The North/West Passage Pooled Fund Study held a workshop on May 21, 2008 in Bloomington, Minnesota. The workshop was designed to provide participants from the North/West Passage states a chance to discuss current best practices and future opportunities for Operations and Maintenance collaboration across state borders. A total of 15 state agency representatives from the eight North/West Passage states participated in the workshop.

The workshop agenda and participant list are contained in Attachments A and B, respectively.

Workshop Summary

The following bullets summarize the North/West Passage Cross Border Operations and Maintenance (O&M) Workshop accomplishments and recommendations. Details from the workshop are included following this section.

- Participants built new working relationships and were able to share information about how to improve communication and collaboration at state borders in the North/West Passage corridor. This included sharing lessons learned, expressing the benefits of improved collaboration, establishing a vision, identifying current practices and tools/resources, discussing issues and barriers to overcome, and identifying specific near term actions they all can begin to implement.

- The following North/West Passage cross border O&M collaboration vision was established:

  North/West Passage operations and maintenance activities will contribute to:
  - Safe travel conditions throughout the corridor for people and goods
  - Sharing information through center to center communications
  - Providing accurate, timely, consistent traveler information
    - Updated as conditions change
  - Sharing of resources to mutually aid neighboring states
  - Timely delivering of goods and services

- Specific near term activities were identified that the group can begin to implement to improve communication and collaboration. The list is included within these proceedings. One key activity identified was the creation of new multi-state groups that would meet
once or twice a year and the possible expansion of existing groups. A primary topic of these meetings should be collaboration opportunities.

- Four key next steps were identified by the group:
  - **Prepare state action plans** – each state agreed to prepare action plans identifying specific actions their state will take to begin implementing collaboration suggestions identified at the workshop. These action plans will identify activities and those responsible for completing the activities. An example (from Idaho) is included as Attachment C.
  - **Conference call in six-months** – the group believed that a conference call of all workshop participants to obtain a status and encourage continued action was needed in six-months.
  - **Second workshop in 1 year** – All participants expressed their support for this gathering and believed another similar workshop would be beneficial in one year.
  - **Draft an MOU to institutionalize cross border O&M collaboration** – the group felt strongly that the current informal arrangements between states are at risk of discontinuing at any time with a change in personnel and a formal MOU was needed. Idaho provided an example of a joint powers agreement with Wyoming to share resources on a key state highway over Teton Pass between the two states (see Attachment D). This could be used as a starting point to develop a North/West Passage MOU between the states.

**Introduction**

**Workshop Purpose**
The purpose of the Cross Border Operations and Maintenance Collaboration Workshop was to bring together state representatives that had experience and/or responsibility for O&M activities at the North/West Passage states borders to better understand the current approaches used and what opportunities might be available for improved communications/coordination and sharing of information.

Among the eight North/West Passage states there are nine border crossings on I-90 and I-94 that have opportunities for improved coordination (as shown on the map to the right).

The workshop agenda and participant list are contained in Attachments A and B, respectively.

**Approach/Preparation**
Preparation prior to the workshop was very important to ensure the right state representatives were in attendance and the workshop was organized in a manner to ensure desired outcomes. The first step was identifying the right representatives. The Steering Committee members helped to contact and recommend certain individuals from their state that would best contribute to the collaboration at state border operations and maintenance discussions. The workshop organizers requested that two representatives from each of the North/West Passage states participate in the workshop. Further it was suggested that these participants should have expertise and responsibility for managing North/West Passage Interstate operations and maintenance activities in regions that include other state borders, and be familiar with the current and upcoming tools and resources to assist with future collaboration.

Once the workshop participants were identified, pre-workshop information was collected to help prepare for and guide the discussions. This information was collected through phone
conversations with most of the state representatives. A phone interview form was developed with specific questions regarding current practices, lessons learned, possible corridor visions for collaboration, and other input regarding workshop agenda items. This pre-workshop information collected was extremely helpful to refine the agenda and allow for efficient and effective discussions during the workshop. Much of this information was presented to the group during the workshop.

**Workshop Dinner**

On the evening of May 20, 2008 workshop attendees met for dinner which provided an opportunity for participants to get to know each other and discuss the workshop.

Ginny Crowson, Minnesota DOT, welcomed the attendees to Minnesota and provided a brief project overview of the North/West Passage Pooled Fund Study. She noted the importance of the North/West Passage Steering Committee and their support of this workshop. The Steering Committee is responsible for providing overall guidance to the corridor and includes one representative from each of the eight states. Steering Committee members include:

- Bill Legg, Washington DOT
- Bob Koeberlein, Idaho Transportation Department
- Brandi Hamilton, Montana DOT
- Vince Garcia, Wyoming DOT
- Ed Ryen, North Dakota DOT
- Dave Huft, South Dakota DOT
- Ginny Crowson, Minnesota DOT
- Phil DeCabooter, Wisconsin DOT

Ginny introduced Fred Kitchener, McFarland Management, who would lead the group through the workshop agenda the next day. She also introduced Dean Deeter and Tina Roelofs from Athey Creek Consultants who would be supporting Fred during the day.

**Welcome and Workshop Expectations**

Ed Ryen, North Dakota DOT, welcomed the attendees and indicated he is an ITS Engineer working in operations for the North Dakota DOT. He also is the state lead for organizing this cross border operations and maintenance collaboration workshop. North Dakota has strived to achieve seamless boundaries within their state and would like to achieve this same goal for the North/West Passage states. Ed added that the focus of this workshop is to learn from other states what works and doesn’t work to move toward seamless boundaries.

Ed asked each attendee to introduce themselves and indicate what they expect to gain from participating in this workshop. Expectations stated include:

- Learn about seamless level of service internally as well as across state borders.
- Share lessons learned and discuss improving communication corridor-wide to alert travelers of natural disasters such as an avalanche or flooding. Improved communication would assist in diverting traffic.
- Bridging the gap between ITS and operations internally by learning from other states.
- Discussion of providing real-time information to neighboring states to increase areas of influence in order to assist commercial vehicle driver in making better route decisions.
- Improved connectivity between operation centers along the corridor.
- Identify other corridors that may be addressing the same topics to learn from such as the I-5 corridor or fold them into the North/West Passage discussions.
• Learn what each state currently focus on related to operations and maintenance and expand this thinking, in order to not add another layer of work.
• There have been a number of incidents that have occurred this year that we can learn from such as Minnesota shutting down the interstates for 10 hours. There were a lot of missed opportunities for sharing this information.
• Identifying the appropriate contacts within each state to notify when an incident may affect the corridor.
• Continue to build relationships.
• Share experiences to help form solutions.
• Share lessons learned from this group with others internally.
• Discuss how the traveler information website (www.i90i94travelinfo.com) developed by the North/West Passage group can be used to consolidate information exchange.
• Discuss that standards are developed as automated information is shared between states in order to validate that good information is shared.

Benefits of Cross Border Operations and Maintenance Collaboration

Fred Kitchener opened the discussion and asked the group to identify benefits of collaborating at state borders. The following benefits were expressed by workshop participants:

• Communication, identify contacts for each state
• Coordinating traffic movements that will assist in identifying the best place to divert traffic
• Understanding how neighboring states maintain roads in the summer and winter to note equipment or procedures that may overlap at borders. Each state may have different rules regarding treating winter roads between states.
• Understand funding levels in each state for operations and maintenance. Washington has a bare roads policy, but this isn’t the same policy for the corridor.
• Consistent information will benefit the public.
• Safety improvements
• Prioritization of trucks. Long-term economic vitality (less perishable freight).
• Coordination of incident management.
• Make better use of forecasting information.
• Consistent information is critical as expectations from the public increases.
• Opportunity to provide a seamless 511 system between states.
• Identify new ideas that individual states may not have identified.
• Provide better information to travelers before they leave their location.
• Opportunity to strategically place ITS devices with input from other states.
• Resource sharing.
• Use of ITS equipment beyond monitoring traffic (e.g., patrol may pull a vehicle over at a certain location if they know it is in front of a camera for security reasons).
• Identify consistent terms between states

O & M Lessons Learned in the Corridor

Pre-workshop data collection yielded many examples of lessons learned in the corridor including:

• Resource sharing at Montana borders with Idaho and Wyoming (plow trucks continue operations into neighboring states at key mountain passes to ensure roads can stay open during severe winter weather).
• Traveler information sharing between SD, ND, MN, NE, and KS webpages and 511 phone systems
• Coordination of truck parking and other services available (MT and ND)
• Multi-state coordination meetings to share procedures, winter operations, and opportunities to work more closely together

Doug Moeller, Montana, shared some insights into their collaborations with Idaho. Highlights included:
- Building professional relationships with bordering states counterparts is a key to successful collaborative operations.
- All collaborative operations are by informal “hand-shake” agreements between state maintenance staff and no formal agreements are in place.
- Tri-state meetings such as an annual meeting held with Washington, Idaho, and Montana provides a forum for each state to present operations and maintenance activities for their state and discuss challenges.
- Montana and Idaho conduct operations during extreme winter conditions approximately five miles into each other’s state. This is only accomplished when the alternative would be to close I-90 on a key mountain pass.
- The level of service between the states is pretty much the same, however, road treatment approaches are different.
- Idaho and Montana can communicate between trucks if they are on the same radio frequency.
- Additionally, Idaho maintains cameras in their state that Montana installed.

Other examples of coordination between states expressed during the meeting included:
• Similar to resource sharing on I-90 between Idaho and Montana, Wyoming and Montana’s snowplows conduct operations into each other’s states during certain winter conditions with no formal policy or MOU in place.
• Wyoming will shift equipment within their state to assist South Dakota during an emergency, however it is very challenging if an emergency is statewide. The truck operator will go with the equipment.
• Wyoming is looking at placing Dynamic Message Signs (DMS) within their state and would like to coordinate with South Dakota on placement of the signs.
• During the first phase of the North/West Passage an anti-icing system was placed on the Red River Bridge between North Dakota and Minnesota. The North/West Passage group assisted on designing the communications for the system. This project was a good success story of coordination between states. Either state can activate the system.

During the discussion the notion of center to center operations was identified as a possible means to share information. As an important input to that discussion, each state was asked to describe their management center and how they operate their message boards. The results are as follows:

**Washington**
- Washington has 5 Traffic Management Centers (TMC) throughout the state.
- All mountain information comes to the Yakima TMC.
- The Spokane TMC has the ability to operate message boards and the Yakima TMC has the ability to post information on 511.
- If a user calls the Washington 511 System they have the option to be connected to Oregon’s 511 System.
Idaho
- ITS equipment is controlled centrally.
- A policy is needed for posting out of state events, there is not a current menu in the current 511 system to post out of state events.
- There may be a large time lapse if an event happens in Minnesota. It may never effect their travelers however it is important to be aware of corridor traffic.

Montana
- Does not a have Traffic Management Center.
- There is a menu of reported conditions that are uploaded to the 511 system
- Each division controls DMS.
- A corridor-wide message could possibly be placed on the 511 system.

North Dakota
- Traveler information is centralized.
- Have the option to place an alert on 511.
- Researching the possibility of only indicating that alert if the user is interested in receiving traveler information for that road.
- North Dakota will contact Minnesota to request DMS are activated.

South Dakota
- DMS can be controlled anywhere in the state, centrally or regionally.
- It is a possibility to include an option on the 511 system of an incident along the corridor.
- Center to center communications would be very useful along the North/West Passage corridor.

Minnesota
- Nine Traffic Operation Communication Centers (TOCC) are housed with the State Patrol throughout the state. Each center can post messages to DMS. If North Dakota is requesting a message they just need to know which center to call.

Wisconsin
- The Traffic Operations Center (TOC) covers the entire state and is operational 24/7.
- In the process of developing and deploying a 511 phone system.

North/West Passage O & M Collaboration Vision
Dean Deeter led the group in a discussion to prepare a vision of O&M collaboration in the N/W passage corridor. Several ideas were expressed and after considerable discussion the vision agreed to by the group was as follows:

North/West Passage operations and maintenance activities will contribute to:
- Safe travel conditions throughout the corridor for people and goods
- Sharing information through center to center communications
- Providing accurate, timely, consistent traveler information
  - Updated as conditions change
- Sharing of resources to mutually aid neighboring states
- Timely delivering of goods and services

This vision was used as a benchmark for additional discussions throughout the day’s activities.
Lunch Presentation: What happened after the I-35 W bridge collapse

During lunch, Jim Kranig from the Minnesota DOT provided a summary of the coordination that occurred as a result of the I-35W bridge collapse. To view a copy of this presentation, please contact Ginny Crowson at ginny.crowson@dot.state.mn.us.

Current Practices/Tools and Resources

The following list of possible tools and resources from pre-workshop phone conversations were presented to the group as a starting point for further discussions.

- 511 Traveler Information System
- DMS
- Phone contact lists and e-mail sharing between states
- Road Weather Information System (RWIS)
- Cameras
- Contracted weather forecasting services
- Variable speed limit signs
- Automatic Vehicle Location (AVL)
- Highway Advisory Radio (HAR)
- Use of Traffic Management Centers for data collection and sharing

Bob Koeberlein, Idaho Transportation Department, presented Idaho’s perspective on cross border collaboration using 511 traveler information systems. He discussed three specific instances in Idaho this past winter that could have benefited from enhanced collaboration with neighboring states. In two of the three examples (on I-90 and I-84) motorists were stranded for long periods of time because of road closures and lack of good communication between the neighboring states (Montana and Utah, respectively). The third example involved a 2-week closure of US 12 due to a major avalanche. Although only one of these examples was in the North/West Passage corridor, they all demonstrate the need for better communications and collaboration of O&M operations with neighboring states. Bob stressed the fact that our 511 traveler information systems could have been used to facilitate information sharing. Additionally, he encouraged the group to explore ways to use the newly developed North/West Passage website as a way to post urgent messages such as winter road closures.

Dave Huft, South Dakota, provided a summary of the Maintenance Decision Support System (MDSS) and Clarus.

**MDSS**

- MDSS analyzes and suggests the most applicable application based on the road and weather conditions over the next 6 to 30 hours. MDSS models what is happening on the road. With MDSS some conditions are hard to forecast.
- The screen used by the plow drivers is a touch screen. A cellular modem communicates back to the MDSS central system. Recommendations from the MDSS are then sent back to the truck. The cost is $2,500 per plow and another $1,000 for the sensors.
- MDSS is not being used for traveler information, but this is a future goal.
- 4 of the 8 North/West Passage states are involved in the MDSS Pooled Fund Study.
Clarus

- North/West Passage participated in the Clarus initiative which defined communications protocols.
- The Clarus website contains the data provided by the North/West Passage states.
- The next phase of Clarus is to develop real applications with the data that is now being collected. The private sector will lead this phase.
- All 8 North/West Passage states contract for road/weather information.
- 7 of the 8 states have 511 Traveler Information Systems and by the end of this year all 8 states will have a 511 System.

Fred Kitchener noted that the North/West Passage developed a corridor-wide traveler information website for travelers on the I-90/I-94 Corridor from Wisconsin to Washington (i90i94travelinfo.com). The website provides users with camera images and weather conditions along the corridor to serve as a comprehensive source for traveler information. The website also identifies rest areas and provides links to each state's commercial vehicle restriction information as well as truck stop information. A next phase to expand the content of this website is planned for the coming year.

Also noted were national support associations and groups that could be used as a resource. They included:
- American Association of State Highway and Transportation Officials (AASHTO) – subcommittees on System Operation and Management (SSOM), and Maintenance (SCOM).
- Western Association of State Highway and Transportation Officials (WASHTO) – subcommittee on Maintenance
- Transportation Research Board (TRB) – Committee on Operations and Maintenance
- FHWA Road Weather Management Team – conducts efforts in support of weather related operations and maintenance

Issues and Barriers to reaching the Vision

Discussions with participants prior to the workshop identified the following potential issues and barriers to improving coordination and collaboration at the borders:
- Ability to keep informal arrangements intact
- Need for better communications during road closures
- The existence of different traveler information system possibly hindering information sharing
- General lack of understanding of N/W Passage state’s operations and limitations
- Poor identification and response to incidents
- Lack of regional consistency

These issues and barriers were reiterated, adding additional concerns during workshop discussions, as follows:

Montana
- We have not created a seamless corridor
- Internal communication
- Achieving smooth transitions (tools, guidelines)
- Moving toward improving traveler information
- Networking with other states
South Dakota
- Training staff on deployed technology (human issue more than a technical issue)
- Maintenance costs

Wisconsin
- Making decision makers aware
- Need for regional meetings
- Implementation (center to center, mutual aid)

Wyoming
- Consistency statewide needs to come before consistency corridor-wide
- Need two way radio communications between states
- Equipment needs to be compatible between states

North Dakota
- Availability of resources means different level of service between states
- Lack of funding
- Internal barriers (don’t have a way of reporting incidents and construction information isn’t as a good as it should be)
- Different procedures for closing roads between states (communication is needed internally between state patrol and DOT when the state patrol closes a road)

Washington
- Congestion is largest problem
- Competing for resources dedicated to urban issues
- Switching to 700 mhz will be different from other states
- Communication on vendors used in each state to assist in consistent planning

Minnesota
- Metro Area has all the technology
- Operating the same as other rural states outside of the metro area
- Don’t use resources everyday that are used in metro areas
- Identify each state’s center

Idaho
- Maintain a priority and focus on what we can do cooperatively in addition to current job activities

What Can Be Done Immediately
The group suggested the following specific activities that can be started now to move forward with coordinating operations and maintenance activities.

- Automated sharing of 511 system information (center to center or system to system)
- Conduct additional multi-state working groups
  - Minnesota, Wisconsin, Iowa, Missouri, and Illinois have met to discuss traffic management issues
  - Michigan, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Colorado, Iowa, Nebraska, North Dakota, and South Dakota meet to discuss winter maintenance and RWIS
  - Iowa, Nebraska, and South Dakota are working together on I-29
- Identify procedures for improved cross border communications
Next Steps

At the conclusion of the workshop the group discussed the logical next steps to address the list of activities that could be accomplished immediately (identified in previous section). One of the questions expressed was: Who was going to be responsible from each state to implement the findings from this workshop?

Four key next steps were identified by the group:

1. Prepare state action plans – each state agreed to prepare action plans identifying specific actions their state will take to begin implementing collaboration suggestions identified at the workshop. These action plans will identify activities and those responsible for completing the activities. An example (from Idaho) is included as Attachment C.

2. Conference call in six-months – the group believed that a conference call of all workshop participants to obtain a status and encourage continued action was needed in six-months.

3. Second workshop in 1 year – All participants expressed their support for this gathering and believed another similar workshop would be beneficial in one year.

4. Draft an MOU to institutionalize cross border O&M collaboration – the group felt strongly that the current informal arrangements between states are at risk of discontinuing at any time with a change in personnel and a formal MOU was needed. Idaho provided an example of a joint powers agreement with Wyoming to share resources on a key state highway over Teton Pass between the two states (see Attachment D). This could be used as a starting point to develop a North/West Passage MOU between the states.

Also discussed was what the North/West Passage Coalition could do in support of these activities. The following is a brief list of suggestions.

- Sponsoring another workshop in 1 year
- Engage FHWA
- Explore homeland security options corridor-wide
- Research a possible joint earmark in the next reauthorization
- Research involving the freight industry for support
Workshop Evaluation Summary

The following represents a summary of the comments received from completed workshop evaluation forms from the participants at the conclusion of the meeting.

1. **What do you hope to get out this workshop?**
   - Contact with other states within the area of influence.
   - Gain insight on how to better apply ITS to practical operations needs in any state and on the corridor.
   - Identify opportunities for info sharing and coordination.
   - Better understanding of what each state is doing now and/or planning for the future.
   - Understanding the similarities and differences/challenges we have.
   - Better understanding of what the North/West Passage mission is trying to achieve.
   - Pick up ideas I can use and implement.

2. **What did you get out of the workshop?**
   - Lots of information, better understanding of corridor operations needs and opportunities. I got what I hoped for.
   - Affirmation that other states are interested in sharing/coordination.
   - List of options to work on.
   - Contacts.
   - Some good ideas of what we can do next as far as coordinating with other states.
   - Better understanding of what other states are currently doing, their challenges, and what resources they currently have.

3. **What will your next steps be?**
   - Discuss this workshop with our management on how we can improve, not only O and M on the I94/90 corridors but other roads we share with other states.
   - Develop an action plan for our state and try to implement it within the year.
   - Will check and provide our examples of “rural” TMC SOP’s.
   - To follow up on some of the action items that were identified, so NWP can continue to improve.

4. **Comments.**
   - Well done, very productive.
   - Very useful workshop.
   - Good and interesting workshop.
   - Very good workshop…worth the time.
   - I thought the workshop was well facilitated.
   - Great meeting – very informative.
May 20, 2008 - Workshop Dinner
6:00 pm  Dinner served at the Holiday Inn Select and Suites
   - Welcome
   - North/West Passage Project Overview

May 21, 2008 - Workshop
8:15 am  Introductions and Workshop Expectations

8:45 am  Potential Benefits of Cross Border Operations and Maintenance Collaboration

9:15 am  Maintenance and Operations Lessons Learned
   - Two examples provided by participants
     o  Idaho/Montana
     o  Wyoming/Montana
   - Facilitated round robin discussion of additional lessons learned

10:15 am  Break

10:30 am  North/West Passage O & M Collaboration Vision Determination

11:45 am  Lunch

1:00 pm  Achieving the O & M Collaboration Vision – Current Practices

1:45 pm  Tools and/or Resources Available to Reach the Vision
   - Bob Koeberlein, Idaho – 511 Traveler Information Systems
   - Dave Huft, South Dakota – Maintenance Decision Support System (MDSS)
   - Dave Huft, South Dakota – Clarus Status Report
   - Facilitated round robin discussion of additional Tools and Resources

2:45 pm  Break

3:00 pm  Issues and Barriers to reaching the Vision

3:45 pm  Wrap up/Next Steps

4:45 pm  Adjourn
## ATTENDEE LIST

<table>
<thead>
<tr>
<th>Name</th>
<th>Agency</th>
<th>Email Address</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ginny Crowson</td>
<td>Minnesota DOT</td>
<td><a href="mailto:ginny.crowson@dot.state.mn.us">ginny.crowson@dot.state.mn.us</a></td>
<td>651.234.7058</td>
</tr>
<tr>
<td>Dean Deeter</td>
<td>Athey Creek Consultants</td>
<td><a href="mailto:deeter@acconsultants.org">deeter@acconsultants.org</a></td>
<td>503.343.9602</td>
</tr>
<tr>
<td>Bob Frey</td>
<td>HNTB</td>
<td><a href="mailto:rfrey@hntb.com">rfrey@hntb.com</a></td>
<td>414.359.2300</td>
</tr>
<tr>
<td>Rick Gifford</td>
<td>Washington DOT</td>
<td><a href="mailto:giffordr@wsdot.wa.gov">giffordr@wsdot.wa.gov</a></td>
<td>509.577.1985</td>
</tr>
<tr>
<td>Troy Gilbertson</td>
<td>North Dakota DOT</td>
<td><a href="mailto:tgilbert@nd.gov">tgilbert@nd.gov</a></td>
<td>701.239.8904</td>
</tr>
<tr>
<td>Robin Gray</td>
<td>Wyoming DOT</td>
<td><a href="mailto:robin.gray@dot.state.wy.us">robin.gray@dot.state.wy.us</a></td>
<td>307.674.2336</td>
</tr>
<tr>
<td>Dave Huft</td>
<td>South Dakota DOT</td>
<td><a href="mailto:dave.huft@state.sd.us">dave.huft@state.sd.us</a></td>
<td>605.773.3358</td>
</tr>
<tr>
<td>Mike Kisse</td>
<td>North Dakota DOT</td>
<td><a href="mailto:mkisse@nd.gov">mkisse@nd.gov</a></td>
<td>701.328.4410</td>
</tr>
<tr>
<td>Fred Kitchener</td>
<td>McFarland Management</td>
<td><a href="mailto:fmkitch@mindspring.com">fmkitch@mindspring.com</a></td>
<td>208.331.0072</td>
</tr>
<tr>
<td>Bob Koeberlein</td>
<td>Idaho Transportation</td>
<td><a href="mailto:robert.koeberlein@itd.idaho.gov">robert.koeberlein@itd.idaho.gov</a></td>
<td>208.334.8487</td>
</tr>
<tr>
<td>Jim Kranig</td>
<td>Minnesota DOT</td>
<td><a href="mailto:jim.kranig@dot.state.mn.us">jim.kranig@dot.state.mn.us</a></td>
<td>651.234.7020</td>
</tr>
<tr>
<td>Doug Moeller</td>
<td>Montana DOT</td>
<td><a href="mailto:dmoeller@mt.gov">dmoeller@mt.gov</a></td>
<td>406.523.5803</td>
</tr>
<tr>
<td>Curt Pape</td>
<td>Minnesota DOT</td>
<td><a href="mailto:curt.pape@state.mn.us">curt.pape@state.mn.us</a></td>
<td>651.366.3571</td>
</tr>
<tr>
<td>Dalelynn Polson</td>
<td>Wyoming DOT</td>
<td><a href="mailto:dalelynn.polson@dot.state.wy.us">dalelynn.polson@dot.state.wy.us</a></td>
<td>307.777.4623</td>
</tr>
<tr>
<td>Tina Roelofs</td>
<td>Athey Creek Consultants</td>
<td><a href="mailto:roelofs@acconsultants.org">roelofs@acconsultants.org</a></td>
<td>651.207.5638</td>
</tr>
<tr>
<td>Ed Ryen</td>
<td>North Dakota DOT</td>
<td><a href="mailto:eryen@nd.gov">eryen@nd.gov</a></td>
<td>701.328.4274</td>
</tr>
<tr>
<td>Jon Swartz</td>
<td>Montana DOT</td>
<td><a href="mailto:joswartz@mt.gov">joswartz@mt.gov</a></td>
<td>406.444.6157</td>
</tr>
<tr>
<td>Tom Swenson</td>
<td>Minnesota DOT</td>
<td><a href="mailto:thomas.swenson@state.mn.us">thomas.swenson@state.mn.us</a></td>
<td>218.846.7970</td>
</tr>
<tr>
<td>Harold White</td>
<td>Washington DOT</td>
<td><a href="mailto:whitehl@wsdot.wa.gov">whitehl@wsdot.wa.gov</a></td>
<td>509.324.6550</td>
</tr>
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### NORTHWEST PASSAGE POOLED FUND
#### O&M COORDINATION
#### IDAHO TRANSPORTATION DEPARTMENT ACTION PLAN
8/12/2008

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<th>ITEM</th>
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<th>RESPONSIBLE PERSON</th>
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<tr>
<td>Add Yakima, WA TMC to CARS Messenger alerts for US 12 major events.</td>
<td>Complete</td>
<td>Alison Lantz</td>
</tr>
<tr>
<td>Add Spokane, WA TMC for CARS Messenger alerts for I-90 and US 2 major events</td>
<td>Complete</td>
<td>Alison Lantz</td>
</tr>
<tr>
<td>Collaborate with Spokane TMC regarding sharing video and data from ITD District 1 (Coeur d’ Alene)</td>
<td>Initial discussion on June 13, 2008</td>
<td>Bob Koeberlein</td>
</tr>
<tr>
<td>Collaborate with WASHDOT on building a westbound DMS on I-90 in Idaho.</td>
<td>Initial discussion on June 13, 2008</td>
<td>Bob Koeberlein</td>
</tr>
<tr>
<td>Collaborate with MDOT regarding building and operating an RWIS site at Lost Trail Pass Rest Area.</td>
<td>Met with MDOT on June 26, 2008, MOU in review</td>
<td>Kent Wetzstein</td>
</tr>
<tr>
<td>Develop MOU for snow plowing and slide clearance beyond Idaho borders for WA, MT, and WY.</td>
<td>ID-WY MOU circulated for comment</td>
<td>Bob Koeberlein</td>
</tr>
<tr>
<td>Develop protocol for posting out of state closures in Idaho CARS-511.</td>
<td>Met to discuss on July 11, 2008, work started</td>
<td>Alison Lantz</td>
</tr>
<tr>
<td>Complete posting of RWIS data on CLARUS website.</td>
<td>on-going</td>
<td>Kent Wetzstein</td>
</tr>
<tr>
<td>Support development of North/West Passage website.</td>
<td>not started (next phase)</td>
<td>Alison Lantz</td>
</tr>
<tr>
<td>Confirm call forwarding to neighboring states for CARS-511</td>
<td>Complete</td>
<td>Alison Lantz</td>
</tr>
<tr>
<td>Confirm web links for neighboring states on 511 website</td>
<td>Complete</td>
<td>Alison Lantz</td>
</tr>
</tbody>
</table>
Attachment D

The following pages contain the Joint Powers Agreement between Idaho and Wyoming. This is included here as an example of a possible MOU between the N/W Passage states that would formalize and better define coordination and collaboration of O&M activities at state borders.
JOINT POWERS AGREEMENT
BETWEEN THE IDAHO TRANSPORTATION DEPARTMENT
AND THE WYOMING DEPARTMENT OF TRANSPORTATION

1. **Parties.** This Agreement (hereinafter referred to as “Agreement”) is made and entered into by and between the Idaho Transportation Department, whose address is P.O. Box 97, Rigby, Idaho 83442 (herein, ITD) and Wyoming Department of Transportation, whose address is P.O. Box 1708 (82009), 5300 Bishop Blvd., Cheyenne, Wyoming 82003-1708 (herein, WYDOT).

2. **Authority to Contract:**
   a. Idaho Transportation Department is granted authority for this Agreement by Idaho Code §67-2332 (authorizing such interstate Agreements) and Idaho Code §40-310 (powers and duties of the Idaho Transportation Board).
   b. Wyoming Department of Transportation is granted authority for this Agreement by Wyoming Statute §16-1-101 (authorizing such interstate Agreements) and Wyoming Statute §24-2-102 & 103 (powers and duties of the Wyoming Department of Transportation).

3. **Purpose.** ITD agrees to assist WYDOT in removing snow from Wyoming State Highway 22 in Teton County, Wyoming from milepost 17.49 to milepost 11.70 when such assistance is requested by the Wyoming Department of Transportation.

4. **Term of Agreement.** This Agreement shall commence upon the day and date last signed and executed by the duly authorized representatives of the parties to this Agreement, and shall remain in full force and effect until terminated. This Agreement may be terminated at any time, without cause, by either party upon thirty (30) days written notice to the other party, which notice shall be delivered by hand or by certified mail.

5. **Payment.** WYDOT agrees to reimburse the ITD for the services provided hereunder at the actual cost of the labor and equipment used in providing such services as rendered. The ITD will provide WYDOT an itemized invoice within 30 days following the rendition of such services which details the cost of the services provided. WYDOT agrees to pay such statement with 30 days of receipt. The parties agree that the total amount of the payments to ITD from WYDOT under this Agreement shall not exceed Thirty Thousand Dollars ($30,000.00) per year.

6. **General Provisions.**
   a. **Amendments.** Either party may request changes in this Agreement. Any changes, modifications, revisions or amendments to this Agreement which are mutually agreed upon by and between the parties to this Agreement shall be incorporated by written instrument, executed and signed by all parties to this Agreement.
b. **Entirety of Agreement.** This Agreement, consisting of four (4) pages, represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral.

c. **Prior Approval.** This Agreement shall not be binding upon either party unless it has been approved by the governing bodies of each of the parties hereto, and executed by both parties before performance begins as described under the terms of this Agreement. Prior to taking effect this Agreement must also be approved by the Attorney General for each state that is a party hereto, or his representative.

d. **Severability.** Should any portion of this Agreement be judicially determined to be illegal or unenforceable, the remainder of the Agreement shall continue in full force and effect.

e. **Third Party Beneficiary Rights.** The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this Agreement shall not be construed so as to create such status. The rights, duties and obligations contained in this Agreement shall operate only between the parties to this Agreement, and shall inure solely to the benefit of the parties to this Agreement. The provisions of this Agreement are intended only to assist the parties in determining and performing their obligations under this Agreement. The parties to this Agreement intend and expressly agree that only parties signatory to this Agreement shall have any legal or equitable right to seek to enforce this Agreement, to seek any remedy arising out of a party’s performance or failure to perform any term or condition of this Agreement, or to bring an action for the breach of this Agreement.

7. **Mutual Indemnification.** In consideration of the agreements herein contained, WYDOT does hereby agree to indemnify, hold harmless and defend the ITD, and the State of Idaho, and their officers, agents and employees from and against any and all losses, claims, damages or expenses, including reasonable attorney’s fees, caused by or arising out of the performance, or any act or omission, of WYDOT or WYDOT’s agents or employees, arising out of the performance of this Agreement. This indemnification shall survive the termination, cancellation or expiration of this Agreement.

In like manner and in consideration of the agreements herein contained, ITD does hereby agree to indemnify, hold harmless and defend WYDOT, and the State of Wyoming, and their officers, agents and employees from and against any and all losses, claims, damages or expenses, including reasonable attorney’s fees, caused by or arising out of the performance, or any act or omission, of ITD or ITD’s agents or employees, arising out of the performance of this Agreement. This indemnification shall survive the termination, cancellation or expiration of this Agreement.

8. **Availability of Funds.** The performance obligation of ITD and the payment obligation of WYDOT hereunder are conditioned upon the availability of labor, equipment and government funds which are appropriated or allocated for the performance of the services contemplated hereunder and the payment of the obligations established herein. If funds, labor or equipment are not allocated and available for the continuance of the services, the Agreement
may be terminated by; either party at the end of the period for which the funds, labor or equipment are available. Each party shall notify the other party at the earliest possible time of the services which will or may be affected by a shortage of funds, labor or equipment. No penalty shall accrue to either party in the event this provision is exercised, and neither party shall be obligated or liable for any future payments due or for any damages as a result of termination under this section. This provision shall not be construed to permit either party to terminate this Agreement in order to acquire similar services from another party.

9. **Contacts:** The following people are authorized by the Idaho Transportation Department to dispatch crews and equipment:

   Brain Kremer, Regional Engineer  
   (W) (208)745-5680  
   (H) (208)325-6054  
   (C) (208)390-2408

   Lyle Holden, Sugar City Foreman  
   (W) (208)356-3575  
   (H) (208)356-7273

The contract names are listed in order of priority. The Idaho Transportation Department will respond only if resources allow.

The following people are authorized by the Wyoming Department of Transportation to request help from the Idaho Transportation Department:

   Leroy Wells, District Maintenance Engineer  
   (W) (307)352-3000  
   (H) (307)875-7017  
   (C) (307)871-4100

   Ernie Potter, Jackson Maintenance Foreman  
   (W) (307)733-3126  
   (H) (307)733-3724  
   (C) (307)690-8307

10. **Workers Compensation.** Employees and agents of the Idaho Transportation Department shall be covered under the workers compensation laws of the state of Idaho at all times when they are acting pursuant to this Agreement.

11. **Signatures.** In witness whereof, the parties to this Agreement through their duly authorized representatives have executed this Agreement on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Agreement as set forth herein.

The effective date of this Agreement is the date of the signature last affixed to the agreement.

**WYOMING DEPARTMENT OF TRANSPORTATION:**

\[signature\]  
(Authorized Signature)  
(March 24, 2006)  
(Date)

**DEAUGER A. McOmie**  
Chief Engineer  
(Name and Title)
IDAHO ATTORNEY GENERAL'S OFFICE APPROVAL AS TO FORM:

(Authorized Signature)  
Deputy Attorney General - Stephen A. Bowers  
(Name and Title)  
12/11/03  (Date)

IDAHO TRANSPORTATION DEPARTMENT:

(Authorized Signature)  
Tom Dryer  
(Name and Title)  
12/17/03  (Date)

WYOMING ATTORNEY GENERAL'S OFFICE APPROVAL AS TO FORM:

(Authorized Signature)  
Douglas J. Moench  
(Name and Title)  
12/3/2003  (Date)