

**TBWG policy subgroup
Teleconference summary
July 10, 2008 2:00 PM - 3:10 PM EST**

Attendees

Laura Edwards, **Alaska Department of Transportation**; Stephen de Eyre, **Canada-United States Law Institute**; Walter Steeves, **Eastern Border Transportation Coalition**; Ted Mackay, **Embassy of Canada**; John Reed, **New York State Department of Transportation**; Edward Knopf, **Saskatchewan Highways & Transportation**; Allan Wilson, **Transport Canada**; Tracey Lwellen, **U.S. Federal Motor Carrier Safety Administration**; Nelda Bravo, David Franklin, **U.S. Federal Highway Administration**; Hugh Conroy, **Whatcom Council of Governments**.

Agenda

- 1) Any brief, policy-related news items from participants.
- 2) Follow up on issues discussed at the April TBWG meeting in Idaho.
 - a) (U.S.) Northern Border Railroad Passenger Report (Sec. 1523 of Aug07 "9/11 Bill")
 - b) FHWA study: Economic Impacts on Transportation of the U.S./Canada Border (*attachment sent with e-mail*)
- 3) Summer intern at the Canada-United States Law Institute at Case Western Reserve University School of Law (Hugh will provide an update)
- 4) Other issues (time allowing)
 - a) Review of our group's [Issues & Status List](#)
- 5) Follow up items
 - a) Need for a Canadian co-chair
 - b) Next conference call
- 6) Adjourn

Current issue updates

Hugh Conroy mentioned an interim final rule/solicitation of comments issued by US Customs & Border Protection regarding a new initiative under the Visa Waiver Program (VWP) called the Electronic System for Travel Authorization (ESTA). The notification in the U.S. Federal Register (<http://edocket.access.gpo.gov/2008/pdf/E8-12673.pdf>) overviews program changes that would require VWP travelers to obtain advanced "travel authorization" before arriving at a U.S. air or marine port of entry. Hugh mentioned that after reading the notice, it wasn't clear to him if there was any effect to be expected for U.S. destined Canadian travelers on air or marine (or rail). Ted Mackay mentioned that the Canadian Government had submitted comments to the docket which he would forward.

Ted Mackay mentioned a recent declaration issued by U.S. secretary of transportation and Canadian and Mexican ministers of transportation regarding North American transportation objectives. Allan Wilson forwarded the following link to the declaration (<http://www.tc.gc.ca/mediaroom/statements/2008/2008-06-10.htm>).

(U.S.) Northern Border Passenger Rail Report

Ted Mackay reviewed a meeting called by U.S. Senators (Cantwell, Murray, and Lautenberg) to hear agency-updates on progress on the above-named report looking at the prospects of passenger rail preclearance. The meeting became more about the specific inspection requirements related the anticipated additional (second) daily Amtrak service between Seattle, WA and Vancouver, BC. Agencies present at the meeting agreed to form a working group on

this issue consisting of US CBP, CBSA, US Federal Rail Administration (FRA), and Amtrak. Ted has since heard the Transport Canada has also joined.

Hugh asked John Reed if any similar activity or attention has continued for the New York-Quebec passenger rail services. John reported that regional CBP representatives haven't been very positive about future pre-clearance. John added that there is not a driving issue like the 2010 Winter Olympics. John mentioned discussions of the Maple Leaf rail service continuing on to Toronto. Also, CBSA has been talking about an interest in offloading passengers for inspection at _____ which would not be desirable with the current type of station.

Discussion lead to Hugh giving a brief description of some past efforts by WSDOT to estimate costs and solicit U.S. federal funds for the facility upgrades that would be required to conduct a more fully sanctioned and complete pre-clearance at the Vancouver station. John Reed noted that background material from those efforts would be good information about what's required and who the responsible party would be.

Summer intern working at the Canada U.S. Law Institute

Hugh introduced Steve de Eyre who is a law student at Case Western Reserve School of Law in Cleveland. Hugh was asked by Dan Ujcz, Managing Director of CUSLI and Border Network Affairs officer at the Canadian consulate in Detroit if WCOG would like to direct the work of a CUSLI summer intern relative to issues that IMTC and TBWG are working on. Steve de Eyre has been on the project for a few weeks and will continue until mid August.

Steve de Eyre gave an overview of CUSLI, noting that it is a binational institute together with the law school at University of Western Ontario. Steve gave an overview of the first research project he is working on—comparing states and provinces' legislation on cross-border arrangements and authorizations for those. He is also looking at the broader constitutional questions involved and how those have been dealt with. Steve listed some specific issues that illustrated a range of scenarios. As part of the internship, Steve will be attending next week's IMTC meeting at the BC-WA border and is also hoping to attend the Toronto plenary to follow up with the policy subcommittee about his work.

Hugh noted that he and Steve would be talking about the next task for the internship and asked the group for feedback on the idea of taking on some of the sections of the passenger rail report (previously discussed) as an independent research topic. There was support for this idea.

FHWA Cross-border Economic Impact Study

Dave Franklin informed the group that he has transitioned to managing the study contract with consultant, Cambridge Systematics, Inc. (CSI) The economic study was originally budgeted for over \$400,000. Current allocation to the project is \$150,000. FHWA is preparing to add a little more money to the contract.

Currently, the consultant is starting on development of the methodology. Roger Petzold is hoping that this will provide enough additional clarification and momentum so that the states could consider contributing to the project.

CSI does not currently have consultations with the policy subcommittee as part of the contract. David asked the group if this was something they were expecting to happen. Hugh explained that the policy-group had responded to the question at the TBWG plenary in Montreal (Nov. 06?) and decided that they did want to be an advisory group to the study scoping and subsequent activity. David confirmed that he would make this part of the contract.

Hugh asked if the next policy subcommittee conference call should exclusively focus on the economic impact study. There was support for this. David will discuss timing with CSI and get back with Hugh to identify the approximate date for the conference call.

Hugh mentioned that the “Technical Approach & Detailed Work Plan” document that CSI distributed at the last TBWG in Idaho had been very slightly revised and was redistributed on the e-mail regarding this call. Looking ahead to an upcoming phone call about the study, Hugh mentioned some issues as examples of the things he thought might be good points of discussion for this group.

- One of the introductory bullets on page one mentions an objective of “outlining an **approach to policy development**.” This is not expanded on much in the work-plan document and could perhaps benefit from this group’s ideas.
- CSI’s identification of “four main **border regions**” is a practical approach motivated by similar reasons as are behind TBWG’s regional workshops. CSI’s regional breakdown seems more focused on specific gateways. Is there a broader economic geography in play here? Does TBWG need to think about a more standardized use of U.S.-Canada border regions in order to facilitate other, complementary analytical methods (data group, BIFA)?
- The task-2 section notes, “There are several key elements of economic trade and traffic data that will need to be defined at the outset of the project.” The document then goes on to list and define several of these elements. Because the study also aims to analyze border effects in terms of industry output and employment, it would be good for this group to understand how the current cross-border trade data is going to support that. Are the dollar values associated with cross-border conveyances all trade?
- The work-plan states that exchange rate effects will be ignored. While it’s understandable that exchange rate is not something that can be forecasted, its effect could possibly be illustrated as a meaningful variable related to the direction and volume of trade and travel.
- TREDIS. Some more background on this economic model platform would be of interest. It sounds from the work plan that its typical application is in evaluating construction project options.
- Binational aspects of the study: Does TREDIS lend itself to expanded application? Does Transport Canada currently use regional economic modeling that would complement this type of analysis? Etc.

FHWA Cross-border Economic Impact Study

Hugh reviewed the list (link above) and will make a few updates. It’s likely that Steve de Eyres work will complement the cross-border arrangements toolkit section and would be added there. EBTC’s recent guidebook on cross-border construction projects will be linked. Hugh asked for clarification on the section at the bottom noting “operational symmetry.”

TBWG survey

Allan Wilson reviewed the “future directions” survey that was recently distributed to the TBWG membership. Hugh and Walter Steeves will be moderating a discussion based on survey results at the October TBWG meeting in Toronto. A high response rate is very important. The survey can be filled out on-line at:

http://www.surveymonkey.com/s.aspx?sm=21UTKPGYSRsIjQuambtZ2Q_3d_3d

Meeting adjourned