDOT Work Plan Management Team.

The Turnpike Authority will soon start the "Gorham East West Corridor Study".

We have hired Gorrill-Palmer to do our Collector Roads Assessment Study.

We are going to hire John Melrose and Mark Eyerman to do our PACTS New Transportation Funding Opportunities Study

Paul Niehoff is busy participating in the Active Transportation Initiative.

He is also doing a lot of project development facilitation between our members and MaineDOT.

He also has secured the ability to remotely access MaineDOT data from our offices.

He has helped organize a Hot Mix Asphalt session at MaineDOT's Freeport facility on 2/28.

February 21<sup>st</sup> at 5:00 p.m. – Public forum for the PACTS-funded Portland Peninsula Transit Study. See David Willauer and Steve Linnell for more on this.

February 25<sup>th</sup> at 6:00 p.m. – Public forum on the Active Transportation Initiative. See Paul Niehoff for more on this, or go to [www.trails.org](http://www.trails.org).

February 25<sup>th</sup> at 7:00 p.m. – MaineDOT presentation to the Cumberland Town Council regarding the I-295 Corridor Study

**February 27<sup>th</sup> at 9:00 a.m. – An information session for all PACTS Committee members regarding the PACTS and MaineDOT capital funding policies and procedures.**

February 28<sup>th</sup> at 7:00 p.m. – A MaineDOT information meeting in our area regarding their Draft Noise Policy.

March 6<sup>th</sup> at 5:00 p.m. – The 2008 Cumberland County meeting of the Maine Better Transportation Association. The speaker will speak on "a statewide transportation development corporation for Maine." See John or Conrad for more on this.

### Policy Committee Draft Agenda for March 20<sup>th</sup>

1. Action on the Transition Team's reorganization proposals
2. A staff recommendation to develop a six year capital improvements budget in order to complement the MaineDOT's Six Year Plan
3. An update on the Active Transportation Initiative

## Recent Committee Meetings

Transit – Continued implementation of our Transit Coordination Study, discussed the planning for new bus service to the Lakes Region, and other topics.

Planning – Did not meet in February.

Technical – A short meeting. See Paul Niehoff for more on this.

John Perry, the FHWA's Maine Transportation Planner, has accepted a position in Idaho.

It has been a great pleasure to work with John for the past five years.

Jennifer Paul, the new Traffic Engineer at MaineDOT Region One, has accepted a position in the private sector.

Mike Bobinsky, Bill Shane, Tom Reinauer and John Duncan met with Commissioner Cole and his management staff, and ATRC folks recently to discuss the following agenda:

1. Thanks for finding more obligation authority for MPO planning studies!
2. Update on improvements to the local project administration process? (PACTS appreciates the recent updates by Norm Baker and Steve Harris.)
3. Legislative topics:
  - Update on Downeaster funding, and Portland North funding.
  - Will the Legislature address other transportation funding policy this session?
  - Diesel fuel tax breaks and relaxing the weight limits.
  - \$5 billion (?) transportation funding in the stimulus package in Congress?
  - Is FY 2008 and 2009 SAFETEA funding safe, or are cuts still possible?
4. Check in for the PACTS people on the I-295 Corridor Study January 30<sup>th</sup> public forum, and on our February 12<sup>th</sup> High Priority Projects public forum.
5. Check in on the Sensible Transportation Policy Act Rule changes. Legislature to hold public hearing on February 12<sup>th</sup>. Workshop date to be determined.
6. Is the Department working to prevent further personnel turnover at your regional offices, particularly Region One?
7. Status of MaineDOT's study of incorporating the MTA into the MaineDOT.
8. Update from the Commissioner on the AASHTO Committee on Freight.
9. MaineDOT interest in testing the Oregon mileage-based gas concept with a pilot program in Maine?