

White Paper on Evaluation of State-Level Transportation Plans

January 2011

The Legislature has directed the Joint Transportation Committee (JTC) to “evaluate the preparation of state-level transportation plans. The evaluation must include a review of federal planning requirements, the Washington transportation plan and statewide modal plan requirements, and transportation plan requirements for regional and local entities. The evaluation must make recommendations concerning the appropriate responsibilities for preparation of plans, methods to develop plans more efficiently, and the utility of statewide planning documents.”

ESSB 6381, §204(7) [2010].

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EXECUTIVE SUMMARY

The 2010 legislature directed the Joint Transportation Committee (JTC) to “evaluate the preparation of state-level transportation plans. The evaluation must include a review of federal planning requirements, the Washington transportation plan and statewide modal plan requirements, and transportation plan requirements for regional and local entities. The evaluation must make recommendations concerning the appropriate responsibilities for preparation of plans, methods to develop plans more efficiently, and the utility of statewide planning documents.” ESSB 6381, §204(7) (2010)

State-level transportation planning in Washington State is complex, with federal and state requirements for plans to be developed by the Washington State Department of Transportation, the Washington State Transportation Commission, eleven (11) Metropolitan Planning Organizations, and fourteen (14) Regional Transportation Planning Organizations.¹ There are requirements for a statewide transportation plan referred to as a “policy” plan, a statewide multimodal plan, and for eleven (11) mode plans and for regional/metropolitan transportation plans. There is confusion even among transportation planners in the state as to what planning is required and by which organization.

On the one hand all of this can be viewed as “just planning”, while on the other hand there is a lot of energy and money going towards this at the state and regional levels and a whole planning infrastructure of public outreach, regular meetings and activities, and project lists. This planning has consequences and costs, so it is important to know what we are getting out of it.

Clear policies, good planning, and objective performance measurement should result in more informed transportation investment decisions. This does not mean that plans have to be long, involved, complex documents designed primarily to meet federal requirements. It does mean that the plans should be important to decision-makers and should provide a common vision and framework for our transportation system.

This paper explores these issues, provides a situation assessment, and will serve as baseline to discuss potential improvements in state-level planning.

It includes a synthesis of research on:

- *Planning Requirements.* Identification of federal and state transportation planning requirements and responsibilities.
- *Plan Integration.* Description of how plans are vertically integrated.
- *Plan Utilization.* Description of how plans have been utilized to guide state transportation investment decisions.
- *Expenditures.* Description of the 2009-11 biennium state and metropolitan/regional planning organizations planning budgets.

¹ Ten (10) of the eleven (11) MPOs are also lead agencies for RTPOs.

State and Federal Planning Requirements

State and federal planning requirements are organized into three broad categories of plans: metropolitan and regional transportation plans, state long-range transportation plan, and state mode plans. For each of these categories we examine the federal and state requirements and how the state has met those requirements.

- *Over-arching policy goals.* Federal and state planning requirements include over-arching goals, with eight goals in the federal Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users (SAFETEA-LU) (23 USC 134) and six state goals in RCW 47.04.280.
- *Metropolitan and regional transportation plans.* Washington State has eleven (11) federally designated metropolitan planning organizations (MPOs) that are required by federal law to develop a 20-year long-range metropolitan transportation plan that must be updated every four years if air quality issues are involved or every five years if they are not. MPOs are also required to develop and submit to the state a metropolitan transportation improvement program (TIP), and to prepare every one to two years a unified planning work program. Washington State has, as part of the Growth Management Act, allowed for the voluntary association of local governments and imposed on these Regional Transportation Planning Organizations (RTPOs) similar requirements for a long-range regional transportation plan, a regional transportation improvement program, and a unified planning work program.
- *State long-range transportation plan.* Federal law requires that the state have a 20-year long-range transportation plan, which may be a broad policy plan or a project list and must be updated periodically. States are also required to submit a state transportation improvement program, which must incorporate without change, the metropolitan transportation improvement programs, and a state planning and research program. State law requires two plans: a statewide transportation plan – often referred to as a policy plan - to be updated every four years by the Washington State Transportation Commission (WSTC); and a statewide multimodal plan to be developed by the Washington State Department of Transportation (WSDOT). The *Washington Transportation Plan 2007-26* met federal requirements and the state requirements for a policy plan, a statewide transportation plan, and a statewide multimodal plan.² The 2010 WSTC *Washington Transportation Plan 2030* which has been drafted is the first policy plan that is neither federally compliant nor a statewide multimodal plan. The plan was not federally compliant because WSTC elected not to engage in all of the procedural steps that would be needed to become federally compliant.
- *State mode plans.* The state requires two state-owned facility components of the state multimodal plan, a highway system plan and a ferry system plan, neither one of which is required by federal law. There are also requirements for nine (9) state interest components plans, three (3) of which – the aviation plan, the state freight rail plan, and the intercity passenger rail plan - meet federal mandates

² When the *Washington Transportation Plan 2007-26* was adopted in 2006 state law included three state long-range transportation plans. RCW 47.06.030 required a transportation policy plan, RCW 47.01.071(4) required a statewide transportation plan, and RCW 47.06.040 (2) required a statewide multimodal plan. RCW 47.06.030 requiring a policy plan was repealed in the 2007 legislative session and the requirements combined with the required statewide transportation plan to be developed by the WSTC under RCW 47.01.071(4).

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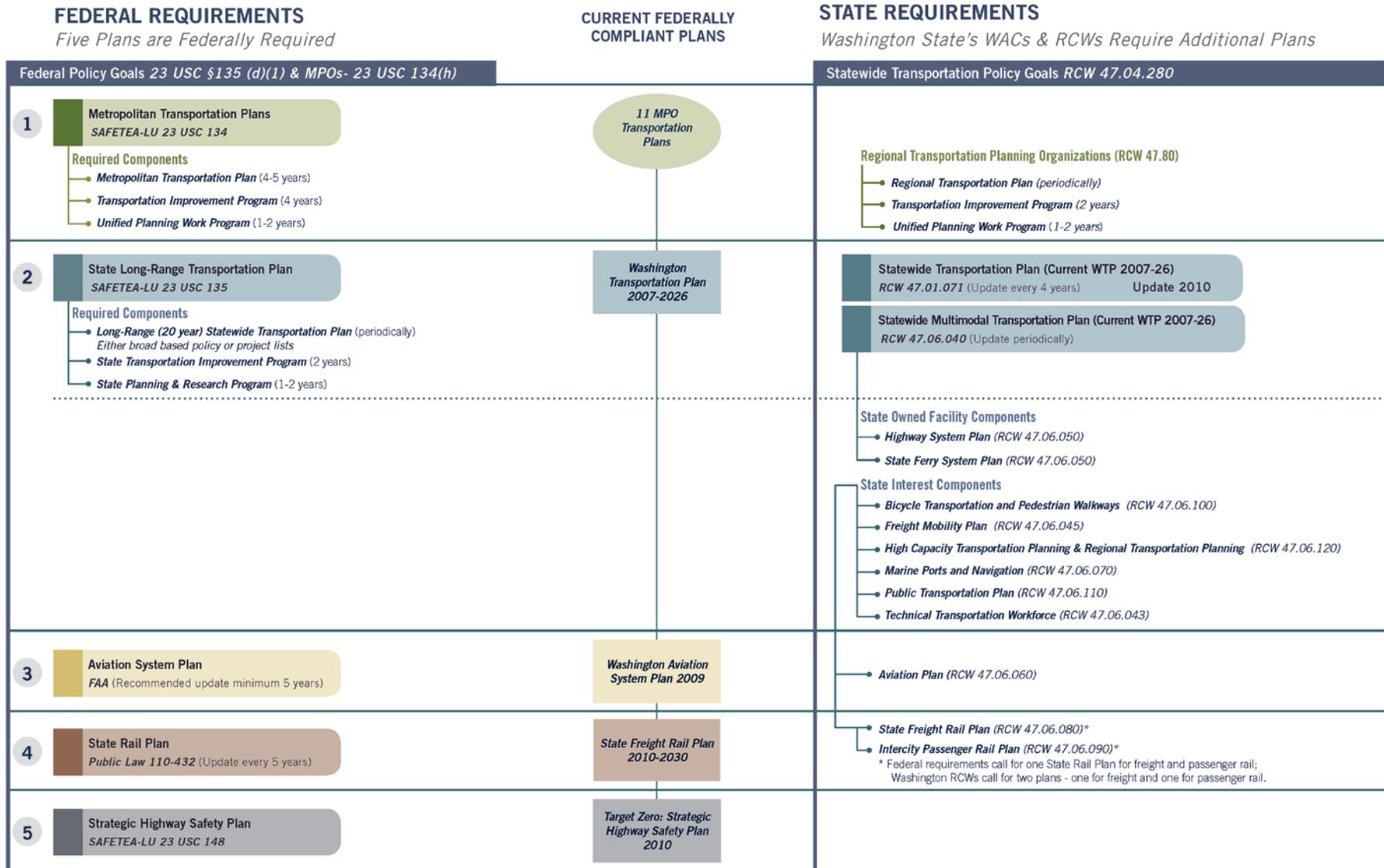
- *Federal mode plans.* The federal government requires a state rail plan and an aviation plan, which are also required under state law, and a Strategic Highway Safety Plan which is not reflected in state statute.

The chart below summarizes the federal and state planning and program requirements and the relationship among them. The table at the end of the Executive Summary provides a listing of state and federal planning and program requirements.

Consultant Observations – Federal and State Planning Requirements

- State planning requirements are more extensive than federal requirements.
- Federal requirements for Metropolitan Transportation Plans and Transportation Improvement Programs limit the state's role.
- State requirements for Regional Transportation Planning Organizations are similar to requirements imposed by federal law on Metropolitan Transportation Planning Organizations, All counties except San Juan County are part of a Regional Transportation Planning Organization.
- State requirements for a statewide transportation policy plan and a multimodal plan have been historically met through the creation of one federally compliant Washington Transportation Plan rather than through the creation of separate plans.
- Federal law, which is process oriented, allows broad discretion for the state to decide what form the required 20-year state long-range plan will take.
- State law is unclear as to which of the two plans required is intended to be the federally compliant plan.
- The roles of the Washington State Transportation Commission (WSTC) and the Washington State Department of Transportation (WSDOT) in the development of the two state-level plans are clear in state statutes.
- The roles of the WSTC and WSDOT in transportation policy overlap, exacerbating tensions inherent in requiring two state long-range transportation plans.

Relationship of Federal & State Planning & Program Requirements



Plan Integration

There are federal and state requirements to integrate plans.

- *Federal requirements.* The federal government requires a continuing, cooperative and comprehensive planning process, mandates cooperation and coordination between the state and the metropolitan planning organizations, and establishes over-arching policy goals that integrate planning.
- *State requirements.* State statutes provide six (6) over-arching policies that help integrate planning, require the statewide multimodal plan be developed under the WSTC's statewide transportation plan (policy plan), and that state and regional plans be consistent with each other.

The most important opportunity for integration comes when plans are updated

- *Draft Washington Transportation Plan 2030.* In preparing the plan WSTC reviewed the metropolitan and regional plans and all state mode plans.
- *Statewide multimodal plan.* WSDOT has not started the update of the statewide multimodal plan. As envisioned by WSDOT, the plan is to be driven by policy direction provided by many sources, including existing state and federal law, recently completed modal plans, the current 2007-26 *Washington Transportation Plan*, and the 2030 Washington Transportation Plan being prepared this year by the WSTC.
- *State mode plans.* The state mode plans are developed separately, on differently schedules. WSDOT has developed a chart which shows the parallel development of the mode plans and the difficulty of coordinating them.

The Unified Planning Work Programs required of all MPOs and RTPOs are directed by state and federal areas of emphasis, which help integrate them. WSDOT provides administrative support to the MPOs and RTPOs through the Planning Office that helps integrate planning and provides transportation data and technical services for planning.

Consultant Observations – Plan Integration

- Federal requirements do not require the integration of state and metropolitan plans.³
- It is clear in state law that the statewide multimodal plan is to be developed *under* the WSTC statewide plan (policy plan) and by implication that the WSTC plan should guide the statewide multimodal plan and its component state-owned and state-interest mode plans.
- State-level plans are not integrated.
- It is not clear how or whether the statewide multimodal plan will integrate the state mode plans or metropolitan and regional plans.
- The state does not have a process for synchronizing metropolitan/regional plans and state plans.

³ Federal law does not require that projects in the metropolitan transportation improvement program must be consistent with the metropolitan transportation plan and this includes state highways, ferries, etc. within the MPO boundary because they are regionally significant and/or need to be able to demonstrate air quality conformity (23 USC 134(j)(3)(c)).

Plan Utilization

While it is sometimes noted that planning is a process as much as a product, this report focuses on how state-level plans have affected legislative investment decisions rather than on the utility of the planning process.

State-level plans that were utilized in making capital decisions in recent biennia are:

- *Highway System Plan.* The *Highway System Plan* serves as the basis for the Governor's transportation capital improvement and preservation program project list – the largest portion of the WSDOT capital budget.
- *Washington State Ferries Long-Range Plan.* The *Final Washington State Ferries Long-Range Plan* was issued at the conclusion of the 2009 legislative session and reflected key legislative decisions.
- *Amtrak Cascades 2008 Mid-Range Plan* identified specific steps to achieve additional service.
- *Washington State Strategic Highway Safety Plan: Target Zero.* *Target Zero* was revised in 2007 and provides a list of steps and investments the state should undertake to improve traffic safety.

Interviewees cited these plans as useful in biennial capital decision-making because they:

- Provide clear, pragmatic, incremental choices.
- Prioritize investments.
- Provide a financially constrained program of capital investments.
- Include operational as well as capital choices.
- Are data driven.

To develop major funding packages the legislature relies partially on state-level plans, but also uses other processes.

- *2000 Blue Ribbon Commission on Transportation.* The report of this Commission was utilized by the legislature for both the 2003 Nickel and the 2005 Transportation Partnership Act capital programs.
- *2005 Recommendations on New Funding to Address Critical Transportation Needs Over the Next Decade.* This WSDOT report, based in part on state-level plans, provided a list of projects for consideration in what became the 2005 Transportation Partnership Act.
- *Future funding package.* The legislature is preparing to consider a potential additional funding package and has directed the WSTC to review prioritized projects from the MPOs and RTPOs and provided WSDOT with funding to scope projects for potential inclusion in a funding package.

Interviewees indicated that in developing major revenue packages having a constituency to support the package and a list of implementable projects is important.

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While state-level plans have had a role in legislative capital decisions, an even larger role is played by corridor and other localized plans. This is because these plans are viewed as more pragmatic and on point for the development of a capital project list.

State-level transportation plans are utilized in reviewing and/or implementing state policies as well as in investment decisions, including the State Growth Management Act as well as transportation policies.

Consultant Observations – Plan Utilization

The consultants' observations are:

- State-level plans that have affected biennial capital investment decisions - the highway system plan, the ferry system plan, the strategic highway safety plan and the mid-range Amtrak Cascades plan – are mode plans that provide a program of investments that link policy and projects.
- State-level plans have some role when the legislature considers projects for inclusion in a major funding package, but the legislature has also relied on outside commissions and/or mandated ad-hoc processes.
- The legislature utilizes corridor plans in making capital investment decisions.
- The legislature does not have a role in approving state-level plans because it has not established such a role.
- Whether plans represent legislative commitments to a course of action is not always clear.

Planning Expenses

There are federal requirements for state and MPO planning and research expenditures.

- *State minimum planning expense.* States are required to set aside 2 percent of their Federal Highway Administration funding for state planning and research activities, with not less than 25 percent of the 2 percent to be devoted to research.
- *Work programs.* States and MPOs are required to develop planning work programs that identify federal and state resources to be used for planning and research activities.
- *Match.* The match required for these activities is 20 percent for Federal Highway Administration planning funds, 20 percent for Federal Highway Administration research funds, and 20 percent for Federal Transit Administration planning funds.
- *Flexibility.* The federal government allows states and MPOs wide flexibility in the use of planning funds.

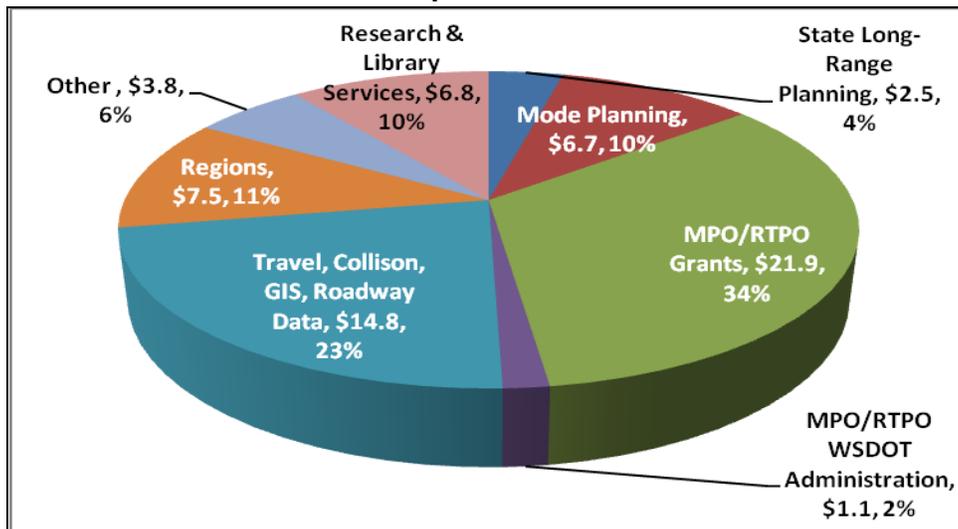
The State Planning and Research Work Program, MPO/RTPO Unified Planning Work Programs, and the 2009-11 transportation budget show that the state spends approximately \$24.4 million in state funds for state-level planning and research in a biennium and the MPOs/RTPOs approximately \$3.4 million per biennium.

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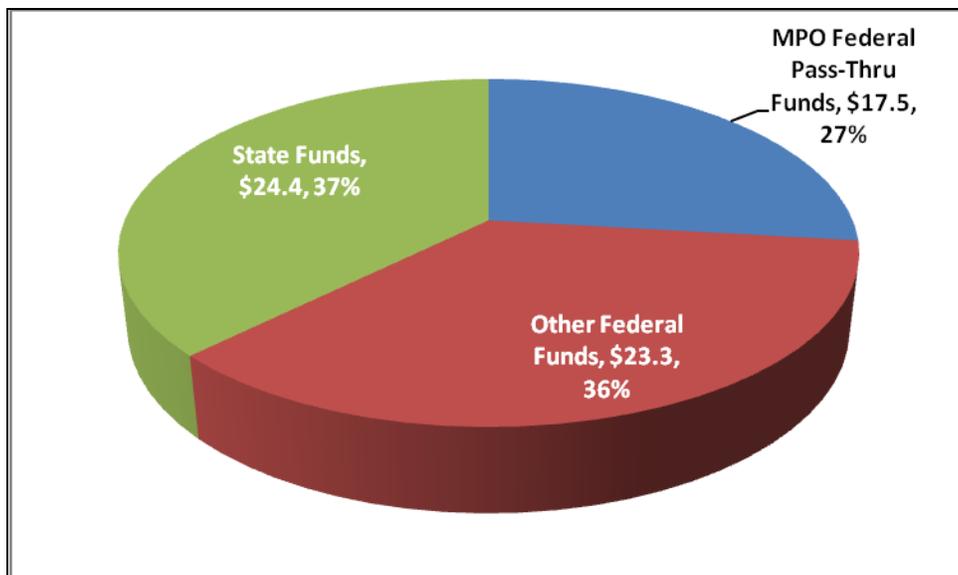
The 2009-11 biennium budget for state-level planning and research including federal and state funds is \$65.1 million⁴ which includes: \$2.5 million for state-long range transportation planning; \$6.7 million for mode planning; \$23.0 million for MPOs/RTPOs which includes \$1.1 million for WSDOT administration, \$17.5 million in federal funds passed through to MPOs, and \$4.4 million in state funded grants to the RTPOs; \$6.8 million in WSDOT region statewide planning expenses; \$14.8 million for travel, collision, GIS and roadway data; \$6.8 million for research and library services; and \$3.8 million for other state-level planning activities, including strategic planning and performance measurement, budget and financial analysis, community transportation planning, and trans-border planning.

2009-11 Biennium State-Level Planning and Research Expenditures - \$65.1 million
(\$ millions)

Expenditures



Sources of Funds



⁴ Reconciled to the 2009-11 state planning and research work program.

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The largest source of federal planning funds is from the required 2 percent set-aside of FHWA funds. In FY 2009-11 the state spent more than the required 20 percent match for FHWA state planning fund eligible planning activities, with the state budget for eligible planning activities of \$16.3 million representing 44 percent of the total. The state also spent \$0.2 million more than the minimum required to match FHWA research funds.

The consultants' observations are:

- Based on federal requirements alone, the state appears to invest more than the minimum federal match on state-level planning.
- The use of federal planning funds is flexible, which means that funds could be shifted to meet legislative planning priorities.

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Federal Planning and Program Requirements

Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Metropolitan Plans					
Metropolitan Transportation Plan	MPO	MPO	20 years	Future Goals, Strategies, and Projects	Every 5 Years (4 years for nonattainment and maintenance areas)
Transportation Improvement Program	MPO	MPO/Governor	4 years	Transportation Investments	Every 4 years
Unified Planning Work Program	MPO	MPO	1 or 2 years	Planning Studies and Tasks	Annually or biennially
State Long-Range Transportation Plan					
Long Range State Transportation Plan	State Department of Transportation	State Department of Transportation	20 years	Future Goals, Strategies, and Projects	Plan shall be "periodically updated".
State Transportation Improvement Program	State Department of Transportation	US Department of Transportation	4 years	Transportation Investments	Every 2 years
State Planning and Research Program	State Department of Transportation	State Department of Transportation	1 or 2 years	Planning Studies and Tasks	Annually or biennially
Strategic Highway Safety Plan	State Department of Transportation	US Department of Transportation	Not specified	Identifies and analyses highway safety problems and opportunities	Not specified
Aviation System Plan	State designated authority (WSDOT)	Governor Federal Aviation Administration	Not specified	Reflected in national plan of integrated airport system	Recommended at least every 5 years
State Rail Plan	State Rail Transportation Authority	US Department of Transportation	TBD by state	Rail policy and long-range service and investment program	5 years

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State Planning and Program Requirements

State Required Plan	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Regional Transportation Plans					
Regional Transportation Plan	RTPO	RTPO	Not specified	Transportation plan consistent with countywide planning policies	Reviewed biennially for concurrency. Updated periodically.
Regional Transportation Improvement Program	RTPO	RTPO/Governor	4 years	Transportation investments	Every 2 years
Unified Planning Work Program	RTPO	WSDOT	1 or 2 years	Planning studies & tasks	1-2 years
State Transportation Long-Range Plans					
Statewide Transportation Plan (policy plan)	WSTC	WSTC	Not specified	Statewide policies & strategies	Every 4 years
Statewide Multimodal Plan	WSDOT	WSDOT	Not specified	Two facility components – state-owned & state interest	Not specified
State Mode Plans: State-Owned Components					
State Highway System Plan	WSDOT	WSDOT	Not specified	Required elements: preservation, highway maintenance, capacity & operational improvement, scenic & recreational highways, & paths & trails	Not specified (done every 2 years for biennial capital improvement & preservation program)
State Ferry Systems Plan	WSDOT	WSDOT	Not specified	Guide capital & operating investments	Not specified

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State Required Plan	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
State Mode Plans: State-Interest Components					
Freight Mobility Plan	WSDOT	WSDOT	Not specified	Assess transportation needs to ensure the safe, reliable, and efficient movement of goods within and through the state and to ensure the state's economic vitality.	Not specified
Aviation Plan	WSDOT	WSDOT	Not specified	Identify program needs for public use and state airports.	Not specified
Marine Ports & Navigation Plan	WSDOT	WSDOT	Not specified	Identify port transportation needs & recommendation improvements	Not specified
Freight Rail Plan	WSDOT	WSDOT	Not specified	Freight rail issues and priorities	Not specified
Intercity Passenger Rail Plan	WSDOT	WSDOT	Not specified	Improvements to intercity passenger rail service	Not specified
Bicycle Transportation & Pedestrian Walkways Plan	WSDOT	WSDOT	Not specified	Identify needs of non-motorized transportation modes and provide basis for investment.	Not specified
Public Transportation Plan	WSDOT	WSDOT	Not Specified	Vision and goals for public transit and statewide public transportation facilities & equipment plan	Not specified

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State Required Plan	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
High Capacity Transportation Planning	WSDOT	n/a	n/a	WSDOT to administer state planning grants, represent the interests of the state and coordinate with regional high capacity transportation planning	n/a
Technical Workers Plan	WSDOT	WSDOT	Not specified	Plan to enhance technical workers skills	Not specified

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EVALUATION OF STATE-LEVEL TRANSPORTATION PLANS

INTRODUCTION

State-level transportation planning in Washington State is complex, with federal and state requirements for plans to be developed by the Washington State Department of Transportation, the Washington State Transportation Commission, eleven (11) Metropolitan Planning Organizations, and fourteen (14) Regional Transportation Planning Organizations.⁵ There are requirements for a statewide transportation plan referred to as a “policy” plan, a statewide multimodal plan, and for eleven (11) mode plans and for regional/metropolitan transportation plans. There is confusion even among transportation planners in the state as to what planning is required and by which organization.

On the one hand all of this can be viewed as “just planning”, while on the other hand there is a lot of energy and money going towards this at the state and regional levels and a whole planning infrastructure of public outreach, regular meetings and activities, and project lists. This planning has consequences and costs, so it is important to know what we are getting out of it.

Clear policies, good planning, and objective performance measurement should result in more informed transportation investment decisions. This does not mean that plans have to be long, involved, complex documents designed primarily to meet federal requirements. It does mean that the plans should be important to decision-makers and should provide a common vision and framework for our transportation system.

This paper explores these issues, provides a situation assessment, and will serve as baseline to discuss potential improvements in state-level planning.

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SECTION I. PURPOSE AND METHODOLOGY

A. Purpose

The 2010 legislature directed the Joint Transportation Committee (JTC) to “evaluate the preparation of state-level transportation plans. The evaluation must include a review of federal planning requirements, the Washington transportation plan and statewide modal plan requirements, and transportation plan requirements for regional and local entities. The evaluation must make recommendations concerning the appropriate responsibilities for preparation of plans, methods to develop plans more efficiently, and the utility of statewide planning documents.” ESSB 6381, §204(7) (2010).

Background materials provided in the study’s Request for Proposals state:

“Recent changes in transportation governance have produced some ambiguity in the distribution of planning responsibilities. Before 2005 the Washington State Department of Transportation’s (WSDOT) secretary served at the pleasure of and reported to the Washington State Transportation Commission (WSTC). In 2005 the Legislature created a new role for the WSTC by making WSDOT into a cabinet agency whose secretary was appointed directly by the Governor. The governance bill did not reallocate statutory planning responsibilities.

“During the same session that it changed transportation governance, the Legislature directed the Transportation Performance Audit Board (TPAB) to study transportation goals, benchmarks and investment criteria. The Legislature adopted planning goals and requirements recommended by the study in 2007 (SSB 5412).

“With these significant changes, it is often a challenge for the Legislature to integrate the different plans into an effective tool to inform state-wide transportation decision-making, or to understand the comprehensive nature of what is required under existing federal and state transportation planning laws. The Legislature is interested in evaluating and improving the state-level transportation planning process, including streamlining by eliminating any unnecessarily duplicative requirements.”

The key objectives of the study are to recommend appropriate assignment and coordination of state-level planning responsibilities and identify: 1) necessary or desirable planning elements; and 2) methods to develop state-level plans more efficiently.

This background paper provides a synthesis of research findings on:

- *Planning Requirements.* Identification of federal and state transportation planning requirements and responsibilities.
- *Plan Integration.* Description of how plans are vertically integrated.
- *Plan Utilization.* Description of how plans have been utilized to guide state transportation investment decisions.
- *Expenditures.* Description of the 2009-11 biennium state and metropolitan/regional planning organizations planning budgets.

B. Methodology

To prepare this white paper the consultants reviewed:

- Federal and state laws and regulations.
- State-level plans.
- The 2009-11 biennium State Transportation Improvement Program and State Planning and Research Program.
- The FY 2010, FY 2011, or 2009-11 biennium Metropolitan Planning Organization and Regional Transportation Planning Organizations' Unified Planning Work Programs and FY 2010 annual reports.

The consultants also conducted interviews with representatives from the Washington State Department of Transportation, the Washington State Transportation Commission, the House and Senate Transportation Committees, the Office of Financial Management, and the Governor's Office.

SECTION II. FEDERAL AND STATE PLANNING REQUIREMENTS

This section includes an overview of federal and state-level planning requirements and a discussion of state plans developed in response to these requirements.⁶

The consultants' observations are:

- *State planning requirements are more extensive than federal requirements.* The federal government requires four (4) state plans: a 20-year state-long range transportation plan, an aviation system plan, a strategic highway safety plan, and a state rail plan. Federal law also requires metropolitan planning organizations (MPOs) in urbanized areas of over 50,000 people with 20-year metropolitan transportation plans. State law includes requirements for two (2) state long-range plans (a statewide transportation plan (referred to as a policy plan) and a statewide multimodal plan) and eleven (11) mode plans of which three meet federal requirements, and establishes regional transportation planning organizations that extend beyond metropolitan areas.
- *Federal requirements for Metropolitan Transportation Plans and Improvement Programs limit the state's role.* Federal law requires that the Governor designate MPOs, but does not require state approval of the metropolitan transportation plans. The Governor must approve the metropolitan transportation improvement program, but once approved the metropolitan transportation improvement program must be incorporated into the statewide transportation improvement program without change. Federal law requires that the state long-range transportation plan be coordinated with the metropolitan transportation plans.
- *State requirements for Regional Transportation Planning Organizations are similar to requirements imposed by federal law on Metropolitan Planning Organizations, extending them to all counties except San Juan County which is not currently a member of a Regional Transportation Planning Organization.* As part of the Growth Management Act, the state allowed for the voluntary association of local jurisdictions in Regional Transportation Planning Organizations (RTPOs). The state has planning, improvement program, and unified planning work program requirements for RTPOs that are similar to federal requirements for metropolitan planning organizations. However, RTPOs do not have the non-compliance sanctions that federal law imposes on MPOs. Although WSDOT uses the RTPO process to meet federal requirements for a non-metropolitan consultation process, it is not clear why the RTPO requirements are similar to those for MPOs.
- *State requirements for a statewide transportation "policy" plan and a multimodal plan have been historically met through the creation of a federally compliant Washington Transportation Plan rather than through the creation of separate plans.* The federally compliant Washington Transportation Plan (2007-26), adopted in 2006, met then existing state requirements for a

⁶ State-level plans reviewed include those required by federal and state law, including local transportation planning requirements under the state Growth Management Act. There are other planning requirement for corridor, feasibility, and environmental studies that are not, for the purposes of this study, considered state-level plans. There are other plans that not statutorily required but may respond to budget provisos, Executive Orders, or management directives (i.e. Moving Washington).

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policy plan and a statewide multimodal plan and will remain the federally compliant plan when the WSTC 2010 statewide transportation plan (policy plan) is adopted.

- *Federal law, which is process oriented, allows broad discretion for the state to decide what form the required 20-year state long-range plan will take.* The state could elect to have the policy plan, the statewide multimodal plan, a combined plan, or some other plan be federally compliant. Current state law calls for the statewide multimodal plan to be developed under the WSTC policy plan (which must take into account federal law) and to conform to federal requirements.
- *State law is unclear as to which of the two plans required is intended to be the federally compliant plan.* As discussed in more detail in Appendix B, it is not clear whether the legislature intends for the statewide transportation plan or the statewide multimodal plan to be the federally compliant plan. The current state transportation planning statutes- which require two plans - are grounded in a reality that no longer exists. WSDOT and WSTC are not developing the same plan because the WSTC no longer directs WSDOT.
- *The relationship of the statewide multimodal plan to the mode plans is unclear.* Current state law calls for mode plans to be components of the statewide multimodal plan, but the plans have been developed separately from the Washington Transportation Plan which, until this planning cycle, has met the requirements for a statewide multimodal plan. The mode plans are done on different schedules and some, though required, have never been developed.
- *The roles of the Washington State Transportation Commission (WSTC) and the Washington State Department of Transportation (WSDOT) in the development of state-level plans are clear in state statutes.* Current state law requires two long-range state transportation plans: a statewide transportation plan commonly referred to as a policy plan, to be developed every four years by WSTC with assistance from WSDOT; and a statewide multimodal plan to be developed by WSDOT.
- *The roles of WSTC and WSDOT in transportation policy overlap, exacerbating tensions inherent in requiring two state long-range transportation plans.* Existing statutes give major roles in the formulation of transportation policy, which is ultimately decided by the legislature, to both WSTC and WSDOT.

A. Overview of Federal and State Planning Requirements

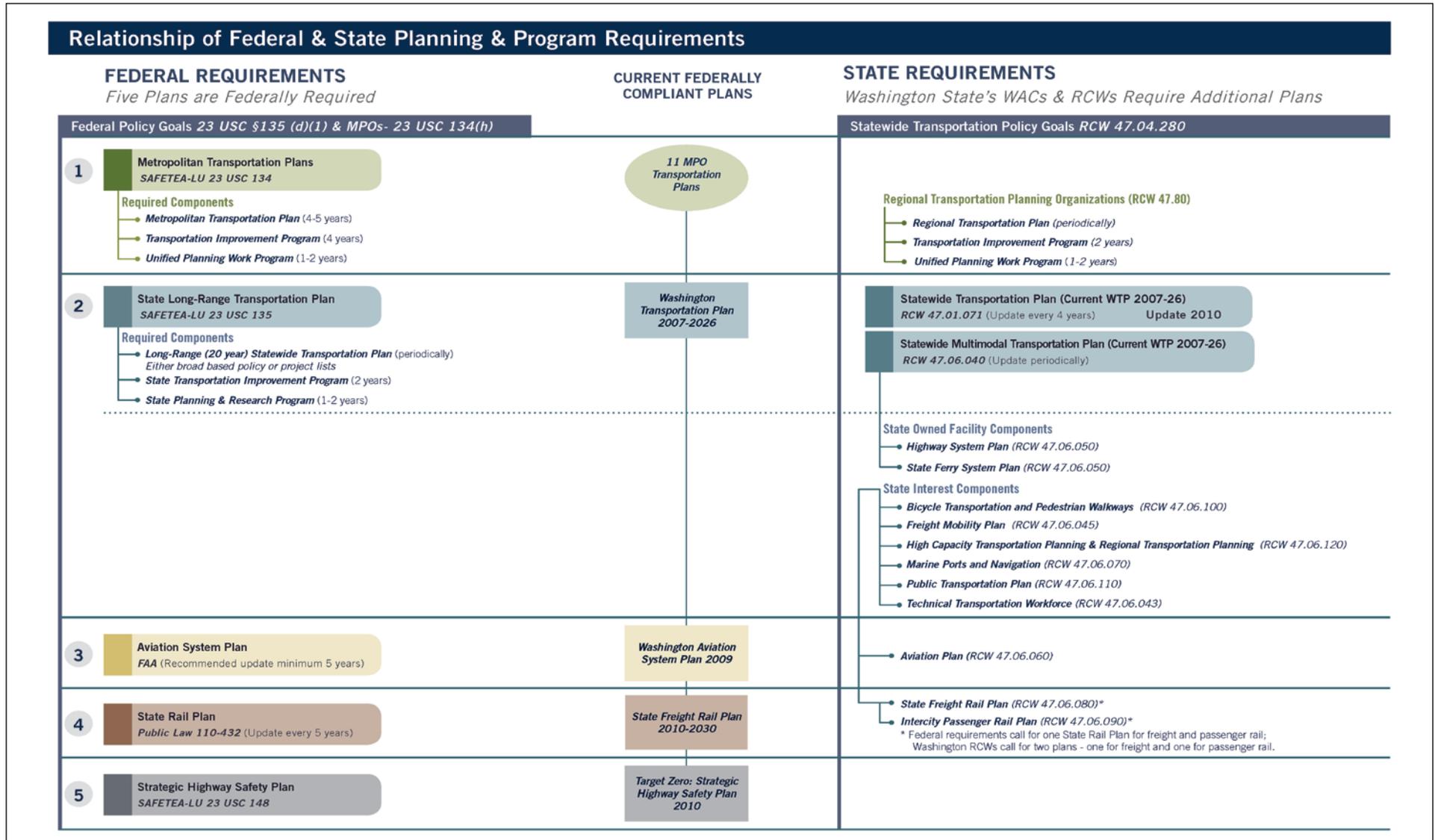
The exhibit below summarizes the relationship between federal and state planning and program requirements. A more detailed review developed by JTC staff is attached as Appendix 1. Key points regarding planning requirements are as follows:

- *Over-arching policy goals.* The federal and state planning requirements include over-arching goals that are compatible. The Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users (SAFETEA-LU) (23 USC 134) establishes eight federal goals for state and metropolitan transportation planning - economic vitality, safety, security, access and mobility, environment and growth management, connectivity, efficient system management and operation, and preservation of the existing system. RCW 47.04.280 establishes six over-arching goals to guide state and local transportation planning – economic vitality, preservation, safety, mobility, environment, and stewardship.

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- *Metropolitan and regional transportation plans.* SAFETEA-LU requires that there be designated metropolitan planning organizations (MPOs) in areas with urban populations of 50,000 or greater (23 USC 134). Washington State has 11 federally designated MPOs that are required by federal law to develop a 20-year long-range plan that must be updated every four or five years, to develop and submit to the state a metropolitan transportation improvement program, and to prepare every one to two years a unified planning work program. Washington State has, as part of the Growth Management Act, allowed for the voluntary association of local governments. Regional Transportation Planning Organizations have similar requirements for a long-range regional transportation plan, a regional transportation improvement (TIP) program, and a unified planning work program (UPWP) that the federal government has for MPOs.
- *State long-range transportation plan.* Federal law requires that the state have a 20-year long-range transportation plan, which may be a broad policy plan, a project list, or anything in between and must be updated periodically. States are also required to submit a state transportation improvement program, which must incorporate without change, the metropolitan transportation improvement programs, and state planning and research programs. State law requires two plans: a statewide transportation (policy) plan to be updated every four years and a statewide multimodal plan. State statutes do not specify how frequently the statewide multimodal plan is to be updated. Until 2010, the Washington Transportation Plan 2007-26 met both federal requirements and state requirements for a policy plan and a statewide multimodal plan. The 2010 WSTC *Washington Transportation Plan 2030* currently under development is the first plan that is neither federally compliant nor a statewide multimodal plan. It is not clear under existing state law which plan is intended to be federally compliant.
- *State mode plans.* The state requires two state-owned facility components of the state multimodal plan, a state highway system plan and a ferry system plan, neither one of which is required by federal law. The state highway system plan, while not federally required, is integral to the development of the federally required state transportation improvement program. There are also requirements for nine (9) state interest components plans, three of which – the state aviation plan, the state freight rail plan, and the intercity passenger rail plan - meet federal mandates.
- *Federal mode plans.* The federal government requires a state rail plan and an aviation plan, which are also required under state law, and a Strategic Highway Safety Plan which is not reflected in state statute.

Exhibit 1.
 Relationship of Federal and State Planning Requirements



B. Metropolitan and Regional Transportation Plans

1. Federal Requirements: Metropolitan Transportation Plans

SAFETEA-LU requires that there be designated metropolitan planning organizations (MPOs) in areas with urban populations of 50,000 or greater (23 USC 134).

MPOs, which are organized by agreement among local officials and designated by the Governor, have the following planning and program requirements⁷:

- *Planning process.* MPOs were created in order to ensure that existing and future federal expenditures for transportation projects and programs are based on a continuing, cooperative, and comprehensive (3-C) planning process (23 USC 134(c)(3)).
- *Prepare and maintain Metropolitan Transportation Plan (MTP).* MPOs are required to develop and update every five years (four years in air quality nonattainment and maintenance areas) a long-range, multimodal, fiscally constrained transportation plan covering a planning horizon of at least 20 years (CFR 450.32). MPOs are required to self-certify that they meet federal planning requirements.
- *Develop a Transportation Improvement Program (TIP).* MPOs are required to develop a short-range (four-year) program of prioritized transportation improvements based on the long-range transportation plan. The TIP should be designed to achieve the area's goals, using spending, regulating, operating, management and financial tools. The TIP must be fiscally constrained, include a financial plan, and is subject to approval by the Governor. All projects receiving federal funding must be in the TIP along with projects of regional significance. The MPO TIP must be incorporated directly without change into the Statewide Transportation Improvement Program (STIP) (CFR 450.324). The STIP and TIP include only highway and transit projects while the MPO long-range plans address all modes.
- *Develop a Unified Planning Work Program (UPWP):* Planning studies and evaluations are included in the Unified Planning Work Program (UPWP) which must be updated every one to two years (CFR 450.308).

a. Additional Planning Requirements for Selected MPOs

- *Transportation Management Areas (TMAs).* Areas with populations greater than 200,000 are designated as Transportation Management Areas and must have a congestion management process (CM) that identifies actions and strategies to reduce congestion and increase mobility.
 - *Certification review.* TMAs are subject to federal certification reviews by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) every four years (23 U.S.C 134 (k) (5)). The certification review focuses on procedural compliance with planning requirements.⁸

⁷ Sources: *MPO/RTPO Reference Materials*, WSDOT, June 2007 and *The Transportation Planning Process Key Issues: A Briefing Book for Transportation Decision makers, Officials, and Staff*, a publication of the Transportation Planning Capacity Building Program Federal Highway Administration Federal Transit Administration (FHWA-HEP-07-039).

⁸ *Metropolitan Planning Organizations Options Exist to Enhance Transportation Planning Capacity and Federal Oversight*, United States General Accountability Office, Sept. 2008, p. 22-23.

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- *Nonattainment area (NAAs) and maintenance areas.* A metropolitan area's designation by the federal Environmental Protection Agency (EPA) as an air quality nonattainment area (NAA) or maintenance area⁹ means that transportation plans, programs, and projects must conform to the state's air quality plan called the State Implementation Plan (SIP) and the transportation plan must be updated every four years rather than every five years.

**Exhibit 2.
Federal Requirements for Metropolitan Transportation Plans**

Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Metropolitan Transportation Plan	MPO	MPO	20 years	Future goals, strategies, and projects	Every 5 Years (4 years for nonattainment and maintenance areas)
Transportation Improvement Program	MPO	MPO/Governor	4 years	Transportation investments	Every 4 years. Most in Washington State develop new TIPs annually or every 2 years.
Unified Planning Work Program	MPO	MPO	1 or 2 years	Planning studies & tasks	Annually or every 2 years

- Source: The Transportation Planning Process Briefing Book (FHWA-HEP-08-039).

b. How Washington State Has Met Federal Metropolitan Planning Requirements

Washington has 11 MPOs, three (3) of which are designated as Transportation Management Areas and are also air quality maintenance areas: Puget Sound Regional Council, Spokane Regional Transportation Council, and Southwest Regional Transportation Council. There are two other air quality maintenance areas in Washington MPOs, the Yakima Valley Conference of Governments and the Thurston Regional Planning Council.

Each MPO is administered by a lead agency and has a Metropolitan Transportation Plan, Transportation Improvement Program, and Unified Planning Work Program.

- *Bi-state MPOs.* Two of Washington State's MPOs cross state boundaries and are considered bi-state MPOs.
 - *Lewis Clark Valley MPO.* The Lewis Clark Valley MPO includes Lewiston Idaho as well as Asotin, Clarkston and parts of Asotin County in Washington.
 - *Cowlitz-Wahkiakum MPO.* The Cowlitz-Wahkiakum MPO includes Longview and Kelso in Washington and Rainier in Oregon.

⁹ A nonattainment area is an area that does not meet the National Ambient Air Quality Standard (NAAQS) for a given pollutant. A maintenance area is an area that was previously nonattainment but which has since attained the standard, as demonstrated through continued air quality monitoring. There are six pollutants for which NAAQS have been established: ozone (1-hour and 8-hour standards), carbon monoxide, nitrogen dioxide, sulfur dioxide, particulate matter (less than 10 microns in diameter [PM10] and less than 2.5 microns in diameter PM2.5) and lead. (Source Puget Sound Regional Council)

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- *Interstate coordination.* Two MPOs coordinate with other state MPOs, but are not bi-state MPOs.
 - *Vancouver-Portland area.* The Southwest Washington Regional Transportation Council is the MPO for the Clark County portion of the Portland-Vancouver region and METRO is the MPO for the Oregon portion of the Portland-Vancouver region. The MPOs address bi-state regional transportation system needs, by having representatives sit on their respective transportation policy committees. There is also a Bi-State Coordination Committee whose discussions and recommendations are advisory to the two MPOs.
 - *Spokane-Kootenai area.* The Spokane Regional Transportation Council is the MPO for Spokane and the Kootenai MPO is the MPO for Kootenai. The two MPOs have separate boards, but the Kootenai MPO contracts with the Spokane Regional Transportation Council to provide staff and Board support and the two bodies coordinate planning and modeling efforts that affect both MPO areas.

The exhibits below show the boundaries of the state's MPOs and the status of their transportation plans.

Exhibit 4.
Washington State Metropolitan Transportation Plans

Metropolitan Planning Organization (MPO)	Bi-State	Transportation Management Area	Air Quality Maintenance Area	Most Recent Metropolitan Transportation Plan
Benton-Franklin Council of Governments				Nov. 2006
Cowlitz-Wahkiakum Council of Governments	x			Oct. 2009 (draft)
Lewis-Clark Valley MPO	x			Nov. 2006
Puget Sound Regional Council		x	x ¹⁰	May 2010
Skagit Metropolitan Planning Organization				August 2010
Spokane Regional Transportation Council		x	x ¹¹	Dec. 2007
Southwest Washington Regional Transportation Council		x	x ¹²	Dec. 2007
Thurston Regional Planning Council			x	June 2010
Wenatchee Valley Transportation Council				August 2010
Whatcom Council of Governments				June 2007
Yakima Valley Conference of Governments			x	June 2007

2. State Requirements: Regional Transportation Planning Organizations

Washington State, as part of the Growth Management Act, authorized the creation of regional transportation planning organizations (RTPOs) (RCW 47.80). Regional transportation planning organizations are formed through the voluntary association of local governments within a county, or within geographically contiguous counties and must: 1) encompass at least one county; 2) have a population of at least 100,000 or contain a minimum of three counties; and 3) have as members all counties within the region and at least 60 percent of the cities and towns within the region, representing 75 percent of the cities and towns population.

Fourteen (14) RTPOs have been formed. In metropolitan areas, the RTPO is managed by the MPO (RCW 47.80.02) although the RTPO covers a wider, rural area.

The exhibit below shows the RTPO boundaries. The boundaries of MPOs and RTPOs are not consistently defined throughout the state. They reflect regional differences including urban development patterns and institutional relationships. Most of the RTPOs encompass a MPO. Three

¹⁰ The Central Puget Sound region is currently designated a maintenance area for carbon monoxide and PM10, and is in attainment for all other standards. (Source Puget Sound Regional Council)

¹¹ The Environmental Protection Agency (EPA) has designated Spokane as an attainment area for carbon monoxide, currently operating under a maintenance plan. (Source Spokane Regional Transportation Council)

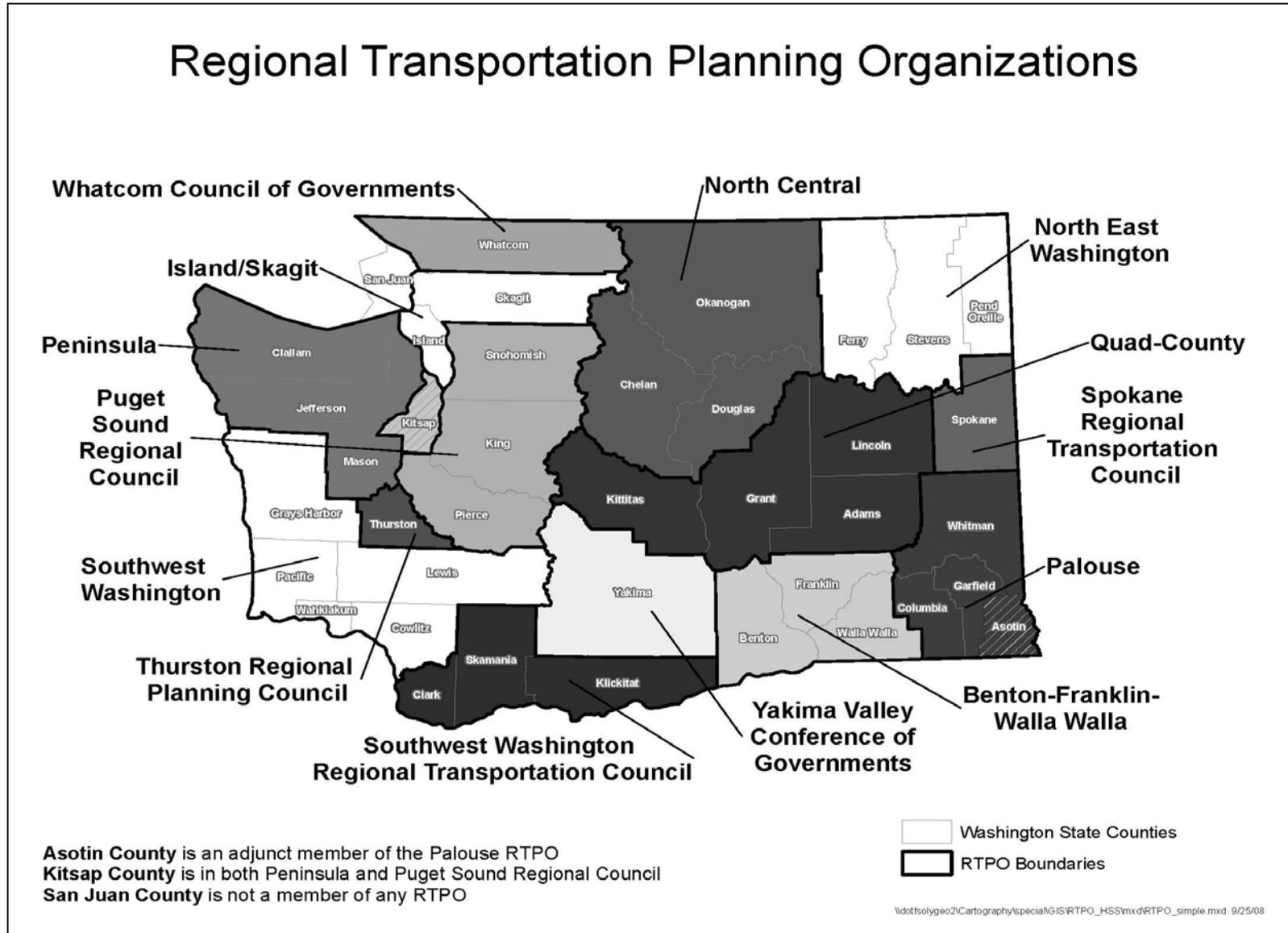
¹² The Vancouver Air Quality Maintenance Area is currently designated as a CO maintenance area, currently operating under a maintenance Plan. (Source Southwest Washington MTP Appendix A)

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RTPOs do not include a MPO within their boundaries: Quad-County, North East Washington, and Peninsula.

Kitsap County belongs to both the Peninsula RTPO and Puget Sound Regional Council. Asotin County belongs to the Lewis Clark Valley MPO located in Lewiston Idaho (Idaho does not have RTPOs). San Juan County is the only county that does not belong to an RTPO, though they coordinate transportation matters between the County and cities on an ad-hoc basis.

Exhibit 5.
Washington State Regional Transportation Organizations



a. Washington State Requirements for RTPOs

Washington State requires RTPOs to produce the following planning documents:

- *Regional transportation plan.* RTPOs are to prepare a regional transportation plan that is consistent with applicable countywide planning policies for those counties fully planning under the Growth Management Act and are to certify that the transportation elements of the comprehensive plans prepared by counties, cities, and towns within the region are consistent with the regional transportation plan. Washington State does not specify how frequently plans must be updated, however they are to reviewed biennially for currency (RCW 47.80.030(2)) and periodically updated (RCW 47.80.030(1)). RTPOs are required to develop their own planning processes for the development and refinement of the regional transportation plan (WAC 468-86-090) and to periodically review and update the regional transportation strategy (WAC 468-86-100).
- *Transportation improvement program.* RTPOs must develop a six-year regional transportation improvement program in cooperation with WSDOT, operators of public transportation services, and local governments in the region. The program must be compiled at least once every two years (WAC 468-86-160). The primary function of RTPOs is to integrate land use and transportation, and they play an important role in providing a common point for state and local agencies to coordinate.
- *Unified Planning Work Programs.* RTPOs are required to submit annual or biennial unified planning work programs as an administrative document to show how grants funds will be expended.
- *Annual reports.* RTPOs are required to submit annual reports to WSDOT.

**Exhibit 6.
State Requirements for Regional Transportation Plans**

State Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Regional Transportation Plan	RTPO Staff & Technical Advisory Committees	RTPO Policy Board	Not specified	Transportation plan consistent with countywide planning policies	Reviewed biennially Updated periodically
Regional Transportation Improvement Program*	RTPO	RTPO/Governor	4 years	Transportation investments	Every 2 years
Unified Planning Work Program	RTPO	WSDOT	1 or 2 years	Planning studies & tasks	1-2 years

* Not a state requirement. RTPO projects have to be in the federally required STIP if they have federal funding or are regionally significant.

b. WSDOT MPO and RTPO Coordination

Under WAC 468-86-060 WSDOT administers the MPO and RTPO programs jointly, and in addition to funding, provides the following:

- *Standards.* Establish minimum standards for regional transportation plans.
- *Coordination.* Facilitate coordination among the RTPOs.
- *Administration.* Provide general administrative oversight.
- *Corridor planning.* Identify and jointly plan improvements and strategies within corridors providing regional or statewide movement of people and goods.

WSDOT also facilitates quarterly meetings of a MPO/RTPO/WSDOT Coordinating Committee, which WSDOT regards as central to the 3C planning process.

b. Federal Non-Metropolitan Local Official Consultation Process

Federal law (23.CFR 450.224(b)) requires states to document and implement a consultation process with non-metropolitan local officials for the purpose of including their requirements in the state long-range transportation plan and in the statewide transportation improvement program. In Washington State the non-metropolitan consultation process occurs primarily through the RTPOs and the Tribal Transportation Planning Organization (TTPO), staffed by WSDOT headquarters planning staff.

C. State Long-Range Transportation Plan

1. Federal Requirements: State Long-Range Transportation Plan

Under SAFETEA-LU states have three requirements related to the state transportation plan.

- *Prepare and maintain a long-range statewide transportation plan.* The state transportation plan must have at least a 20-year horizon and “may be broad and policy-oriented, or may contain a specific list of projects.”¹³ Specific requirements in 23 CFR 450.214 are that the plan:
 - Be intermodal - including consideration and provision, as applicable, of elements and connections of and between rail, commercial motor vehicle, waterway, and aviation facilities, particularly with respect to intercity travel.
 - Contain as an element a plan for bicycle transportation, pedestrian walkways, and trains, which is appropriately interfaced with other modes.
 - Be coordinated with the metropolitan transportation plans.
 - Reference, summarize or contain any applicable short-range planning studies, strategic planning and/or policy studies, transportation need studies, management system reports and any statements of policies, goals and objectives regarding issues such as transportation, economic development, housing, social and environmental effects, energy, etc. that were significant to development of the plan.
 - Reference, summarize, or contain information on the availability of financial and other resources needed to carry out the plan.

¹³ Ibid. *Briefing Book*, p. 6.

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- *Develop a State Transportation Improvement Program (STIP).* The STIP identifies statewide priorities for transportation projects over a four-year time horizon and must be fiscally constrained, include a financial plan, and be updated every four years. States are required to establish a process for the state department of transportation to solicit or identify projects from rural, small urban and urbanized areas of the state. Projects are selected based on state adopted procedures and criteria. TIPs that have been developed by MPOs must be incorporated directly without change into the STIP. All projects to receive federal funding or approval must be in the STIP. The STIP must be approved by the FHWA and the FTA along with an overall determination that planning requirements are being met. STIP approval must be granted before projects can proceed from planning stage to the implementation stage.
- *Develop a State Planning and Research Program (SPR).* The SPR contains a list of the planning tasks, studies, and research activities that will be conducted over a one-to two-year period, including funding sources for each project, a schedule of activities, and the agency responsible for each task or study. A similar work plan is also required for research, development and technology transfer activities. These may be reported separately or together.

**Exhibit 7.
Federal Requirements for State Long-Range Plans**

Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Long Range State Transportation Plan	State Department of Transportation	State Department of Transportation	20 years	Future goals, strategies, and projects	Plan shall be "periodically updated".
State Transportation Improvement Program	State Department of Transportation	US Department of Transportation	4 years	Transportation investments	Every 2 years
State Planning and Research Program	State Department of Transportation	US Department of Transportation	1 or 2 years	Planning studies and tasks	1-2 years

Source: The Transportation Planning Process Briefing Book (FHWA-HEP-08-039).

a. How Washington State Has Met State Plan Requirements

- *Statewide Long-Range Plan.* The 2007-26 Washington Transportation Plan (WTP) is the federally compliant state long-range transportation plan. At the time that the 2007-26 WTP was developed and became federally complaint it was also intended to fulfill requirements under then existing state law for a Transportation Policy Plan (RCW 47.06.030), a Statewide Transportation Plan (RCW 47.01.071 (4)) and a Statewide Multimodal Transportation Plan (RCW 47.06.040).¹⁴

¹⁴ The 2007-26 Washington Transportation Plan pg 6 discusses the federal and state requirements that the plan met. RCW 47.06.030 requiring a policy plan was repealed in the 2007 legislative session and the requirements combined with the required statewide transportation plan to be developed by the WSTC under RCW 47.01.071(4).

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- *State Transportation Improvement Program.* WSDOT develops and submits to the FHWA and FTA a four-year STIP. The current STIP is for the 2009-12 time period.
 - *Financial constraints.* “The regulations (23 CFR 450.216(a) (2)) require that the STIP present a financially constrained program of projects that will be implemented during a four-year period. This is accomplished in Washington (since WSDOT is limited by statute to a two-year capital construction program) by using an investment level approach for the third and fourth year of the STIP. The investment level is based upon the planned amount of funding for the various programs” (2009-12 Washington State STIP, p. 2).
 - *State Highway System Plan.* The State Highway System Plan is a state document not required in federal law and is not a subject of the federally required STIP. It is however used to develop the STIP. “WSDOT uses a priority programming process that first identifies needs for a 20-year period that can be accomplished within financial constraints. This is done through the State Highway System Plan (HSP). In order to be eligible for programming, a need must be first identified in the HSP. The needs contained in the HSP do not have start dates and can occur anytime during the 20-year period. The HSP is updated every 2 years and defines service level objectives, action strategies and costs. From the HSP, a six-year implementation plan is developed. The six-year plan is constrained to the investment level for a three-biennium period and is used in the budget development process. Only the first two years of the six-year plan contains specific projects. The last four years contain funding levels for the different programs. Projects are then included for programming in the two-year budget from the six-year plan” (2009-12 Washington State STIP, p. 3).
 - *Metropolitan TIPs.* “Provisions of Sec. 135(f)4(c)ii of SAFETEA-LU allow the State to combine non-regionally significant and environmentally neutral projects, previously listed as individual projects in the MPO TIPs, into statewide groupings or ‘buckets’ by funding source. This allows the State more efficient management of the Statewide Transportation Improvement Program (STIP). All MPO TIPs have been forwarded to the Governor for approval. Their projects are listed individually in the STIP, except for those projects that have been grouped” (2009-12 Washington State STIP, p. 3).
 - *Consistency with state plans.* The STIP references the November 2006 adoption of the Washington Transportation Plan (2007-26) by the Washington State Transportation Commission.
 - *Amendments.* Amendments are submitted monthly to the FHWA and FTA for approval.
 - *Statewide Transportation Planning Process Self-Certification.* The STIP is submitted to the FHWA and FTA with a certification signed by the WSDOT Director of State and Local Highways Programs that “In accordance with 23 CFR 450.220 and 23 CFR 420.121 the Washington State Department of Transportation (WSDOT) hereby certifies that the transportation planning process is addressing the major issues facing the State and its non-urbanized areas, and is being conducted in accordance

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with all applicable requirements of, among others, Section 134 (metropolitan transportation plans) and Section 135 (state transportation plans) of Title 23 USC.”

- *Non-metropolitan consultation process.* WSDOT, in accordance with 23 CFR 450.224(b) has a documented non-metropolitan local official consultation process which is largely based on the RTPOs. By federal rule the non-metropolitan consultation process must be updated every five (5) years, with the current update due for completion by February 26, 2011. Documentation of the consultation process is required for both the Long-Range Transportation Plan and the STIP.
- *State Planning and Research Work Program.* WSDOT has a State Planning and Research Work Program for the 2009-11 biennium that identifies \$62.8 million in state and federal resources anticipated to be spent by WSDOT on state planning and research during the 2009-11 biennium.

2. State Requirements – State Long-Range Transportation Plan(s)

State law requires two long-range transportation plans: a statewide transportation plan to be developed every four years by WSTC and a statewide multimodal plan to be developed by WSDOT. Prior this planning cycle, the Washington Transportation Plan met the requirements for both plans.

As described below, the statewide multimodal plan, which includes modal components, is required to be developed under the policy plan and is intended to be the federally compliant plan.

a. Washington State Transportation Commission Statewide Transportation Plan

- *State statute requirements.* RCW 47.01.071 (4) requires WSTC to prepare a statewide transportation plan with assistance from WSDOT. The first such plan is due to the House and Senate Transportation Committees and the Governor by December 2010 and must be reviewed and updated every four years. Given the overall statutory guidance, the WSTC plan is commonly referred to as a policy plan. By statute the plan must:
 - *Be a comprehensive and balanced statewide transportation plan* consistent with the state's growth management goals and based on the transportation policy goals provided under RCW 47.04.280¹⁵ and applicable state and federal laws.
 - *Reflect the priorities of government* developed by the Office of Financial Management and address regional needs, including multimodal transportation planning.
 - *Establish a vision* for the development of the statewide transportation system.
 - *Identify significant statewide transportation policy issues.*
 - *Recommend statewide transportation policies and strategies* to the legislature to assure the development and maintenance of a comprehensive and balanced statewide transportation system which will meet the needs of the people of this state for safe and efficient transportation services.
 - The product of an *ongoing process* that involves representatives of significant transportation interests and the general public from across the state.

¹⁵ RCW 47.04.280 establishes the six policy goals for Washington State transportation.

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- Take into account *federal law and regulations* relating to the planning, construction, and operation of transportation facilities.
- *Status.* The WSTC has released a draft plan, the *Washington Transportation Plan 2030*. The draft plan is “the over-arching state policy framework intended to guide transportation policy and investment decisions” (p. 1).
- *Relationship to federal requirements* Although it must take federal law into account, the WTP 2010-2030 is not intended to be the federally compliant state long-range transportation plan, although a policy plan could be.

b. Washington State Department of Transportation Statewide Multimodal Plan

- *State statute requirements.* RCW 47.06.040 requires WSDOT to “develop a statewide multimodal transportation plan under RCW 47.01.071(4) (i.e. WSTC policy plan) and in conformance with federal requirements, to ensure the continued mobility of people and goods within regions and across the state in a safe, cost-effective manner.” There are no requirements for how often the statewide multimodal plan or its components must be updated.
- *Status.* WSDOT plans to develop a statewide multimodal plan following federal re-authorization of SAFETEA-LU, with a trends and conditions report as precursor to the plan.¹⁶
- *Relationship to federal requirements.* The statewide multimodal plan must, by statute, conform to federal requirements.

**Exhibit 8.
State Requirements for State Long-Range Plans**

Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Statewide Transportation Plan (policy plan)	WSTC	WSTC	Not specified	Statewide policies & strategies	Every 4 years
Statewide Multimodal Plan	WSDOT	WSDOT	Not specified	Two facility components – state-owned & state interest	Not specified

D Transportation Policy Responsibility

Transportation policy is ultimately decided by the legislature. Existing statutes give major roles in the formulation of transportation policy to WSTC and to WSDOT.

- *WSTC.* RCW 47.01.075 establishes the role of WSTC in transportation policy development. It states that the WSTC shall provide a public forum for the development of transportation policy including coordination with regional transportation planning organizations,

¹⁶ WSDOT, Statewide and Regional Transportation Planning Presentation to the Washington State Transportation Commission, Feb. 17, 2010. The presentation indicated that the Trends Report was to be completed by the summer of 2010. The document is essentially a collection of updated data and is currently in draft form pending the staff resources to complete it. It has been delayed due shifting priorities.

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transportation stakeholders, counties, cities, and citizens. The Commission shall consider the input gathered at the forums as it establishes its statewide transportation plan. RCW 47.01.075 also states that the WSTC may provide policy guidance and make recommendations to the governor and legislature in other key issue areas.

- *WSDOT*. RCW 47.06.020 states that among the specific roles to be played by WSDOT in transportation planning is on-going coordination and development of statewide transportation policies that guide all Washington transportation providers.

E. State Mode Plans

1. Federal Requirements: Mode Plans

The federal government requires a state aviation system plan, a state rail plan, and a state highway safety plan.

a. Aviation System Plan

The Federal Aviation Administration (FAA) funds statewide aviation plans, which must conform to the federal definition of integrated airport system planning¹⁷ with the overall goal to ensure that the air transportation needs of a state or metropolitan area are adequately served by its system of airports, both now and in the future. The plan is intended to provide guidance and input for the preparation of individual airport master plans and airport capital improvement plans and contribute to the FAA's National Plan of Integrated Airport Systems.

The FAA's advisory circular *The Airport System Planning Process* states that the basic airport system plan document should be adequate for up to five years, but can be evaluated no sooner than every two years. Interim updates can be issued every two to five years, with formal updates prepared at least every five years. Since the 1970s the FAA has favored a continuous statewide aviation system planning process.

**Exhibit 9.
Federal Requirements State Aviation System Plan**

Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Aviation System Plan	State designated authority (WSDOT)	Governor Federal Aviation Administration	Not specified	Reflected in national plan of integrated system plan	Recommended at least every 5 years

How Washington State has met federal requirements for an aviation system plan

RCW 47.06.060 provides that the state-interest component of the statewide multimodal transportation plan shall include an aviation plan, which shall fulfill the statewide aviation planning requirements of the federal government, coordinate statewide aviation planning, and identify the program needs for public use and state airports.

¹⁷ 49 USC 47102(8) defines integrated system planning as developing for planning purposes, information, and guidance to decide the extent, kind, location, and timing of airport development needed in a specific area to establish a viable, balanced, and integrated system of public-use airports.

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The Washington Aviation System Plan, which also includes airports owned by the state, was adopted in July 2009 following work authorized in 2005 on a Long-Term Air Transportation Study (LATS).

**Exhibit 10.
State Requirements State Aviation System Plan**

State Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Aviation Plan	WSDOT	WSDOT	Not specified	Program needs for public use & state airports	Not specified

b. State Rail Plan

The Passenger Rail Investment and Improvement Act of 2008 (PRIIA), known as Public Law 110-432 (PL 110-432), requires states to develop a state rail plan in order to be eligible for federal rail funding, including new rail safety funding provided under PRIIA.

- *State rail plan.* PL 110-432, Division B, Title 3, Section 303, Chapter 227 details the requirements for developing and maintaining a state rail plan, the purposes of which are to set forth state policy involving freight and passenger rail transportation, including commuter rail operations, in the state, to establish the period covered by the state rail plan, to present priorities and strategies to enhance rail service in the state; and to serve as the basis for federal and state rail investments in the state. The plan must be approved by the Federal Railroad Administration and must be revised and resubmitted for approval no less frequently than every five years.
- *Long-range service and investment program.* The long-range service and investment program is required to be included in the state rail plan and must include a list of any rail capital projects expected to be undertaken or supported by the state and a detailed funding plan for these projects. The list of rail capital projects has to include a description of the public and private benefits of each project and a statement of the correlation between public funding contributions and public benefits.

**Exhibit 11.
Federal Requirements State Rail Plan**

Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
State Rail Plan	State Rail Transportation Authority (State agency or official responsible under the direction of the Governor)	US Department of Transportation	To be determined by State	Rail policy and long-range service and investment program	5 years

How Washington State has met federal requirements for a rail plan

Washington State statutes require the creation of a state rail plan (RCW 47.76.220); a state freight rail plan as one of the state-interest components of the state multimodal plan (RCW 47.06.080); and a rail passenger plan (RCW 47.79.040).

The *Washington State Freight Rail Plan 2010-30* was issued in December 2009 and submitted to the U.S. Department of Transportation for approval as the state rail plan.¹⁸

**Exhibit 12.
State Requirements State Rail Plan**

State Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Freight Rail Plan	WSDOT	WSDOT	Not specified	Freight rail issues and priorities	Not specified
Intercity Passenger Rail Plan	WSDOT	WSDOT	Not specified	Improvements to intercity passenger rail service	Not specified

c. Strategic Highway Safety Plan

Under SAFETEA-LU (23 USC 148) states are required to have a Strategic Highway Safety Plan, with the first such plan required in 2007. The plan is required to be developed by state departments of transportation and is to: analyze and make effective use of state, regional, or local crash data; address engineering, management, operation, education, enforcement, and emergency services elements (including integrated, interoperable emergency communications) of highway safety as key factors in evaluating highway projects; consider safety needs of, and high-fatality segments of, public roads; consider the results of State, regional, or local transportation and highway safety planning processes; describe a program of projects or strategies to reduce or eliminate safety hazards approved by the Governor of the State or a responsible State agency; and be consistent with the State Transportation Improvement Program.

The plan is subject to approval by FHWA.

**Exhibit 13.
Federal Requirements for a Strategic Highway Safety Plan**

Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Strategic Highway Safety Plan	State Department of Transportation	US Department of Transportation	Not specified	Identifies and analyses highway safety	Not specified

¹⁸ *Amtrak Cascades Long-Range Plan 2007-23* was issued in February 2006 to meet the U.S. Department of Transportation's then recommended planning framework for high speed intercity rail service development. WSDOT made the decision to comply with these federal planning guidelines in order to ensure Washington State's eligibility for potential federal funding.

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Federal Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
	(Washington Traffic Safety Commission, State Patrol and others in Washington)			problems and opportunities	

How Washington State has met federal requirements for a strategic highway safety plan

The Washington Traffic Safety Commission, WSDOT, and the Washington State Patrol developed *The Washington State Strategic Highway Safety Plan: Target Zero* in 2007. The plan, which has a time horizon until 2030, is currently being updated. There are no state statutes related to the strategic highway safety plan.

2. State Requirements: Mode Plans

The state has more extensive mode plan requirements than the federal government. These requirements are components of the statewide multimodal plan.

a. State Statutes Requirements

RCW 47.06.040 states that there shall be two components to the statewide multimodal plan: a state-owned facilities component and a state-interest component. These component plans have been developed separately from the Washington Transportation Plan 2006-27 which served as the state multimodal plan.

- *State-owned facilities component.* The state-owned facilities component is to guide state investment for state highways, including bicycle and pedestrian facilities, and state ferries. This component includes:
 - *State highway system plan*, which must include a system preservation element, a highway maintenance element, a capacity and operational improvement element, and a scenic and recreational highways element, and a paths and trails element (RCW 47.06.050 (1)).
 - *State ferry system plan*, which shall guide capital and operating investments in the state ferry system (RCW 47.06.050 (2)).
- *State-interest component.* The state-interest components are to define the state interest in aviation, marine ports and navigation, freight rail, intercity passenger rail, bicycle transportation and pedestrian walkways, and public transportation and recommend actions in coordination with appropriate public and private transportation providers to ensure that the state interest in these transportation modes is met. The state interest component must also include a plan for enhancing the skills of the existing technical transportation workforce (RCW 47.06.043) and a freight mobility plan which shall assess the transportation needs to ensure the safe, reliable, and efficient movement of goods within and through the state and to ensure the state's economic vitality (RCW 47.06.045). The state-interest components are further defined as:

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- *Freight mobility*, which shall assess the transportation needs to ensure the safe, reliable, and efficient movement of goods within and through the state and to ensure the state's economic vitality (RCW 47.06.045).
- *Aviation plan*, which shall fulfill the statewide aviation planning requirements of the federal government, coordinate statewide aviation planning, and identify the program needs for public use and state airports (RCW 47.06.060).
- *Marine ports and navigation plan*, which shall assess the transportation needs of Washington's marine ports, including navigation, and identify transportation system improvements needed to support the international trade and economic development role of Washington's marine ports (RCW 47.06.070).
- *Freight rail plan*, which shall fulfill the statewide freight rail planning requirements of the federal government, identify freight rail mainline issues, identify light-density freight rail lines threatened with abandonment, establish criteria for determining the importance of preserving the service or line, and recommend priorities for the use of state rail assistance and state rail banking programs, and identify existing rail rights of way that should be preserved (RCW 47.06.080).
- *Intercity passenger rail plan*, which shall analyze existing intercity passenger rail service and recommend improvements to that service under the state passenger rail service program including depot improvements, potential service extensions, and ways to achieve higher train speeds (RCW 47.06.090).
- *Bicycle transportation and pedestrian walkways plan*, which shall propose a statewide strategy for addressing bicycle and pedestrian transportation, including the integration of bicycle and pedestrian pathways with other transportation modes; the coordination between local governments, regional agencies, and the state in the provision of such facilities; the role of such facilities in reducing traffic congestion; and an assessment of statewide bicycle and pedestrian transportation needs. This plan shall satisfy the federal requirement for a long-range bicycle transportation and pedestrian walkways plan (RCW 47.06.100).
- *Public transportation plan*, that: (1) articulates the state vision of an interest in public transportation and provides quantifiable objectives, including benefits indicators; (2) identifies the goals for public transit and the roles of federal, state, regional, and local entities in achieving those goals; (3) recommends mechanisms for coordinating state, regional, and local planning for public transportation; (4) recommends mechanisms for coordinating public transportation with other transportation services and modes; (5) recommends criteria for existing federal authorizations administered by WSDOT to transit agencies; and (6) recommends a statewide public transportation facilities and equipment management system as required by federal law. In developing the state public transportation plan, the department shall involve local jurisdictions, public and private providers of transportation services, non-motorized interests, and state agencies with an interest in public transportation, including but not limited to the departments of community, trade, and economic development, social and health services, and ecology, the office of the superintendent of public instruction, the office of the governor, and the office of financial management (RCW 47.06.110).

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- *High capacity transportation planning and regional transportation planning*, in which the role of WSDOT is to administer state planning grants for these purposes, represent the interests of the state in these regional planning processes, and coordinate other department planning with these regional efforts, including environmental review requirements (RCW 47.06.120).
- *Technical worker plan*, a plan to enhance the skills of transportation workers (RCW 47.06.043).

**Exhibit 14.
State Requirements Mode Plans**

State Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
State-Owned Components					
State Highway System Plan	WSDOT	WSDOT	Not specified	Required elements: preservation, highway maintenance, capacity & operational improvement, scenic & recreational highways, & paths & trails	Not specified (done every 2 years for biennial capital improvement & preservation program)
State Ferry Systems Plan	WSDOT	WSDOT	Not specified	Guide capital & operating investments	Not specified
State-Interest Components					
Freight Mobility Plan	WSDOT	WSDOT	Not specified	Assess the transportation needs to ensure the safe, reliable, and efficient movement of goods within and through the state and to ensure the state's economic vitality.	Not specified
Aviation Plan	WSDOT	WSDOT	Not specified	Identify program needs for public use and state airports.	Not specified
Marine Ports & Navigation Plan	WSDOT	WSDOT	Not specified	Identify port transportation needs & recommendation improvements	Not specified
Freight Rail Plan	WSDOT	WSDOT	Not specified	Fulfill federal requirements	Not specified
Intercity Passenger Rail Plan	WSDOT	WSDOT	Not specified	Improvements to intercity passenger rail service	Not specified
Bicycle Transportation & Pedestrian	WSDOT	WSDOT	Not specified	Identify needs of non-motorized transportation modes and provide basis	Not specified

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State Requirement	Who Develops	Who Approves	Time Horizon	Content	Update Requirements
Walkways Plan				for investment.	
Public Transportation Plan	WSDOT	WSDOT	Not Specified	Vision and goals for public transit and statewide public transportation facilities & equipment plan	Not specified
High Capacity Transportation Planning	WSDOT	n/a	n/a	WSDOT to administer state planning grants, represent the interests of the state and coordinate with regional high capacity transportation planning	n/a
Technical Workers Plan	WSDOT	WSDOT	Not specified	Plan to enhance technical workers skills	Not specified

b. Status

The statutes do not establish an update schedule for state-owned or state-interest component modal plans.

c. Relationship to Federal Requirements

Three (3) of the plans meet federal planning requirements: the aviation system plan and the two rail plans. The highway system plan is used to develop the State Transportation Improvement Program.

**Exhibit 15.
State Mode Plans Status**

State Required Plan (Federally required in bold)	Status
State-owned components	
State highway system plan	2009/Updated every two years with biennium budget.
Ferry system plan	2009
State-interest components	
Freight Mobility	2007 - Freight element of the 2007 WTP
Aviation	2009
Marine ports and navigation	2007 - Freight element of the 2007 WTP & Marine cargo forecasts
Freight rail	2009
Intercity passenger rail	Amtrak Long-Range Plan 2006, Mid-Range Plan 2008
Bicycle transportation and pedestrian walkways	2008
Public transportation	1997 and Annual Report of statistics
Technical workers	Not done
Freight mobility	2007 - Freight element of the 2007 WTP
High capacity transportation planning	N/A WSDOT to coordinate only

SECTION III. PLAN INTEGRATION

This section reviews federal and state requirements for plan integration and discusses plan integration, the unified work program planning process, WSDOT's support for metropolitan and regional transportation planning, and WSDOT's provision of technical data and support for planning.

The consultants' observations are:

- *Federal requirements, which are process oriented, do not require the integration of state and metropolitan plans.* Federally required state and metropolitan plans must be developed cooperatively and in coordination with each other and reflect the SAFETEA-LU goals. The federal "3C" process requires continuing, cooperative, and comprehensive planning. The 3Cs are the tool for connecting various plans.
- *It is clear in state law that the statewide multimodal plan is to be developed under the WSTC statewide plan (policy plan) and by implication that the WSTC plan should guide the statewide multimodal plan and its component state-owned and state-interest mode plans.* The consultants assume that by saying the statewide multimodal plan is done "under" the WSTC plan, it means that the policy plan will provide guidance to the multimodal plan and that, as a practical matter, the policy plan should precede updates to the statewide multimodal plan.
- *State-level plans are not integrated.* The JTC has noted that it is often a challenge for the Legislature to integrate the different plans into an effective tool to inform state-wide transportation decision-making. This is, in part, because the state mode plans are not integrated. They are developed separately and on varying schedules.
- *It is not clear how or whether the statewide multimodal plan will integrate the state mode plans or metropolitan and regional plans.* WSDOT has not started the update of the statewide multimodal plan and the content is currently unclear. It is clear that WSDOT does not intend for the plan to be simply a stapling together of the mode plans. WSDOT is waiting for pending federal action, the completion of the highway system plan, WSTC's Washington Transportation Plan and is currently updating conditions and needs data from the current 2007-26 Washington Transportation Plan.
- *The state does not have a process for synchronizing metropolitan/regional plans and state plans.* Consistent with federal law, the state does not approve metropolitan transportation plans and under state law regional plans are also not subject to state approval and there is no other process to synchronize these plans. In aviation planning, since planning is continuous there is no need for synchronization¹⁹.

¹⁹ The FAA in the 1970s initiated the Continuous Statewide Aviation System Planning Process or CASPP.

A. Requirements Related to Plan Integration

1. Federal Requirements

Federal requirements for metropolitan transportation plans and state long-range transportation plans - as well as for strategic highway safety plans, aviation system plans, and state rail plans - anticipate that all such plans will be coordinated with each other. Federal requirements reflect the 3Cs of planning – that MPO and State Plans shall be “continuing, cooperative, and comprehensive” (23 CFR 450.135(a)(3)).

a. Cooperation²⁰

The state long-range transportation plans are to be developed in cooperation with the MPOs (23 CFR 450.214) and the metropolitan transportation plans are to be developed in cooperation with states and public transportation operators (23 CFR 134(c)(1)).

b. Coordination²¹

The state long-range transportation plan is to be coordinated with the MPOs and the state is required to incorporate the MPO’s TIP without change, once approved by the Governor, into the STIP (23 USC 135(b), 23 CFR 450.08).

c. Over-arching Goals

State and metropolitan transportation plans are required to address the same over-arching policy goals set in SAFETEA-LU which are:

- *Economic vitality.* Support the economic vitality of the United States, the states, nonmetropolitan areas, and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency.
- *Safety.* Increase the safety of the transportation system for motorized and non-motorized users.
- *Security.* Increase the security of the transportation system for motorized and non-motorized users.
- *Accessibility and mobility.* Increase the accessibility and mobility of people and freight.
- *Environmental protection.* Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns.
- *Integration.* Enhance the integration and connectivity of the transportation system, across and between modes throughout the state, for people and freight.
- *Efficiency.* Promote efficient system management and operation.
- *Preservation.* Emphasize the preservation of the existing transportation system.

²⁰ CFR 450.104 defines cooperation “means that the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.”

²¹ CFR 450.104 defines coordination “means the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate.”

d. Strategic Highway Safety Plan

SAFETEA-LU requires that the strategic highway safety plan be developed in consultation with, among others, metropolitan transportation planning organizations and be linked to the state and metropolitan transportation plans and transportation improvement programs.

e. State Rail Plan

State rail plans are required to be coordinated with the state long-range transportation plans and the state is required to review freight and passenger rail service activities and initiatives by regional planning or transportation agencies. The state and metropolitan transportation plans are to be multimodal and include rail.

f. Aviation system plan

The role of MPOs in the development of aviation system plans is determined by the individual states and depends upon the degree of involvement of the MPOs in aviation. The state long-range plans are required to consider aviation facilities as part of the multimodal transportation system.

2. State Requirements

a. Over-arching Policy Goals

State transportation policy goals are established in RCW 47.04.280. "It is the intent of the legislature to establish policy goals for the planning, operation, performance of, and investment in, the state's transportation system. Public investments in transportation should support achievement of these policy goals:

- *Economic vitality.* To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy.
- *Preservation.* To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services.
- *Safety.* To provide for and improve the safety and security of transportation customers and the transportation system.
- *Mobility.* To improve the predictable movement of goods and people throughout Washington state.
- *Environment.* To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment.
- *Stewardship.* To continuously improve the quality, effectiveness, and efficiency of the transportation system.

Plans revised since 2005 refer to these policy goals and the *Draft Washington Transportation Plan 2030* is organized around these goals.

b. Statewide Transportation "Policy" Plan and Statewide Multimodal Plan

RCW 47.06.040 requires the development of a statewide multimodal transportation plan *under* the WSTC transportation plan, which places the WSTC plan above the statewide multimodal plan.

c. Mode Plans

RCW 47.06.040 requires that each of the component plans – whether state owned or state interest - must:

- *Be consistent* with the WSTC statewide transportation plan and with each other.
- *Reflect public involvement.*
- *Be consistent* with regional transportation planning, high capacity transportation planning, and local comprehensive plans.
- *Include analysis* of intermodal connections and choices.
- *Have as a primary emphasis* relief of congestion, the preservation of existing investments and downtowns, ability to attract or accommodate planned population and employment growth, the improvement of traveler safety, the efficient movement of freight and goods, and the improvement and integration of all transportation modes to create a seamless intermodal transportation system for goods and people.

In developing the statewide multimodal plan, the department shall identify and document potential affected environmental resources.

B. Plan Update Integration

1. WSTC Statewide Transportation Plan

In preparing the *Draft Washington State Transportation Plan 2030*, the WSTC reviewed current metropolitan regional transportation plans as well as state modal plans.

- *Metropolitan and regional transportation plan review.* Attachment B of the *Draft Washington State Transportation Plan 2030* includes a review of metropolitan and regional transportation plans and provides a summary of findings and issues of regional significance. Of particular interest for this study, the summary includes a finding that there is a “need to coordinate planning and project development related to freight mobility, grade separations, rail corridor protection, and inter-modal integration” (p. 14) and the need to develop stronger links between land use plans, developments, and transportation (p. 15).
- *State mode plan review.* Attachment C of the *Draft Washington State Transportation Plan 2030* includes a review of state mode plans and reports and studies and included a summary of commonalities identified in the review. The commonalities primarily related to capacity constraints and limited resources.

2. Statewide Multimodal Plan

As envisioned by WSDOT, the statewide multimodal plan is to be driven by policy direction provided by many sources, including existing state and federal law, recently completed modal plans information, the current 2007-2026 WTP and the 2030 WTP prepared this year by the WSTC. The state mode plans provide technical and policy information and identify mode needs. MPO/RTPOs will be involved in the update through regular consultation, engagement in their monthly and quarterly meetings at the technical and policy levels, and at the quarterly WSDOT/MPO/RTPO Coordinating Committee, as well as other consultation channels

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How and to what extent the RTPOs and MPOs will be involved in WSDOT's planned update of the statewide multimodal was the subject, in part, of a December 2009 the MPO/RTPO/WSDOT Coordinating Committee panel discussion on "How Do the Various Statewide and Regional Transportation Plans Fit Together Technically, Time-wise and Strategically". Panel members included WSDOT representatives and a WSTC Commissioner with a MPO planner moderating. Issues raised include:

- *There is confusion over the statewide multimodal plan.* The process for developing a statewide multimodal plan separate from the policy plan is unclear. Also unclear is how WSDOT will involve the MPOs and RTPOs.
- *Nature of statewide multimodal plan.* The participants discussed whether the statewide multimodal plan would be comprehensive or targeted and how or whether it would roll up the state mode plans. WSDOT noted that the statewide multimodal plan is not intended to be a "stapling exercise" but rather to concentrate on connections and strengthening internal and external communication. Other participants felt that the state should not do modal plans and a separate multimodal plan.

3. State Mode Plans

The state mode plans are developed separately, with all of those updated since the adoption of policy goals reflecting them.

The chart in the exhibit below, developed by WSDOT, shows the update schedule for selected plans. It shows the parallel development of the plans and the difficulties of coordinating them with each other.

4. Metropolitan and Regional Transportation Plans

Federal law requires that state and metropolitan plans be developed cooperatively and be coordinated. The state does not however approve the plans – although the Governor does approve the Transportation Improvement Program.

One of the concerns raised by the MPOs and RTPOs during the December 2009 panel discussion was the lack of a process to synchronize plans or know when WSDOT agrees or disagrees with a regional or metropolitan transportation plan. It was noted that the metropolitan and regional plans represent different points of view than the state plans and, as a consequence, are not necessarily consistent. Another concern expressed has been that the federal requirements of MPOs are considered in the development of modal plans. For example, the highway system plan does not account for state highway projects identified and included as part of metropolitan transportation plans nor does it account for the responsibilities of MPOs for demonstrating air quality conformance. MPO models are the basis for air quality conformance but these MPO models are not considered or utilized in the development of the highway system plan.

C. Unified Planning Work Program

The RTPOs and MPOs provide WSDOT with an annual or biennial Unified Planning Work Program (UPWP) which identifies all planning activities proposed by the MPO/RTPO, WSDOT, and local agencies in the region. Each of the UPWPs reflects federal and state policy goals and planning emphasis areas provided by the federal government and the state.

Planning Emphasis Areas

The UPWPs are developed within planning emphasis areas identified by the Federal Highway Administration, the Federal Transit Administration, and WSDOT to promote priority themes for consideration, as appropriate, in planning. “The emphasis areas are intended to provide federal/state guidance for the development of local work programs” (Southwest Washington Regional Transportation Council FY 2011 Unified Planning Work Program p. I)

- *Federal emphasis areas.* For FY 2010 neither the Federal Highway Administration nor the Federal Transit Administration issued new emphasis areas, rather they recommended focusing on compliance with SAFETEA-LU and the metropolitan planning regulations.
- *State emphasis areas.* For FY 2010, WSDOT guidance focused on continued implementation of the Regional Transportation Planning Organization duties under RCW 47.80 and on conducting transportation planning consistent with legislative policy goals and with the investment guidelines and key policy recommendations of the Washington Transportation Plan (2007-26). Specific guidance requested the RTPOs to participate in other statewide policy issues, including, energy independence, climate change, economic vitality, the pending federal transportation authorization, and continued “All Weather Roads” and related freight system planning.

D. WSDOT

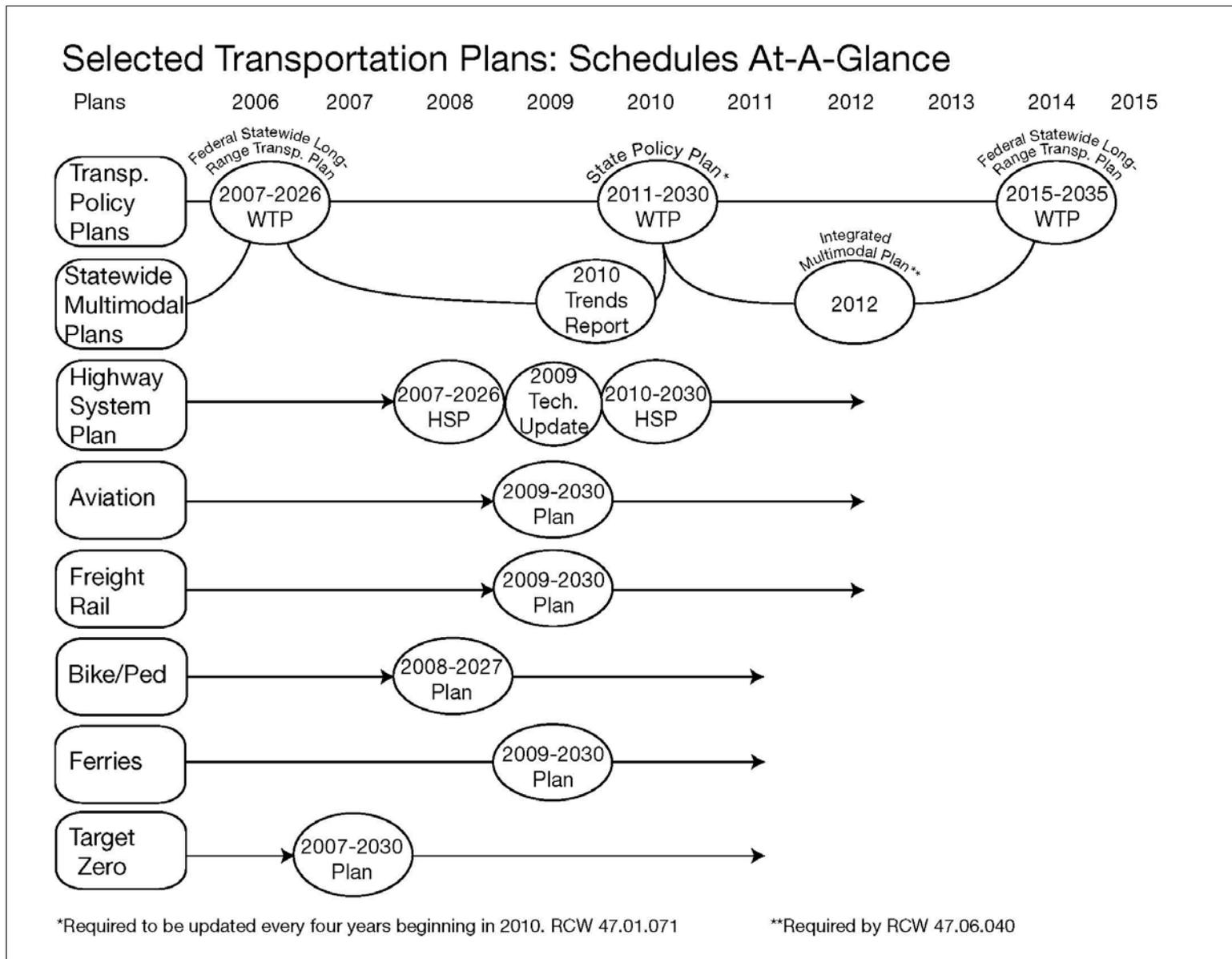
a. MPO/RTPO Support

WSDOT administers the MPO and RTPO programs jointly, providing standards, coordination, administrative oversight, and support in corridor planning. WSDOT also facilitates quarterly meetings of a MPO/RTPO/WSDOT Coordinating Committee.

In addition to these roles WSDOT has several other programs that support coordination and communication with the MPOs and RTPOs.

- *Regional Coordination Branch.* The regional coordination branch of the Transportation Planning Office manages state planning grants to the RTPOs and MPOs and federal pass-through funds to the MPOs; administers the Governor’s approval of the metropolitan and regional transportation improvement programs; and seeks to ensure consistency between the statewide multimodal plan and regional transportation plans.
- *Regional Planning Offices.* WSDOT has six regional planning offices that work closely with the RTPOs and MPOs in their regions.
- *Urban Planning Office.* The Urban Planning Office, created by the legislature in 1992, represents the state as owner and operator of major portions of the Puget Sound regional transportation system and works closely with the Puget Sound Regional Council and local agencies. The Urban Planning Office also coordinates with the Northwest and Olympic Regions and with Washington State Ferries.
- *Community Transportation Planning Office.* In January 2010, WSDOT created a new Community Transportation Planning Office to more effectively coordinate local, regional, and state land use and transportation planning.

Exhibit 16. WSDOT Plan Updates



b. Transportation Data and Technical Services

WSDOT is the agency that is primarily responsible for the provision of data and geographic and other information that underpins all state and regional planning efforts.

- *Transportation Data Office.* The Transportation Data Office collects and reports state highway traffic data to meet federal requirements; collects and reports state and local data to the Highway Performance Monitoring System which is a statewide and national information service that assesses the condition of the nation's roadways; and collects and reports collision data for all public roads.
- *Highway Traffic Analysis.* WSDOT provides traffic analysis and traffic forecasting for planning and design purposes on state highways; provides expertise to the regions for modeling; and helps estimate the annual freight tonnage for the highway system. The Urban Planning Office provides technical analysis and transportation demand modeling to support the Puget Sound Regional Council as well as state ferry and highway planning.

c. MPO Support of WSDOT

MPOs also provide modeling expertise to most of the regions. MPO models are the air quality conformity tools for metropolitan transportation plans and metropolitan transportation improvement programs that WSDOT projects are included in. For example, the Yakima Valley Conference of Governments provides modeling services for WSDOT studies in their region, and has recently provided model software training for WSDOT regional staff.

SECTION IV. PLAN UTILIZATION

It is sometimes noted that planning is a process as much as a product, which is reflected in the federal requirements for continuing, cooperative, and comprehensive (3C) planning. In analyzing the utility of state-level plans this study focuses on how state-level plans have affected legislative investment decisions rather than on the utility of the planning process. This section also discusses public perception and other state policies that are affected by state-level transportation plans.

The consultants' observations are:

- *State-level plans that have affected biennial capital investment decisions - the highway system plan, the ferry system plan, the strategic highway safety plan and the mid-range Amtrak Cascades plan – are mode plans that provide a program of investments that link policy and projects.* Highway investments are prioritized and matched with funds for design and construction through the *Highway System Plan* and other plans link specific investments to service.
- *State-level plans have some role when the legislature considers projects for inclusion in a major funding package, but the legislature has also relied on outside commissions and/or mandated different processes.* In making decisions on the 2003 Nickel and 2005 Transportation Partnership Act capital programs, the legislature used the recommendations of the Blue Ribbon Commission on Transportation and received a special report from WSDOT. In considering the potential for a new funding package, the legislature has directed the WSTC to solicit priority project lists from the MPOs and RTPOs and has provided additional funding to WSDOT to scope projects.
- *The legislature utilizes corridor plans in making capital investment decisions.* Interviewees²² cited corridor level plans as being very useful in biennial capital investment decisions because they are more pragmatic, of interest to specific legislators, and reflect emerging local conditions.
- *Whether plans represent legislative commitments to a course of action is not always clear.* State-level plans are adopted by the WSTC or WSDOT and it is not clear whether the plans have legislative concurrence. This can cause confusion where the public or stakeholders believe that once a plan is finalized it will, to the extent resources are available, be followed.

A. State-Level Plans and Legislative Investment Decisions

1. Model

State-level plans are intended to inform legislative investment decisions. As shown in the Exhibit below, conceptually there is a logical flow from legislative policy to capital project selection.

The legislature establishes policy goals, which are reflected in the WSTC's policy plan – *Draft Washington Transportation Plan 2030*. Under the policy plan, WSDOT develops a statewide

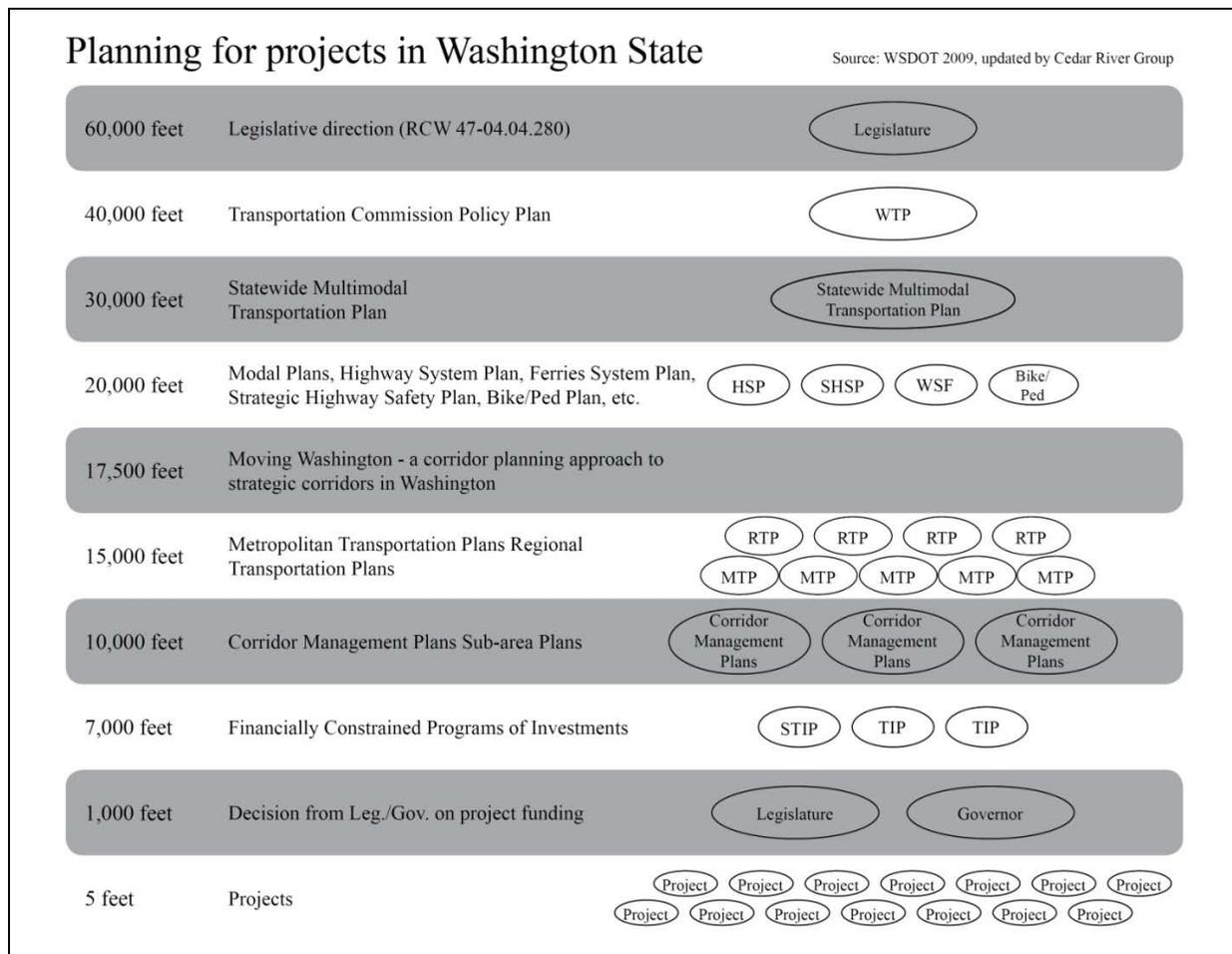
²² The consultants interviewed legislative, WSDOT, Office of Financial Management, and Governor's Office staff.

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multimodal plan and various state mode plans. WSDOT may also develop non-statutorily required state-level plans such as *Moving Washington* and prepares other required plans, such as corridor management plans.

These planning exercises lead to the federally required State Transportation Improvement Program which incorporates the Metropolitan and Regional Transportation Improvement Programs. The Governor proposes and the Legislature adopts a biennial capital improvement project list that appropriates funds for specific projects.

**Exhibit 17.
Conceptual Relationship of Plans to Project Selection**



2. State Capital Investment Decision-Making

State capital decision-making is more complex than conceptualized. The legislature relies to some extent on the state-level plans in making capital decisions and also, particularly when developing major funding packages, involves other planning and prioritization processes.

a. Biennial Capital Decisions – FY 2006 - 2011

The 2003 Nickel and 2005 Transportation Partnership Act (TPA) capital programs included specific lists of projects that were funded by those programs. In approving the subsequent three biennial capital programs the legislature has given priority to the completion of the Nickel and TPA projects.

State-level plans that were utilized in making capital decisions in these biennia are:

- *Highway System Plan.* The *Highway System Plan* serves as the basis for the Governor's transportation capital improvement and preservation program project list – the largest portion of the WSDOT capital budget.
- *Washington State Ferries Long-Range Plan.* The *Final Washington State Ferries Long-Range Plan* was issued at the conclusion of the 2009 legislative session. The draft plan informed the Governor's request for the 2009-11 biennium Ferries operating and capital budgets. At the conclusion of the 2009 session, the plan was finalized to reflect key legislative decisions.
- *Amtrak Cascades Mid-Range Plan* was issued in 2008 in response to a legislative proviso for WSDOT to develop a mid-range plan identifying specific steps to achieve additional service. The *Mid-Range Plan* was based on the 2006 *Amtrak Cascades Long-Range Plan*. The state received \$591 million in federal high-speed intercity passenger rail funding in 2010, which included funding for some of the projects identified in the *Mid-Range Plan*.
- *Washington State Strategic Highway Safety Plan: Target Zero.* *Target Zero* was revised in 2007 and provides a list of steps and investments the state should undertake to improve traffic safety.

Interviewees cited these plans as useful in capital decision-making because they:

- *Provided clear, pragmatic, incremental choices.* The *Amtrak Cascades Mid-Range Plan* was noted as being useful because it provides a clear identification of specific actions that the legislature could take to gain additional service.
- *Prioritize investments.* The *Washington State Ferries Long-Range Plan* identified priorities for capital investments, with vessels prioritized over terminal investments, and priorities for operational and traffic demand strategies.
- *Provide a financially constrained program of capital investments.* The *Highway Systems Plan* is recognized as the method by which WSDOT prioritizes highway system capital investments, matches those investments with funding, recommends which investments should be appropriated in the biennium capital budget, and provides the basis for the 16-year financial plan. Legislative staff interviews indicate that while the utility of the *Highway System Plan* is appreciated, how it is developed is not well understood.
- *Include operational as well as capital choices.* The *Washington State Ferries Long-Range Plan* included demand management options such as reservations, that were linked to capital investment options.
- *Are data driven.* *Target Zero* is cited as a useful plan because of the clear link between collision data and the areas targeted by the strategies proposed.

b. Funding Packages

In developing major funding packages the legislature relies partially on state-level plans, but also uses other processes.

- *2003 Nickel Package.* The 2000 Blue Ribbon Commission's finding and recommendations helped pave the way for passage in 2003 of the Nickel Package, which raised the motor vehicle fuel tax by 5 cents per gallon (cpg) and raised other fees and charges to fund a specific list of projects.
- *2005 Transportation Partnership Act.* In 2005 the legislature approved additional funding for transportation projects. WSDOT provided the legislature with a January 2005 report, *Recommendations on New Funding to Address Critical Transportation Needs over the Next Decade*, which informed the development of the TPA package. The WSDOT report noted that it was in the process of updating the Washington Transportation Plan and that work done on that plan, which was not completed until 2006, highlighted the need for additional funding. The report used the *Washington Transportation Plan* areas of targeted investment as the basis for organizing the highway projects, used the *Highway System Plan* in part to develop the list of highway projects, and cites work on the *Amtrak Cascades Long-Range Plan*.
- *Future funding package.* The legislature is preparing to consider a potential additional funding package. The 2009 legislature directed the JTC to prepare a report on *Alternative Transportation Funding Methods*, which was completed prior to the 2010 session. The 2010 session provided two other directives:
 - *Regional projects.* The legislature directed the WSTC as part of the development of the *Washington Transportation Plan 2030* to "review prioritized projects, including preservation and maintenance projects, from regional transportation and metropolitan planning organizations to identify statewide transportation needs. The review should include a brief description and status of each project along with the funding required and associated timeline from start to completion." The WSTC is to submit the list of projects to the legislature by January 2011.
 - *WSDOT projects.* The 2010 legislature directed WSDOT to prepare a list of potential projects for inclusion in a future funding package. ESSB 6381 designated \$2.0 million for scoping unfunded state highway projects to ensure that a well-vetted project list is available for future program funding discussions. Legislative intent is further expressed as the development of solutions that address all state residents, including addressing the impacts of traffic diversion from tolled facilities; that the scoping work must be consistent with achieving the six transportation policy goals; and that WSDOT shall provide cost-effective design solutions that achieve the desired functional outcomes which may be achieved by providing one or more design alternatives for legislative consideration.

Interviewees indicated that in developing major revenue packages having a constituency to support the package and a list of implementable projects is important.

- *Constituencies.* The 2000 Blue Ribbon Commission on Transportation had a considerable impact on transportation funding and investment decisions in part because it brought with it a

statewide constituency for transportation investments, including business, labor and environmental groups.

- *Implementable projects.* With the 2003 Nickel and 2005 TPA revenue package the legislature identified specific projects that it committed to the public would be built with the additional dollars generated. The legislature requests additional project definition to help ensure that if a revenue package is approved the projects in it can be delivered on-budget and on-time.

B. Corridor Plans and Legislative Investment Decisions

While state-level plans have had a role in legislative capital decisions, an even larger role is played by the corridor and other localized plans. This is because these plans are viewed as more pragmatic and on point for the development of a capital project list.

- *Corridor Plans.* Corridor studies and plan generally have a 20-year planning horizon and are done to determine the best way to serve existing and future travel demand. “Corridor studies typically respond to a specific problem (high accident locations and corridors, high levels of existing or future congestion, significant land-use changes, etc.) and often involve more than one mode. These studies identify existing and future deficiencies and evaluate alternative solutions. The recommended alternative usually includes a facility description including environmental, operational, and other impacts (with proposed mitigation, if applicable)” (www.WSDOT.wa.gov/planning/studies/corridorstudies). Corridor plans can be responsive to emerging and changing conditions and are in that way more nimble than long-range statewide plans.
- *Moving Washington.* *Moving Washington* includes corridor specific plans organized around three principles: adding capacity strategically, managing demand, and operating efficiently.

C. Public Perception

The development of state-level plans requires significant public outreach and engagement of stakeholders. State law does not, and given fiscal constraints, cannot require that plans be implemented. At the same time a common sense meaning of a plan is that it is the general direction in which the state intends to go.

D. Role of the Legislature and Governor

State plans are adopted by the WSTC or by WSDOT and do not involve formal legislative review. The Governor appoints the Secretary of Transportation who approves the plans developed by WSDOT but not the WSTC plan. The Secretary is a stakeholder in the WSTC plan and WSDOT is directed to assist the WSTC in the preparation of their plan. There is no formal mechanism for knowing if the plans meet legislative approval, or in the case of the WSTC plan, if it meets the legislature’s or the governor’s approval.

E. Other State Policies

State-level transportation plans are utilized in reviewing and/or implementing state policies as well as in investment decisions.

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- *State Growth Management Act.* Much of the existing planning legislation was adopted with the State Growth Management Act, including the authorization of Regional Transportation Planning Organizations and requirements for a state multimodal plan with two components.
- *Transportation policy reviews.* Interviews indicate that legislators have found the policy briefings they have received as the WSTC has developed the *Draft Washington Transportation Plan 2030* informative.

SECTION V. PLANNING EXPENSES

This section reviews the 2009-11 biennium planning expenses using three sources: the 2009-11 State Planning and Research Work Program, the FY 2010 MPO/RTPO Unified Planning Work Programs, and the state biennium budget.

The consultants' observations are:

- *Based on federal requirements alone, the state appears to expend more than the minimum federal match on state-level planning.* Expenditures greater than required to match federal dollars may be justified, but it does mean that the state could reduce its expenditure without jeopardizing federal funding.
- *The use of federal planning funds is flexible.* There is flexibility in how federal planning dollars are spent, which could allow the state to shift funding dollars between federally eligible planning activities based on legislative priorities.

A. Federal Requirements

1. Required Planning and Research Expenditures

a. State Planning and Research (SPR) Funds

SAFETEA-LU requires that states set aside 2 percent of their FHWA apportionments²³ for state planning and research activities. Not less than 25 percent of the 2 percent is required to be spent on research, development, and technology transfer activities.

b. Metropolitan Planning (PL) Funds

One and one quarter percent (1.25%) of FHWA's authorization under the Interstate Maintenance, National Highway System, Surface Transportation, Highway Bridge, and Congestion Mitigation and Air Quality Improvement programs are set aside for metropolitan planning. These funds are allocated to the states who then distribute the funds to the MPOs. States are required to distribute 100 percent of the funds received to the MPOs without deduction for administration or other state costs. For the 2009-11 biennium the State of Washington received \$13.5 million of metropolitan planning (PL) funds that it passed through to the eleven (11) MPOs. The State also received \$4.0 million of FTA funds that it passed through to the MPOs.

2. Federal Eligibility and Match

a. Work Program

- *State.* To be eligible for federal funding, planning and research activities must be included in a FHWA approved State Planning and Research Work Program (SPR). State Planning and Research Work Programs are divided into two sections: Part 1 Planning; and Part 2 Research. These may be reported separately or together.

²³ Apportionments are from funding received from the Interstate Maintenance, National Highway System, Surface Transportation, Highway Bridge, Congestion Mitigation and Air Quality Improvement, and Equity Bonus programs.

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- *MPOs*. MPOs are required to develop a Unified Planning Work Program that describes their proposed use of metropolitan planning funds and other federal funds for planning activities.

b. Match

- *FHWA*. A 20 percent match is required for FHWA planning funds.²⁴
- *FTA*. The required match for FTA funds is 20 percent. The use of the Consolidated Grant Program under FTA would allow for a 13.5 percent match if the MPOs wanted and WSDOT requested.
- *FRRRA*. A 20 percent match is required for FRRRA funds.
- *FAA*. A 5 percent match is required for FTA planning funds.

c. Flexibility

SAFETEA-LU (23 CFR.420.105) states that: 'If the FHWA determines that planning activities of national significance are being adequately addressed, the FHWA will allow State Departments of Transportation and MPOs:

- (1) Maximum possible flexibility in the use of FHWA planning and research funds to meet highway and local public transportation planning and research, development, and technology needs at the national, state, and local levels while ensuring legal use of such funds and avoiding unnecessary duplication of efforts; and
- (2) To determine which eligible planning and research, development and technology activities they desire to support with FHWA planning and research funds and at what funding level."

Exceptions that would reduce the allocation of funds to research uses are fairly stringent. "A state department of transportation may request an exception to reduce use of SPR funding for Research, Development and Technology Transfer (RD&T) through a request to the Federal Highway Administration (23 CFR 420.107) but the diverted money can only be used for transportation planning. The DOT must certify that expenditures for transportation planning (23 U.S.C. 134 and 135) will exceed 75 percent of the amount apportioned for the fiscal year. The state must ensure that: the additional planning activities are essential and there are not other reasonable options for funding them; that the planning activities are higher priority than RD&T in the overall needs of the state DOT for the fiscal year; and the total level of effort by the State DOT in RD&T is adequate."

d. Part 1 Planning Funds

The California Department of Transportation summarizes Federal eligibility criteria for Part I Planning funds as:

- Support planning activities of national or statewide significance.
- Engineering and economic surveys and investigations.

²⁴ In some states, including Washington, the match requirement for some FHWA supported projects is reduced because of the amount of federal land. In Washington the FHWA match requirement is just under 13.5 percent, which interviews indicate could apply to the planning grant although it would be unusual. A reduced match is not possible for research funds. The state match can also be reduced to 13.5 percent for combined grants if requested by the state.

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- Planning of future highway programs and local public transportation systems, including statewide planning.
- Development and implementation of management systems.
- Studies of the economy, safety and convenience of highway usage and the desirable regulation and equitable taxation thereof. (<http://www.dot.ca.gov/hq/tpp/offices/osp/spr.html>)

e. Part II - Research

Research, development and technology activities “involve research on new areas of knowledge; adapting findings to practical applications by developing new technologies; and the transfer of these technologies, including the process of dissemination, demonstration, training, and adoption of innovations by users.” (<http://www.tfhrc.gov/sprguide/legsregs.htm>)

B. State Planning and Research Work Program 2009-11 Biennium

Washington State’s 2009-11 biennium SPR Work Program was submitted by WSDOT to FHWA on June 30, 2009.

The SPR includes \$63.7 million in planning (\$55.0 million), research (\$6.8 million), and public transportation activities (\$1.9 million). Of the \$63.7 million, \$39.3 million or 62 percent is federal funds and \$24.4 million or 38 percent is state funds.

**Exhibit 17.
Summary 2009-11 Biennium State Planning and Research Work Program**

	Federal Funds						State Funds			Total	% Federal	% State
	Motor Vehicle	Misc. Pass Through	Multimodal	Planning	FTA	Total Federal Funds	Motor Vehicle Fund	Multimodal Fund	Total State Funds			
Part I: Planning	\$12.8	\$17.5	\$2.1	\$0.0	\$0.0	\$32.4	\$21.1	\$0.5	\$22.6	\$55.0	59%	41%
Part II. Research	\$4.8	\$0.0	\$0.7	\$0.0	\$0.0	\$5.5	\$1.2	\$0.2	\$1.4	\$6.8	80%	20%
Public Transportation				\$1.1	\$0.4	\$1.5	\$0.0	\$0.4	\$0.4	\$1.9	78%	22%
Total SPR Work Program	\$17.6	\$17.5	\$2.8	\$1.1	\$0.4	\$39.3	\$18.8	\$5.5	\$24.4	\$63.7	62%	38%

a. Part 1 Planning

As shown in the exhibit below, the \$55.0 million in planning activities includes \$32.4 million (59 percent) federal funds and \$22.6 million (41 percent) state funds. Planning activities include administration, transportation planning, transportation data, geographic services, budget and financial analysis, and freight systems.

- *Non-SPR participating.* The work program includes ten (10) state expenses for which there is no federal participation. When these items are excluded from the analysis, the percentage of state funds is 23.5 percent. Non-participating expenses include administration expenses that are not eligible for federal funds and other expenses that WSDOT elected to not participate.
- *State funds.* The state motor vehicle fund provides \$21.1 million of the Part 1 funding and the state multimodal fund \$0.5 million.
- *Transportation planning.* Sixty-five percent (65 percent) or \$35.6 million of Part 1 expenses are for transportation planning. Of the \$35.6 million, \$17.5 million or 49 percent is metropolitan planning (PL) funds that are passed through the state to the MPOs and \$4.4 million or 12 percent is state funds granted to RTPOs. The remaining \$13.7 million is for WSDOT state-level planning, regional coordination, and strategic assessment.
- *Transportation data.* Twenty-two percent (22%) of Part 1 expenses are for transportation data, of which 25 percent is funded by the federal government. The largest expense of \$3.5 million for collision data development and analysis is supported by the state only although it is an SPR eligible activity.
- *Other.* Thirteen percent (13%) of Part 1 expenses are for administration (3 percent) geographic services (5 percent), budget and financial analysis (3 percent), and freight systems (2 percent). Administration is funded solely by the state because it is not an eligible federal expense, geographic services 31 percent, budget and financial analysis 61 percent, and freight systems 36 percent.

b. Part II. Research

As shown in the exhibit below, the \$6.8 million in research activities includes \$5.5 million in federal funding and \$1.4 million in state funding.

- *SPR Participating Activities.* These activities, which include WSDOT's Research and Library section and 43 projects selected by four (4) research advisory committees, are funded with federal SPR funds and a 20 percent state match. Total funding is \$5.6 million.
- *Federal SPR Funding Only.* Two activities are funded with 100 percent federal funds and do not require state match. These are the state's contribution to the National Highway Cooperative Research Fund²⁵ (\$1.2 million) and to Transportation Pooled Fund²⁶ projects (\$0.2 million). For each WSDOT dollar contributed the state leverages \$60 in the National Cooperative Highway Research Program and \$10 in the Transportation Pool Fund Program.

²⁵ The National Cooperative Highway Research Fund is administered by the Transportation Research Board and sponsored by the member departments of the American Association of State Highway and Transportation Officials and FHWA.

²⁶ Pooled projects are projects supported by more than one state transportation agency or by one state transportation agency and FHWA.

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- *Over-Match.* The 2009-11 biennium Program T state minimum requirement for the Research Office, based on the federal fund apportionments was \$1.2 million. In the 2009-11 biennium the Research Office utilized \$1.15 million federal authority to fund 100 percent pool fund research studies resulting in a portion of the WSDOT Library Services Office being funded with 100 percent with state funds. This increased the minimum 2009-11 biennium state requirement for the Research Office by \$0.2 million.

c. Public Transportation

A shown in the exhibit below, the Work Program includes \$1.9 million in public transportation activities of which 78 percent is federal funds.

Exhibit 18.
SPR Work Program 2009-11 Biennium: Part I Planning

(\$ in millions)

Not SPR Participating-*eligible for SPR although not participating	Federal Funds				State Funds			Total	% Fed	% State
	Motor Vehicle	Misc. Pass Through	Multimodal	Total Federal Funds	Motor Vehicle Fund	Multimodal Fund	Total State Funds			
Part I: Planning Total	\$12.8	\$17.5	\$2.1	\$32.4	\$22.1	\$0.5	\$22.6	\$55.0	59%	41%
Administration										
Strategic Planning & Finance					\$0.6		\$0.6	\$0.6		
Strategic Planning & Programming					\$0.5		\$0.5	\$0.5		
Administration Costs					\$0.3		\$0.3	\$0.3		
Division Services Support					\$0.2		\$0.2	\$0.2		
Total Administration					\$1.6		\$1.6	\$1.6	0%	100%
Transportation Planning										
Statewide Multimodal Transportation Plan	\$0.3			\$0.3	\$0.1		\$0.1	\$0.4		
Transportation Planning Policy Development	\$0.9			\$0.9	\$0.4		\$0.4	\$1.3		
Regional Coordination	\$0.8			\$0.8	\$0.3		\$0.3	\$1.1		
Tribal Transportation Planning Organization	\$0.0			\$0.0	\$0.0		\$0.0	\$0.0		
Land Use & Development Policy	\$0.1			\$0.1	\$0.1		\$0.1	\$0.2		
Planning Studies - Regions	\$1.0			\$1.0	\$0.4		\$0.4	\$1.4		
Statewide Planning - Regions	\$1.2			\$1.2	\$0.5		\$0.5	\$1.7		
Regional Coordination and Support - Regions	\$1.2			\$1.2	\$0.5		\$0.5	\$1.7		
Metropolitan Planning Organizations		\$17.5		\$17.5			\$0.0	\$17.5		
Regional Transportation Planning Organizations				\$0.0	\$4.4		\$4.4	\$4.4		
Highway Systems Plan & System Performance*				\$0.0	\$1.4		\$1.4	\$1.4		
Urban Planning Office	\$1.9			\$1.9	\$0.8		\$0.8	\$2.7		
Strategic Assessment Office	\$1.3			\$1.3	\$0.6		\$0.6	\$1.8		
Total Transportation Planning	\$8.6	\$17.5	\$0.0	\$26.1	\$9.5	\$0.0	\$9.5	\$35.6	73%	27%

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Not SPR Participating-*eligible for SPR although not participating	Federal Funds			State Funds			Total	% Fed	% State	
	Motor Vehicle	Misc. Pass Through	Total Federal Funds	Motor Vehicle Fund	Multimodal Fund	Total State Funds				
Transportation Data										
Roadway Systems and Analysis	\$0.3		\$0.3	\$0.1		\$0.1	\$0.4			
Digital Imagery Collection*			\$0.0	\$0.2		\$0.2	\$0.2			
Travel Analysis*			\$0.0	\$0.7		\$0.7	\$0.7			
Highway Performance Monitoring System Reporting	\$0.4		\$0.4	\$0.2		\$0.2	\$0.6			
Local Pavement Data Collection				\$0.1		\$0.1	\$0.1			
TDO Information Technology Services	\$1.0		\$1.0	\$0.4		\$0.4	\$1.5			
State Highway Traffic Data Collection, Processing			\$1.3	\$3.1	\$0.3	\$3.4	\$4.7			
Collision Data Development and Analysis*				\$3.5		\$3.5	\$3.5			
Management and Administrative Support				\$0.6		\$0.6	\$0.6			
Total Transportation Data	\$1.8		\$1.3	\$3.0	\$8.8	\$0.3	\$9.1	\$12.2	25%	75%
Geographic Services							\$0.0			
State Mapping Activities - Cartography	\$1.7		\$1.7	\$0.7		\$0.7	\$2.5			
Survey Control Infrastructure			\$0.1		\$0.0	\$0.0	\$0.1			
Administrative Support			\$0.0	\$0.1		\$0.1	\$0.1			
Total Geographic Services	\$1.7		\$0.1	\$1.9	\$0.8	\$0.0	\$0.9	\$2.7	69%	31%
Budget and Financial Analysis										
Economic Forecasting and Analysis	\$0.5		\$0.5	\$0.2		\$0.2	\$0.7			
Federal Reporting of Vehicle and Financial										
Statistics	\$0.2		\$0.2	\$0.1		\$0.1	\$0.4			
Financial Planning			\$0.0	\$0.8		\$0.8	\$0.8			
Total Budget and Financial Analysis	\$0.7		\$0.7	\$1.1		\$1.1	\$1.8	39%	61%	
Freight Systems			\$0.7	\$0.7	\$0.2	\$0.2	\$0.4	\$1.1	64%	36%

**Exhibit 19.
SPR Work Program 2009-11 Biennium: Part 2 Research**

Discretionary expense – increased state funds by \$0.2 million beyond required match for library services.	Federal Funds			State Funds			Total	% Federal	% State
	Motor Vehicle	Multimodal	Total Federal Funds	Motor Vehicle Fund	Multimodal Fund	Total State Funds			
SPR Research Activities	\$4.8	\$0.7	\$5.5	\$1.2	\$0.2	\$1.4	\$6.8	80%	20%
Research and Library Services	\$2.1	\$0.3	\$2.3	\$0.8	\$0.1	\$0.9	\$3.2		
Operations Research Advisory Committee	\$0.4		\$0.4	\$0.1		\$0.1	\$0.5		
Project Delivery Research Advisory Committee	\$1.0	\$0.1	\$1.1	\$0.3	\$0.0	\$0.3	\$1.4		
Multimodal Transportation Research Advisory Com		\$0.3	\$0.3		\$0.1	\$0.1	\$0.4		
Information and Finance Research Advisory Committee	\$0.1		\$0.1	\$0.0		\$0.0	\$0.1		
SPR Research Activities Sub-total	\$3.6	\$0.7	\$4.3	\$1.2	\$0.2	\$1.4	\$5.6	76%	24%
SPR Funding Contributed to National Programs									
National Cooperative Highway Research Program	\$1.0		\$1.0				\$1.0		
Pooled Funds Requests	\$0.2		\$0.2				\$0.2		
Total SPR Funds Contributed to National Programs Sub-total	\$1.2		\$1.2				\$1.2	100%	0%

Exhibit 20. SPR Work 2009-11 Biennium: Public Transportation

	Federal Funds			State Funds			% Federal	% State
	Planning	FTA	Total Federal Funds	Multimodal Fund	Total State Funds	Total		
Public Transportation	\$1.1	\$0.4	\$1.5	\$0.4	\$0.4	\$1.9	78%	22%
Modal Coordination	\$0.8		\$0.8	\$0.2	\$0.2	\$1.0		
Statewide/Local Transit Development Planning	\$0.3	\$0.4	\$0.7	\$0.2	\$0.2	\$0.9		

4. MPO and RTPO Unified Planning Work Programs

MPOs and RTPOs develop Unified Planning Work Programs that include proposed planning activities using federal and state funds. MPOs are required to have UPWPs under SAFETEA-LU and RTPOs are required to develop UPWPs by WSDOT agreements. Five (5) MPO/RTPOs²⁷ have two-year UPWPs and the others have annual UPWPs. Economies of scale are realized in many MPOs which also serve as Councils of Government and/or economic development agencies for their regions. These organizations have multiple sources of non-transportation and transportation funds.

The exhibit below summarizes the FY 2010 MPO/RTPO Unified Planning Work Programs which include total expenditures of \$16.5 million, 78 percent of which is federal funding, 13 percent state funding, and 10 percent local.

- *Federal funding.* The eleven (11) MPO/RTPOs anticipated \$12.8 million in federal transportation funding in the UPWPs, representing 78 percent of all MPO/RTPO funding. Federal funding is from FHWA and FTA planning grants (\$8.5 million); the Congestion Air Mitigation/Quality program (\$0.4 million), the Surface Transportation Program Discretionary Grant program (\$2.2 million), and the High Priority Project program (\$0.8 million). The Puget Sound Regional Council also receives funding from the Federal Aviation Administration.
- *State funding.* State transportation funding is from the RTPO grant program funded by the motor vehicle fund. Funds are distributed by a formula agreed upon between WSDOT and the RTPOs.

²⁷ Organizations with two-year UPWPs are: Cowlitz-Wahkiakum Council of Governments, Peninsula Regional Transportation Planning Organization, Puget Sound Regional Council, Quad County Regional Transportation Planning Organization and Skagit Metropolitan Planning Organization.

**Exhibit 21.
FY 2010 Annual Unified Planning Work Program**

	Federal Funding								State RTPO Planning Grant	Local	Total	% Federal	% State	% Local
	FHWA Planning Grant (PL)	FTA Planning Grant Section 5303	FTA Section 5307	CM/AQ	STP	FAA	HPP	Total Federal						
MPOs/RTPOs														
Benton-Franklin Council of Governments	\$0.3							\$0.3	\$0.1	\$0.2	\$0.6	53%	21%	27%
Cowlitz-Wahkiakum Council of Governments *	\$0.2	\$0.0						\$0.2	\$0.2	\$0.1	\$0.5	50%	38%	12%
Lewis Clark Valley MPO*	\$0.1	\$0.0						\$0.1	\$0.0		\$0.1	100%	0%	0%
Puget Sound Regional Council**	\$4.1	\$1.3	\$0.4		\$0.9	\$0.1		\$6.8	\$0.6	\$0.5	\$7.9	86%	8%	6%
Skagit Metropolitan Planning Organization **	\$0.2	\$0.0			\$0.2		\$0.2	\$0.6	\$0.1		\$0.7	85%	15%	0%
Spokane Regional Transportation Council	\$0.5	\$0.2		\$0.3				\$1.1	\$0.1	\$0.3	\$1.5	73%	3%	19%
SW Washington Regional Transportation Council	\$0.5	\$0.2		\$0.2	\$0.1		\$0.6	\$1.6	\$0.2	\$0.1	\$1.8	90%	10%	6%
Thurston Regional Planning Council	\$0.3	\$0.1			\$0.6			\$1.0	\$0.1	\$0.1	\$1.2	80%	8%	12%
Wenatchee Valley Transportation Council	\$0.1	\$0.0			\$0.2			\$0.4	\$0.1	\$0.2	\$0.7	57%	17%	26%
Whatcom Council of Governments	\$0.1	\$0.0			\$0.1			\$0.3	\$0.1	\$0.2	\$0.6	48%	16%	36%
Yakima Valley Council of Governments	\$0.2	\$0.0			\$0.1			\$0.4	\$0.1	\$0.1	\$0.6	71%	17%	12%
RTPOs - Not Encompass a MPO														
Quad-County RTPO									\$0.1		\$0.1	0%	100%	0%
Palouse RTPO									\$0.1		\$0.1	0%	100%	0%
North East Washington RTPO									\$0.1		\$0.1	0%	100%	0%
Peninsula RTPO									\$0.1		\$0.1	0%	100%	0%
Total	\$6.5	\$2.0	\$0.4	\$0.4	\$2.2	\$0.1	\$0.8	\$12.8	\$2.1	\$1.7	\$16.5	78%	13%	10%

*Interstate MPOs. Cowlitz-Wahkiakum receives FHWA and FTA funding from Oregon's apportionment and Lewis Clark Valley from Idaho's.

** Estimated from biennial budget.

C. State Transportation Budget – State-Level Planning and Research

The 2009-11 transportation budget includes \$65.1 million in state-level planning and research expenses.²⁸

The \$65.1 million state-level planning and research budget includes 63 percent federal funds. If federal metropolitan planning funds that are passed through the state to the MPOs are excluded, 49 percent of the state-level planning budget is supported by federal funds.

The state-level planning budget includes:

- *State long-range transportation plan.* The budget includes \$2.5 million for state long-range transportation planning, including \$0.5 million for the WSDOT Director of Planning's office, \$0.35 million for the statewide transportation plan being developed by WSTC, \$0.9 million for transportation policy development, and \$0.8 million for the statewide multimodal plan and modal coordination.
- *Mode planning.* The budget includes \$6.7 million for mode planning, including \$3.1 million in federal funding for aviation system planning, freight mobility planning, public transportation planning, and rail planning. Three million six hundred thousand dollars (\$3.6 million) of state funds are provided, including \$1.4 million for the highway system plan (this amount includes programming, which WSDOT states is \$0.9 million of the \$1.4 million); \$1.1 million for ferries planning; and \$1.1 million for aviation, freight mobility, public transportation, and rail planning.
- *MPOs/RTPOs.* The budget includes federal pass through funding to the MPOs of \$17.5 million, state funded grants to the RTPOs of \$4.4 million, and \$1.1 million in WSDOT administration costs.
- *Regions statewide planning.* The budget includes \$7.5 million in regional statewide planning expenses, which includes \$2.0 million that is used to support regional rather than state-level planning studies. Of the \$7.5 million, \$5.2 million is federal funds.
- *Travel, collision, GIS and roadway data.* The budget includes \$11.5 million in travel and collision data collection and management costs and \$3.3 million in GIS and roadway data costs. Federal funds cover 32 percent of these costs.
- *Other state-level planning expenses.* Strategic planning and performance measurement has a budget of \$1.8 million of which \$1.3 million is provided by federal funds. Budget and financial analysis, which includes economic forecasting and analysis and federal reporting of vehicle and financial statistics, has a budget of \$1.0 million, of which \$0.3 million is federal. Trans-border planning has a budget of \$0.6 million, 96 percent of which is federally funded; the community transportation office has a budget of \$0.2 million, 50 percent of which is federally funded; and tribal coordination and statewide corridor project planning each have budgets of \$0.1 million.

²⁸ Reconciled to the 2009-11 SPR.

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**Exhibit 22.
2009-11 Biennium State-Level Planning & Research Budget**

Reconciled to 2009-11 SPR \$ millions	Federal	State	Total	% Federal	% State	% of Total
State Long-Range Transportation Planning	\$1.2	\$1.3	\$2.5	47%	53%	4%
Strategic Planning & Programming Director's Office		\$0.5	\$0.5	0%	100%	
Statewide Transportation Plan - WSTC	\$0.0	\$0.4	\$0.4	0%	100%	
Statewide Planning Policy/ Modal Coordination	\$1.2	\$0.5	\$1.7	71%	29%	
Mode Planning	\$3.1	\$3.6	\$6.7	46%	54%	10%
Aviation System Planning	\$0.8	\$0.2	\$1.1	76%	24%	
Bike Pedestrian Planning	\$0.0	\$0.0	\$0.0	0%	100%	
Freight Mobility Planning	\$0.7	\$0.4	\$1.1	64%	36%	
Highway System Planning (includes programming)	\$0.0	\$1.4	\$1.4	0%	100%	
Scenic & Recreational Highways Planning	\$0.0	\$0.0	\$0.0	0%	100%	
Public Transportation Planning	\$1.1	\$0.4	\$1.5	76%	24%	
Rail: Freight Rail Planning	\$0.2	\$0.0	\$0.2	100%	0%	
Rail: Passenger Rail Planning	\$0.3	\$0.0	\$0.3	100%	0%	
Strategic Highway Safety Planning	\$0.0	\$0.0	\$0.0	0%	100%	
Washington State Ferries Planning	\$0.0	\$1.1	\$1.1	0%	100%	
MPOs/RTPOs	\$18.3	\$4.6	\$23.0	79%	20%	35%
Regional Coordination	\$0.8	\$0.3	\$1.1	73%	25%	
<i>Sub-total WSDOT Administration</i>	<i>\$0.8</i>	<i>\$0.3</i>	<i>\$1.1</i>	<i>73%</i>	<i>25%</i>	
Grants to MPOs/RTPOs						
MPOs	\$17.5	\$0.0	\$17.5	100%	0%	
RTPOs	\$0.0	\$4.4	\$4.4	0%	100%	
<i>Sub-total Grants</i>	<i>\$17.5</i>	<i>\$4.4</i>	<i>\$21.9</i>	<i>80%</i>	<i>20%</i>	
Regions and Community Transportation Planning	\$5.2	\$2.2	\$7.5	70%	30%	11%
Urban Planning Office (includes regional studies)	\$1.9	\$0.8	\$2.7	70%	30%	
Six Regional Offices (includes regional studies)	\$3.3	\$1.4	\$4.8	70%	30%	
Travel, Collision, GIS, and Roadway Data	\$4.8	\$10.0	\$14.8	32%	68%	23%
Travel & Collision Data	\$2.7	\$8.8	\$11.5	23%	77%	
GIS and Roadway Data	\$2.1	\$1.2	\$3.3	64%	36%	
Other State-Level Planning Activities	\$2.7	\$1.1	\$3.8	70%	30%	6%
Strategic Planning & Performance Measurement	\$1.3	\$0.6	\$1.8	70%	30%	
Budget and Financial Analysis	\$0.7	\$0.3	\$1.0	70%	30%	
Community Transportation Planning	\$0.1	\$0.1	\$0.2	44%	56%	
Trans-border Planning	\$0.6	\$0.0	\$0.6	96%	4%	
Tribal Coordination	\$0.0	\$0.0	\$0.1	69%	31%	
Statewide Corridor Projects	\$0.0	\$0.1	\$0.1	0%	100%	
Research & Library Services	\$5.5	\$1.4	\$6.8			
Total	\$40.8	\$24.4	\$65.1	63%	37%	
Total Excluding MPO Pass-Thru Federal \$	\$23.3	\$24.4	\$47.6	49%	51%	

D. State Budget –SPR Planning Funds Match

The largest source of federal planning funds is from the required 2 percent set-aside of FHWA funds. In FY 2009-11 the state spent more than the required 20 percent match for FHWA state planning fund eligible planning activities, with the state budget for eligible planning activities of \$16.3 million in Program T2 (Planning) and Program W (Ferries Capital) representing 44 percent of the total expenditures.²⁹

The exhibit below also shows \$4.2 million of other projects in Sub-program T2 that are eligible for SPR federal funds. As noted, many of the projects were not eligible for SPR funds because they were directed by the legislature after the submittal of the SPR Work Program to FHWA. In some cases other FHWA funds were used to support the project.

²⁹ This 44 percent is based on an estimated receipt of \$17.4 million in federal funds, of which WSDOT anticipated \$14.9 million in the SPR Work Program.

**Exhibit 23.
2009-11 Biennium Planning Match**

\$ millions	Original SPR 2009-11 Budget	FTEs	Participating in FHWA SPR Funds	Eligible for FHWA SPR Funds	FHWA	State
Strategic Planning & Programming /Planning Director's Office	\$0.5	2.00	No	No		\$0.5
Total Administration	\$0.5	2.00				\$0.5
Transportation Planning Office						
Statewide Multi-Modal Coordination	\$0.4	3.00	Yes	Yes	\$0.3	\$0.1
Statewide Planning Policy Development	\$1.3	5.00	Yes	Yes	\$0.9	\$0.4
Regional Coordination	\$1.1	4.50	Yes	Yes	\$0.8	\$0.3
Tribal Coordination Planning	\$0.0		Yes	Yes	\$0.0	\$0.0
Tribal Coordination - TTPO Coordinator	\$0.0	0.25	Yes	Yes	\$0.0	\$0.0
Total Transportation Planning Office	\$2.8	12.75			\$2.0	\$0.8
Community Transportation Planning Office	\$0.2	3.00	Yes	Yes	\$0.1	\$0.1
Statewide Travel & Collision Data Office						
Highway Traffic Analysis	\$0.7	5.00	No	Yes	\$0.0	\$0.7
HPMS Reporting	\$0.6	2.00	Yes	Yes	\$0.4	\$0.2
Collect Local Pavement Data (\$ proviso)	\$0.1	0.00	No	Yes	\$0.0	\$0.1
TDO Information Technology Services	\$1.5	7.00	Yes	Yes	\$1.0	\$0.4
State Highway Traffic Data Collection	\$4.7	23.00	Yes	Yes	\$1.3	\$3.4
Collision Data Development Analysis	\$3.5	23.00	Yes	Yes	\$0.0	\$3.5
Management & Administrative Support	\$0.6	3.00	No	No	\$0.0	\$0.6
Sub-total Statewide Travel & Collision Data Office	\$11.6	63.00			\$2.7	\$8.8
GIS & Roadway Data Office						
Roadway Systems	\$0.4	1.92	Yes	Yes	\$0.3	\$0.1
Digital Imagery Collection	\$0.2	1.00	Yes	Yes	\$0.0	\$0.2
State Mapping Activities	\$2.5	11.50	Yes	Yes	\$1.7	\$0.7
Geographic Services Admin Support	\$0.1	0.25	No	No	\$0.0	\$0.1
Survey Control Infrastructure (transfer to Design)	\$0.1	0.00	Yes	Yes	\$0.1	\$0.0
Wa-Trans Core Staff	\$0.0	2.00	Yes	Yes	\$0.0	\$0.0
Sub-total GIS & Roadway Data Office	\$3.3	16.67			\$2.1	\$1.2

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\$ millions	Original SPR 2009-11		Participating in FHWA SPR	Eligible for FHWA SPR	FHWA	State
	Budget	FTEs	Funds	Funds		
Strategic Assessment Office	\$1.8	10.00	Yes	Yes	\$1.3	\$0.6
Urban Planning Office	\$2.7	11.80	Yes	Yes	\$1.9	\$0.8
Regional Offices						
Eastern Region	\$0.7	3.50	Yes	Yes	\$0.5	\$0.2
North Central Region	\$0.4	2.25	Yes	Yes	\$0.3	\$0.1
NW Regional Planning Office	\$0.9	4.50	Yes	Yes	\$0.6	\$0.3
Olympic Region Planning Office	\$1.2	6.80	Yes	Yes	\$0.8	\$0.3
South Central Region	\$0.7	4.20	Yes	Yes	\$0.5	\$0.2
Southwest Region	\$0.9	5.30	Yes	Yes	\$0.6	\$0.3
Sub-total Regional Offices	\$4.8	26.55			\$3.3	\$1.4
Capital Development & Program Management	\$1.4	7.00	No	Yes	\$0.0	\$1.4
Freight Systems Division	\$1.1	3.00	Yes	Yes	\$0.7	\$0.4
Budget and Financial Analysis						
Economic Forecasting and Analysis	\$0.7	3.00	Yes	Yes	\$0.5	\$0.2
Federal Reporting of Vehicle and Financial Statistics	\$0.4	2.00	Yes	Yes	\$0.2	\$0.1
Sub-total Budget and Financial Analysis	\$1.0	5.00			\$0.7	\$0.3
Total Subprogram T2 (Balances to the SPR)**	\$31.2	160.8			\$14.9	\$16.3
Total Ineligible	\$1.2	5.3				\$1.2
Total Eligible	\$30.1	155.5			\$14.9	\$15.2
Washington State Ferries (Program W)	\$1.1					\$1.1
Total Eligible for SP Funds/Anticipated Federal SP Funds	\$31.2				\$14.9	\$16.3
Anticipated Federal SP Funds					\$17.4 (56%)	44%

****Not inclusive of Sub Programs T6 and T3 Research**

Non-Participating: Choice made not to use federal funds - includes both ineligible and eligible activities.

Participating: Those eligible activities chosen to use federal planning funds.

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	Original SPR 2009-11 Budget	FTEs	Participating in FHWA SPR Funds	Eligible for FHWA SPR Funds	FHWA	State	% Local Reimb.
				Non SPR ***			
Planning Studies - Non 09-11 SPR Activities							
Electronic Map-Based Application (re-approp TDO)	\$0.2	0.00	No	Yes	\$0.2	\$0.0	
I-5 Lakewood (UPO reimbursable)	\$0.1	0.40	No	No	\$0.0	\$0.0	\$0.1
SR 518 Burien (UPO Reimbursable)	\$0.2	0.70	No	No	\$0.0	\$0.0	\$0.2
SR 509 Extension SHRP 2 Grant (Grant from TRB)	\$0.1	0.00	No	No	\$0.0	\$0.0	\$0.1
SR 2 Everett Port/Naval Station to SR 9 (Reimbursable)	\$0.2	0.00	No	No	\$0.0	\$0.0	\$0.2
SR 516 Corridor Study (Proviso)	\$0.2	0.00	No	Yes	\$0.0	\$0.2	
Value Pricing (Unanticipated Receipt - UAR)	\$0.2	0.00	No	Yes	\$0.2	\$0.0	
I-5 Interchange Study Proviso)	\$0.1	0.00	No	Yes	\$0.0	\$0.1	
Diesel Multiple Unit Train Study (Proviso)	\$0.4	0.50	No	Yes	\$0.0	\$0.4	
USGS Washington Transportation Framework (UAR)	\$0.1	0.00	No	No	\$0.1	\$0.0	
WA Trans Washington Traffic Safety Commission	\$0.2	0.00	No	No	\$0.0	\$0.0	\$0.2
I-5 Martin Way Interchange (Reapprop Oly Region)	\$0.3	0.00	No	Yes	\$0.0	\$0.3	
Cross Border Rail Study (Proviso)	\$0.3	0.00	No	Yes	\$0.3	\$0.0	
Whatcom DMU Proviso	\$0.2	0.00	No	Yes	\$0.2	\$0.0	
Project Design and Cost Estimating (Proviso)	\$2.0	0.00	No	Yes	\$0.0	\$2.0	
Freight Database Development (Reapprop & Proviso)	\$0.4	0.00	No	Yes	\$0.1	\$0.4	
Summary T2 Planning Studies	\$5.0	1.60			\$1.0	\$3.2	\$0.7
Total Eligible	\$4.2						

*** Because the majority of these proviso/line item studies were not included in the 09-11 SPR Work Program, they are not operationally eligible for federal SPR participation.

If however, they were included in any SPR Work Program past, present or future their scope of activity is of an eligible type.