

Bi-State Coordination Committee

The Bi-State Coordination Committee is chartered by member agencies to review, discuss, and make recommendations about transportation, land use, and related issues of bi-state significance.

Clark County

Metro

Multnomah County

City of Vancouver

City of Portland

City of Battle Ground

City of Gresham

C-TRAN

TriMet

Port of Vancouver

Port of Portland

WSDOT

ODOT

September 17, 2013

VIA E-MAIL

Bi-State Coordination Committee Members:

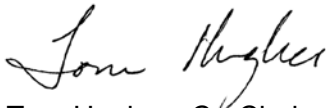
On behalf of Metro and the Regional Transportation Council (RTC), we would like to invite you to a meeting of the Bi-State Coordination Committee. As co-chairs of the committee, we have scheduled a meeting for October 17, 2013 at 7:30 am at Metro in the Council Chamber to consider the possibility of reconvening the Committee going forward. The Bi-State Coordination Committee has not met in over three years, due in part to the ongoing bi-state focus on the Columbia River Crossing project. Yet many important opportunities and challenges lie ahead of us as a bi-state region, making this an opportune time to consider re-launching the Committee.

Established in 1999, a Bi-State Transportation Committee came together to review transportation issues of bi-state significance. Regional partners agreed to broaden the committee's focus in 2004, and reconstituted it as the Bi-State Coordination Committee. The new Charter identified land use and economic development, in addition to transportation, as issues for the committee to address. As you can read in the attached Bylaws and Charter, the committee is charged with sustaining a regional dialogue to share information and encourage bi-state collaboration.

The purpose of the October 17 meeting is to have an open discussion of our collective vision for the future of the Bi-State Coordination Committee. We hope to begin to identify common interests, current challenges and opportunities, and who should be at the table if we choose to proceed. Furthermore, we will discuss what the committee can do to add value and improve regional communication and collaboration, while not duplicating the work of other groups.

We look forward to meeting with you and gathering your feedback. Please let us know if you have any questions.

Best regards,



Tom Hughes, Co-Chair
Bi-State Coordination Committee
Metro Council President



Steve Stuart, Co-Chair
Bi-State Coordination Committee
Clark County Commissioner



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October 21, 2013

Governor John A. Kitzhaber and Members of the Oregon Legislature
Oregon State Capitol
Salem, OR 97301

Dear Governor, Senators, Representatives:

On behalf of the Bi-State Coordination Committee, we are writing to express our continued support for the Columbia River Crossing project and to highlight the urgency of moving quickly to approve the project as currently proposed.

The Bi-State Coordination Committee was chartered in 2004 to be a forum for Portland/Vancouver local governments and transportation agencies to coordinate on issues of bi-state significance, including land use and transportation issues which may have environmental, economic development and environmental justice implications. In the past, the Bi-State Coordination Committee has been actively engaged in developing the Columbia River Crossing (CRC) project as a multi-modal improvement, and we remain committed to its implementation.

We understand and support the importance of bi-state partnerships needed to fix the I-5 Columbia River crossing problem. Further, we note the support of a majority of the members of the Washington Legislature for the bi-state CRC project despite that body's failure to provide a Washington state funding contribution. This support adds to the support expressed by the City of Vancouver, C-TRAN and WSDOT through their commitment as key partners in the state of Washington.

When the Oregon Legislature approved HB 2800 and Governor Kitzhaber signed it into law, a number of conditions were established relating to legal and financial feasibility and permitting that have now been satisfied. We urge you to move as expeditiously as possible to convene a committee for hearings to vet the completed conditions and move an action to a special session of the full Legislature.

Because the bi-state partnerships are in place, we cannot overstate the importance of moving as quickly as possible. The project is well positioned for a significant federal funding commitment which could evaporate if the project is delayed. Further, restrictions on working in the water add to the urgency of acting quickly. The project's construction schedule is tied to work in the water in a narrow window of September 15 to April 15. In-water work must be completed to allow out-of-water work to take place throughout the rest of the year. For this reason, a delay of a few months will result in missing the in-water window and the loss of a full year of construction time, which in turn will result in escalation of project cost. Action by the Legislature is needed soon to allow the project right-of-way to be acquired and to carry out the procurement process to get a contractor on board prior to the start of the in-water work window. Delay costs the state taxpayers real money and results in continued unpredictability and uncertainty for local communities.

Thank you very much for your hard work to date and for your consideration of our concerns. We look forward to working with you to advance this critically important project for our bi-state region. Time is of the essence.

Best Regards,



Tom Hughes, Chair
Bi-State Coordination Committee
Metro Council President



Steve Stuart, Vice-Chair
Bi-State Coordination Committee
Clark County Commissioner



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WASHINGTON/OREGON INTERSTATE COOPERATION PROJECT DRAFT FINAL REPORT

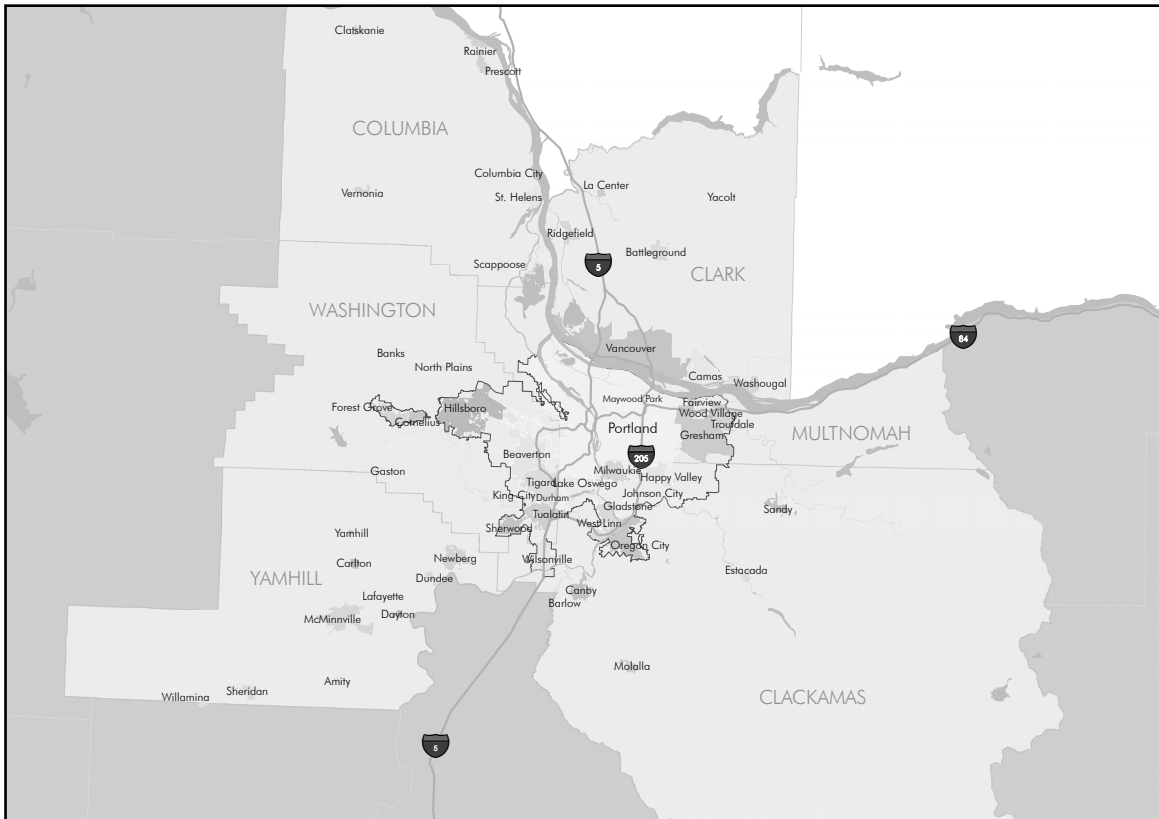
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October 2007

Institute of Portland Metropolitan Studies
School of Urban Studies and Planning
College of Urban and Public Affairs
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IMS Mission Statement

The Institute of Portland Metropolitan Studies is a service and research center located in the College of Urban and Public Affairs at Portland State University. The mission of the Institute is to serve the communities of the Portland-Vancouver metropolitan area and to further the urban mission of Portland State University by:

- Identifying the most pressing issues facing this metropolitan area and its communities, and developing the data and other information needed to fully communicate their scope and significance;
- Building capacity in the region to address critical metropolitan issues by:
 - Brokering partnerships among faculty, students, and area communities to foster new understanding of and/or new strategies for addressing those issues; and
 - Acting as a catalyst to bring elected officials, civic and business leaders together in a neutral and independent forum to discuss critical metropolitan issues and options for addressing them; and
 - Developing new resources to support research and service activities needed to meet those objectives.

By acting effectively on this mission statement, the Institute will enable the:

- University to help advance the economic, environmental, and social goals held by the communities of the region; and
- Communities of this region to act collectively to seek and secure a sustainable future for this metropolitan area.

1 Introduction

“The resurgence of regionalism is due in part to the gradual devolution of federal responsibilities, states’ mutual interest in better planning and communication, and the desire to improve state management and programs.” (Chi, 59)

Local and state governments are responsible for providing a variety of services to their residents, including the provision and management of physical infrastructure, public schools, safety and emergency management, and management of natural resources. Many of these services can be provided more efficiently and effectively if local governments work together to achieve the most efficient scale, to leverage resources, and to share best practices.

In Oregon, some of this regional coordination is provided by Metro, the directly elected regional government that serves Clackamas, Multnomah and Washington counties. Metro, however, is a creature of Oregon law and does not represent the citizens of Clark County, Washington. Thus, Metro’s responsibilities for open space and parks, plans for land use and transportation, and garbage disposal and recycling do not extend across the river to Clark County. In the absence of this authority, Metro has tried to coordinate with Clark County through a number of advisory committees that include Clark County members. This includes the Joint Policy Advisory Committee on Transportation (JPACT), which has representation from the Washington Department of Transportation the City of Vancouver, and Clark County; and the Metro Policy Advisory Committee (MPAC), which has advisory members from Clark County and the City of Vancouver.

In Washington State, transportation planning is conducted by the Regional Transportation council (RTC), while land use planning decision are made by the County Commission. The RTC serves as the Metropolitan Planning Organization for the Clark County portion of the metropolitan region, as well as the state-designated Regional Transportation Planning Organization (RTPO) for the three-county area of Clark, Skamania, and Klickitat. The RTP includes members representing Metro and the Oregon Department of Transportation to facilitate cross-border communication and coordination.

The Bi-State Coordination Committee is a group of regional leaders from the region’s cities, state departments of transportation, metropolitan planning organizations, ports, and transit agencies. These regional leaders are charged with coordinating decisions around land use and transportation among their members. But land use and transportation are only the most obvious of those issues that require the states to act in a coordinated manner for actions to be effective. And the RTC’s authorizing mechanism—resolutions or other approval actions issued separately by each member agency—is only one of many that might be used.

The Bi-State Coordination committee therefore commissioned this study to examine opportunities for deeper and broader cooperation between the states within the metropolitan area, to identify issue areas in which the investment in stronger ties might bring the greatest benefit, and to make recommendations regarding how to proceed to capture these benefits.

Objectives

The objectives of this report are to:

- Create an inventory of opportunities for bi-state cooperation that are difficult to capture in the current environment.
- Review and summarize steps taken by other states to benefit from a framework for bi-state or multi-state cooperation.
- Summarize the key benefits available to the region using a bi-state cooperation framework.
- Describe the key legal and organizational tools that can be used to provide a bi-state cooperation framework.
- Describe some of the challenges to bi-state cooperation and how these have been addressed in past, successful cooperative efforts.

Methodology

Three primary sources of information were used to compile the information in this report:

- literature and information on bi-state agreements and cooperation;
- interviews with key informants in the local area about their experiences with and hopes for bi-state cooperation;
- interviews with key informants in other states that have worked on multi-state agreements.

We gathered this information using the following process:

Task 1: Review available literature

We examined the available literature on existing formal and informal multi-state and regional agreements and structures for cooperation. This review helped us to catalogue the different mechanisms for bi-state cooperation, explain where they are normally used, and understand their advantages and disadvantages.

Task 2: Develop a list of local informants

Using the advice of an advisory group formed specifically for this purpose, we developed criteria for selecting local informants and used it to select individuals to interview. The criteria included:

- Hands-on experience working on bi-state issues;
- Decision maker, or right-hand-person to decision maker
- Understanding of institutional and policy issues in bi-state cooperation
- Balance on each side of the border and on key policy issues
- Affected by how bi-state issues are resolved.

The total number interviewed was 35. The list of persons interviewed is in Appendix A.

Task 3: Develop interview protocol

The protocol was developed with the objectives of the study in mind and with the assistance of the advisory committee. Washington State University's Institutional Research Board approved the protocol.

Task 4: Conduct interviews

The individuals were contacted, meetings were scheduled, and the interviews were conducted. The interviewees were asked to provide informed consent. In most cases the interviews were recorded. A few interviewees requested that the interviews not be recorded.

Task 5: Transcribe and summarize the interviews

Unless the interviewee specifically asked not to be recorded, we tape recorded the interviews and transcribed them. Where recordings were not allowed, we took notes during the interview and summarized them.

Task 6: Identify key themes

We reviewed the interview transcripts and summaries and identified the most common themes and ideas identified during the interviews. To ensure that our individual biases did not affect our identification of themes, the two researchers reviewed both sets of interviews and checked each other's work.

Task 7: Interview key informants in other states

We identified several cross-border cooperation projects that appeared to have some interesting parallels to the situation in the Portland-Vancouver region. We interviewed 11 people involved in these bi-state or multi-state cooperation agreements and, similar to the procedures used for our local informants, pulled key themes from their interviews

Contents of this Report

This report includes three additional chapters and two appendices

- Chapter 2, Background, describes in greater detail the motivation for cross-state partnerships and summarizes some of the partnerships that exist between Washington and Oregon in the metropolitan area.
- Chapter 3, Key Themes, draws from our interviews of local stakeholders to identify the main findings regarding the key benefits from better cooperation, policy areas in which better cooperation is required, what factors have led to success in the past how to apply those to improve our cooperation in the future.
- Chapter 4, Recommendations, offers some observations regarding the most productive areas to explore and the next steps required for getting there.
- Appendix A contains the list of persons interviewed.
- Appendix B contains the interview protocols.

2 Background

This section provides context for the interviews we conducted with the key local stakeholders and people from other states. It describes motivations for regional action, mechanisms available for interstate cooperation, and examples of how several of these mechanisms are used in the Portland/Vancouver metropolitan region to address policy issues.

Motivations for Regional Action

It is generally accepted today that metropolitan regions are the relevant unit of economic and demographic analysis. As Kathryn Foster explains in her 2001 report, “Regionalism on Purpose,” regions offer a scale that is large enough to address complicated issues that cross local jurisdictional boundaries. They also are sufficiently large to allow markets and businesses to capture economies of scale and scope (Pastor et al 2000). Yet they are also small enough to develop and maintain the relationships that are essential to developing a solution that fits the local area. (Foster 2001).

The Portland-Vancouver region is no exception. Without a doubt, workers in the metropolitan region travel throughout the region to find jobs. Among workers who live in Washington County, only 55 percent actually work in Washington County; most of the remainder commute to jobs in neighboring Multnomah, Clackamas, and Clark counties. Among workers who live in Clackamas county, only about 36 percent also work in the county, with the remainder commuting from around the region (Martin 2007). Multnomah county residents also commute throughout the region, and although Clark County residents are much more likely to work in their home county, they, too commute to surrounding counties to work, including approximately 66,000 employed in Multnomah county.

This regional pattern of commuting is reflected in the fact that the counties’ unemployment rates move together. Although some counties’ unemployment rates are consistently higher or lower than the others, during times of economic expansion the gap between the highest and lowest rate narrows. This implies that economic expansion is broadly shared among the population of the region’s counties. Thus, residents of Multnomah County benefit from economic growth that occurs in Clark County, and vice versa (Martin, 2007).

And certainly, work is not the only reason that people cross local and state boundaries. Access to services such as health care and libraries; specialized retail, and unique cultural, sports, and dining experiences; visits to friends and family all encourage people to move about and occupy the entire region.

This regional mobility leads to external benefits and costs. If Clark County builds a new concert venue, people will cross the river to see high profile acts. If an upscale shopping center is built in Washington County, Clackamas county residents will shop there. And if a big new manufacturing plant opens in Gresham, people from throughout the region will have access to well-paying jobs.

Along with the shared benefits, the region shares the negatives. Criminals don't stop at city or county borders. A shortage of health care workers can affect hospitals across the region. Air and water pollution affect air and watersheds shared by all. Any given traffic jam affects residents in the entire region and slows freight traffic that delivers goods and services to homes and businesses.

These dynamics are not unique to the Portland/Vancouver metropolitan region, but are common in regional hubs that cross state lines. As a result, metropolitan areas across the country are working toward models of regional action and governance. In pursuing these models, they often point to the "equivalence principle:" the decision-making unit should equate to its financing unit and the area affected (Foster 2001). Metropolitan regions as diverse as Chicago, Nashville, Miami, Denver, San Francisco, Washington, DC/Baltimore and Minneapolis have pursued regional solutions to a variety of issues that affect the entire region and therefore must be solved with regional action.

Our region faces a situation that some, but not most, of these other regions face: a state border in addition to a local border; and one that separates two asymmetrically sized populations: Clark County, on the Washington side, with almost 400,000 residents, and the remaining five metropolitan counties, on the Oregon side, with about 1.7 million residents. The state border complicates the development of regional governance in a number of ways: different tax and financing systems, regulatory regimes, and lines of authority complicate the search for the solution that meets the requirements of the "equivalence principle."

Nevertheless, regions around the country have developed cooperation and decision making structures to address a variety of issues. Below, we describe a continuum of arrangements for fostering cooperation between states and identify the issues addressed within these agreements.

How Do States Work Together?

Major public policy issues transcend city, county, state, and even national borders; consequently, the various levels of government must learn to work cooperatively in order to solve these major policy issues. Regional collaborations bring together stakeholders from government, the private and nonprofit sectors, and from social service agencies and civic organizations.

Overcoming overlapping political and administrative jurisdictions within a state—vertical intergovernmental relations—has a long history in the United States; however, horizontal or bi-state or multi-state intergovernmental relations, which are also common, have been studied less frequently. Horizontal intergovernmental cooperation is also more challenging because states find themselves competing rather than cooperating, usually in their effort to attract new business and industry to the state, and because each state has its own political culture, heritage and governmental style (Beyle, 109).

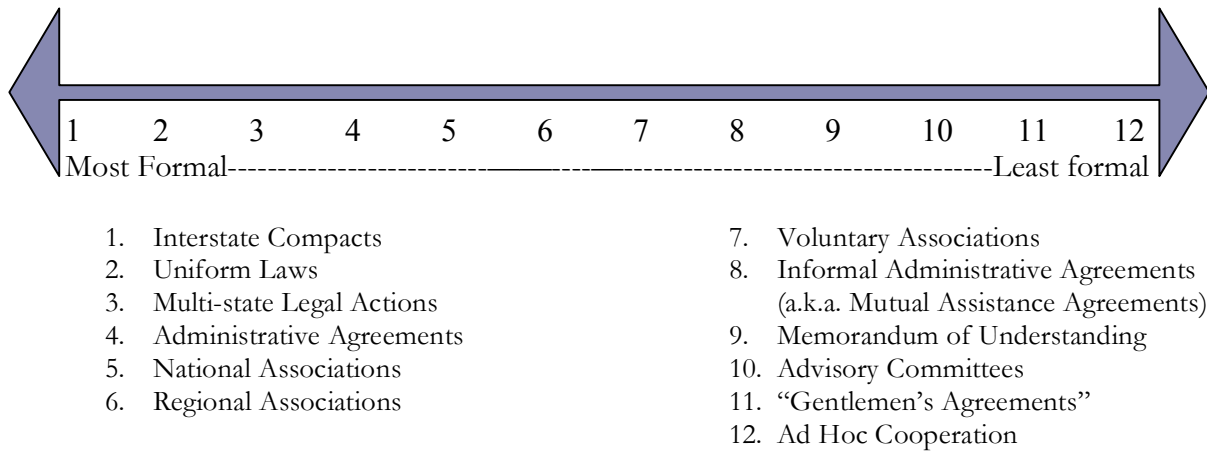
Often, in order to overcome these challenges to interstate cooperation, the social and political conditions must be such that cooperation is possible and government and nongovernmental stakeholders must make a concerted effort to engage in coalition building to help shape public perception about the advantages of a regional approach to problem solving.

This section of the report describes and charts the various mechanisms that exist for horizontal intergovernmental relations. It is followed by examples of these mechanisms in the Western region.

The Continuum of Multi-state Cooperation

Cooperation between states ranges from formal institutional arrangements such as an interstate compacts, to informal arrangements such as voluntary associations and advisory committees. This range is illustrated in Figure 1. The nature of the policy problem affects the mechanism best suited to solve the problem.

Figure 1. Continuum of Bi-State Partnership Mechanisms



Interstate Compacts

An interstate compact is the most formal mechanism for regional cooperation. The authority of states to work across state boundaries to solve mutual problems is recognized in Article I, Section 10 of the United States Constitution which reads, "No State shall, without the Consent of Congress . . . enter into any Agreement or Compact with another State, or with a foreign power." This clause, by negative implication, thus authorizes states to enter into compacts with each other with the consent of Congress. However, compacts may be restricted by other national-level action such as treaties with foreign nations, federal laws and state constitutions which may preclude such cooperation (Zimmerman, p. 34)

The compact clause was included in the Constitution because the framers were aware of the inevitability of interstate cooperation. According to Zimmerman, "The drafters of the compact clause viewed it as providing flexibility for the new federal system in solving regional problems by the cooperative exercise of reserved powers, thereby negating the need for Congress to exercise delegated powers to solve the problems. Hence, the compact instrument was included in the constitution as a tool for defining, approaching, and solving interstate problems without congressional intervention." (Zimmerman, 34) To some, compacts best protect the states' efforts to solve a regional policy problem and are a preferred approach to the alternative, which would be federal action.

Compacts are legal agreements between two or more states entered into to deal with a problem or concern that crosses state boundaries. Because of its contractual nature, a compact takes precedence over prior law and over legislation that may later be enacted by member states. Because a compact is also a contract between the participating states, it differs from other statutes. As a contract, an interstate compact is binding on member states in the same manner as

any other contract entered into by an individual or corporation. Once entered into, compacts cannot be unilaterally amended or repealed. If a state violates or fails to honor the terms of a compact, an offended state or states may sue in state or federal court. Compacts also lead to the creation of administrative structures that are used to implement the compact.

Despite the legal force of the compact, states have employed the compact in a variety of ways that are more or less formal and wield more or fewer levels of power. The National Center for Interstate Compacts describes several different types of compacts:

- **Advisory Compacts** are agreements between two or more states that create study commissions that examine a problem and report to the respective states on their findings.
- **Administrative Compacts** have little regulatory authority, but go beyond studying a problem and reporting findings to administering an interstate organization. These organizations serve the states by sharing administrative and investigative functions.
- **Regulatory Compacts** create ongoing administrative agencies whose rules and regulations may be binding on the states to the extent authorized by the compacts. Many regulatory compacts require congressional consent because they regulate areas within Congress's enumerated powers.
- **Boundary compacts** establish or alter the boundaries of a state. These compacts must be approved by Congress and can only be changed by a subsequent compact approved by Congress.

Interstate compacts are frequently described as a difficult mechanism for regional cooperation because they require the consent of two or more jurisdictions that represent different constituencies and sometimes must be approved by Congress. However, the level of difficulty involved in passing a compact is dictated by the nature and complexity of the policy problem. Most agree that the compact device is most useful for addressing legal and narrowly-conceived administrative problems rather than complicated and intricate problems of state social and economic policy (Ridgeway, p. 17-18). One major advantage of compacts is that they create a longstanding, formal institution through which the states can interact, which increases the likelihood of successful interstate cooperation.

Multi-state Legal Action

One highly formal yet infrequently used mechanism for interstate cooperation is collective legal action where states unite with one another and use the courts to serve a common interest. A key player in this type of interstate cooperation is the National Association of Attorneys General (NAAG). This association, organized in 1907, "fosters interstate joint efforts relative to law enforcement and legal issues, conducts research, disseminates information to its members and their staffs, provides legal research assistance to members, supports attorneys general who have cases before the U.S. Supreme Court, encourages enactment of uniform state laws, advocates amendments of federal laws and federal policy changes, and facilitates intercourse between its members" (Zimmerman, 1998). One cooperative activity that takes place outside of NAAG is lawsuits initiated by attorneys general who coordinate their individual suits with one another.

One example of a successful bi-state legal action between Oregon and Washington was the cooperative effort of the state attorneys general in their lawsuits with the Louisiana-Pacific Corporation regarding its claims about the durability of its siding material. The lawsuits, which were settled out of court in 1996, were examples of how efficiencies of scale can be achieved when acting cooperatively. An example of successful multi-state legal action is the effort on the

part of 40 state attorneys general and Puerto Rico's attorney general with five major tobacco companies to settle smokers' lawsuits. This successful multi-state legal action also illustrates how states can initiate remedial actions to solve a national policy problem in the absence of congressional action. However, it was also controversial, as members of Congress and the executive branch were dissatisfied because they did not play a role in the legal action.

An advantage of multi-state legal action is that it gives states more efficiencies when using the courts to achieve policy goals. A disadvantage, however, is the fact that the multi-state cooperation is accomplished on a case-by-case basis, and is also short-term. Once the legal dispute is resolved, the reason for cooperating ends as well.

Uniform State Laws

Uniform state laws fall in next on the continuum as a formal institutional mechanism for regional cooperation. At the end of the nineteenth century, states began a concerted effort to draft uniform laws, usually those pertaining to marriage, divorce and the execution of wills. In 1892 the National Conference of Commissioners on Uniform State Laws was formed; the Conference studies state law, determines the areas of law where uniformity is important, and drafts uniform and model acts for consideration by the states (Annual Report of National Conference of Commissioners on Uniform State Law, 2006). The Conference consists of over 300 commissioners from all fifty states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. Commissioners are typically appointed by the governor, and serve at his or her pleasure. They are usually lawyers, legislators, legislative staff, judges, or law professors, mostly from the private sector, although some may also be employed in the public sector. The Commissioners donate their time and expertise and receive no salary.

The primary goal of the Conference is to bring about consistency, clarity, and stability to state statutory law, but it also acts to defend state law against federalization and to harmonize state law with international law when it is in the states' interest to do so (Annual Report, 2006). This is accomplished through the drafting of uniform laws and lobbying efforts to have the laws enacted. To date, the majority of uniform laws enacted are technical, private laws that govern legal relationships among private individuals; remedies to violations of these laws are provided in the courts. According to one scholar, because of states' distinctive political styles and differences in economic, social life and ethnography, "in matters in which the states have a sharp difference of interest with each other, as in the taxation of interstate business, the taxation of the income of nonresidents, and the competition for industrial and commercial development, uniform legislation will be impossible, or irrelevant unless it happens to embody an adjustment of the conflict acceptable to all parties" (Monypenny, p. 59).

The National Conference of Commissioners on Uniform State Laws also drafts model acts which provide guidance to state legislatures on subjects where uniformity may be desirable, as do other governmental associations, such as the Council of State Governments, citizen and special interest groups, and the U.S. Advisory Commission on Intergovernmental Relations.

Usually the interstate connection is minimal. Once the law is adopted, there is no need to further collaborate on the particular issue because it is up to the state to enforce the law (Bowman, 537). Used at times to preempt federal action; the argument is that states can adopt uniform legislation making federal legislation to address a policy problem unnecessary. Congress may even encourage adoption of uniform state laws by attaching conditions to federal grants.

Formal Administrative Agreements

Administrative agreements are the most often used formal mechanisms for cooperation because they are usually narrowly-drawn solutions to a specific problem. They are essentially

arrangements between heads of functional departments between two or more states that address a multi-state problem. Most states have statutes that authorize leaders of departments and agencies to enter into such cooperative administrative agreements with officials in other states. Administrative agreements may also stem from state statutes which implement interstate compacts. These administrative agreements may involve all sister states, or states may form agreements on a state-by-state basis. Administrative agreements may take the form of administrative reciprocity agreements, such as reciprocal recognition of motor vehicle registration, or cooperative contracts which allow government officials to enter into a cooperative arrangement with an adjoining state for a particular purpose, usually to address an issue that crosses state lines.

Administrative agreements have been increasing in popularity among states because they can be negotiated quickly and amended easily and because they do not require legislative action. Of course, this may also be a disadvantage because administrative agreements do not supersede state statutes, so they are therefore less durable than compacts. But durability may not be the ultimate goal for governments using administrative agreements as a formal mechanism. As noted by Bowman, “in a rapidly changing environment, durability may be less prized than speed and flexibility. If states can forge working arrangements with other states, the mechanism may not matter as much as the result (Bowman, 2004).

Although administrative agreements are more frequently enacted than interstate compacts, they are difficult to study systematically because there is no central data base which lists these agreements (Zimmerman, 50).

National Associations

There are several national associations and commissions that provide a forum for governments at all levels to address regional issues. Often, initial discussions about how to solve an interstate problem begin in these meetings.

The Advisory Commission on Intergovernmental Relations. The Advisory Commission on Intergovernmental Relations is an independent, bipartisan government agency established in 1959 to assist federal, state, and local governments in their intergovernmental relationships. More specifically, the Commission works to “identify emerging intergovernmental issues, trends, and turning points; stimulate thought about American federalism and intergovernmental relationships; educate leaders and the public about the impacts of intergovernmental reforms; and promote stronger intergovernmental communication, cooperation, and coordination as the critical basis for an effective federal system.” (ACIR website)

The 26-member commission is composed of members of Congress, governors, state legislators, mayors, county government officials, private citizens and representatives of the executive branch. Its functions include convening public officials to consider common problems, monitoring the federal system and investigating changes in the system, providing technical assistance to the federal branches of government and recommending changes to improve relations among the levels of government. Although primarily concerned with vertical intergovernmental relations, the ACIR provides a forum for the examination of the federal government’s intergovernmental relationships and it brings major stakeholders together to discuss the benefits of working cooperatively. The ACIR serves as a model for state ACIRs; Washington State established one by executive order in 1982 but it is no longer active. Oregon State does not have one.

The National Governors Association. The National Governors Association is a national organization founded in 1908 to provide a venue for governors and their staff to, among other things, identify priority issues and deal collectively with public policy issues. The NGA is comprised of the 50 Governors of the fifty states, and five U.S. territories. It meets twice a year. The Association also has a Center for Best Practices which helps develop and implement innovative solutions to major public policy problems.

The Council of State Governments. The Council of State Governments is a nonpartisan, nonprofit organization founded in 1933 that provides assistance to state governments. In addition to its main office in Lexington Kentucky and an office in Washington D.C., it has four regional offices across the country to assist states with multi-state and regional efforts. CSG forecasts policy trends and alerts state officials of emerging social, economic and political trends. It offers state policy responses to changing conditions; advocates multi state problem solving and makes experts available to act as consultants to sister states in need of services. The Council promotes multi-state and regional efforts, helps establish links to the private sector and with other civic leaders, and also acts as an umbrella organization to a number of affiliate associations that contribute expertise, information and resources to state governments (CSG web site). For example, the National Center for Interstate Compacts is housed in the Council for State Governments.

The Council of State Governments, like the National Governors Association, also breaks down into regional subgroups to provide a more accessible forum for the discussion of policy issues. The Council of State Governments-West (CSG-WEST) is comprised of the legislatures of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, and associate members include the Pacific islands of America Samoa, the Commonwealth of the Northern Mariana Islands, Guam and the Canadian provinces of Alberta and British Columbia. CSG-WEST provides a forum to discuss issues of common regional concern sharing ideas and experiences and a platform for sharing ideas and experiences for regional cooperation and collaboration between the western states.

Regional Interstate Commissions or Associations

Unlike the Advisory Commission on Intergovernmental Relations and the National Governors Association, which were early multi-state regional mechanisms initiated by the federal government, more recent regional programs have been initiated by the states. These regional organizations, like national interstate organizations, are created to help states and localities deal with policy issues. The organizations can vary in form, from associations that exclusively involve public actors, to public/private partnerships. Often, they are initiated by other, more broadly constructed interstate associations. Examples of these regional organizations include the Western Governors Association, the Pacific Northwest Economic Region and the Western States Water Council.

Western Governors' Association. The Western Governors' Association (WGA) is comprised of the Governors of nineteen western states and the Northern Mariana Islands, America Samoa and Guam. It addresses important policy and governance issues in the West, advances the role of Western states in the federal system and strengthens the social and economic fabric of the region. The association also develops policy in the areas of natural resources, the environment, human services, economic development, international relations and state governance and promotes shared development of solutions to regional problems (WGA mission statement). The Association meets twice a year and also holds workshops and forums throughout the year on critical regional issues.

WGA allows governors to identify issues of regional concern, formulate policy and take action that promotes western interests; to serve as a forum for the exchange of ideas and information; to build rapport and policy expertise among governors and their staff and conduct research on policy matters important to the west; to form coalitions to express positions on matters of shared interest and to build public understanding and support for regional issues and policy positions.

Pacific Northwest Economic Region. The Pacific Northwest Economic Region (PNWER) is a public/private partnership comprised of legislators, governments, and businesses in the states of Alaska, Idaho, Montana, Oregon and Washington and the Canadian provinces of British Columbia, Alberta and the Yukon Territory. It was created in 1991 by uniform legislation passed in each of its member jurisdictions. Its goal is to promote greater regional cooperation by governments and business and to enhance the Pacific Northwest's regional competitiveness while striving to maintain or improve the environment (PNWER website). More specifically, its goals are to promote greater regional collaboration; enhance the competitiveness of the region in both domestic and international markets; leverage regional influence in Ottawa and Washington D.C. and achieve continued economic growth while maintaining the region's natural beauty.

PNWER has organized working groups led by legislative, public sector and private sector members around nine targeted sectors of business and industry (agriculture, environmental technology, forest products, government procurement, recycling, telecommunications, tourism, trade & finance, and transportation). These groups have initiated legislation and sponsored forums and research papers that reflect on how to benefit business and industry to the mutual benefits of all member jurisdictions.

Other Examples of Regional Organizations

- Center for the New West
- Northwest Power and Conservation Council
- Pacific Basin Development Council
- Conference of Western Attorneys General
- Western Interstate Energy Board (works through Western Governors' Association)
- Western Legislative Conference (run through Council of State Governments)
- Western States Arts Federation
- Western States Water Council (created by, accountable to, Western Governors' Association)
- Western United States Agricultural Trade Association
- Western Interstate Commission for Higher Education (created by the Western Regional Education Compact)
- Columbia River Association of Governments (replaced by Metro in Oregon in 1978).

Informal Administrative Agreements or Mutual Aid Agreements

Mutual assistance agreements or mutual aid agreements are arrangements between two or more governments to assist one another, often in the event of a disaster, by sharing resources. These are frequently used by political subdivisions within a state, or with city, county or state government and the federal government, but mutual assistance agreements can also be used between states or between political subdivisions within a state and another state. Parties agree to

provide mutual assistance—people, equipment, and other resources—for a particular purpose. These informal administrative agreements usually codify standardized operational procedures.

Memorandum of Understanding

A great deal of interstate cooperation is conducted through a Memorandum of Understanding (MOU), also known as a Letter of Understanding (LOU) or Letter of Intent (LOI). These documents, which capture a conceptual agreement on an issue and a common line of action, provide a framework for cooperation and coordination between government agencies or between a government agency and private parties. It is essentially a guide to the obligations, intentions and policies of the parties involved. Most MOUs have three basic parts: they name the parties who are jointly specifying their mutual understandings; they state the purpose or underlying premise as to why the parties are participating jointly in the process; and they describe the responsibilities, operations and procedures of the parties. One benefit to the use of MOUs is that they are able to capture easily an agency's commitment to a common purpose and set out expectations for how to proceed. They may also describe actions that would take place if the understanding is breached by one of the parties. They are often very short; often one to three pages long. MOUs can vary in level of formality; some may imply a legal commitment, but they usually lack the binding power of a contract. Government agencies use this mechanism to collaboratively define a policy problem agree on how to cooperatively solve that problem.

Advisory Task Forces, Committees or Commissions

In the absence of a formal institution or statutory authority to work together, stakeholders from multiple states will come together to work on a policy problem in an advisory task force, committee or commission. These stakeholders will often be asked to serve on these organizations as representatives of their states or their administrative agency, but the purpose of the organization is to tackle a policy problem that is regional in scope. These organizations may commission or conduct studies to help guide it in its decision making. The advantage of these informal institutions is that they provide a forum for the discussion of a regional problem. However, the disadvantage is that they are merely advisory; decisions made in these forums are not binding and there is the possibility that the committee or commission members will not honor them, or will face challenges honoring them once they are working in their official capacity back home.

"Gentleman's Agreement"

A "gentleman's agreement" usually takes the form of a handshake or a simple memorandum that captures an understanding of how two parties interact on a particular issue. The cooperation often begins because of a positive personal relationship between two individuals, and later becomes institutionalized in an informal agreement that is written down to guide future leaders. While such informal agreements may evolve over time, institutionalizing the collaboration in the form of a common understanding of standard operating procedures makes it more likely that the cooperation will continue despite relationship or personnel changes.

Ad Hoc Cooperation

Occasionally, the need for states to work cooperatively occurs on a case-by-case or situational basis that may not be acknowledged in an informal or formal institutional arrangement. Consequently necessity leads to cooperation on an ad hoc basis (Zimmerman, 197). An example of cooperation on a case-by-case basis would be police crossing state borders in hot pursuit, and an example of the need for cooperation by necessity is an unexpected natural disaster. In the absence of mutual aid agreements or understandings, ad hoc cooperation may even occur on a large scale, as evidenced by the events of 9/11 and a disaster as large as Hurricane Katrina.

The Oregon/Washington Cooperation Experience

Oregon and Washington have a number of arrangements for working together in many different areas. A few of the highlights of the Oregon/Washington experience are described below.

Transportation Planning and Management

The Oregon Department of Transportation and the Washington Department of Transportation have a long history of planning, building and managing roads and bridges. Transportation, perhaps more than any other issue, is a natural area for cooperation between the two states. After all, bridges must meet in the middle. People understand the importance of coordination because they can see the physical connections and their importance.

In the late 1960s, Oregon and Washington representatives participated in the Columbia River Association of Governments to deliberate over policy issues of concern to both states. Collaboration—with varying levels of success—continued through succeeding decades. In 1999, the Southwest Washington Regional Transportation Council (RTC) and Metro created the Bi-State Transportation Committee to address regional transportation and land use issues.

In 2004, the cities, counties, Departments of Transportation, metropolitan planning organizations, ports, and transit agencies from both states approved a charter that created the Bi-State Coordination Committee (BSCC), a restructured Bi-State Transportation Committee with a broader scope and greater influence. The BSCC retains responsibility for transportation issues of regional importance; in addition, the committee is now charged with examining the connection between land use and transportation in the critical I-5 Corridor. It is also charged with taking a multi-modal approach—including freight rail and transit—in considering the impact of its transportation and land-use decisions within the context of economic development and environmental justice issues.

The BSCC, an example of the advisory committees or commissions described above, has provided critical oversight, guidance, and review for a number of projects of regional significance, including the I-5/Delta Park-Lombard Project, the Freight Rail Update, WSDOT Congestion Relief Project, and the C-TRAN 20 Year Strategic Plan. The I-5/Delta Park Project examined widening and improving access to a section of I-5 in light of a broad range of transportation, neighborhood, economic, and environmental issues.

In January of 1999, the Oregon and Washington Departments of Transportation, in cooperation with regional decision makers, initiated the I-5 Trade Corridor study. A Policy Committee comprised of leaders representing the Washington and Oregon Transportation Commissions, Metro, the City of Portland, City of Vancouver, TriMet, C-Tran, the Port of Portland and Vancouver, and the Clark County Board of Commissioners. This study began making the case for strategic improvements along the I-5 corridor, including at the river crossing.

In addition, in 2005, the Portland Business Alliance, Metro, and the Port of Portland co-funded a study entitled *The Cost of Congestion to the Economy of the Portland Region*, conducted by the Economic Development Research Group. This report would later be instrumental in the recognition that congestion on the I-5 corridor was truly a regional problem.

Finally, the current partnership between the Oregon Department of Transportation and the Washington Department of Transportation on the Columbia River Crossing project continues the long history of cooperation between the states on transportation issues. Begun in 2001 by the Governors of Oregon and Washington as the I-5 Transportation and Trade Partnership, this project is viewed by many involved in the process as a successful example of cross-border cooperation in transportation planning.

Port Facilities and Issues

The Ports of Vancouver and Portland also have a long history of cooperation. Closely related to transportation issues, issues surrounding the management and promotion of port facilities are a natural area in which cooperation is essential for the effective functioning of port operations and navigation systems. Although ports do compete for business, they cooperate more readily than do strictly private sector organizations. As public agencies, cooperation allows the ports to minimize duplication of facilities and thereby improve the return on the public's investment.

The Ports of Portland and Vancouver have been parties to a number of intergovernmental administrative agreements over the past decade or so, covering a number of issues. In 1993, the two ports signed an agreement to cooperate on the development of an automobile import facility at the Port of Vancouver. In 1996, they signed an agreement that promoted information exchange and generated a proposal for joint action, including cooperative marketing and development. This agreement was renewed and expanded in November of 2004. Cost and revenue sharing arrangements are spelled out in detail in the agreements.

Intergovernmental administrative agreements were used as the primary mechanism for the Columbia River Navigation Channel Deepening, a high profile example of bi-state collaboration among the ports. Six ports, including Vancouver, Kalama, Woodland, Longview, St. Helens, and Portland, in cooperation with the federal government, co-sponsored this project to deepen the navigation channel from 40 to 43 feet. After 18 years of study, work on deepening of the navigation channel began in 2005. Over 27 miles of channel deepening is now complete. Deepening the channel will allow deeper-draft vessels to connect Oregon and Washington businesses and consumers to world markets. Conflict over the management of dredge spoils was resolved through the development of a regional association, the Lower Columbia Solutions Group, an Oregon Solutions project designated by the governors of Oregon and Washington.

The region's success in securing nonstop international air service to Europe, Mexico, and Asia and more regular international container service also exemplifies bi-state collaboration. Both involved the work of bi-state advisory committees, consisting of representatives from both the private and public sector from both sides of the river. The business community's promised commitment to use the service played a key role in securing Northwest Air Lines, Air China Cargo, and Lufthansa air service despite the relatively small market size of the region.

Economic and Industrial Development

Perhaps one of the more difficult areas for cooperation is in economic and industrial development. Economic development, particularly recruitment, retention, and expansion of business, is a competitive business. Those charged with economic development activities in a local area are accountable to the public officials elected within a given jurisdiction, thereby reducing their incentive to cooperate across jurisdictional boundaries.

However, there is a broad recognition that coordination and cooperation in some areas of economic development can improve effectiveness and increase the leverage of the limited funding each jurisdiction has available. This seems especially true for economic planning and strategy as well as functions related to marketing the region to companies interested in locating here. As one leader recently noted, "Global businesses are thinking about regions to invest in; they are not thinking about cities or counties or even states."

Areas of cooperation include the following studies, task forces and associations:

The Regional Industrial Lands Study was sponsored by a coalition of public and private organizations on both sides of the border, in conjunction with a broad advisory committee. Completed in October of 2001, the RILS studied the demand and supply of industrial land in the region and identified potential policies to address the gap by increasing the supply of industrial land that is ready for development.

The Metropolitan Economic Policy Task Force was created in 2002 in response to several key developments in the Portland-Vancouver metropolitan region. First, both the Regional Industrial Lands Study and the analysis of the economy of the west side of the region developed by the Westside Economic Alliance concluded that some sort of regional strategy was called for. In addition, the recently completed work of the Portland Development Commission's Blue Ribbon Committee identified the Regional Economic Development Partners as the lead entity for coordinating economic development activities, and that the Partners will likely play an expanded role in the future.

Second, metropolitan areas in other parts of the United States and around the world were beginning to develop regional economic strategies. Several other efforts well known to this region, particularly in places like Austin, Texas, and San Jose, California, have pioneered the organization of efforts to advance high tech economies at a metropolitan scale.

In response to the findings of local studies, to the growing recognition of the metropolitan scale for the region's economy, and to the efforts being made in competitor regions to advance economic development practice and thinking, the Regional Economic Development Partners called for the creation of a Metropolitan Economic Policy Task Force to engage in fact-finding regarding the state of economic development strategy in the region and the degree to which new strategy development is necessary.

The report of the Task Force was the basis for clarifying the nature and extent of economic development strategy needed and desired at the regional level.

The Portland Regional Partners for Business formalized in 2003 a partnership among economic development professionals in the Portland region who had collaborated informally for a number of years. The Regional Partners have a loose affiliation with the Columbia River Economic Development Council in Clark County.

The Comprehensive Economic Development Strategy (CEDS), initiated by The Regional Partners in 2004, was completed in June 2005. The CEDS advisory committee included two Washington representatives—a member of the Clark County Board of Commissioners and the president of the Columbia River Economic Development Council.

The Regional Business Plan was developed by a region-wide steering committee and staffed by the Portland Business Alliance. Based in part on the work that had been completed by the public-sector Regional Partners, the Regional Business Plan developed a private-sector-led strategy for improving the economy in the region. The steering committee, public-sector partners, and partner organizations all include Clark County representatives.

Greenlight Greater Portland is the regional, private-sector-funded marketing and recruiting organization just getting started in the four-county region. Previously known as the Four County Economic Development Corporation, Greenlight Greater Portland is a private consortium of business leaders “dedicated to enhancing economic viability of the greater Portland area by attracting business to, and retaining business in, Clackamas, Clark, Multnomah and Washington counties in northwest Oregon and southwest Washington.” Although primarily a private organization, it also works with public-sector partners in the region. Its focus is on economic development to promote the region’s manufacturing and sustainability interests. The Greenlight Greater Portland effort was a response to the 2006 Regional Business Plan, which recommended a regional approach to economic development, and was itself a successful cooperative effort. It is also an attempt to try to minimize competition between the two states in their effort to attract business to the region. The current board of directors includes Clark County membership.

Groups of manufacturers have organized across state lines to address shared objectives, including workforce development, applied research, and federal funding. These coalitions include The

Manufacturing 21 Coalition, the Northwest Higher Performance Enterprise Consortium, and the Pacific Northwest Defense Coalition.

The International Marketing Partners Group brings together a variety of regional interests to raise awareness of the region in targeted international markets and to align policy and strategic initiatives to maximize the value of international contracts.

Public Safety

Public safety is another area in which a great deal of cooperation is necessary to reliable service to the public. Neither criminals nor natural disasters honor jurisdictional boundaries; the need to keep citizens safe mandates cooperation. Specialized law enforcement and emergency equipment is expensive, and spreading the costs over several public agencies can ease the cost burden on taxpayers.

Both states are parties to several formal agreements (compacts) related to public safety. These include the Emergency Management Assistance Compact, the Interstate Compact for Adult Offender Supervision, the Juvenile Interstate Compact and the Interstate Corrections Compact.

The counties have also signed mutual aid agreements that allow the communities to work together and support each other in the event of a public safety emergency such as a natural disaster, a riot, or a fleeing criminal. Over the past 15 years in which these agreements have been in place, law enforcement executives meet on a quarterly basis to discuss substantive issues and to develop the relationships they will need to assist in the timely response to emergency situations. These situations, would, for example, allow Vancouver police to provide services in Portland when the Portland Police Bureau is dealing with a situation that is tying up their police force.

On the other hand, a lack of coordination on public policy can harm the effectiveness of certain kinds of public safety actions. For example, laws to limit the availability of the ingredients of methamphetamine have been inconsistent between Washington and Oregon. Oregon reclassified ephedrine products as Schedule III controlled substances, which require a doctor's prescription. This restriction took effect July 1, 2006. Washington does not list pseudoephedrine as a controlled substance, and some lawmakers believe this may limit the law's effectiveness in border areas. However, Washington lawmakers have enacted point of sale restrictions, and new federal restrictions have also reduced the differences among the states (Washington State Institute for Public Policy, 2007).

Higher Education and Workforce Training

Higher education plays a key role in the economic vitality of the metropolitan region by providing educational opportunities for citizens, aligning educational programs with industry needs, and advancing technology in the region's key industries. With limited resources, it is essential that we find ways to serve the metropolitan area without unnecessary duplication of services and programs. Universities, community colleges, and workforce development boards in Washington and Oregon have already collaborated on a number of projects that have improved services to students, workers, and companies.

- Clark College has signed co-admission agreements with both Portland State University and Marylhurst University that allow students to enroll simultaneously. PSU will offer upper division classes on the Clark College campus.
- The Oregon Simulation Alliance is working across state borders to expand the use of simulation to expedite the training of healthcare workers.
- WSU-Vancouver and Portland State University have developed joint programs in the humanities, including a Master of Arts degree in History and a joint summer program in anthropology that focuses on excavation at the Fort Vancouver Historic Site.

- The Southwest Washington Workforce Development Council is collaborating with WorkSystems Inc and the Clackamas County Workforce Development Council to align standards and practices for helping employers meet workforce training needs. They have also collaborated on skills panels in high demand professions such as health care and freight/passenger transportation.
- The Utility Education and Training Alliance (UETA) has worked with community colleges in both states to develop and offer workforce training programs for the energy industry.
- The Northwest High Performance Enterprise Consortium, with over 70 member companies in Southwest Washington and Oregon, is supporting worker training in high performance practices to keep companies globally competitive.

But cooperation in other areas has been difficult. One example is tuition reciprocity agreements. Prior to the 2000-2001 academic year, Oregon and Washington had a tuition reciprocity agreement that allowed a fixed number of students to attend the higher education institutions in the other state at resident tuition rates. In the last year of the agreement, 287 Washington students received in-state tuition at Oregon universities, primarily PSU. In the same year, only 75 Oregon students received in-state tuition at Washington State University and Eastern Washington University. Thereafter, the Oregon legislature provided no funding for the program and the agreement was terminated at Oregon's request (Washington HECB, 2005).

However, Oregon community colleges charge in-state tuition to Washington residents. Similarly, a part-time tuition agreement remained in place at PSU even after state-level tuition reciprocity ended. Washington students enrolled part time (eight credits or less) could attend PSU at in-state tuition rates. That policy ended in September of 2006, although students who live in 11 (Oregon or Washington) border counties still receive the benefit. A similar benefit to Oregon students in 13 counties is provided by WSU Vancouver and WSU Tri-cities, and five Washington community colleges.

The Western Interstate Commission for Higher Education (WICHE) is the administrative arm of the Western Region Higher Education Compact, an advisory compact to which Oregon and Washington are both parties. WICHE sponsors three student exchange programs which allow residents from Washington and Oregon and 13 other western states to enroll in out-of-state programs at reduced tuition. The largest of these, the Western Undergraduate Exchange (WUE), allows Washington undergraduate students to attend Oregon institutions at 150% of resident tuition, and vice versa. With six Oregon and four Washington institutions participating, the program provided reduced tuition for 599 Washington residents at Oregon institutions, and for 123 Oregon residents at Washington institutions. PSU received 322 students from Washington under this agreement. WSU received 52 Oregon residents in the same term (Western Interstate Commission on Higher Education, 2007).

Human Services

Cooperation in the area of human services seems somewhat limited because each community focuses on its own residents. But many of the target populations are mobile, and they carry their problems with them when they cross local boundaries.

One example of a program that has united the region across the state boundary is the Bridges to Housing program. This program, managed by the Neighborhood Partnership fund and funded in part by the Meyer Memorial Trust, focuses on the problem of family homelessness with a regional approach. Each of the four counties in the region (Multnomah, Washington, Clackamas, and Clark) and their cities and housing authorities are engaged in the effort to focus on providing stable housing for families, thereby providing the stability that children need to succeed in school and end the cycle of multigenerational homelessness. Participants and leaders view the program

as a successful collaboration that was motivated by the need to pull together to gain funding and improve the effectiveness of services to the homeless.

Environmental/Resource Management

The management of shared natural resources is an obvious area in which cooperation between the states is necessary to ensure coordinated and effective natural resources policy and management. The Columbia River is a national asset whose management must be coordinated among the states and the federal government. For this reason, the Columbia River Gorge Compact was developed in 1987 and created the Columbia River Gorge Commission. The Commission includes six members from each state and a federal nonvoting member. The Commission makes decisions about planning and development of the area designated by the Columbia River Gorge National Scenic Area Act. Powers include disapproving county land use ordinances that are inconsistent with the area's management plan and enacting ordinances setting standards for using nonfederal land within the scenic area. Similarly, the Columbia River Compact, which was established in 1915, provides for the regulation, preservation and protection of fish in the Columbia River. The Pacific Marine Fisheries Compact, formed in 1947, established a commission to promote the conservation, development, and management of Pacific coast fishery resources through coordinated regional research, monitoring, and utilization (GAO 2007).

The Northwest Power Act passed Congress in 1980, authorizing the establishment of the Northwest Power and Conservation Council. The states of Idaho, Montana, Oregon, and Washington were authorized to form the Council (in the Act, Section 4.(a)(2)(A), it is called the Pacific Northwest Electric Power and Conservation Planning Council) with two representatives from each state, appointed by the governors. The Act directed the Council to draw up a plan for meeting the electrical needs of the region at the lowest possible cost (Northwest Power and Conservation Council 2007).

Summary

Oregon and Washington currently cooperate using the full range of instruments demonstrated in Figure 1. On the more formal side, these include the Columbia River Gorge Compact, the Emergency Management Assistance Compact, the Western Region Higher Education Compact, and the Pacific Marine Fisheries Compact, among others (CSG, 2007). They've cooperated in multi-state legal action, such as the recently announced settlement against America Online regarding cancellation issues (NAAG 2007). They also include formal administrative agreements between governmental entities, such as the agreements between the Lower Columbia River Ports and the co-admission agreement between PSU and Clark College. Oregon and Washington both participate in numerous national and regional interstate commissions and associations. On the less formal side, the cities and counties participate in multiple task forces, committees, and commissions formed to advise policy makers on specific issues, such as the Bi-state coordinating committee. The cities and counties participate in mutual aid agreements that cross the state border. Ad hoc cooperation, driven in part by personal relationships among leaders from each state, is also common.

Given the broad experience of bi-state cooperation, we sought to determine whether the current situation is viewed as sufficiently cooperative to handle the needs facing regional leaders, businesses, and citizens, and if not, what kinds of agreements might be used to further the extent of cooperation. The next chapter summarizes our findings from this investigation.

3 Findings and Key Themes

Our interviews with 35 community leaders in the Portland-Vancouver region revealed some common themes among those that have worked across the border. Below, we enumerate the most common responses to the interview questions. If several respondents provided the same response, it was identified as a theme and was captured in the summary below. However, we also point out where some level of disagreement is evident.

This chapter begins with a review of some of the barriers that pose an obstacle to bi-state cooperation, followed by a summary of the advantages and disadvantages to cooperation, a review of past cooperative efforts cited as successful, and a discussion of the key factors that made such efforts successful.

Challenges to Cooperation

The interviewees were asked to identify barriers – both formal and more subtle, that may hinder bi-state cooperation. The following barriers, listed in the order of their frequency of response, illustrate the challenges to bi-state cooperation between Oregon and Washington.

Structural/Institutional Differences between Oregon and Washington

The challenge to bi-state cooperation most frequently identified by interviewees from both sides of the river were the differences in the political and bureaucratic structure of the two states. As one interviewee noted, “Politics, obviously is one of the overhanging black clouds to real strong cooperation. We are two different states, we have two different sets of state laws and we’ve been organized differently.”

Politically, cooperation is difficult because of the different organization, politicians and priorities of the two legislatures. Oregon holds biennial sessions, while Washington holds annual sessions, so the legislatures are often not in office at the same time; Oregon state legislators tend to see themselves more as “citizen legislators” than their counterparts in Washington, and the attention of political leaders in both states is pulled in different directions, with the Oregon Legislature focusing on Portland and the Washington Legislature on the Puget Sound area. This directly affects regional cooperation. As one interviewee explained, “because Washington state is very Puget Sound-centric and Oregon is very Portland-centric . . . the disconnect between Southwest Washington and Portland as far as political clout . . . has been a challenge. Things that are real important to people in Portland may not necessarily rise to the same level of priority to the Governor of Washington who’s got to deal with Seattle issues.”

Looking more specifically at the Portland/Vancouver metropolitan region further highlights other institutional challenges. Both the size and political structure of the immediate cities are significantly different. Portland, which serves about 560,000 people, has a commission form of government, with elected city council members and a weak mayor, while Vancouver, which serves 170,000 people, has a council/manager form of government, with elected council

members and an appointed city manager. Furthermore, the Oregon side of the region also has Metro, a regional government structure consisting of an elected council, which is responsible for a number of governmental functions independent of city government.

Indeed, a major sticking point for several respondents from Washington was the lack of Washington state representation on Metro. One interviewee remarked, “Portland has Metro as a regional body, which doesn’t include Clark County, so, for anyone speaking of the “region” we are really dealing with two different regions. We are dealing with the Metro region, and then the Metro region including Clark County. And the bureaucratic structure doesn’t support Clark County as part of the Metro region.”

The structural differences between the two state governments also affect the organization of the bureaucracies constructed to support governmental functions. As one respondent explained, “you have departments that may have the same title, but don’t align naturally.” The management and funding of transportation provides one example. In Washington, an appointed Secretary of Transportation serves under the Governor, a Transportation Commission works under the Secretary, and regional directors serve the Commission. On the Oregon side, the Transportation Commission serves under the Governor, followed by a Director of Transportation, and then regional directors. The lack of alignment makes cooperation cumbersome. An additional factor complicating cooperation is the level of influence the state legislature has with the various agencies. In Washington, for instance, the legislature has more power over the transportation commission while the reverse is true in Oregon. As one respondent noted, “this difference influences who decides what will be built, how it will be funded, and how the revenue will be shared.”

“Let’s face it,” one interviewee summarized, “it’s about coordination of bureaucracies. And bureaucracies don’t tend to be very simple to coordinate. They are set up to do what they are designed to do, and they depend a lot on consensus and they depend a lot on repetition and momentum.”

Even if some of these structural and bureaucratic barriers could be overcome through bi-state efforts, there remains at least the impression that they are a significant barrier to bi-state cooperation. One interviewee stated, “I think that there has been a de facto belief that coordination will be more difficult than it is worth because of the different bureaucratic and regulatory structures. People believe that it is already hard enough to coordinate with cities and counties in your own states, let alone try to deal with those in another state with a whole different set of laws and regulations and mandates.”

Also missing is a formal institution for bi-state cooperation. One respondent remarked, “My perception is that there is a lack of any kind of structure that could really define how the two states interact with each other in a more effective and efficient manner. I’ve seen this whole myriad of groups interacting, but I’m not sure I’ve ever seen any sort of cohesive forum for a more holistic view of the relationship between the two states.” Another noted, “[There is] a lack of a truly bi-state regional institution that facilitates or requires decision-makers to get to know each other personally and to become familiar with their respective policy and professional opportunities and challenges.” Which makes it difficult for leaders to come to an agreement on regional goals and understandings. Several interviewees also remarked about the lack of incentive to embrace a regional approach to problem solving, especially when one has been elected to serve their constituency within the state. One stated, “No one gets elected to do it. I am not casting aspersions in any way, as much as highlighting the fact that regionality is nobody’s job. It’s not an agency’s job. It’s not an elected official’s job.” Another noted that a regional approach might even be risky if the voters believe that their interests are being compromised when their elected officials act cooperatively with their peers across the river.

Even if these barriers were to be overcome and elected officials could embrace regionalism, several interviewees noted that bi-state cooperation may not be pragmatic in the short run. As one explained, “Forging partnerships takes a lot of time, and it always takes longer than you expect, and it’s always frustrating and you have to have someone who is leading with a real desire to make this happen. Because in partnerships generally it is very easy for people to lose enthusiasm when the going gets tough, and it always gets tough. So it is important to have a champion who is willing to spend the time and energy to keep pushing even when it seems like an incredible waste of time.”

Difference in Size of Portland and Vancouver

A number of interviewees in Washington, and several in Oregon, noted that the difference in size between the two major cities in this bi-state region, Portland and Vancouver, and the level of influence they would have in bi-state efforts served as a barrier to cooperation. For example, respondents in Washington expressed concern that their interests would not be adequately represented in a bi-state forum. “One of the issues that would have to be addressed early on is the reality and the perception of equal contribution. And I’m not even sure what that is. But I think it is particularly an issue in Vancouver because they are the younger brother in all of this, they are the smaller community and they are just going to be more alert to being taken advantage of by the big nasty across the river. You know people talk about it, but most of the elected officials are beyond that level of rhetoric. But my sense is that it is still there.” Some pointed to past “political affronts” when Washingtonian representatives were not even invited to participate in regional discussions. “The reason is that they just felt that they would not get a proper seat and that it would be dominated by Portland and Oregon and therefore there would be no point in participating. They would be far better just to do their own thing. They would not be properly represented or given a seat at the table.”

Oregon interviewees also noted this barrier. “Another interesting barrier is just our reputation; we’re the biggest city within the bi-state regional relationship. And that creates relationship challenges for my colleagues to the north and southeast because it is important that they maintain their local identity and they don’t want to get absorbed into Portland. People view Southwest Washington as separate and distinct from Portland, and that includes everyone from elected officials who adhere to their jurisdictional boundaries, all the way down to the average citizen in Southwest Washington who doesn’t like to be considered part of Oregon and Portland. There are just these odd, longstanding historical, parochial issues that people still hold.” Another stated, “They are not quite sure [about cooperation] because frankly there is more in it for us than there is for some of these smaller areas.” A good analogy is we are this huge dog and they are this little poodle over there.”

“I think they feel like they might get lost in it. They would be considered second class citizens in whatever partnership or arrangement was developed.”

Taxes and Funding

A second major challenge identified by most of the respondents is the different tax structures in Oregon and Washington. Oregon is one of five states (including Alaska, Delaware, Montana and New Hampshire) in the Union that doesn’t have a state sales tax, while Washington is one of seven states (including Alabama, Florida, Nevada, South Dakota, Texas and Wyoming) that doesn’t have an income tax. Nor does it appear that either state will be changing its tax structure soon. Oregon citizens have voted down a proposed sales tax a record nine times, and Washingtonians don’t appear eager to add an income tax; since 1935 seven personal or corporate income tax proposals have been rejected.

The different tax structure between the two states, noted one respondent, “just makes it more complex to have a straightforward relationship on any number of issues.” This alone might not

be a significant barrier, except for the fact that the states' different tax structures, combined with the availability of affordable jobs and housing, have affected migration between the two states. Difficulties associated with the different tax policies include the fact that a number of Southwest Washington residents working in Oregon must pay the Oregon income tax; the different tax structures present a challenge to regional economic development; and legislative appropriations for higher education and workforce development differ between the states.

A significant majority of the Washingtonians interviewed, and several Oregonians, were quick to point out that Washington citizens employed in Oregon were in a disadvantageous position because of the Oregon income tax. One interviewee explained, "We have 60,000 people going over there and living two-thirds of their life across the river from this community. And that is a huge issue for us. One of the impacts is that those people pay over 9 % in income tax." Moreover, this person continued, the fact that a large number of Washingtonians pay the Oregon income tax affects how they view taxation measures in their own state. "How willing do you think they will be to vote for bond issues if they, arguably, get absolutely nothing [from paying the Oregon income tax] except the hard surface that they drive on, and no sales tax for lunch? There is a propensity to say, enough is enough." Others agreed, noting that recent bond and school levy failures in Washington state may be due to the fact that citizens living in Washington and working in Oregon are reluctant to increase taxes in their home states.

The different tax codes also presents a challenge for regional economic development as both states compete, especially in Southwest Washington and the Portland metropolitan area, to attract business and industry. In the past this has led to tension in the region, although this seems to be decreasing with the creation of Greenlight Greater Portland. Competition is a natural part of economic development, and several stakeholders interviewed emphasized the need to serve their clientele and their community by bringing business and industry to their respective locale. "You want to work in a way that helps the wide region, but you also need to worry about the bottom line . . . They can think regionally but they have to act locally because of who their ultimate client is." Several Washingtonians interviewed also believed the state was at a disadvantage in regard to attracting businesses to Southwest Washington. "We are the only state left in the Union that doesn't have a sound and efficient tax increment financing bill and that can be very helpful for downtown redevelopment and targeted public investment."

However, there were an equal number of respondents who saw the differences in the states' tax structure as providing an opportunity for greater cooperation for regional economic development. One interviewee noted, "Some people think the two tax structures is a problem, but it is really not a problem, in fact it is an advantage when it comes to economic development where you can actually offer a company a tax system that best suits it." Another stated, "The tax structure in Washington is such that it benefits a different kind of company. It seems that if we did this together rather than competing where the jobs are, we could market the region to far more folks. Because based on tax policy there are going to be types of corporations or types of entities that will fit better and have better advantages on one side of the river or the other."

Appropriation of revenue also differs between the states, which presents some unique challenges to cooperation. Examples here include Higher Education and Workforce Development. In Washington, the cost of tuition, which is subsidized more heavily than in the state of Oregon, is controlled by the state legislature which then parcels it out to individual institutions. One interviewee, reflecting on the tuition reciprocity agreement between Oregon and Washington, candidly explained, "We subsidize higher education to a great extent in this state. We subsidize half the cost of college and university education and two-thirds of community college education. So somebody want to tell me why I should take Washington tax income to subsidize Oregon students coming to our schools? You can make the argument that it's a great mix, but politically, why? What is the benefit?" The interviewee was not, however, closed to the idea of working cooperatively. He continued. "Higher education has a big potential. But there is a problem if

there isn't an investment by both states. If you are moving in a cooperative relationship, then the State of Oregon is going to have to have the same commitment, financially, to higher education that we do in Washington. And to date, they haven't."

With respect to workforce development, in Washington the money and the policy primarily flow through the state Employment Security Department. Whereas in Oregon, the money flows through the community colleges and Workforce Development Departments, which impacts how resources are managed and delivered at the local level. "The structure is different, which creates unique challenges within each state."

Information

Although these barriers are real, and to some, significant, we also learned during the interviews that individuals from both sides of the river possess incomplete information regarding activity on either side of the river. This lack of information, combined with a lack of agreement on mutual goals and understandings, was identified next, in terms of frequency, as a barrier to bi-state cooperation. One interviewee explained, "There is also the [problem] of communication systems. And it works both ways. Folks in Oregon don't get a lot of information about what is happening over here, and even over here in Clark County, we are challenged with the information that we receive. Better information, I think, would help with these kinds of issues."

This lack of information poses a direct challenge to cooperation on issues such as economic development. One respondent noted, "One area that really needs to be looked at is tax and fee policies [between Vancouver versus Multnomah, Clackamas or Washington counties]. I don't think it is well understood and I think if it was better understood exactly what the differences were, you could put together a much more coherent strategy around how you attract business and development. There are tax differences that will lend themselves one way or the other to different kinds of businesses, and everybody that's in that business ought to understand what those are so they can maximize those selling points."

This lack of information or understanding of one's neighbors has also fueled old stereotypes. As one Oregonian explained, "I know that there is, on this side of the river, an awful lot of bias about the other side of the river. I have been in a number of contexts where people refer to Vancouver as Vantucky. There is just this notion that it is not quite as hip and urban and sophisticated as we are. And then there is the flip side . . . the sense that they define themselves by not being us. There is whatever kind of clichés you want to attribute, they might consider themselves more middle America, we might consider ourselves more hip and urban. A lot of that is not really so true in the region anymore, with the growth in the region and where demographics have gone. But the perceptions survive."

And often, inadequate information translates into a lack of trust. As one interviewee noted, "There is still the impression that Vancouver will lure businesses away from Portland."

Parochialism

This lack of information or understanding of one another also led many respondents to identify a more subtle barrier to bi-state cooperation: parochial interests and attitudes, a barrier which is not uncommon in border communities. As one interviewee stated, "There is a non-bureaucratic and a non-legal barrier and it is the attitudinal barrier. And it isn't subtle. The perception of Oregon on this side of the river and us of them. It is really detrimental to true intergovernmental cooperation and is essential for the region to continue to prosper." Another respondent noted that "it is less than subtle sometimes. The difference between Vancouver and Portland, and the chips on the shoulders are a big deal. And they should not be underestimated." Also referred to as a "cultural divide," this fourth challenge to bi-state cooperation was also something that was more readily identified by the Washingtonians interviewed. However, this is not to say that Oregon stakeholders weren't also aware of this challenge. As one explained, "There is this

nonsense that we don't want to be "them" coming from both sides. It's provincial, pedantic and counterproductive. In reality we operate as one economic unit, and any community within the region can drag down the other. And yet some people continue to wallow in glory on a cultural level; sort of looking down their nose from one side of the river to the other."

Some interviewees faulted elected officials for perpetuating this parochialism. One interviewee, after seeing it in action for years, explained, "The biggest barrier is that we have elected officials [that must] make this happen. When you have elected officials doing it, you have natural turf issues. They pop up in diplomatic ways in political committees. They pop up in less diplomatic way between the two DOTs (Departments of Transportation). They even pop up in this four-county economic development group. At this stage it is working, but where the rubber really meets the road is when you are competing for a new Boeing plant." Another simply stated, "The biggest hurdle that people don't talk about is egos."

However, despite being identified as a barrier, several respondents also sense a shift in these attitudes. Reasons identified for the more positive attitude include migration trends—Oregonians moving to Clark County—which have moderated these differences, and the fact that bi-state cooperation (and successes) has been moving forward over the last two decades despite differences in attitude. "The dialogue today is so much better. It operates at a decibel level that one can stand. Twenty years ago it was a shouting match. I think the quality of the public dialogue back and forth, among the elected officials, is very positive and that's a vast improvement. And it owes in part to the bi-state committee and JPAC (Metro's Joint Policy Advisory Committee), which includes RTC [Southwest Washington Regional Transportation Council] and the Mayor of Vancouver and Clark County [Commissioners] and MPAC [Metro Policy Advisory Committee] and all these regional groups which have really made an effort to reach out to one another. It has really improved." When prompted to explain why this change is ultimately occurring, the response was, "We find ourselves sharing similar problems."

Cultural (How Decisions are Made)

Despite many similarities between the two states; both western states rich in natural resources with an urban/rural divide, each state and its citizens has also has its own political culture, which affects decision making, and thus, the ability to act cooperatively.

These differences in political culture and their impact on decision making were identified as a fifth challenge to cooperation. Regarding the political culture, one respondent noted, "There are political differences, but I think it is not as true regionally. The City of Portland is more liberal than Southwest Washington, which creates a perception of political differences." And decision making in each of the states is very different. According to one respondent, "The way in which Oregon goes about making decisions is very different than Washington. Oregon is more libertarian than liberal. Everybody's got to have a say, whether it is relevant or not, in all of this. The decisions may not be different, but the way you get to those decisions is different. It's a messier process, in a sense, in Oregon. There are certain ways in which they are far, far more concerned about taking care of the needs of the individual." Another respondent echoed this comment. "We're different communities both in terms of process and our love of process. I think we are more result-oriented on [the Washington] side of the water. They are a little more process-oriented. Oregon will swim around issues more than Washington."

These different decision making approaches are reflected in how each region deals with major policy issues. For example, the consensus was that land use was managed more in Oregon, especially in Portland, than Washington. And at least one respondent commented on the differences in each state's relationship with the business community. In Southwest Washington, the business community was seen as more closely aligned with government as a strategy to present a united front in Olympia, whereas in Oregon the business community was characterized as more fragmented and less closely coordinated with government. One interviewee noted that

she was surprised at “the lack of unification in the business community itself and their ability to communicate with Salem because our relationship on this side of the river is so totally different. They are our best friends, and they know, if they don’t hear from us, that they can’t create the structure that is a healthy climate for businesses and jobs and education.”

Physical

Lastly, the Columbia River was identified by several respondents from both sides of the river as a challenge for bi-state cooperation. One respondent explained, “There is a little bit of a psychological split when you cross the river, you really are in Washington, and you have really left the region even though economically and geographically you are part of it. And there are only two bridges.” Another added, “The geographic separation, the physical separation does really breed different attitudes. . . And that very core divider is the river. The river is a not so subtle reminder of the divide between Oregon and Washington and between Portland and Vancouver.”

Advantages of Cooperation

The potential advantages of cooperation between the states for regional purposes are easily enumerated and came out clearly during the interviews.

Efficiency

Many respondents agreed that where the provision of public services is subject to economies of scale, we are obligated to cooperate to conserve public resources. One interviewee noted, “From the public side, we need to be more efficient with public resources . . . we are really inefficient with public tax dollars. We should think about specializing and being more focused.” Another added, “In the economy that we are in,, and with the anti-government bias that is out there, you can do things cheaper. . .” Another remarked, “[Cooperation] has been a theme of my career for thirty five years. One of my main efforts has been to promote intergovernmental cooperation, from the lowest level to the highest level. There is no doubt in my mind where there are more efficiencies, more economies of scale. Better, more quality policy that affects more people in better ways if it is done cooperatively.”

Regional and Global Influence

Several respondents noted the interdependence between the two states. “We are now a global economy and we share railroads, we share an economy, we share workers, we share economic success, we share culture. It is time we simply recognize in reality [that] we are totally interdependent upon one another.” This interdependence translates into a greater ease in working together, and then, in having a regional influence. “The states of Washington and Oregon are really almost identical twins in a lot of ways: in terms of environment, in terms of business, they are very very similar. In general two states can have a much bigger voice when we have so many common issues relating to transportation, trade, virtually everything.” By pulling two states together on a single project or program, respondents agreed that we are able to be more effective. “We should work together because we are one economic region. We are joined at the hip. One can’t thrive without the other. We can exist without the other, but we cannot thrive without the other.”

Respondents also noted that one of the major advantages of cooperative efforts is that they allow both states to compete on a global level. One interviewee explained it this way: “We are a hub. Portland, Vancouver, Clark County are all part of this very wonderful transportation hub that provides us with huge advantages. Having an international airport, major marine industry/transportation, rail, interstate freeway . . . and our competition is global. It is not regional. It is not bi-state, it is not between counties. Our real advantage is to work together . . .

to compete globally.” Another remarked, “the competition is not between states. The competition is not even domestic for business development. The competition is global. And neither one of us is big enough or have enough presence to play on the global stage without combining resources and combining our elected officials.”

Funding

Working cooperatively also allows the states to draw influence from both congressional delegations to provide political and financial support from Washington, DC. “The two states can have a much bigger voice when we have so many common issues relating to transportation and trade...” Pooling the resources of the two states makes projects possible that might not be in the absence of cooperation. Furthermore, the combined influence of the two congressional delegations improves our chances of obtaining federal and other funds. As one interviewee explained, “We stand to benefit anytime you can combine financial and intellectual resources of our two states...” to address a policy issue. “It is very powerful to have congressional delegations from both states in support of a particular project. Added clout is very powerful.” Furthermore, with federal funds declining, “You really have to have your act together to get any money.”

Information

Each state is a leader in different approaches to policy issues. Learning from each others’ experiences and sharing information can speed the learning curve for public officials. One example cited by a public official is that “Portland has a longer history with a black community and I think there is a lot that can be learned from Portland in dealing with these [diversity] issues.” We also benefit from understanding the burdens and benefits of alternative policy decisions to each other. For example, understanding the difference in political culture means a better understanding of how the general population will respond to certain policy decisions. That kind of mutual understanding can lead to regional decisions with greater stability. “If you can pull the whole community together around a particular issue it seems more likely that you will wind up with a solution that will benefit both sides.”

Another interviewee, reflecting on successful cooperative work on the regional business plan, stated that a key benefit is that “it has really expanded and improved the dialogue between the public and private sectors and gotten everyone in the boat together to say, ‘Let’s really focus on what’s best for the entire region and not try to point fingers or blame. Let’s let go of what has happened in the past and how do we go forward in a more collaborative and productive way.’”

The Regional Imperative

Many issues involve costs and benefits that are external to a single state. These issues can be effectively addressed only at the regional scale. Interviewees identified numerous opportunities to improve public services at a regional rather than local level. “Its just better policy when you do things together.” As one noted, “the collective being able to do so much more than ‘1+1 = 2.’ The collective approach has the multiplier effect. We show that we are part of a regional group and illustrate what we are trying to do collectively.”

Disadvantages of Cooperation

Despite the many benefits of cooperation, some interviewees acknowledged that extensive regional cooperation also carries costs.

Time

The most common of these is the time required to develop relationships and make decisions with a larger and more diverse body of decision makers. One interviewee noted, “It is harder. And the natural instinct of anybody going through a public decision-making process is to not

make it more complicated. And [more coordination] would make those public decision-making processes more complicated.”

Loss of Autonomy

The second is the risk that any one participant will lose some of their own authority, that they may not gain a clear benefit from the arrangement, and will have less control over decisions that affect their jurisdiction. This, they fear, may lead to sacrificing the uniqueness of each individual jurisdiction. “Perhaps we lose some of the individual character that defines us...that uniqueness that makes us individual.” It also requires people to give up power – something that is difficult to do. Another respondent explained, “Cooperating requires giving up power and that is a challenging thing to do. [For example] there’s no question that cities and counties in this region gave up power to create Metro. Similarly, if we are going to create bi-state cooperation, it requires that each side be willing to give up power. That’s a barrier, that’s why it has been really hard to spread those things. It can be done, there are examples of it being done, and I think it should be done, but it is a significant obstacle.”

Frustration

Finally, there are times when despite the time spent to reach an agreement between the states, a solution is not forthcoming; the resulting frustration can damage attempts to restart negotiations or work toward other bi-state solutions. One interviewee noted, “Sometimes you can’t make a decision, so the problem is left unsolved.” Another emphasized the need for patience: “You have to have people who are willing to cooperate and who are very patient. Forging partnerships takes a lot of time, and it always takes longer than you expect, and it’s always frustrating and you have to have someone who is leading with a real desire to make this happen. Because in partnerships generally it is very easy for people to lose enthusiasm when the going gets tough, and it always gets tough.” Another interviewee noted that the only disadvantage would be “that we would end up getting frustrated when we realize that the differences between us are very difficult to overcome. I don’t have a lot of expectations. I don’t think people should have expectations that all of a sudden if we just start cooperating, everything would be so much better.”

However, despite the acknowledgement of these potential disadvantages to cooperation, the overwhelming number of our interviewees concluded that the advantages far outweighed the disadvantages, and they were hopeful that stakeholders would continue to work cooperatively to solve regional policy problems. In fact, several noted, “I’m having trouble thinking about disadvantages.”

Past Bi-state Efforts Viewed as Successful

When asked to point out previous bi-state efforts that they believed were successful, most of the interviewees pointed to cooperation in the areas of transportation, economic development, workforce development, higher education and the Institute for Metropolitan Studies. However, interestingly, most interviewees also explained how cooperation varied in its level of success depending on the nature of the policy problem, the people involved and timing. Areas of cooperation currently viewed as successful:

Transportation

Over the years Oregon and Washington have undertaken numerous efforts to address transportation policy. The endeavors most frequently cited as successful include the Bi-State Coordination committee, the successor to the previous Bi-State Transportation Committee and The Columbia River Crossing Task Force, which includes many of the same people. Successful projects coming from these committees include the fact that the I-5/Delta Park Project, and I-5 Columbia River Crossing projects were recently awarded federal funding. The precursor to both

the committees, the 1999 I-5 Trade Corridor study, was also cited as a successful product of cooperation between the two states.

Economic Development

A relatively recent bi-state effort that many respondents identified as a success is the Four County Economic Development Corporation, now known as Greenlight Greater Portland. The Greenlight Greater Portland effort was a response to the 2006 Regional Business Plan which recommended a regional approach to economic development, and was itself cited as a successful cooperative effort. As one respondent noted, “We intentionally—certainly at the Portland Business Alliance, intentionally—worked to include the appropriate people and elected officials in Clark County so it truly would be a regional plan and we would try not to be too parochial in the thinking.

Another successful example of joint outreach in the general area of economic development is the collaboration that takes place between the Port of Portland and the Port of Vancouver, private/public sector organizations which must recruit businesses to fund operating costs. Representatives from the two ports attend the same marketing meetings and conferences, where they market their strengths to prospective clients. Several interviewees also cited the ability of the ports to work cooperatively using administrative agreements and memoranda of understanding. One interviewee noted that, “The Port of Portland and the Port of Vancouver have found some common ground. That is not to say that there isn’t robust competition, but there is also a lot more cooperation there. And I think it is a template for a lot of other folks to look at as at least a place to start.”

Workforce Development

The two workforce development organizations were cited by several interviewees as an example of successful cooperation. Both sides of the river participate in “Regional Workforce Partners” which has several cooperative components, including sharing regional workforce/market data and analysis, work on industry cluster strategies and business services, and capacity/system building, which includes curriculum sharing, joint staff development, and board development.

Institute of Portland Metropolitan Studies

The Institute of Portland Metropolitan Studies was created in 1992 as a service and research institute at Portland State University. The mission of the Institute is to serve the six-county metropolitan region, which includes Clark County, by identifying pressing issues facing the area and its communities and developing the data and other information needed to communicate their scope and significance. The Institute is governed by an external board that includes elected officials representing local governments from throughout the region; the current board includes three Clark County members. Among the bi-state projects the Institute has facilitated, supplying research and staff support, are the Regional Industrial Lands Study, the Comprehensive Economic Development Study (CEDS), the Metropolitan Economic Policy Task Force, and several Bi-State Governors’ Forums.

Broad participation in the development of the Institute’s service and research agenda as well as in its projects was seen as a success in regional cooperation. As one respondent commented, IMS “is an example of success in integrating people and views from around the region to help build policy discussions.”

Key Success Factors for Past and Future Efforts

When reflecting on why cooperation between Oregon and Washington has been successful in the past, the interviewees were most likely to point out the following key success factors: shared

recognition of the problem, inclusive decision making, an understanding of aligned interests and joint benefits, and personal relationships and leadership.

Shared Recognition of the Problem

Successful cooperation requires leaders from both sides of the river to recognize that a policy problem exists. As one interviewee explained, Oregon and Washington must first be on the same page before there can be any cooperation. “If there is a move toward solving it by all parties, then the general attitude is one of cooperation and problem solving. If one of the parties is perceived as having a large problem and the other doesn’t think it is a big deal, then my attitude about you will be affected if we aren’t on the same page. We don’t share same priorities. But that attitude may affect how we think about each other.”

This struggle to be on the same page—for both sides to recognize the problem—is illustrated by the level of cooperation over transportation policy the last several decades. One Oregon respondent who has participated in various forums on transportation stated, “I’ve participated in probably five different bi-state studies since 1980 . . . up to the I-5 trade corridor [study]. Prior to that, the previous studies were initiated by someone in Clark County . . . and the attitude on this side of the river was, why on earth would we want a third bridge? Why on earth would we want another corridor with more cars and no place to put them? It’s not our problem, its their problem. The difference with the trade corridor was that the congestion on I-5 got to the point where it was impacting Oregon economic interests. Because the traffic peaks were spreading so much, it was so unreliable, it was spreading into the middle of the day. The environment for the trade corridor study was reversed. Now we have a problem. Its not just their problem; their commuters stuck in traffic. Its our problem. Our economic interests are impacted. The marine terminals, the rail cargo terminals, railroad terminals, the warehouse terminals. All of that stuff up and down the I-5 corridor is impacted. So we needed to do something about the problem and not just say that its not our problem. So the recognition of the problem bilaterally on both sides of the river creates an environment where everyone is pursuing the most appropriate solution rather than not wanting to deal with the problem because they don’t recognize the problem.”

This mutual recognition of not only the problem, but of the strengths and the weaknesses that competing organizations bring to the table was also identified by interviewees. As one respondent familiar with the cooperation that takes place between the ports noted, “I have seen significant improvement in the relationship between the Port of Portland and the Port of Vancouver over the past four or five years. In my perception there has been a noticeable improvement in that relationship and a mutual identification between the two ports that rather than sit across the river and fight with each other, there are a lot of benefits to approaching businesses and rationalizing and using the existing infrastructure for mutual benefit as opposed to spirited competition, which is part of what I’ve seen going on between the Port of Seattle and the Port of Tacoma for too many years.”

Inclusiveness

As noted previously, one challenge to cooperation is the asymmetrical size of Portland and Vancouver, two of the major cities in the region, which generates concern by citizens and elected officials that Southwest Washingtonian’s interests might be dominated by Oregon. Indeed, previous efforts at cooperation have faltered due to lack of representation on major policy making committees, or simple errors such as labeling. As one interviewee explained, “I’m also a member of the Regional Partners board, and my sense is that Washington State just does not feel that they are an equal partner in these discussions. In Oregon we constantly make just the littlest errors. You know, we do dumb things like call it the Portland Regional Business Plan. Well, if it’s the Portland Regional Business Plan it is not the region. And folks in Southwest Washington are just supersensitive to that. [I’ve been told] over cocktails, ‘you guys just don’t get it.’ They really take that stuff personally.”

So why are these more recent attempts successful? Because there is a real attempt to bring all of the major stakeholders to the table to participate. In regard to the Columbia River Crossing project, one respondent noted, “The current bridge committee is doing a good job of making sure that all viewpoints are honored and discussed.”

The same holds true for the current Bi-State Coordination Committee. One person remarked, “The fact that it exists is a success, with equal representation from both sides of the river to discuss issues important to the whole region.” The committee even alternates its meeting times between either side of the river as a sign of its concerted effort at inclusiveness.

Understanding of Joint Benefits/Aligned Interests

An understanding of aligned interests was also identified as a key element in successful cooperation. Several respondents highlighted the importance of seeing policy problems as a regional, rather than state issue. This was mostly noted when people spoke about transportation and economic development. When reflecting on transportation, one respondent explained, “You really do have to disenfranchise yourself from a metropolitan area or a street grid and see it as a region . . . We are inextricably linked in freight, in the movement of people and with the movement of goods. . . . We are talking about how does this interconnected economy get to move around? With transportation [and] economic development, these are basic infrastructure types of things that need to be provided for commerce to work.”

An understanding of shared benefits to cooperation also allows some to overcome parochialism. One respondent noted that cooperation in economic development becomes more palatable once “people really get the ‘ah ha moment.’” They recognize, he continued, “that we are not competing with each other. We are competing with Austin, Philadelphia, and China. We are competing globally, but we are also competing with other regions. So the best outcome of that is just that change in thinking that Clark County is not the bad guy that is trying to suck all of the jobs and the businesses and the development up there. It’s OK because those people come and shop in Portland and the region is stronger as a whole. We really need to put our focus on who our true competition is, which is other parts of the country and other parts of the world.”

Furthermore, if the solution is constructed in such a way that both sides would benefit from a shared approach, then this common understanding of aligned interests also contributes toward a bi-state vision of the solution, with each side making a contribution. When this occurs, as one interviewee explained, “I think success is going to come if there is agreement on a solution that both halves can live with. One interviewee explained that this is why the two states were able to finally come to agreement on Delta Park, an effort previously led by Southwest Washington which met some resistance in Portland. “Delta Park is a classic example. [Today] Oregon sees the benefits to the freight community. So, the benefit to Oregon and to Washington was evident. So Delta Park has been a symbol of what we can do to benefit both sides of the river.” Another simply stated, “It has to be a win-win case. Both sides must also be able to see the benefits. If you are able to demonstrate the overall benefits to all of the parties involved, it’s pretty basic.”

Personal Relationships

Many respondents attributed past cooperative success to personal relationships, more specifically, the work of individuals who showed not only a willingness but an eagerness to work with one another. One interviewee explained that “one avenue [to success] is getting that personal political relationship connected.” Another noted that the personal connection then leads to mutual support. “It is about relationships. If we are supportive of Portland’s requests, then they are supportive of us.” However, noted another interviewee, it is not only about people getting along, but having people who share the same vision. Cooperation in the past was successful, he explained, “because of the people involved. But also because they were people who had a regional feel. People were already on board. On the Oregon side . . . on the

Washington side. When all of these people were there, really trying to make it work, then the timing was right. You need the stars to line up.”

These personal relationships also lead to a greater understanding of what each state is facing, and with that, more willingness to work cooperatively. When reflecting on personal relationships with his counterpart in Washington, one interviewee noted, “It starts there. And then with that an interest in what are their challenges and opportunities, and from there how can I help them and he is always willing to help me. So it’s ad hoc but it gives me hope, or it makes me realize there is just so much more opportunity. The more I engage with them, I think, the more Portland’s realities are known to them and vice versa. The less of the lumbering giant we unintentionally are. Because I am aware and sensitive to how it will affect others in the region, including Clark County.”

Several respondents also explained that while personalities and personal relationships have a lot to do with arrangements between states, when the personalities change, some informal “gentleman’s agreements” become institutionalized. As one respondent stated, “Institutions seem to help us keep arrangements that have been made [long ago]; we understand that they have been put in place for good reason. We may have to call some people and say, ‘Do you remember why we are doing this?’ But generally, the institutions are big enough that the handshake is institution to institution, not necessarily person to person.” Another noted, “I think the people will make the policies work. You need people to set up the structure so it can be successful. And then you need to have the structure set up so that it can survive different people. Once that connection becomes institutionalized it [cooperation] becomes easier.”

But a reliance on personal relationships can also be perilous. One respondent stated, “I have experienced . . . the coming and going of the creation of the bi-state committee. We are going to have cooperation, we are going to sit down, we are going to meet, we are going to have common solutions, then one of the people on this side of the river who was pushing it or one of the people on the other side of the river who was pushing it or bringing the coalition together would either change jobs or get unelected, and then four years later someone would reinvent it again.”

However, in the end, as one interviewee summarized, if you have the political leadership, and the right personalities, the “stars line up,” thus making bi-state cooperation possible. Another added, “Whenever you can get smart people who care in the same room to talk about these issues you will come up with insights and ideas that are helpful.”

Political Leadership

Political leadership, from the top, down, was also cited as a key variable for successful bi-state cooperation. The fact that both governors appear open to regional cooperation, which has not always been the case, was cited as one reason for recent, successful cooperation. However, most interviewees more readily identified leaders at lower levels of government as providing the impetus for regional cooperation. As one respondent stated, “Twenty years ago you couldn’t put these people in the same room and half those people wouldn’t attend. Today we complain, but the dialogue is so much better. It operates at a decibel level that one can stand. Twenty years ago it was a shouting match. I think the quality of the public dialogue back and forth, among the elected officials, is very positive and that’s a vast improvement. And it owes in part to the bi-state committee and JPAC, which includes RTP, and the mayor of Vancouver and Clark County and MPAC and all these regional groups which have really made an effort to reach out to one another.” Another respondent echoed the importance of leadership, noting the desire of “our political leadership to develop a relationship and want to get along.”

Necessity or Imperative

Another variable that increases the likelihood and success of cooperation is necessity. At times, the situation has gotten to the point that, as one respondent described when mentioning the successful effort at repairing the I-5 bridge, “It was less about policy and more about getting the problem fixed.” Another described it more as need combined with the right combination of leadership. “It is driven by need and then putting the right people together with the right approach. People who feel it is OK to have a partnership, it’s OK to give up a little bit to have something that could be a little bigger than what a state can do on its own.”

Another interviewee explained that it may take a crisis situation to drive the policy response. “It depends on what issue is in crisis that tends to drive a policy to pop to the surface. And people will rally around a crisis.”

One of the policy areas most frequently cited as illustrative of how necessity leads to bi-state cooperation is in the law enforcement arena, where mutual aid agreements between counties and municipalities in Oregon and Washington are common. The reason they are successful, one respondent explained, is operational imperative. Working cooperatively “is an absolute necessity. As Clark County continues to grow, we will have events in the city or county where we might not have the people power to provide the service support. So, without those agreements, we would be placed at a severe disadvantage.” The respondent further explained, “if the Portland Police Bureau has to use all of its uniformed staff to handle an incident, they also need to find a way to continue to provide services. This presents an ‘exercise of movement’ situation where the Vancouver Police Department will pull its uniformed staff in to supplement the Portland Police Department and to handle their priority calls for service. To send mobile response teams to assist with incident and handle priority calls.” He added, “If we had a major incident over here, all it takes is a telephone call to let them know what resources we need, and they are on their way.”

When asked whether parochial interests may interfere with such cooperation, he responded, “Emergency situations oftentimes trump those kinds of personal or philosophical differences. In emergency situations you work together.”

Key Policy Areas for Future Cooperation

Transportation

As described above, one of the most important factors determining the success of bi-state efforts is a shared recognition of the importance of a policy problem and the need for a bi-state solution. This is reflected in the responses we received regarding which policy areas should be addressed through bi-state efforts. To quote one interviewee, “It has to be a fairly compelling common purpose. Everybody has a lot going on and the idea of getting together just for the sake of getting together just doesn’t last very long.”

Transportation, especially specific transportation projects, are widely recognized as one area in which bi-state cooperation is essential. Physical solutions to physical problems that span the border are easily recognized as a shared responsibility. “. . .in transportation, you just have to have the coordination and you can’t get bogged down in these competitive fights or the whole region is going to lose.” “We are talking about how does this interconnected economy get to move around?”

Transportation planning is also viewed as an activity that is most successful when accomplished with the cooperation of both states, as the entire transportation system is connected, and the actions of each state affects the burdens borne by the connected transportation infrastructure owned and operated by the other. However, because there are differences between the two states

with respect to their approaches to transportation planning, and due to its connections to land use planning, the call for shared action is more cautious. One interviewee, discussing a study of the I-5 corridor, recalled that "...the five hundred pound elephant in the room [is the states'] different land use practices...land use is a big issue because our approach is so different."

As explained in the previous chapter, the two states have a long history of cooperation on specific transportation projects and studies, and many of these projects are widely viewed as successful arrangements. These have been accomplished primarily through intergovernmental agreements, memoranda of understanding, and informal agreements. Nevertheless, a few respondents feel that more formal, permanent arrangements could improve the states' ability to cooperate on these projects, particularly if transportation is combined with issues related to land use and economic development. Such an arrangement could be structured to define long-term objectives, to monitor longer term benchmarks, and to define long-term responsibilities. "...if we are really trying to get at the bigger series of bi-state issues, there ought to be something that...has more than one thing to do...it would be a far stronger institution."

Economic Development

The push toward greater regional cooperation on economic development has been gaining momentum over the past decade, and this momentum is reflected in the strong response among interviewees regarding the opportunities for improving economic development in the region by pooling resources, coordinating efforts, and speaking with one voice with regards to the benefits of locating and growing businesses in the region. As stated by one respondent, "If we can promote ourselves well, the whole region will benefit because we all have different elements we can add to the mix to really be competitive."

As with transportation, the visibility of the effort and the shared recognition of the problem has contributed to this agreement. The potential benefits of joint marketing are visible to many people because they have observed the effectiveness of this approach in other metropolitan regions. The competition from these regions seems to have unified the business and economic development community around the idea that we will be more effective by coordinating our external marketing. "Most of the successful metropolitan regions in the U.S. market themselves as metropolitan areas."

But there are some areas of economic development that remain competitive and parochial. Each state and local area still highlights to potential companies key distinctions with respect to taxes and fees. This is often viewed as a regional strength because it allows the region as a whole to attract a variety of companies that can choose the tax and fee structure that works best for its revenue and profit structure. And although jobs in one county benefit citizens of the others, the competition for jobs is nevertheless fierce due to the accountability structures of economic development professionals, who report to state and local, not regional, officials. Thus, although the regional marketing group Greenlight Greater Portland might consider any new company in the region a successful recruitment, the economic development officials tied to state, county, and city economic development agencies have no choice but to pursue development in their specific region. "When it really comes down to it, I only get evaluated for delivering on behalf of my constituents." They are accountable for creating and retaining jobs in their area. This is unlikely to change until the accountability structure becomes regional rather than local.

Higher Education and Workforce Training

Cooperation in higher education and workforce training is seen as desirable but difficult. There is broad recognition that a strong higher educational program is a key component of the economy, and that shrinking resources require program coordination and prevention of program duplication.

However, the planning required to coordinate and prevent duplication is very difficult. Oregon universities coordinate their budget requests through the Oregon University System, which develops a strategic plan for higher education for the state of Oregon. In Washington, the Higher Education Coordinating Board provides a similar function, but it is weaker, and each university deals directly with the legislature in promoting its own funding. The needs of the entire metropolitan region and the resources available across the river are seldom considered.

While relationships among researchers may develop on specific research projects, multi-institutional projects funded through Salem such as the Oregon Nanoscience and Microtechnologies Institute (ONAMI) rarely include Washington higher education institutions. Even simple contract agreements between the Universities can be a challenge... “simply getting the two states to agree on contracts is difficult...each of the states’ Attorneys General has to agree to the contracts.”

One exception is in workforce training. Because the region shares a mobile workforce and similar industries, it is widely recognized that the priorities for workforce training are also shared and that coordination of workforce training programs would benefit employers and workers in both states. The mandate for coordination comes from employers that draw employees from both sides of the river and want to simplify the process for connecting with potential employees and with students in the workforce pipeline. In the words of one interviewee, “we wanted to explore a single point of contact for business to promote career related learning experiences on a regional basis, because we know we share many of the same employers.”

Nevertheless, coordination is difficult due to the structure of federal funding for workforce training programs and the choices that are made in the state capitals. Federal funding lands in the governors’ offices; the governors distribute the funds according to their own priorities within federal guidelines. The two states have developed different structures and priorities for distributing the workforce training funds and therefore coordination of these nonparallel structures can become cumbersome.

Nevertheless, the mandate for coordination does lead to a number of successful efforts. The Southwest Washington Workforce Development Council (Washington) and WorkSystems, Inc (Oregon) have coordinated on common on-the-job training (OJT) agreements to ease the process for employers that conduct training on both sides of the river. The goal was to “show the same face to employers and...improve administrative convenience.”

Comprehensive Planning

One of the more difficult areas for coordination between the states is comprehensive planning. Interviewees acknowledge that planning for the region is difficult and less effective without a coordinated plan that includes the entire region. However, there is a clear caution among Washington State interviewees of getting involved in planning efforts with Oregon. This caution is born, in part, of the fact that “land use is a parochial home jurisdiction issue everywhere.” The major concern is the loss of autonomy. Furthermore, the two states’ land use laws are very different, and the processes used to develop regional plans are difficult to line up. Perhaps the biggest barrier, however, is the difference in attitude about land use and the need for regional comprehensive planning. One interviewee observed that some Washington leaders are “pretty strident about not discussing land use issues with Oregon.”

Nevertheless, many interviewees called for a more careful region-wide assessment of growth issues. A regional comprehensive plan would improve our process for ensuring sufficient land for growth of all types—industrial, commercial and residential. As a region, they noted, we must examine “the way we grow, what are some of the planning assumptions...what do we want the region to look like.” Convincing leaders to take the next step beyond the mere sharing of information is likely to be a difficult task. Yet, some progress has been made, especially in the

intersection between land use and transportation where “there is an agreement that land uses along the I-5 corridor really need to be viewed holistically and agreements are being reached.”

Recommendations

At the end of each interview, the respondents were asked if they had any specific recommendations for the bi-state coordination committee. The most common responses and/or the most specific recommendations are listed below.

Continue with cooperative efforts

When asked for their recommendations on how to proceed with cooperative arrangements, many of the respondents noted the importance of bi-state cooperation to the region and the need to continue cooperative efforts. For example, one interviewee noted, “I just think that we need to continue to work on it and continue to expose ourselves to opportunities and ideas.” Another agreed with this basic premise, but noted that cooperation is difficult, but necessary, adding, “you have to be vigilant.” And, while respondents also anticipated that there would be roadblocks ahead, there were recommendations that leaders should “Continue no matter how frustrating it gets. Continue the effort, no matter what.”

Bi-State Compacts

A large minority of respondents recommended the two states pursue a bi-state compact to address transportation, economic development, and/or planning. As one interviewee explained, this formal mechanism could address some of the barriers identified in this report. “If you are talking about a bi-state compact for the construction of a bridge and related facilities, which I think is a terrific idea, because you have two states with completely different public authorities, taxing authorities, different election cycles, different politics in a sense. And when one flows the other ebbs and vice versa, so when Gregoire is raring to go, Kulongski is at the end of his term. The bi-state compact is a requirement for stability because [such] a project involves two separate different jurisdictions over a very long time. And I don’t think the normal public structures in this region are capable of managing this undertaking with all those variables without some common legal forum that binds them together.” Another noted, “It may be that if we move to a build project on Columbia River Crossing, there has to be some type of structure . . . a way of making decisions. Otherwise, it will take two MPOs, the two transit agencies, and at least the two cities. All of these entities . . . and it will take months and months and months to get a decision. Well, if you are going to build a project, that is not going to work. So it could be an experiment that could be successful.”

However, one person interviewed was adamantly opposed to the idea of a compact, believing that existing informal arrangements such as the Bi-State Coordination Committee and the Columbia River Crossing Committee were successfully addressing the transportation issue. “I am not aware of any transportation issues that require a bi-state compact. Because a bi-state compact would trump local and state laws, there has to be a clear and compelling reason to consider this option. The case for a transportation-related bi-state compact has yet to be made.” And, while others identified the fact that these current relationship are working well, with, for example, Vancouver and Clark County having representation on JPAC, they were concerned about the informal nature of this collaboration. “Their stuff isn’t binding, the decisions we make aren’t binding on them and the decisions they make aren’t binding on us.”

Another type of compact recommended was an advisory compact. One respondent explained, “The key is to identify a small number of people in both states that are directly involved hands on, and have a strong understanding of trade and transportation.” These people would then consist of a “working group of people that have a strong fundamental understanding of the issues that could at least try to put together a mutual vision and identification of the issues,

barriers, etc. If nothing else just to have the two states sit down together to understand where the common benefits are, is there a way to develop a common vision of where the two states want to be at some point.” Another respondent stated that such an institutional arrangement would allow a forum for strategic planning, and would help the states identify their highest priorities, so they can align resources and make decisions. “There needs to be a ‘super’ compact,” she explained. “A vision of regional priorities which keep us on task. That has benchmarks so we can evaluate whether we are meeting our regional goals. So we can then go back to our state legislatures if we aren’t meeting our goals. It helps with accountability.”

Create an institution for high profile discussions of bi-state issues

Several respondents noted the success of past bi-state conferences, which they believed provided an opportunity for elected officials, from the governors’ office, to leaders of major cities and counties in the region to gather together to discuss regional issues. They would like to see it more institutionalized so leaders could share best practices. As one interviewee noted, “Governments of the cities and the states need to have some point of contact or point of coordination. I think they might benefit from exchanging best practices.”

Institutionalize regular communication between legislators from Oregon and Washington

Several respondents, including state elected officials, noted that one of the best ways to achieve bi-state coordination is to ensure that legislators in Salem and Olympia are speaking to each other on a regular basis. Although this appears to be happening on an informal basis, a more concerted effort was desired.

Institutionalize long-term planning

Several interviewees noted their concern that leaders from both states are not “on the same page” or don’t have “mutually agreed-upon goals” which also means they are not formally engaged in long-term planning efforts. One interviewee remarked, “There is no regional planning going on. And I think the metropolitan studies group tries to do that, at least in data collection and statistical analysis. But we don’t have any active planning effort going on where the elected bodies are asked to approve a [particular plan]. Where the elected officials in the entire region would get together and say, this is what we should look like. [It is] idealistic, but it does happen in other parts of the country, and it happens very well.”

Create a pilot project

One suggestion was to create an easily achieved pilot project in order to illustrate the benefits of cooperation. One interviewee noted, “If you want to get broader cooperation across state lines you have to have a demonstration project . . . a pilot project. And I think it is essential to have a successful project. And it doesn’t mean you don’t start conversations in those other arenas. But you have to get a notch in your belt. Find one that is really logical and grow it from there. People are already doing it. An example is the corridor study. There are a lot of folks on the Portland side and the Vancouver side who are saying, we need another bridge, not just a replacement bridge . . . they are looking at the corridors. [And] it has snowballed.”

Create a shared governance structure that spans both states

Another suggestion was to try to create an elected body with representatives from both states. This suggestion was mostly in response to concerns expressed about the lack of formal (voting) Vancouver or Clark County representation on Metro.

4

Recommendations

Given the input we received from our interviews with local stakeholders as well as those involved in bi-state organizations nationwide, we have developed a set of recommendations for moving our bi-state region toward more effective partnerships.

Identify whether grass roots support exists for regional efforts

Several respondents inquired whether members of the public were being asked about bi-state cooperation. While this was not the focus of this particular study, these comments raise an issue that is likely to be considered by elected officials: will their constituents accept bi-state cooperation as a prudent approach to regional problem solving? What issues are viewed as the most/least amenable to these efforts? The level of public support for cooperation could be measured by a quantitative survey or focus groups. If elected officials are aware that their constituents view cooperation as a viable mechanism for problem solving, they may be more likely to support it.

Institutionalize a regularly held bi-state cooperation forum

A significant majority of stakeholders interviewed were encouraged by the renewed interest in bi-state cooperation, and they hoped it would continue. Many pointed to past bi-state cooperation forums as a successful example of bi-state efforts. At the same time, some respondents were concerned that the forums were inconsistent and that implementation of the ideas discussed was inadequate. One way to address this is to ensure that the forums are held more regularly and that “action items” at the end of the forum direct participants to work toward achievable goals. These goals could contribute to the work program for a more formal bi-state cooperation organization (see below). While a bi-state forum is an informal mechanism for cooperation, we are confident that the participation of major stakeholders in the region (many of whom were interviewed) will provide the momentum for more formal institutional arrangements.

Encourage public-private partnerships to advance the interests of the bi-state region

Coalition building is key to regional efforts. Broad political mobilization, along with buy-in from private groups, is necessary for successful bi-state cooperation. On an individual state level, coalitions were instrumental in addressing two major policy areas discussed in this report: land use planning and higher education. Oregon’s successful land use legislation in the early 70s was due, in part, to support among key interest groups that worked with political leaders to promote a legislative agenda that would serve the goals of both government and the private sector. In Washington, the strong support from private and public community leaders was instrumental in the decision to locate a branch of Washington State University in Vancouver, and later, to transform the campus to a four-year university.

Duplicating such an effort on a regional level will be more challenging. However, the lesson from these intrastate efforts is that coalition building and mobilization of private interest groups by political leaders will pave the way to successful bi-state cooperation. Private interest groups can nurture the grassroots support for regionalism; political leaders provide the access and resources for positive change. Moreover, public and private actors share a practical problem solving approach to policy making. A recent editorial by *The Oregonian* calling for full Clark County representation on the Metro Council demonstrates that we have come at least partway toward convincing thought leaders of the importance of the Oregon-Washington partnership.

Furthermore, business coalitions can be a strong partner in regional efforts. Across the country, there are numerous examples of business leaders meeting with public officials to encourage regional partnerships (Kanter, 2000). Business groups often are predisposed to regional approaches to problem solving. As noted in the introduction and discussion of advantages of regionalism in this report, policy problems do not recognize political borders, and the pressures of globalization motivates business interests to work collectively to promote the region. Although there are differing opinions regarding the advantages of participation from business coalitions (Kanter, 1995) several scholars have recognized their positive influence in setting shaping the regional agenda (Kanter, 2000). Because infrastructure policy problems such as transportation and regional economic development (both identified in this report) clearly involve business interests, public-private partnerships will most likely be successful in these areas.

Form an Advisory Compact

We agree with the 25 percent of stakeholders who identified the creation of a bi-state compact as one formal mechanism that could be used to address regional policy issues. However, for a number of reasons, we are recommending an advisory compact—an agreement between the states to create study commissions that examine a problem and report to the respective states on their findings. We recommend this type of compact because:

- Although many respondents mentioned the creation of a compact without prompting, there were also respondents who either did not mention a compact or specifically stated that a regulatory compact was unnecessary.
- The respondents disagreed regarding the breadth of a more formal agreement between the states. Some felt that the agreement should be very broad and address many different regional issues. Others felt that it should be more narrowly focused on transportation. This type of compact is sufficiently flexible to address a variety of issues and to deal with each in a more or less extensive fashion.
- As the least formal type of compact yielding the least authority, this type of agreement can address sensitive issues without prompting concerns regarding loss of authority. It will therefore be easier to adopt, as it will be less controversial within each state and will not require congressional approval.

Our hope is that, if successful, this mechanism may be used in the future in a more targeted fashion.

Next Steps

We encourage the Bi-state Coordinating Committee to lead the effort to implement these recommendations. A Bi-State Task Force, appointed by the Governors of Oregon and Washington, could discuss these recommendations, formulate a work plan, gather data from the public, and draft an advisory compact that would address the key issues cited in this report. The public/private partnership identified above could lead the political effort to adopt the compact. The Task Force could use an annual bi-state conference as a forum for presenting indicators of progress to the public and identifying the key issues for the coming year.

References

- Beyle, Thad L. 1974. "New Directions in Interstate Relations," *The Annals of the American Academy of Political and Social Science* 416: 108-119.
- Bowman, Ann O'M. 2004. "Horizontal Federalism: Exploring Interstate Interactions," *The Journal of Public Administration Research and Theory* 14: 535-546.
- _____. 2002. "American Federalism on the Horizon" *Publius, The Journal of Federalism* 32 (2): 2-22.
- Bowman, Ann O'M and Richard Kearney. 1988. "Dimensions of State Government Capability," *Western Political Quarterly* 41: 341-62.
- Bowman, Ann O'M and George A. Krause. 2003. "Power Shift: Measuring Political Centralization in U.S. Intergovernmental Relations, 1947-1998," *American Politics Research* 31: 301-25.
- Chi, Keon S., 1990. "Interstate Cooperation: Resurgence of Multistate Regionalism," Lexington, KY: The Council of State Governments 63:
- Council of State Governments. National Center for Interstate Compacts. Compact Database <http://www.csg.org/programs/ncic/database/search.aspx>.
- Elazar, Daniel J. 1984. *American Federalism: A View From the States, 3rd Ed.* New York: Harper and Row.
- Florestano, Patricia S. 1994. "Past and Present Utilization of Interstate Compacts in the United States," *Publius: The Journal of Federalism* 24: 13-25.
- Foster, Kathryn A. 2001. *Regionalism on Purpose*. Cambridge MA: Lincoln Institute of Land Policy.
- Kanter, Rosabeth Moss. 1995. *World Class: Thriving Locally in the Global Economy*. New York: Simon and Schuster.
- Kanter, Rosabeth Moss. 2000. "Business Coalitions as a Force for Regionalism," in *Reflections on Regionalism*, Bruce Katz, Ed., Washington, D.C.: Brookings Institution Press.
- Martin, Sheila. 2007. "Economic Microclimates in the Portland-Vancouver Metropolitan Region." *Metropolitan Briefing Book*. Portland Oregon: Institute of Portland Metropolitan Studies.
- Monypenny, Phillip, 1965. "Interstate Relations—Some Emergent Trends," *The Annals of the American Academy of Political and Social Science* 335: 53-59.
- Nice, David C. 1984. "Cooperation and Conformity Among the States," *Polity* 16 (Spring): 494-505.

- _____. 1987. "State Participation in Interstate Compacts," *Publius: The Journal of Federalism* 17 (2): 69-83.
- Northwest Power and Conservation Council. 2007. *Briefing Book* January. Accessed at <http://www.nwcouncil.org/library/2007/2007-1.htm>
- Pastor, Manuel Jr., Peter Dreier, J. Eugene Grigsby, III, and Marta Lopez-Garza. 2000. *Regions that work: How cities and suburbs can grow together*. Minneapolis, MN: University of Minnesota Press.
- Ridgeway, Marian E. 1971. *Interstate Compacts*. Carbondale: Southern Illinois University Press.
- "Tale of Two Cities: A Romance Novel." *The Oregonian* September 4, 2007: B04.
- U.S. General Accounting Office. 2007. Interstate Compacts: An Overview of the Structure and Governance of Environment and Natural Resource Compacts. April.
- Voit, William Kevin and Gary Nitting. 1999. *Interstate Compacts and Agencies, 1998*. Lexington, KY: Council of State Governments.
- Washington Higher Education Coordinating Board. January 2005. *2005 Reciprocity Agreements and other Student Exchange options*. Accessed at <http://www.hecb.wa.gov/news/newsreports/newsreportsindex.asp>.
- Western Interstate Commission for Higher Education. 2007. Western Undergraduate Exchange Program, <http://wue.wiche.edu/>.
- Washington State Institute for Public Policy. 2007. *Methamphetamine Crimes: Washington's Laws Compared with Neighboring States—Revised*. Olympia, Washington. January.
- Weir, Margaret. 2000. "Coalition Building for Regionalism," in *Reflections on Regionalism*, Bruce Katz, Ed., Washington, D.C.: Brookings Institution Press.
- Zimmerman, Joseph F. 2002. *Interstate Compacts and Administrative Agreements*. Westport, CT: Praeger.
- _____. 1998. "Interstate Cooperation: The Roles of the State Attorneys General" *Publius: The Journal of Federalism* 28: 71-89.
- _____. 1996. *Interstate Relations: The Neglected Dimension of Federalism*. Westport, CT: Praeger.
- _____. 1994. "Introduction: Dimensions of Interstate Relations," *Publius: The Journal of Federalism* 24 (Fall): 1-11.

A Interviewees

LOCAL STAKEHOLDERS

Washington

Bill Barron, Administrator
Clark County

Katy Brooks, Community Relations Specialist
Port of Vancouver

Scott Campbell, Publisher
The Columbian

Hal Dengerink, Chancellor
Washington State University Vancouver

Rep. Bill Fromhold
Washington State House of Representatives

Stephen Hornstein, Attorney at Law
Miller Nash LLP

Addison Jacobs, Director of Public Affairs
Port of Vancouver

Elie Kassab, President & CEO
Prestige Development

Dean Lookingbill, Transportation Director
Southwest Washington Regional Transportation
Council

Garry Lucas, Sheriff
Clark County

Ginger Metcalf, Executive Director
Identity Clark County

Lisa Nisenfeld, Executive Director
Southwest Washington Workforce Development
Center

Bart Phillips, President
Columbia River Economic Development Council

Mayor Royce Pollard
City of Vancouver

Sen. Craig Pridemore
Washington State Senate

Roger Qualman, Executive Vice President
Norris, Beggs & Simpson

Commissioner Steve Stuart
Clark County

Don Wagner, SW Region Administrator
Washington Department of Transportation

Rep. Deb Wallace
Washington State House of Representatives

Oregon

Councilor Sam Adams
City of Portland

Sam Brooks, Chair
Oregon Association of Minority Entrepreneurs,
and Chair, Portland Business Alliance

Sen. Kate Brown
Oregon State Senate

David Chen, Partner
OVP Venture Partners

Commissioner Jeff Cogen
Multnomah County

Dan Cooper, General Counsel
Metro

Andy Cotugno, Planning Director
Metro

Bernie Giusto, Sheriff
Multnomah County

Greg Guthrie, Director, Market Development
BNSF

Roy Koch, Provost
Portland State University

Andrew MacRitchie, Executive Vice President
Æquitas Capital Management

Andrew McGough, Executive Director
WorkSystems, Inc.

Sen. Jeff Merkley
Oregon State Senate

Judy Pepler, President
Qwest Oregon

Bill Wyatt, Executive Director
Port of Portland

Janice Wilson, Commissioner
Oregon Transportation Commission

INFORMATIONAL INTERVIEWS FROM NATIONAL AND LOCAL BI-STATE AGENCIES

Denise Bulat
Executive Director
Bi-State Regional Commission (Quad Cities)

Deb Crisp
Commission Chair
Klamath River Basin Compact

Jeffrey Litwak
Counsel
Columbia River Gorge Commission

David Longanecker, Executive Director
Western Region Higher Education Compact
(WICHE)

Rick Masters
Special Counsel for Interstate Compacts
Council of State Governments

Molly McGovern
Mid-America Regional Council (Kansas City)

John Mountjoy
Director of Policy and Research
Council of State Governments

John Singlaub
Executive Director, Tahoe Regional Planning
Agency

Jim Scheppeke
Director, Oregon State Library

Larry Salci, Executive Director
Bi-State Metropolitan Development District
Compact (Metro)
Missouri-Illinois

Denise Sitler
Deputy Compact Administrator
Oregon Department of Corrections

B Interview Protocol and Questions

The interviews were “semi-structured.” Each participant was asked the same set of open-ended questions. However, there was some flexibility with this approach so the interviewer could ask follow-up questions when appropriate. The reason for a structured interview approach was to allow us to draw comparisons across the population of participants.

At the start of the interview, each participant was asked to sign an “informed consent statement” which lays out the reason for the interview, explains that the project has been approved by the Institutional Review Board, and asks for their consent to be interviewed.

For purposes of accuracy, we taped the interviews when permission was granted, and they were transcribed. The audiotapes and the transcriptions are not accessible to anyone save the research team. They will later be destroyed. (See Informed Consent Form).

QUESTIONS:

The purpose of the interview questions are to collect information on major public and private stakeholders’ thoughts on how policy actors from Oregon and Washington can work collaboratively to solve regional policy in both states. To do so, we inquired generally about potential barriers to, and benefits of interstate cooperation.

1. What are some of the hurdles that have made bi-state cooperation challenging?

Follow-up: Can you describe a specific situation where these hurdles negatively affected cooperation between Oregon and Washington?
2. Are there any barriers that may be more subtle or may be difficult to identify which may make bi-state activities difficult?

Prompt: Informal efforts such as the bi-state conference, or more formal arrangements such as mutual agreements or understandings.
3. What policy areas/policy problems would benefit most from cross-border efforts?

Prompt: Is it the nature of the policy problem, the stakeholders involved, etc., which makes one policy area better suited than another for bi-state activities?
4. Can you describe any “lost opportunities” to solve policy problems because of the states’ inability to work cooperatively?
5. What insight can you provide as a member of the (public or private) sector about the advantages and disadvantages of cooperative efforts that might not be immediately apparent?

Follow-up: Can you identify situations where a cooperative working arrangement would assist you in your efforts to address policy problems?

6. Describe previous bi-state cooperative efforts and the advantages and disadvantages of these efforts

Prompt: They may include informal efforts such as the bi-state conference, or more formal arrangements such as mutual agreements or understandings.

7. What successes have you had with bi-state efforts and what do you attribute to that success?

Prompt: Was success due to the nature of the policy issue, the personalities involved, etc.?

8. What are some of the key benefits to these cooperative efforts?

Prompt: Does it allow for better decision-making, etc.?

9. Can you recommend any bi-state cooperative arrangements for the Bi-State Coordination Committee?