



Freight Advisory Committee Meeting

April 25th, 2023

2:30 P.M

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Agenda



Killeen-Temple Metropolitan Planning Organization
Freight Advisory Committee
Tuesday, April 25th, 2023

Central Texas Council of Governments Building
2180 North Main Street, Belton, Texas 76513

Regular Meeting: 2:30 PM

Virtual Link: [KTMPO FAC Meeting](#)

Call In Number: [+1 \(571\) 317-3122](#)
Access Code: 934-297-605

AGENDA

1. Call to Order.
2. Opportunity for Public Comment.
3. Staff Update: *(pgs.5-7)*
 - a. KTMPO Meetings Schedule;
 - b. Other Updates.
 - c. Air Quality
4. **Discussion and Action Item:** Regarding approval of meeting minutes from the January 24th meeting. *(pgs.8-11)*
5. **Discussion Item:** Regarding Presentation on State and Federal legislative session bills related to freight. *(pgs. 12-37)*
6. **Discussion Item:** Regarding Discussion on Local KTMPO Freight Topics. *(pgs.38-39)*
7. **Discussion Item:** Regarding public input received through March 2023. *(pgs.40-42)*
8. Member Comments.
9. Discuss Possible Agenda Items for Next Meeting on July 25th, 2023.
10. Adjourn.

The Killeen-Temple Metropolitan Planning Organization is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the KTMPO office at 254-770-2200 24 hours in advance if accommodation is needed. Citizens who desire to address the Board on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Comments are limited to 3 minutes maximum. No discussion or final action will be taken by the Board.

Item 3:

Staff Update

Staff Update

a) Upcoming KTMPO Meetings:

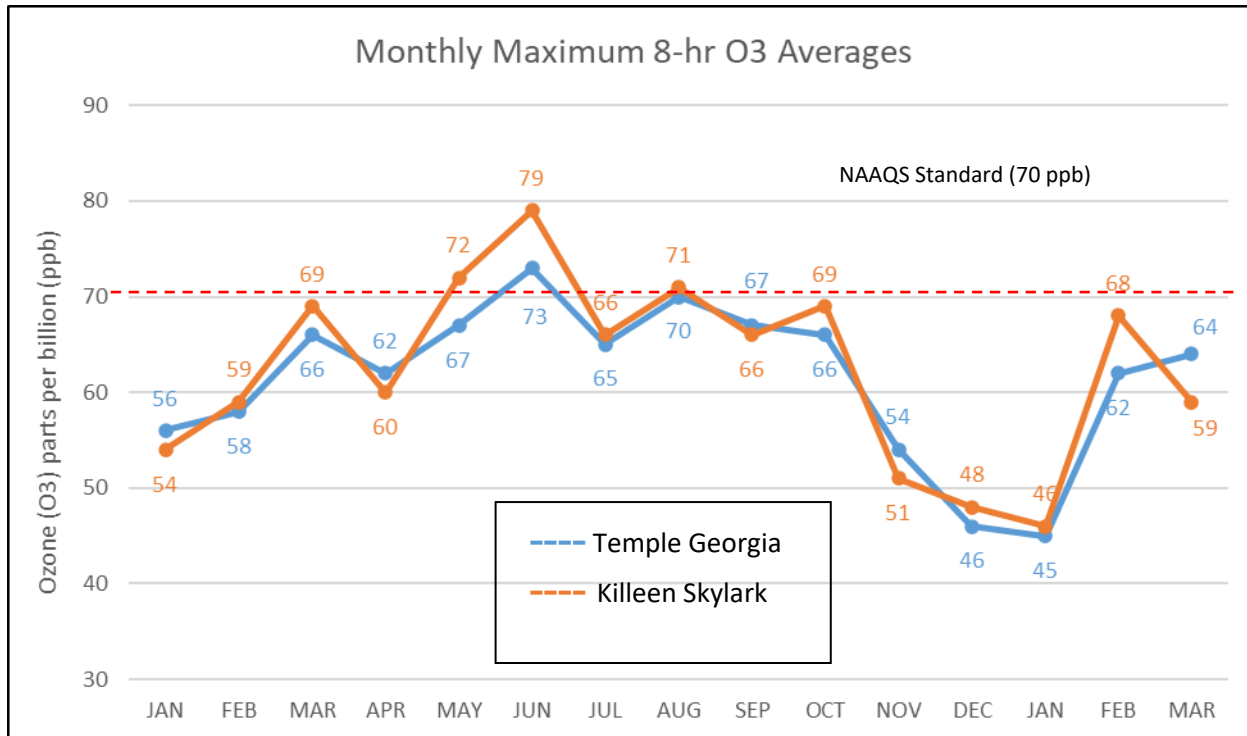
- May 3, 2023 – Technical Advisory Committee
- May 17, 2023 – Transportation Planning Policy Board
- June 7, 2023 – Technical Advisory Committee
- June 14, 2023 – Bicycle and Pedestrian Advisory Committee

All meetings are scheduled for 9:30am at the Central Texas Council of Governments offices in Belton, Texas, unless otherwise noted (i.e. – electronic meeting).

b) Other Updates:

- Truck Parking Safety Improvement Act
 - This Act was reintroduced on March 29th, 2023 in both the House and the Senate. These bills, if passed, would authorize \$755 million in appropriations through FY 2026 to the Department of Transportation (DOT) for competitive grants to States, cities, and MPOs to provide parking for commercial motor vehicles on the federal aid highway system and roads with reasonable access to a federal-aid highway or freight facility. Both versions of the Act have been referred to the Committee on Environment and Public Works in the Senate and the Subcommittee on Highways and Transit in the House.
- The Texas Delivers 2050 Freight Mobility Plan has been approved by the Texas Transportation Commission and will be submitted to FHWA for final approval. The Plan can be accessed [here](#).
- The FY 2023 omnibus appropriations bill that became law on Dec.29, 2022, included a special provision that would grant cities, counties, and regions greater flexibility when using their remaining State and Local Fiscal Relief Funds (SLFRF). This flex would allow local governments to use SLFRF funds for more uses, including transportation infrastructure.
- Bell County Thoroughfare Plan
 - Staff is assisting Bell County with an update to their long-range thoroughfare plan.
- USDOT Funding Opportunities Timeline can be found [here](#).
- FHWA Bipartisan Infrastructure Law (BIL) website ([Link](#)) and ([Fact Sheets](#)).

c) Air Quality



Compliance with EPA Ozone Standard: 4th Highest Annual Value				3-year average (Calculated on April 1, 2023)
	2021	2022	2023*	
Temple	67	67	56	63
Killeen	70	69	56	65

Action Needed: No action needed; for discussion only.

Item 4:

Meeting Minutes



**KILLEEN TEMPLE METROPOLITAN PLANNING ORGANIZATION (KTMPO)
FREIGHT ADVISORY COMMITTEE**

Tuesday, January 24, 2023
2:30 PM

Central Texas Council of Governments (CTCOG)
2180 North Main Street
Belton, TX 76513

Freight Advisory Committee Members

Ginger Watkins—Cameron Industrial Foundation
Jared Garmon-BNSF Railway*

Tamara Brown-BellTec*
Keith Sledd-Heart of Texas Defense Alliance*

Additional Attendees

Dominic Elizondo—KTMPO
Connie Quinto—KTMPO
Anita Janke-KTMPO
Jaesup Lee-FHWA *
Nate Hickman-TCEQ*

Hope Geiger—KTMPO
James McGill-KTMPO
Jeff Purdy-FHWA*
Jennifer Lasseter-TCEQ*

**Denotes online attendee*

Meeting Minutes

1. Call to Order: As committee Chair Jason Deckman was not present, Dominic Elizondo asked the committee to nominate a member to preside over the meeting at 2:31 PM. Ginger Watkins nominated herself and

Tamara Brown made a motion to approve Ms. Watkins to preside over the meeting, seconded by Keith Sledd; the motion passed unanimously.

The meeting was called to order by Ms. Watkins at 2:33 PM.

2. Public Comments: No public comments were made.

3. Staff Update: Dominic Elizondo discussed the schedule for upcoming KTMPO meetings, and the Truck Parking Safety Improvement Act, a pending Federal bill which would authorize \$755 million for States, cities, and MPOs for truck parking, and the special provision in the federal FY 2023 Appropriations Act

allowing SLFRF funds to be used for additional uses, including for transportation infrastructure. Additionally, Connie Quinto provided an update on the Bell County Thoroughfare Plan public engagement process as well as KTMPO's Federal Certification Review (FCR) results. James McGill provided an overview of the air quality data for the KTMPO region and EPA standards.

4. Discussion and Action Item: Approve minutes from the October 25th, 2022 meeting.

Keith Sledd made a motion to approve the meeting minutes, seconded by Tamara Brown; the motion passed unanimously.

5. Discussion and Action Item: Regarding FHWA Freight Performance Measure Tools and Guidelines Presentation.

Jeffrey Purdy provided an overview of the freight performance measure tools and guidelines available from the FHWA. The FHWA provides metrics for measuring freight performance in safety, maintenance and preservation, mobility reliability, accessibility and connectivity, and the environment. FHWA has a National Performance Management Research Data Set (NPMRDS) for states and MPOs that provides travel time data to provide information on congestion and travel time reliability. NPMRDS is used for FHWA's Freight Mobility Trends page. TxDOT has a "Texas 100 Most Congested Roadway Sections" tool for identifying bottlenecks and measuring performance of a freight system. FHWA also promotes Transportation Systems Management and Operations (TSMO) strategies for optimizing current transportation infrastructure.

Keith Sledd said Fort Hood is looking to work with several communities to create an intermodal facility in west Fort Hood and said he would contact Jeffrey Purdy to ask questions about freight in the area and anything that make help the project. Mr. Purdy said he would be happy to help and that anytime freight moves from truck to rail it provides opportunities for reducing congestion and bolstering economic development.

6. Discussion Item: Regarding Texas Emissions Reduction Program Grants Presentation.

Nate Hickman provided an overview of Texas Emissions Reduction Program (TERP) grants and rebates. TERP provides grant and rebate programs that help reduce nitrogen oxides emissions by replacing older vehicles and equipment with more energy efficient models. The Emissions Reduction Incentive Program provides grants to upgrade or replace non-road equipment and locomotives while the Rebate Grants Program offers grants to replace on road heavy duty diesel vehicles. The Texas Natural Gas Vehicle Grants Program, Texas Clean Fleets Program, and Alternative Fueling Facilities Program all offer grants that help replace heavy duty vehicles and fueling infrastructure with natural gas and other alternative fuel sources. The Light-Duty Purchase or Lease Incentive Program provides rebates for the purchase of light duty vehicles powered by natural gas, hydrogen fuel cell, or other electric drive. Mr. Hickman noted that the funding for all of these programs comes from surcharges related to the sale, use, and registration of diesel vehicles and equipment.

Dominic Elizondo asked what the matches looked like for these programs, and Mr. Hickman responded that for most of them the grants or rebates will cover 80% of costs at most depending on age of equipment.

7. Discussion Item: Regarding Discussion on Local KTMPO Freight Topics.

Dominic Elizondo asked for committee discussion on any freight needs or gaps in the KTMPO region and possible ways to address them. No comments were made. Connie Quinto stated that committee members can always reach out to KTMPO staff by email.

8. Discussion Item: Regarding Discussion on Public Input Received Through January 2023.

No comments were made.

9. Member Comments.

No comments were made.

10. Discuss Possible Agenda Items for Next Meeting on April 25th, 2023.

Keith Sledd asked if meetings would always be at the same time and Dominic Elizondo responded that they would always be the fourth Tuesday of each month from 2:30-4:00 PM.

11. Adjourn: The meeting adjourned at 3:27 PM

These meeting minutes were approved by the FAC members on their meeting on _____.

Jason Deckman, Chair of FAC

Uryan Nelson, KTMPO Director

Item 5:

**State and Federal
Legislative Session Bills
Related to Freight**

State and Federal Legislative Session Bills Related to Freight

Brett Sebastian, the Texas State Director for GoRail, an advocacy organization that educates community leaders on the benefits of freight rail investment, will provide an overview of legislation on the state and federal level that could impact freight.

The 88th Texas legislative session began on January 10th, 2023. Among the bills filed, there are several that could impact the freight network in the State.

Bill Number	Title	Synopsis
S.B. No. 1311	Relating to the creation of the Texas Transportation Electrification Council and the duties of that council.	Establishes a Texas Transportation Electrification Council which would be under and funded by TxDOT, to develop and implement a comprehensive electric vehicle charging infrastructure plan through 2040, updated biennially. Council will seek input from stakeholders including warehousing and logistics centers, as well as state and local transportation agencies.
H.B. No. 4885	Relating to the Texas Emissions Reduction Plan.	Amends Section 386.051(b) of the Health and Safety Code to allow the Texas Emissions Reduction Plan under TCEQ to create a grant program covering 80% of the costs for the purchase, construction, and installation of infrastructure for drayage trucks or cargo handling equipment powered by alternative fuels.
H.B. No. 2357	Relating to provision to the Texas Department of Transportation of information regarding certain high-speed rail projects.	Ch. 111 of the Transportation Code is amended by adding Section 111.059 which stipulates that an entity proposing a high speed rail project must submit to the department the method of financing of construction and acquisition, a recent balance sheet, proposed schedule, and ridership projections each year the project is part of the Texas Rail Plan.
H.B. No. 366	Relating to the filing of a bond by a private high-speed rail operator with the Texas Department of Transportation.	If a high speed rail operator begins operation or extends service of a high speed rail, the operator must first file a bond with the department in an amount sufficient to restore real property used for the service to its original condition if the service ceases operation.

H.B. No. 2931	Relating to limitations on the applicability of certain statutes to high-speed rail.	Amends Section 112.002 of the Transportation Code to prohibit private entities from exercising eminent domain for the purpose of developing or operating high speed rail.
H.B. No. 3812	Relating to the establishment and use of the Texas Infrastructure Fund.	Establishes the Texas Infrastructure Fund under the State treasury to award grants to public and private entities for infrastructure projects including highways, bridges, toll roads, rail, and other transit projects. Comptroller will develop eligibility and grant amounts.
H.B. No. 3418	Relating to the implementation by the Texas Department of Transportation of a vehicle mileage user fee pilot program and a task force to assist in developing and evaluating the program.	Chapter 201 of the Transportation Code is amended to create a task force that will monitor and guide the development and evaluation of a vehicle mileage user fee pilot program using mileage based revenue as an alternative to fuel taxes. The pilot program will be created in partnership with the Texas Transportation Institute and monitor up to 800 vehicles including passenger and commercial vehicles for a year to determine the efficacy of taxing vehicle mileage instead of fuel.
H.B. No. 3934	Relating to the operation of vehicles transporting iron or steel products; authorizing a fee.	Amends Section 621.102(d) of the Transportation Code to authorize an alternative permit for vehicles over a certain weight limit to drive on TxDOT maintained roads if they are used to transport indivisible loads of iron or steel products if it is in a county producing more than 100,000 tons of iron and/or steel products and does not exceed 96,000 pounds. Permit fee is \$900.
H.B. No. 1846	Relating to the skills test required for a commercial driver's license for certain commercial learner's permit holders.	Amends Section 522.023(j) of the Transportation Code to provide a skills test for commercial learner's permit holders from other states.
H.B. No. 2832	Relating to the funding of multimodal transportation projects; authorizing the issuance of revenue bonds.	Establishes multimodal project revolving loan fund in general revenue fund to provide loans to local governments for projects connectivity between marine ports, airports, inland ports, and the state highway system.

State & Federal Freight Rail Legislation Update

April 25, 2023

Brett Sebastian, Texas State Director, GoRail



GORAIL



GoRail

Educating, Recruiting & Mobilizing Support for Freight Rail



Rail in Your State
SEE THE COMMUNITY IMPACT!

Learn more at www.gorail.org

GoRail works with thousands of community leaders across the country to tell the local story of freight rail — stronger economies, more jobs and cleaner skies.

GoRail in Texas

Who we are...What we Do...

GoRail partners with TX-Rail stakeholders like Texas Railroad Association, Texas Shortline & Regional Railroad Association, suppliers, and Texas Rail Advocates to promote good rail policies & opportunities


GoRail routinely works with a coalition of pro-rail stakeholders ranging from state legislators, county and municipal officials, chambers, EDCs, ports, trade associations, and others to promote industry issues.

GoRail collaborates with many of the same stakeholders but also MPOs, Councils of Government, city planners and county administrators to raise awareness for infrastructure grants & rail projects.

While primarily focused on freight issues, we do work with passenger-rail stakeholders and promote Federal passenger grants like the Corridor ID program when appropriate.

Federal Freight Issues

- Railroad Safety Act
 - Combined with pending STB rulemakings
- EPA Emissions Rules & EV Infrastructure
- FRA Approval of KCS/CP Merger
- FAA Reauthorization
- Farm Bill
- General Economic Legislation – Debt Ceiling/Trade Policies
- Federal Infrastructure Grants
 - 1st and 2nd rounds of many BIL and IRA grants underway.
 - Rail Grants
 - Other freight/transportation grants include projects like the Reconnecting Communities pilot launched a few days ago.



Railroad Safety Act

- Stems from accident in Ohio and subsequent derailments
- S. 579 by Vance and Brown of Ohio; H 1674 by DeLuzio and LaLota
- HR 1633 RAIL Act by Johnson and Sykes
- All bills are bipartisan mostly lead by reps from Ohio
- Common Provisions
 - Installation of wayside detectors required every 10 miles
 - Advance notice of Hazmat transport to state officials, written gas discharge plan, reduce/eliminate delays in occupied crossings, develop new “additional requirements” around train length, weight, rail cards, routes, speeds, track standards, maintenance, train control, response times
 - Revamps system of safety inspections and increases number of audits on railroads;
 - Penalty increases
 - Requiring the strengthening and upgrade of tank cars transporting hazardous materials and establishing a deadline for the phase out of older, less safe cars
 - Increases hazmat training for first responders
- Differences
 - S. 579/H. 1674 provide for a crew size mandate. RAIL Act does not.
 - R&D for wayside detectors now eligible for CRISI

88th Texas Session

- HB 1 & SB 1 – General budget bills
 - TxDOT Grade Crossing Support
- Truck Size & Weight Legislation
 - Ranging from full increases to broader permitting to county and commodity exemptions
- Train Length
 - Capping trains at arbitrary lengths
- Crew Size Mandates
- High Speed Rail
- Port Project Funding
- Multimodal Focus
 - TxDOT with ASHTO

GoRail/TX
Railroad
Assoc. State
Crossing
Effort

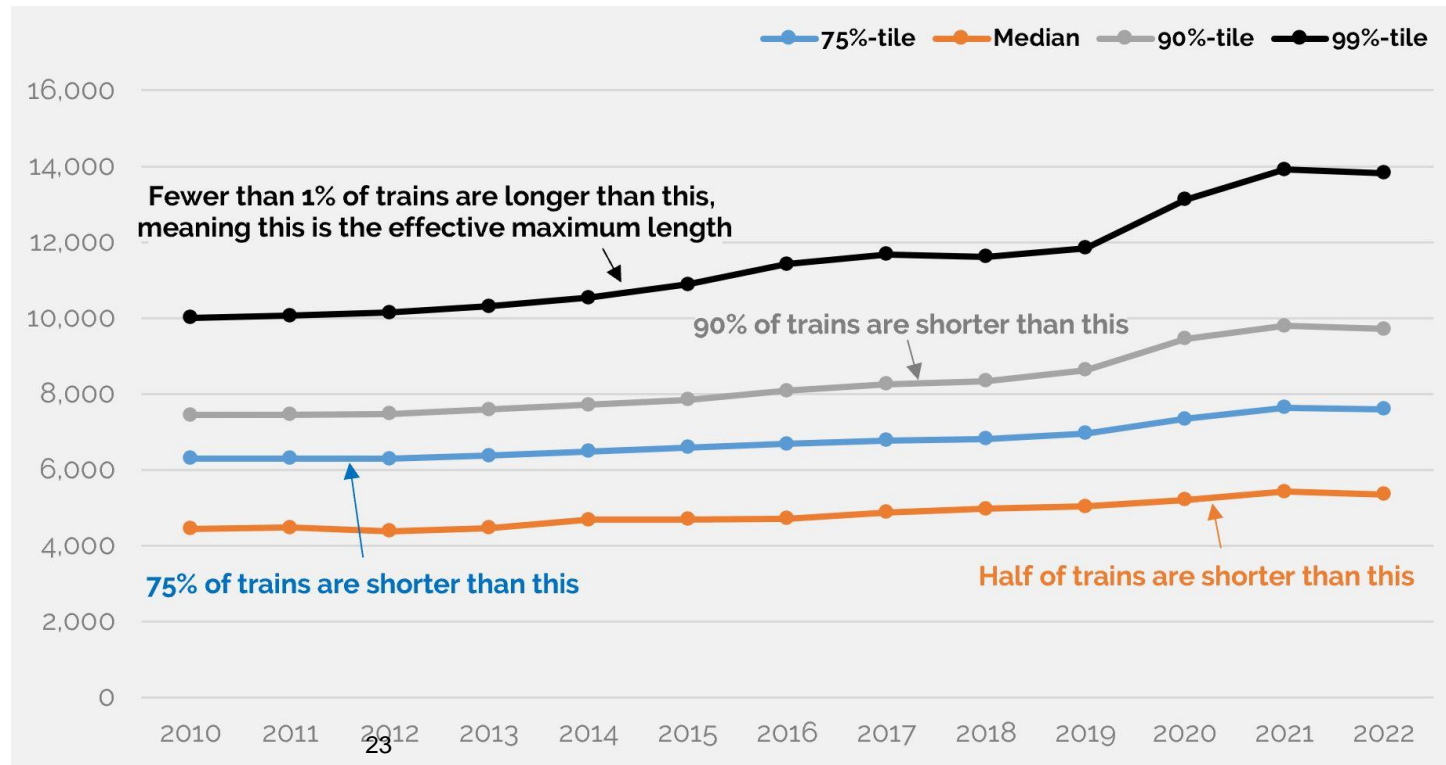


Crew Size Mandates

- Historically a collective bargaining issue and only recently have legislative mandates been pushed.
- Class I's operate with two persons in the cab. Most short lines, Amtrak, commuter rail, and railroads in other counties operate with one conductor.
- In 2009, the FRA stated there was “no factual evidence to support [a] prohibition against one-person crew operations.”
- In 2015, the National Transportation Safety Board (NTSB) found that “There is insufficient data to demonstrate that accidents are avoided by having a second qualified person in the cab. The NTSB has investigated numerous accidents in which both qualified individuals in a two-person crew made mistakes and failed to avoid an accident.”
- Similar FRA findings in 2016 and 2019
- Freight railroad crew sizes have been reduced from five to three to two people pursuant to collective bargaining agreements with labor unions under the procedures outlined in the Railway Labor Act. These reductions have coincided with technological improvements that have improved safety and reduced incidents caused by human error.
- PTC provides outside “backup” to prevent human error

Train Length Mandates

- There is no standard definition of a “long train.”
- Recent legislation defines a long train as 7,500 feet, and railroads have operated millions of trains exceeding that length without incident or notice for the past 80 years.
- Capping train length is not environmentally sound
- Car-length has increased due to changes in market economics. For example coal cars are shorter than intermodal cars.
- Arbitrary train length standards on a state by state basis create operational complexity for rail operators.



Truck Size & Publicly Funded Infrastructure

- In 2016, the U.S. Department of Transportation (DOT) recommended to Congress against changes to federal TSW limits, concluding that heavier and longer trucks would cause billions of dollars in infrastructure damage.
- The current tax of 18.4 cents per gallon of gasoline and 24.4 cents per gallon of diesel fuel was last increased in 1993 and has failed to keep pace with highway maintenance costs, changing fuel prices, and more fuel-efficient vehicles.
- Since 2008, policymakers have been forced to transfer a total of \$275 billion of general taxpayer funds into the Highway Trust Fund (HTF) to cover this shortfall, including \$118 billion in the 2021 Infrastructure Investment and Jobs Act (IIJA), which will only cover the HTF shortfall through 2026



IIJA and Freight Rail



Increases existing grants like CRISI, RAISE, INFRA



Bulk of funding dedicated to passenger but this can benefit freight rail infrastructure



Emphasis on safety esp. at grade crossings



Ties heavily into multimodal supply chain capacity esp. port capacity



Can get creative with types of projects such as research institutions



Not to mention existing funding like Sec. 130

IJA/Rail Funding Breakdown



Grade Crossing Elimination



At-Grade Crossings: Responsibilities

- Per Federal and State Laws the freight railroad is responsible for maintaining the crossing in good condition for motorists to safely utilize.
- States are responsible for selecting appropriate highway traffic control devices, including warning systems, advance roadway signage, and pavement markings; and investigating accidents;
- Motorists are responsible for safe driving practices that respect the train
- Railroads are not responsible for traffic flow, congestion, and the design of roadways around the crossing;
- Railroads do not have an obligation to separate crossings though it is in their interest.





Take Our Crossing Grant Survey

The Federal Railroad Administration's new Grade Crossing Elimination Program will provide \$5.5 billion over five years (\$600 million for FY22) to state and local applicants for grade crossing projects that improve the safety and mobility of people and goods. Use our six-question survey tool to learn more about the program and determine whether your community may be eligible to receive funding for a crossing project.

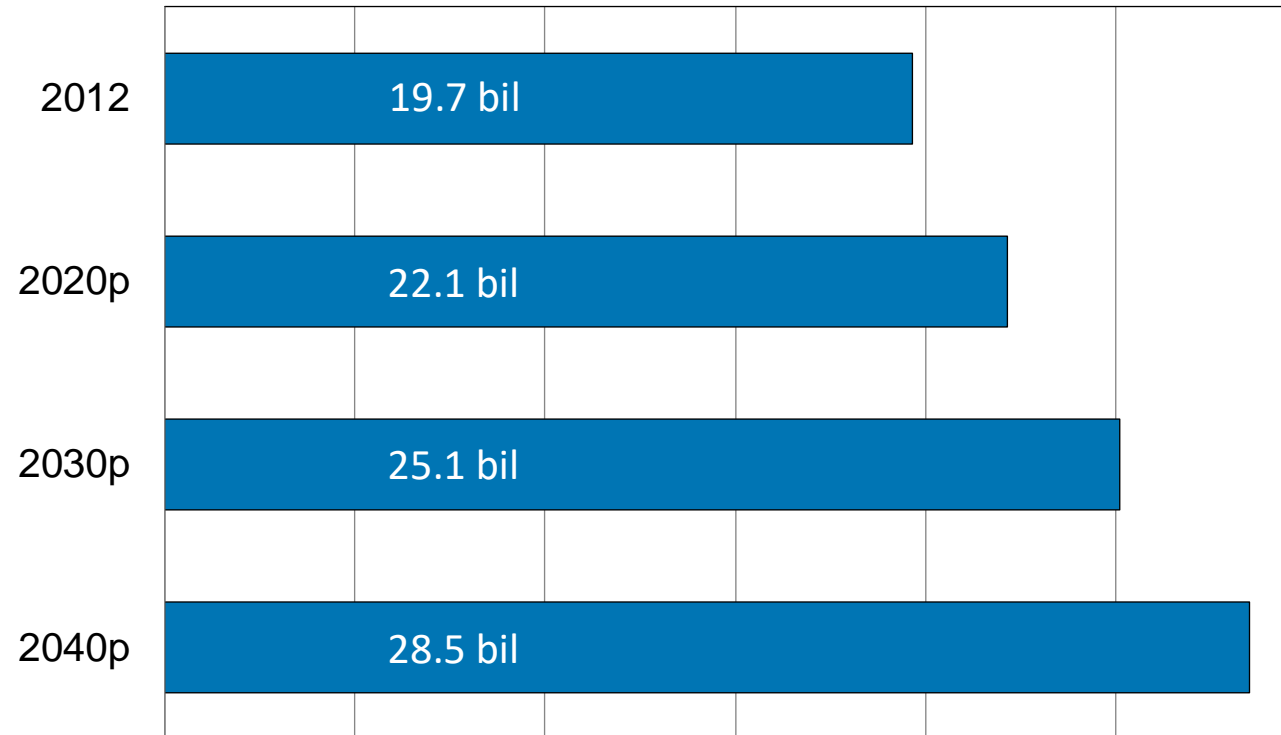
[> Let's Get Started!](#)

General Purpose Rail Grants



The U.S. Department of Transportation expects total freight demand to grow 35% by 2040, which means the improvements made today are even more important for world-class service tomorrow.

Demand For Freight Transportation To Rise Sharply (billions of tons transported in U.S.)



p - projected Source: FHWA Office of Freight Management and Operations, Freight Analysis Framework version 3.5

- 2022 INFRA awarded \$17.3M to Green River Area Development Authority in KY to rehabilitate a 100-year old rail bridge
- 2022 INFRA awarded \$33.2M to City of Flagstaff for pedestrian safety and freight/passenger rail enhancements along downtown BNSF line

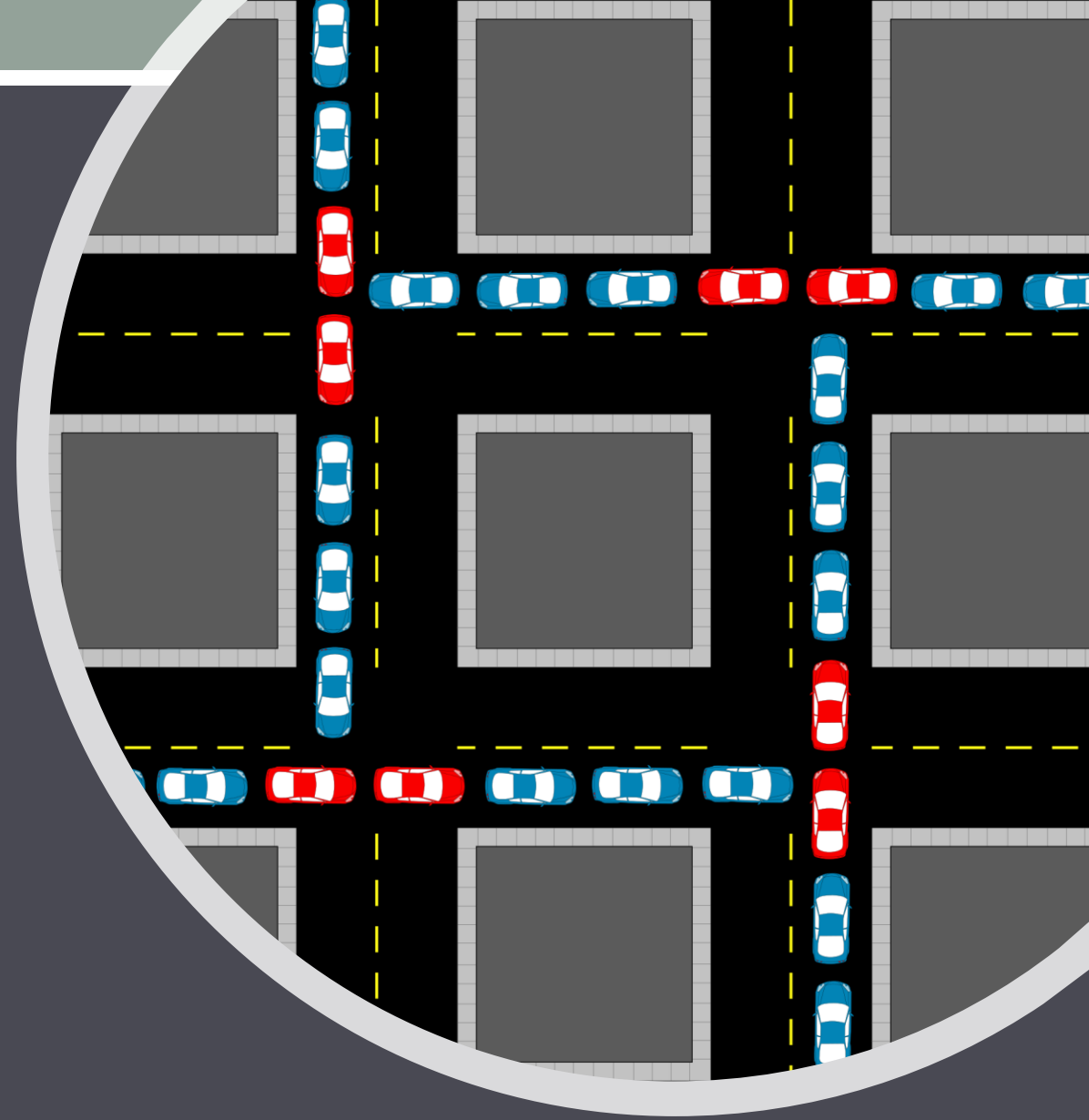
- 2022 RAISE awarded \$1.4M in planning monies to the City of Tupelo to separate a crossing over a KCS line, relocate a BNSF line, and institute two quiet zones.
- 2022 RAISE awarded \$2M in planning monies to NW Alabama Council of Local Govts to study a separation project over an NS line.

Potential General Purpose Projects

Freight Rail Investments

- According to TXDOT, the following opportunities exist to help the freight rail network develop in Texas:
- *Enhance rail access through rehab of old lines and development of new lines/rail spurs, and increase intermodal/transload opportunities;*
- *Increase the weight capacity of certain rail track*
- *Reduction of network challenges at hinge points like grade crossings, RR junctions, Intl Connections*
- *Highway/Rail Grade Separation and Safety Improvements.*
- *Short line support (esp. for ports, rural development projects and track weight)*

Nationally, the railroads are furthering international opportunities, investing in green economies and intermodal shipping, and preparing for increased freight demands and interactions with passenger traffic.

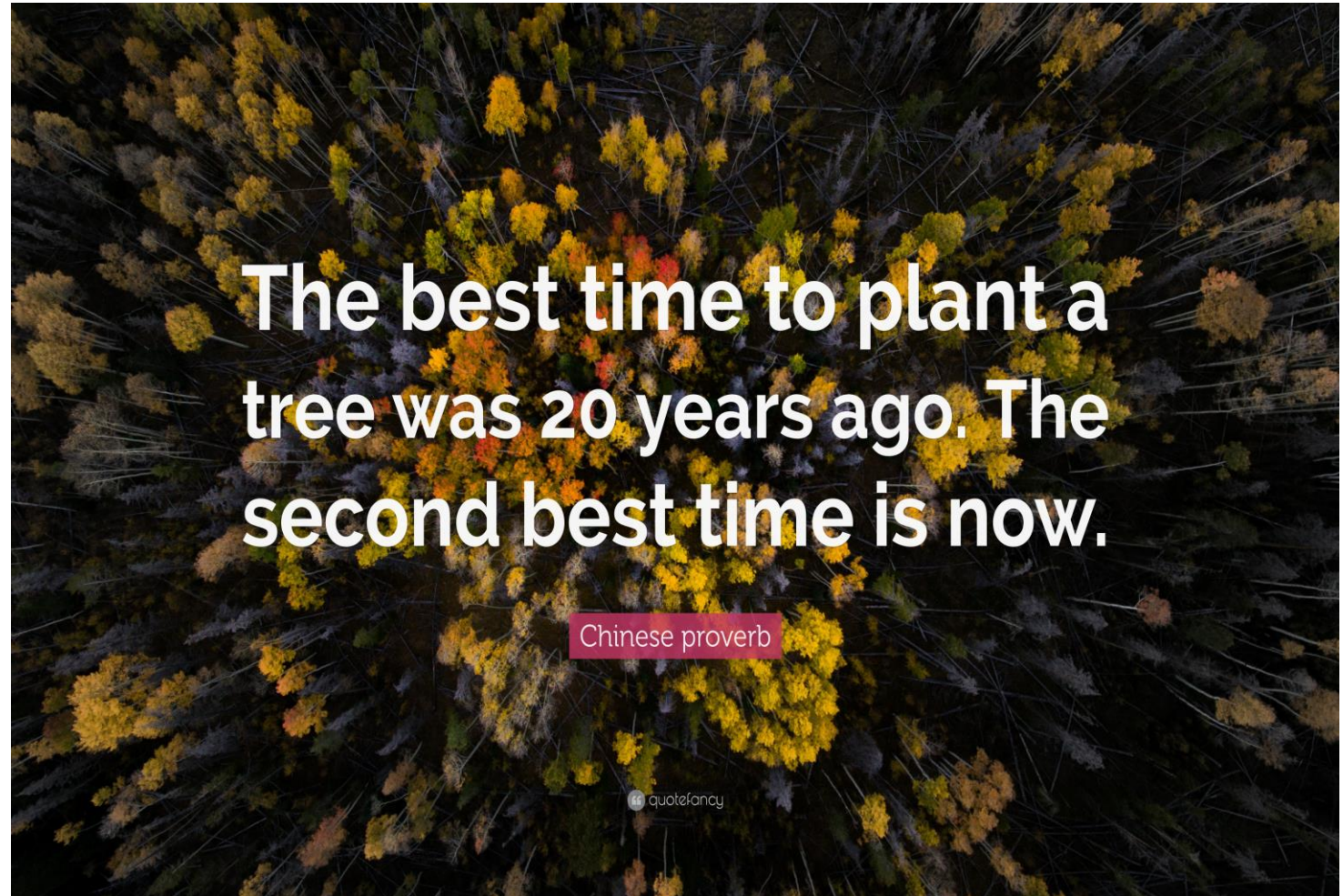


Passenger Rail



Passenger Rail Grants & Processes

- Federal-State Partnership for Intercity Passenger Rail ~\$43B
- Amtrak Corridor ID Program just wrapped up
- Most \$\$\$ going to refurbishing existing services/backlogs
- New Routes have been in the works for years if not decades



The best time to plant a
tree was 20 years ago. The
second best time is now.

Chinese proverb

quote fancy

GoRail

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Action Needed: No action needed; for discussion only.

Item 6:

**Discussion on Local
KTMPO Freight Topics**

Discussion on Local KTMPPO Freight Topics

Staff requests the discussion of local and regional freight needs, issues and problem areas to allow FAC and Staff to be knowledgeable of existing concerns and take appropriate action towards addressing them.

Action Needed: No action needed; for discussion only.

Item 7:

Public Comments

Public Input Received

KTMPO has been collecting public comments received online, via emails, public hearings, meetings, social media accounts, web maps and other forms of communication. Staff bring these to the TAC and TPPB on a regular basis to ensure the MPO boards are aware of public concerns and have the opportunity to respond accordingly. Public input received through the previous month is included in meeting packet.

Action Needed: No action needed; for discussion only.



KTMPPO Public Comments

FY23

Date	Name	Means of Public Comment	Public Comment	Date Comment First Presented to TAC/TPPB	Public Comment Topic	Jurisdiction
2/13/2023	Citizen	Attended Heart 4 U event hosted by Area Agency on Aging	Mentioned living on Fort Hood and using the HOP, but frequently gets bumped as her rides are not to medical appointments. Would appreciate being informed, so she doesn't wait. Declined to fill out Comment Card	2.15.2023	HOP Schedule	Hill Country Transit District
2/9/2023	Charles Mikeska	Facebook Thread	<p>Are y'all working on how to keep the electricity on in east bell? Is that part of your plan?</p> <p>[Charles Mikeska] But you all need to remember those that are paying you to plan, also collect fees on our utility bills (county, state 2x And city) and you are an extension of the municipalities that fund you.</p> <p>It's just odd we're spending tax dollars on planning all off this when the money could've been used to reduce taxes and not create an entirely new entity with new logos, offices and FTEs</p> <p>A worth while project, since you mentioned traffic control, how about creating a plan to finish the loop around temple and get the traffic under control around bucees (temple pd states it's not their responsibility to monitor traffic on the loop)</p> <p>I'm sure all the entities that appropriated to create this new govt agency could benefit by y'all getting them funding to complete these areas. Time better spent than eradicating precious farmland with 4 lane albatrosses. Bell county has done a good job at destroying farmland already.</p> <p>[Charles Mikeska] you, whomever you are, are a good responder, but unfortunately gubberment waste is still wrong. May be the political thing to do, but it's wrong. I am no stranger to pop up governments, and if you have a meeting over here I just might show up.</p>	2.15.2023	Loop 363	TxDOT Waco

End of Packet