

Report: 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)

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. The scope also included a required draft bill to implement the recommendations. The draft bill is an appendix to this report.

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 (WSDOT), the Washington State Transportation Commission (WSTC), eleven (11) metropolitan planning organizations (MPOs), and fourteen (14) regional transportation planning organizations (RTPOs).¹ Statutes require a statewide transportation plan referred to as the *Washington Transportation Plan (WTP)* produced as a “policy” plan for 2010, a statewide multimodal plan, eleven (11) state agency mode plans, and regional/metropolitan transportation plans. The result of this complexity is a planning process described as frustrating by planners and stakeholders, in which there is confusion even among transportation planners in the state as to what planning is required and by which agency, and with an end product of limited utility to legislators.

Clear policies, good planning, and objective performance measurement should result in more informed transportation investment decisions, provide information that is important to decision-makers, and provide a common vision and framework for our transportation system.

This report ***focuses on what the legislature can do*** to reduce confusion and improve accountability, utility, and efficiency of state-level transportation planning. The legislature – which cannot change federal requirements and does not administer the planning process – can modify state statutes and use the budget process to enable state-level planning to meet legislative expectations, anticipate federal outcome and performance-based planning requirements, reflect lessons gleaned from other states, and provide a more efficient, streamlined, and less costly planning process.

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

Situation Assessment

The *Evaluation of State-Level Transportation White Paper* is a companion to this report. It provides background information on state and federal planning requirements, assesses the vertical integration of state-level plans and their utilization in legislative transportation investment decisions, and reviews 2009-11 biennium state and MPO/RTPO planning and research budgets.

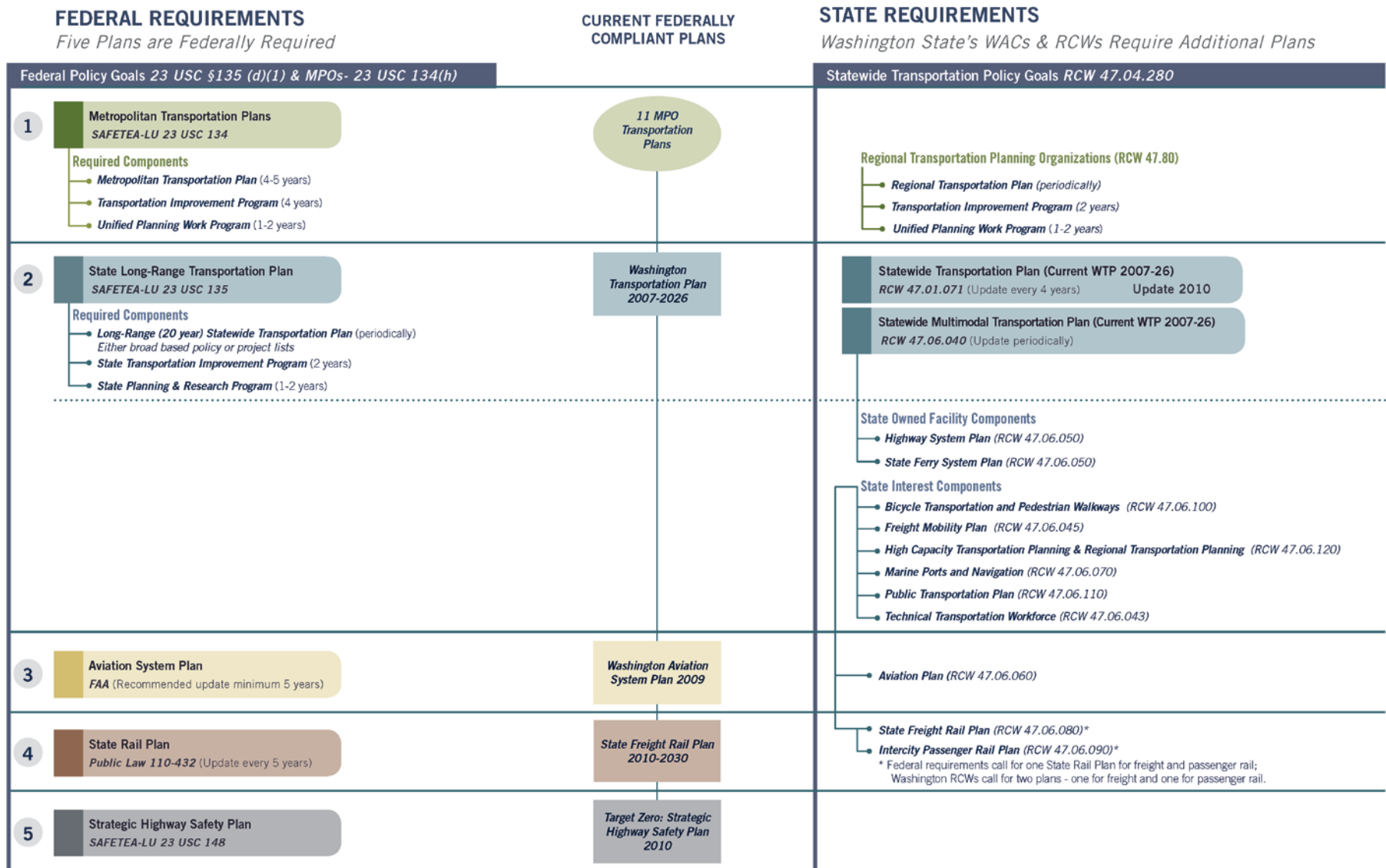
State and Federal Planning Requirements

Washington State's planning requirements are more extensive than federal planning requirements, particularly with regards to the state long-range transportation plan and state mode plans.

- **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. State law requires two plans: a statewide transportation plan – often referred to as a policy plan - to be updated every four (4) years by WSTC; and a statewide multimodal plan to be developed by WSDOT. State statutes are unclear as to which of the two (2) required plans is intended to be the federally compliant plan. Until the 2010 WSTC update of the *Washington Transportation Plan*², the *Washington Transportation Plan 2006-27* and previous iterations of the *WTP* had served as both the statewide transportation policy plan and the statewide multimodal plan, making the question of which plan was to be the federally compliant plan irrelevant.
- **State mode plans.** The state requires two state-owned facility components of the statewide 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 component plans, three (3) of which – the aviation plan, the state freight rail plan, and the intercity passenger rail plan - meet federal mandates. Federal law requires a strategic highway safety plan which is not reflected in state statutes.

² The WTP 2030 is not intended to be federally compliant. The WTP 2007-2027 will remain the federally compliant statewide long-range plan.

Relationship of Federal & State Planning & Program Requirements



Plan Integration

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

These requirements have not resulted in well integrated plans. In part this is because of the different schedules on which state-level plans are developed and in part because the state does not have a process to synchronize (or make consistent with each other) state and metropolitan/regional plans. Progress towards integration has been made with the preparation of the *Washington Transportation Plan 2030*, the development of which included a review of existing metropolitan and regional plans and state mode plans.

Plan Utilization

State-level plans that have affected legislative biennial capital investment decisions are mode plans that provide a program of investments that link policy and projects, provide clear, pragmatic, incremental choices, prioritize investments, provide a financially constrained program of capital investments, include operational as well as capital choices, and are data driven.

State-level plans have played a 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.

Planning and Research Expenditures

State funds for state-level planning and research in the FY 2009-11 biennium budget total \$24.4 million, including \$4.4 million in grants to RTPOs, \$10.0 million for travel and collision data collection and GIS activities, \$1.4 million for research and library services, and \$8.6 million for state long-range planning, state mode planning, and regional coordination expenses.

The state budgets more of its funds on planning than the federally required minimum, which means the state could reduce its budget without jeopardizing federal funding. In the FY 2009-11 biennium the state spent more than the required 20 percent match for FHWA state planning fund³ eligible planning activities, with the state budget for eligible planning activities of \$16.3 million representing 44 percent of the total.

³ The state is required to spend 2 percent of certain FHWA funds for planning. Of the 2 percent, 0.25 percent must be spent on research. The match required under some conditions may be reduced to 13.5 percent.

Future Direction of Federal Planning Requirements

Initiatives by federal transportation agencies, stakeholders, and Congress to move from process based to outcome and performance-based transportation planning indicate that:

- Congress will in the future most likely require a performance component in state transportation planning.
- Transportation plans that are goal-oriented built upon solid performance-based systems, evaluated with accepted performance metrics, and implemented over time to reflect a combination of state and national goals are more likely to coordinate with anticipated modifications to federal planning requirements.

Planning Statutes in Other States

State-level planning statutory requirements and statewide long-range transportation plans in seven (7) states were reviewed: Arizona, California, Florida, Georgia, Mississippi, Nevada, and Texas. The selected states recently amended planning statutes, updated statewide long-range transportation plans, or, like Washington, have a separate transportation commission.

- Statutes in other states are less complex than Washington State's.
 - There are fewer statutorily required plans. Thirteen (13) state agency transportation plans are required by Washington's statutes compared to a maximum of three (3) required by the other states' statutes. The other states reviewed have, like Washington, multiple transportation plans but, unlike Washington, they are not statutorily required.
 - None of the other states reviewed require two (2) statewide long-range transportation plans.
- In five (5) of the seven (7) states reviewed, the state statutes require a statewide long-range transportation plan, with responsibility for the plan's preparation vested in the state department of transportation. States with independent transportation commissions give the commissions different roles that reflect their responsibilities and range from developing a policy statement to guide the plan to approving the plan. In some states the Governor approves the statewide long-range transportation plan and some states provide a formal opportunity for the legislature to review and comment on the draft plan before it is finalized. None of the states reviewed require legislative approval of the statewide long-range transportation plan.
- Integrating state and metropolitan/regional long-range transportation plans is difficult and has been addressed by the states in different ways including adjusting governance to more clearly define roles in transportation planning. There are also innovations such as having a framework planning process co-chaired by the MPOs and an independent transportation commission and staffed by the department of transportation and updating MPO plans in the same process as the update of the statewide long-range transportation plan. **All of the states reviewed recognize the need to integrate state, regional, and metropolitan transportation planning in order to address the most pressing transportation issues.**

Planning Requirements – Recommended Statutory Changes

What should the legislature expect from its investment in state-level transportation planning?

To develop recommendations on statutory changes, it is important to understand what the legislature should expect from its investment in the continuum of state-level planning – i.e. from the results of all state-level planning activities. The legislature should expect that state-level planning will:

- Inform the broad range of legislative transportation decisions
- Be flexible and adaptable to changing circumstances
- Be aligned and integrated at the state, regional, and local level
- Be technically competent, data driven, and federally compliant
- Result from a robust public participation process.

What plans should be required by state statute?

RECOMMENDATION 1

State planning statutes should require a statewide long-range transportation plan. No other state-level transportation plans should be statutorily required.

This recommendation should not be confused with an effort to eliminate all other plans. Federally required plans – rail, aviation, highway safety, and metropolitan – will continue to be done. State-level plans that are deemed essential and funded by the legislature will also be done - which could be a policy plan, a ferry plan, a bike and pedestrian plan, etc. This recommendation simply means that planning initiatives would have to be justified on some basis other than that the plan is a statutory requirement.

What should the statutory requirements for the statewide long-range transportation plan include?

RECOMMENDATION 2

Statutory requirements for the statewide long-range transportation plan should establish broad requirements, specify accountability for preparation and approval of the plan, and provide a link to statewide performance measurement and attainment reporting.

The broad statutory requirements for the statewide long-range transportation plan should be clear, encourage streamlining and efficiency, and specify that the plan:

- Is the federally compliant statewide long-range transportation plan.
- Is to be framed by the legislature's policy goals.
- Results from the continuum of state-level planning and is to be based on on-going metropolitan, regional, and mode planning activities.
- Allows other state-level plans, including mode, metropolitan, and/or regional plans, to be updated in the same process as the update of the statewide long-range transportation plan.
- Is to be outcome and performance based, consider mode-neutral (i.e. does not give preference to any one mode) alternatives, and integrate state, regional, and metropolitan transportation planning, performance measurement, and attainment reporting.
- Is to include public outreach that incorporates on-going outreach by state, metropolitan, and regional transportation agencies and uses best practices.
- Is to have clear financial assumptions, identify the need for any new resources, and provide a financial plan that can be linked with legislative budget decisions.

Responsibility for preparation of the statewide long-range transportation plan should be fixed by the legislature and reflect governance, the strong need to integrate planning, and lead to cost-efficiencies.

The question of whether the statewide long-range transportation plan should be done by WSDOT or WSTC is frequently raised, but the conundrum is how to reconcile the WSDOT, WSTC, and MPO/RTPO governance structure with having an accountable, streamlined planning process. Existing planning statutes – which include requirements for assistance and consistency - have not resulted in a streamlined process nor have they resulted in an integrated planning effort.

The consultants have identified two options that take advantage of the technical expertise of WSDOT and the MPOs/RTPOs, reflect WSTC's statutory (RCW 47.01.075) role in transportation policy and its mandate to conduct public forums and surveys, and make use of stakeholder and public outreach conducted by MPOs/RTPOs.

- **WSDOT Preparation/WSTC & MPO/RTPO Review.** The legislature could hold WSDOT accountable for preparing the statewide long-range transportation plan, as other states do for their federally compliant plan. The statute could direct the MPOs/RTPOs to assist WSDOT, require WSDOT to consider WSTC transportation policy recommendations and utilize information from the WSTC public forums and surveys, and require the MPO/RTPO Coordinating Committee and WSTC to review and provide comments on the draft plan to the legislature and the Governor before it is finalized.
- **Blended Responsibility.** The legislature could mandate a process in which WSDOT, the WSTC, and the MPO/RTPOs share responsibility for preparation of the statewide long-range transportation plan. For example, the legislature could require a process that is co-chaired by the Secretary of Transportation, the Chair of the WSTC, and the Chair of the MPO/RTPO Coordinating Committee, or alternatively, the legislature could name a Blue Ribbon Commission under whose auspices the three parties would work. WSDOT could be responsible for planning expertise and meeting federal procedural requirements; WSTC for coordinating policy recommendations, stakeholder and public outreach, and ensuring that its public forums and surveys are reflected in the plan; and MPOs/RTPOs for both planning and outreach.

Of the two alternatives, the consultants believe that having blended responsibility for preparation of the statewide long-range transportation plan will be the most likely to produce an integrated statewide plan.

- **Expand WSTC Surveys.** In either alternative, having WSTC expand its current surveys for Washington State Ferries customers and for tolling to a continuing statewide transportation survey would benefit the development of the statewide long-range transportation plan and the information could inform other mode, regional, and metropolitan planning.
- **Tribal Transportation Planning.** Integration of tribal transportation planning with the statewide transportation plan needs to be considered. The chair of the Tribal Transportation Planning Organization (TTPO) is a member of the MPO/RTPO Coordinating Committee, but a more specific role for the TTPO could be considered.

Approval of the statewide long-range transportation plan should rest with the Governor.

The Governor has a role with all three (3) of the parties that need to be involved in the statewide long-range transportation plan and is in the best position to ensure an integrated process. The legislature could also require the Office of Financial Management (OFM) to review and confirm the financial assumptions of the statewide long-range transportation plan.

The statewide long-range transportation plan should establish statewide objectives and performance measures that are included in the biennial attainment report.

Current state statutes require OFM to establish objectives and performance measures for state transportation agencies and to prepare a biennial attainment report. The consultants recommend that the legislature amend these requirements to have the objectives and performance measures come from the statewide long-range transportation plan and encompass performance of the statewide transportation system.

Budget Process

In addition to clarifying planning statutes the legislature can use the budget process to assure itself that state-level planning expenditures are focused on the highest priorities of the legislature and to track how budget decisions relate to the long-term performance goals of the statewide long-range transportation plan.

RECOMMENDATION 3

The legislature should require: a comparison of the proposed biennial budget with the statewide long-range transportation plan's performance goals and financial plan; greater transparency of the state-level planning budget, including the use of federal planning dollars and the corresponding state match; and periodic reporting on the status of plans that it has funded, answering the question whether the plans are "on-time, on-schedule, and within budget."

The legislature should use the budget process to relate investment decisions to the performance-based goals in the statewide long-range transportation plan. The Governor could be required to show how the proposed biennial 16-year transportation financial plan (with its operating budget and project list) relates to the statewide long-range transportation plan's performance goals and financial plan. Making this connection will help the legislature understand longer term trends as it reviews the biennial budget.

State-level planning costs are largely in the WSDOT operations budget which is subject to an incremental budget approach where the agency needs to show only the changes in the budget. This makes it difficult for the legislature to understand what planning activities are proposed in the budget and the trade-offs and options with regards to the expenditure of federal planning funds and the corresponding state match.

To improve transparency in budgeting state-level planning, the legislature could require the WSDOT biennial budget to include: a list of planning activities and plans to be completed in the biennium; state and federal funds anticipated for each activity and plan; and a comparison of the minimum state funds that are required to match federal planning expenditures and the proposed state funds. WSDOT can use information in its federally required State Planning and Research Program to develop this information for the legislature.

The legislature does not have a consistent way of knowing whether plans that are funded are being developed "on-time, on-budget, and within scope." The legislature could require periodic reports on the status of plans that it has authorized and funded. This should be reasonable for WSDOT to accommodate given its extensive performance reporting.

Making state-level planning more streamlined and efficient

The proposed clarification of the state-level planning statutes and more transparent budgeting and reporting will lead to more streamlined and cost-efficient planning by:

- **Reducing the number of plans that are done primarily to satisfy statutory requirements.**
- **Sharing technical expertise and planning processes.** The RTPOs and MPOs and WSDOT's mode managers already invest a significant amount of time and resources in their planning processes to identify priorities and quantify transportation system needs – work that should be reflected in the development of the statewide long-range transportation plan. “A government system that fosters cooperation and coordination is more efficient because it is able to take advantage of the strengths and expertise of its component staffs; more resilient because it has the support and buy-in of its membership, and more responsive because it shares information and can understand and react to needs and concerns more quickly than a system that does not foster a culture of cooperation and coordination.”⁴
- **Consolidating public outreach.** Streamlining outreach and sharing the results of on-going survey work should make it easier for citizens to participate, result in better informed planning, and reduce costs.

⁴ Arizona Department of Transportation, *What Moves You Arizona*, p. 7-13.

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JOINT TRANSPORTATION COMMITTEE
Evaluation of State-Level Transportation Plans

INTRODUCTION

This report recommends a major re-structuring of Washington State's transportation planning statutes and legislative use of the budget process to improve accountability, utility, and efficiency of state-level transportation planning.

Planning, as the term is used in this report, refers to the broad range of activities undertaken to establish direction in the midst of changing circumstance. It encompasses the on-going process of data gathering, analysis, research and evaluation, and the development of published plans.

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 (WSDOT), the Washington State Transportation Commission (WSTC), eleven (11) metropolitan planning organizations (MPOs), and fourteen (14) regional transportation planning organizations (RTPOs).⁵ Statutes require a statewide transportation plan referred to as the *Washington Transportation Plan (WTP)* produced as a "policy" plan for 2010, a statewide multimodal plan, eleven (11) state agency mode plans, and regional/metropolitan transportation plans.

This complexity is not in and of itself a bad thing. If it resulted in an integrated planning process that aligned state, regional, and metropolitan transportation planning, performance measurement, and reporting it would most likely satisfy legislative expectations. The result of this complexity is, instead, a planning process described as frustrating by planners and stakeholders, in which there is confusion even among transportation planners in the state as to what planning is required and by which agency, and with an end product of limited utility to legislators.

Clear policies, good planning, and objective performance measurement should result in more informed transportation investment decisions, provide information that is important to decision-makers, and provide a common vision and framework for our transportation system.

This report ***focuses on what the legislature can do*** to reduce confusion and improve accountability, utility, and efficiency of state-level transportation planning. The legislature – which cannot change federal requirements and does not administer the planning process – can modify state statutes and use the budget process to enable state-level planning to meet legislative expectations, anticipate federal outcome and performance-based planning requirements, reflect lessons gleaned from other states, and provide a more efficient, streamlined, and less costly planning process.

⁵ Ten (10) of the eleven (11) MPOs are also lead agencies for RTPOs.

The recommendations in this report are intended to lead in that direction by:

- **Reducing the number of plans that are done primarily to satisfy statutory requirements.**
- **Sharing technical expertise and planning processes.** The RTPOs and MPOs and WSDOT's mode managers already invest a significant amount of time and resources in their planning processes to identify priorities and quantify transportation system needs – work that should be reflected in the development of the statewide long-range transportation plan. “A government system that fosters cooperation and coordination is more efficient because it is able to take advantage of the strengths and expertise of its component staffs; more resilient because it has the support and buy-in of its membership, and more responsive because it shares information and can understand and react to needs and concerns more quickly than a system that does not foster a culture of cooperation and coordination.”⁶
- **Consolidating public outreach.** Streamlining outreach and sharing the results of on-going survey work should make it easier for citizens to participate, result in better informed planning, and reduce costs.

⁶ Arizona Department of Transportation, *What Moves You Arizona*, p. 7-13.

SECTION I. PURPOSE & 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)

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. The scope also included a required draft bill to implement the recommendations. The draft bill is an appendix to this report.

B. Evaluation of State-Level Transportation White Paper

The *Evaluation of State-Level Transportation White Paper* is a companion to this report. It provides background information on state and federal planning requirements, assesses the vertical integration of state-level plans and their utilization in legislative transportation investment decisions, and reviews 2009-11 biennium state and MPO/RTPO planning and research budgets. The key findings of the *White Paper* are summarized in the situation assessment in Section II of this report.

C. Methodology

The analysis of potential federal performance outcome requirements in this report was completed by Wilbur Smith and included a combination of technical work, interviews, peer exchanges, meetings, and presentations, including:

- Development of technical performance metrics for the Bipartisan Policy Center’s *Performance-Driven – A New Vision for U.S. Transportation Policy*, 2009.
- American Association of State Highway and Transportation Officials (AASHTO) - Federal Highway Administration (FHWA) Executive Roundtable on Performance-based Planning and Programming, October 2009.

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- AASHTO-AMPO⁷-FHWA working group on performance and performance-based planning, August 2009 and January 2010.
- AASHTO-FHWA Asset Management and Performance Management Peer Exchange, July 2010.
- AASHTO Federal Funding Issues: Strategies for Raising Revenues, August 2010.
- AASHTO-AMPO-American Public Transportation Association (APTA)-FHWA-Federal Transit Administration (FTA) National Forum on Performance-based Planning and Programming, September 2010.

To review other state requirements the consultants reviewed:

- State planning statutes
- State plans and studies

To formulate recommendations the consultants relied on their professional judgment and interviews and discussions with stakeholders.

⁷ AMPO is a nonprofit, membership organization serving the needs and interests of "metropolitan planning organizations (MPOs)" nationwide.

SECTION II. SITUATION ASSESSMENT

This section provides a summary of the *Evaluation of State-Level Transportation White Paper*, which is a companion to this report. It provides background information on state and federal planning requirements, assesses the vertical integration of state-level plans and their utilization in legislative transportation investment decisions, and reviews 2009-11 biennium state and MPO/RTPO planning and research budgets.

A. State and Federal Planning Requirements

Washington State's planning requirements are more extensive than federal planning requirements, particularly with regards to the state long-range transportation plan and state mode plans.

- **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 (4) years if air quality issues are involved or every five (5) 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 (1) to two (2) 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 (4) years by WSTC; and a statewide multimodal plan to be developed by WSDOT. State statutes are unclear as to which of the two (2) required plans is intended to be the federally compliant plan. Until the 2010 WSTC update of the

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*Washington Transportation Plan*⁸, the *Washington Transportation Plan 2006-27* and previous iterations of the *WTP* had served as both the statewide transportation policy plan and the statewide multimodal plan, making the question of which plan was to be the federally compliant plan irrelevant.

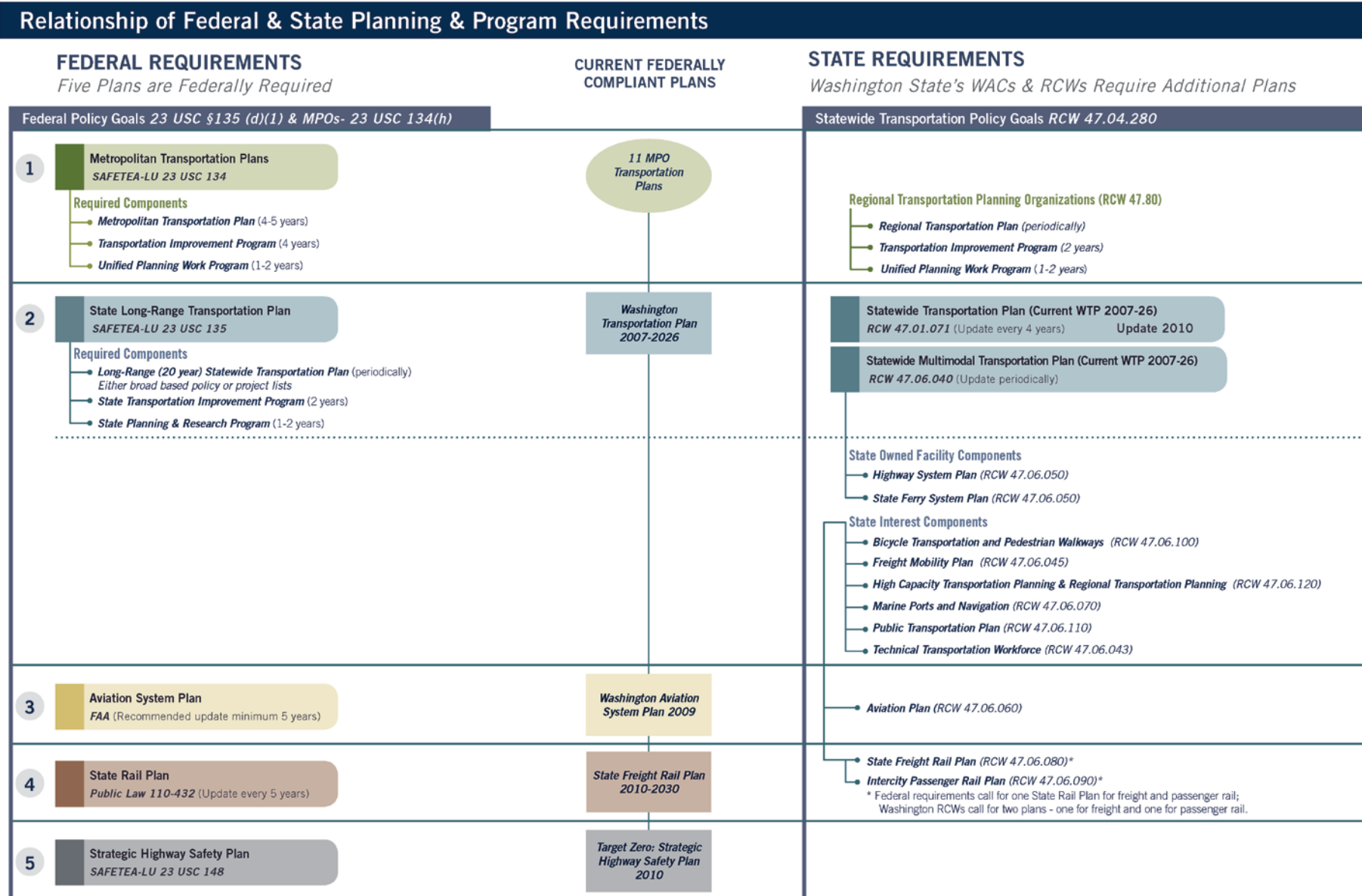
- **State Mode Plans.** The state requires two state-owned facility components of the statewide multimodal plan, a highway system plan and a ferry system plan, neither one of which is required by federal law. There are also requirements for nine (9) state interest component plans, three (3) of which – the aviation plan, the state freight rail plan, and the intercity passenger rail plan - meet federal mandates. Federal law requires a strategic highway safety plan which is not reflected in state statutes.

The exhibit below summarizes the federal and state planning and program requirements.

⁸ The WTP 2030 is not intended to be federally compliant because WSTC elected not to engage in all of the procedural steps that would be needed to become federally compliant. The WTP 2007-2027 will remain the federally compliant statewide long-range plan.

Exhibit 1.

Relationship of Federal and State Planning Requirements



B. 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 require the statewide multimodal plan to be developed under the WSTC's statewide transportation plan (policy plan), WSDOT to assist the WSTC in the development of its plan, and that state and regional plans be consistent with each other.

These requirements have not resulted in well integrated plans. In part this is because of the different schedules on which state-level plans are developed and in part because the state does not have a process to synchronize (or make consistent with each other) state and metropolitan/regional plans.

The best 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 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 WSTC 2030 *Washington Transportation Plan*.
- **State Mode Plans.** The state mode plans are developed separately and on different schedules.

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 legislative decisions.

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- **Amtrak Cascades 2008 Mid-Range Plan.** The *Mid-Range Plan* identified specific steps to achieve additional service.
- **Washington State Strategic Highway Safety Plan: Target Zero.** *Target Zero* was revised in 2010 and provides a list of steps and investments the state should undertake to improve traffic safety.

These plans were cited 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.

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.

D. Planning and Research Expenditures

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 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 (FHWA), Federal Transit Administration (FTA), and Federal Railroad Administration (FRA) funds and 5 percent for Federal Aviation Administration (FAA) funds.⁹
- **Flexibility.** The federal government allows states and MPOs wide flexibility in the use of planning funds.

The state budgeted \$24.4 million in state funds for state-level planning and research in the 2009-11 biennium and the MPOs/RTPOs \$3.4 million.

The \$24.1 million in state funds includes \$4.4 million in grants to RTPOs, \$10.0 million for travel and collision data collection and GIS activities, \$1.4 million for research and library services, and \$8.6 million for state long-range planning, state mode planning, and regional coordination expenses.

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.

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 funds.

⁹ There are situations where a 13.5 percent match for FHWA and FTA funds is possible.

SECTION III. FEDERAL PLANNING DIRECTION

Current federal planning requirements for states and metropolitan planning organizations are process oriented. This section reviews initiatives by federal transportation agencies, stakeholders, and Congress to move from process based to performance-based transportation planning that is more directly linked to a set of clearly articulated goals, and more accountable for results.

The consultants' conclusions are:

- **Congress will most likely require a performance component in state transportation planning.** It is clear to the consultants that Congress, through the reauthorization of surface transportation legislation will include some sort of performance component, where states will likely have to implement performance-based programs – with targets – and show progress in meeting these targets as a condition of federal funding.
- **Transportation plans that are goal-oriented, built upon solid performance-based systems, evaluated with accepted performance metrics, and implemented over time to reflect a combination of state and national goals are likely to better coordinate with anticipated modifications to federal planning requirements.** Because Congress has yet to identify an additional sustainable funding stream for the nation's surface transportation program, authorization of the federal surface transportation bill (SAFETEA-LU) is on hold. While Congress and the administration continue to prepare for federal surface transportation authorization, Washington State should focus transportation planning processes on performance.

Performance-Based Planning

The nation faces extraordinary challenges regarding its transportation system. While the American Recovery and Reinvestment Act (ARRA) underscored the commitment of Congress to reinvigorate the U.S. economy through \$48 billion in transportation investment, Congress continues to struggle with the authorization of a long-term surface transportation bill primarily because a sustainable funding stream has yet to be identified. This is largely due to the fact that the financial backbone of the surface transportation program is all but broken. There is currently no support for increasing transportation user fees via the national gas tax and there are many competing goals for investment at both the national and state levels. The House Transportation and Infrastructure (T&I) Committee developed a draft \$450 billion bill in 2009 – the Surface Transportation Authorization Act (STAA) or Oberstar Bill; however, the administration and the Senate Environment and Public Works Committee have not taken action nor has the House Banking Committee, which controls the purse strings.

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With limited funds, the pressures for accountability continue to mount. The Federal Highway Administration (FHWA), the American Association of State Highway and Transportation Officials (AASHTO), and many transportation delivery partners across the country as well as think tanks, including the Bipartisan Policy Center (BPC) and others, have embraced the concept of accountability and performance.

- *AASHTO* - AASHTO's Board of Directors has endorsed the need for an increase in federal transportation investment but couples that recommendation with support for reforms which will bring about a program more focused on national interests and accountability for results.
- *FHWA* - The FHWA has been working under the assumption that performance will be reported to Congress in the next surface transportation authorization bill and has developed national goals and candidate performance metrics as well as five strategies for implementation.
- *Bipartisan Policy Center (BPC)* – In the foreword to the BPC's recent *Performance-Driven – A New Vision for U.S. Transportation Policy* report, the National Transportation Policy Project notes that "U.S. transportation policy needs to be more performance-driven, more directly linked to a set of clearly articulated goals, and more accountable for results."
- *House Transportation and Infrastructure (T&I) Committee* – In its *Blueprint for Investment and Reform*, House T&I Committee leaders noted that the Surface Transportation Authorization Act (STAA) of 2009, or "Oberstar Bill" transforms the nation's surface transportation framework and provides the necessary investment to carry out this vision. "This increased investment [will be] accompanied by greater transparency, accountability, oversight, and performance measures to ensure that taxpayer dollars are being spent effectively and in a manner that provides the maximum return on that investment."

It is clear that Congress, through the reauthorization of surface transportation legislation, will include some sort of performance component, where states will likely have to implement performance-based programs – with targets – and show progress in meeting these targets (at a minimum) as a condition of receiving federal funds. At the same time, many transportation delivery partners agree that great accomplishments with status-quo or reduced federal aid highway funding will be difficult to attain.

National Goals and Objectives

FHWA, AASHTO, and the BPC agree that any performance-based federal aid highway program should be focused on broad objectives within the national interest. These groups largely consider safety, system preservation, economic vitality, congestion reduction, and accessibility/ connectivity as core national goals; however, they differ in the ways the goals are stated, as shown in the exhibit in Appendix A. Under a performance-based federal aid highway program, these national goals and objectives would be adopted by all states as a criteria for programming federal funds.

Performance Metrics – National Goals and Objectives

The devil is, of course, in the details of not only the proposed national goal, but how it is measured, either directly or implicitly, and how it is implemented. For example:

- *AASHTO*. AASHTO provides strong support for state-driven accountability where each state should determine its own performance targets and the appropriate strategies to meet those targets.
- *FHWA*. The FHWA has undertaken an in-depth policy analysis of the proposed structure of a performance-based federal aid highway program and, as part of this effort, has noted that national performance goals should be easy to understand, achievable in a logical timeframe and linked to funding levels. The FHWA research has also led to consideration of five options for implementing national goals: national measures but no performance targets; goals/targets for FHWA only; across-the-board goals for states; tailored, state-specific goals; goals for groupings of peer states. Like AASHTO, FHWA makes no recommendations about the specific content of any individual performance target.
- *Bipartisan Policy Center*. The BPC policy report provides a structure of improving performance through reporting on alternative metrics that recognize transportation as a critical component of the nation's economic prosperity. BPC also recommends that the core transportation programs be shifted to reflect 25 percent competitive funding and 75 percent core formula funds.

The exhibit in Appendix A shows different performance metrics under consideration.

Performance Metrics – State Goals and Objectives

States continue to monitor a host of performance metrics to manage not only the transportation system but the business of the department of transportation itself.

Performance-based Planning and Programming

While transportation practitioners and professionals have been monitoring transportation and asset performance for more than 40 years, states have not had to report these data to Congress to define exactly what the public is getting for the \$40 billion per year total surface transportation investment. However, the FHWA has been working under the assumption that performance – both predicted outcomes and actual performance over time - will be reported to Congress in the next surface transportation authorization bill.

The planning process will also continue to evolve. In October, 2009, AASHTO and FHWA collaborated to convene a roundtable discussion on Performance-based Planning and Programming. Based on this forum, it was clear that there is a need to include MPOs and transit agencies in the development of new, multimodal approaches. Findings from that effort offer some background on current practices, trends, and future needs with respect to performance-based planning and programming:

- The statewide and metropolitan transportation planning process should incorporate performance goals and measures that are responsive to national transportation goals.

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- States and MPOs should have a strong role in target-setting for performance measures.
- Involvement of state and local stakeholders and state and local elected officials remains essential to effective planning and programming.
- The unique transportation needs of each state and metropolitan area will continue to be addressed in the transportation planning and programming process.
- Performance-based transportation planning and programming must incorporate an appropriate balance between data-driven and qualitative factors.
- Public input must be maintained as an important driver of planning decisions.
- The Strategic Highway Safety Plan (SHSP), which is used as the basis for prioritizing the use of Highway Safety Improvement Program funds, offers one model for performance-based planning. The SHSP is used to collaboratively set performance goals and measures, provide guidelines and targets to address safety needs, and establish an accountability framework while providing states with the flexibility to choose from a range of strategies, programs and projects.
- The American Recovery and Reinvestment Act of 2009 (ARRA) may provide some lessons for developing a process that aligns national and state priorities. ARRA illustrates an approach in which states, MPOs, and the federal government worked together to allocate funds for specific goals - job retention and creation and economic stimulus - and to track performance.

Moving Forward

AASHTO, FHWA, and BPC (among others) continue to hone messages regarding transportation performance and performance-based planning initiatives and how they relate to a performance-based federal aid highway program. This summer, FHWA and AASHTO shared up-to-date policies at an Asset Management Peer Exchange hosted by the FHWA.

Thus far, the FHWA is establishing its recommendations for a performance-based federal aid highway program to include the following key principles:

- Data that are currently available should be used and applied; initially we should not be collecting new data or creating new databases.
- Data must be presented to convey the right message to Congress and other stakeholders.
- Data and analyses should be used to predict the outcomes of our investments and should be evaluated in the transportation planning process; these models will likely get better over time.

AASHTO proposes that asset focused metrics are the key to launching performance management, but that for most goal areas, targets should be state-driven and should be developed in conjunction with transportation delivery partners. Goals and targets should be established over a two-year period and should focus more on a process that can be implemented to achieve them. AASHTO continues to work with the FHWA to develop and vet metrics for measuring system performance. In sum, AASHTO's polices are directed at:

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- Refocusing the federal program on national objectives.
- U.S. Secretary of Transportation and Congress to establish goal areas.
- Transportation plan and projects selected must include a state-driven performance management approach.
- Performance measures should be developed and adopted by states in coordination with MPOs, FHWA, American Public Transportation Association (APTA), Federal Transit Administration (FTA), and other transportation delivery partners over a two-year period.

The BPC has received much attention with its non-partisan, mode-neutral, analytical recommendations to transform the federal-aid highway program into a true multimodal, outcome-based allocation of surface transportation funds via the National Transportation Policy Project.

BPC is currently focusing its broad policy recommendations from its 2009 report to the economic realities of the day. BPC is undertaking an initiative to apply its vetted performance metrics to a status-quo federal surface transportation authorization (by dollar value), with the following assumptions:

- There will be no significant increase in the overall level of funding for surface transportation – indeed, a slow decrease in the purchasing power of these funds is certainly possible; and
- The existing federal highway and transit programs should be restructured in order to focus available resources on national interests.

SECTION IV. STATE-LEVEL PLANNING IN OTHER STATES

State-level planning statutory requirements and statewide long-range transportation plans in seven (7) states were reviewed: Arizona, California, Florida, Georgia, Mississippi, Nevada, and Texas. The selected states recently amended planning statutes, updated statewide long-range transportation plans, or, like Washington, have a transportation commission separate from the department of transportation.

Appendix B provides summaries of governance, planning statutes, and plan status for each state.

The consultants found:

- **Statutes in other states are less complex than Washington State's.**
 - There are fewer statutorily required plans. Washington State statutes require 13 plans to be developed by state transportation agencies (a WSTC statewide transportation plan, a WSDOT statewide multimodal plan, eleven (11) WSDOT mode plans). The most plans that are statutorily required of the state transportation agencies in other states is three (3). Two (2) states have no statutorily required plans.
 - None of the other state statutes require two (2) statewide long-range transportation plans.
 - The other states reviewed have, like Washington, multiple transportation plans, but, unlike Washington, they are not required by statute.
- **Five (5) of the seven (7) states reviewed have statutes that require a statewide long-range transportation plan.**
 - Statutes that require statewide long-range transportation plans are broad rather than proscriptive. State statutes refer to the plan as balanced, comprehensive, and multimodal. A specific date by which a revised statewide long-range transportation plan is to be complete and an update period is included in two (2) state statutes. Three (3) state statutes specify that the plan is to be federally compliant and three (3) that the plan be developed within goals or policies established by the legislature. Two (2) states provide a link to performance reporting and measurement.
 - Sunset requirements. Georgia's planning statutes sunset the investment criteria every four (4) years.

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- Statutes that require statewide long-range transportation plans vest responsibility for preparation of the plan in the department of transportation but vary with regards to approval and ultimate accountability for the plan. Two (2) states require that the Governor approve the statewide long-range transportation plan and one (1) state requires that it be approved by an independent transportation commission. The other three (3) state statutes are silent as to the approval of the plan. None of the statutes require approval of the statewide long-range transportation plan by the state legislature, but two (2) have a process for the legislature to review and comment on a draft plan before it is finalized.
- The role of independent transportation commissions in the development and approval of statewide long-range transportation plans varies. In Arizona the independent commission issues a policy statement¹⁰ that guides the plan and the plan is approved by the commission. In California the transportation commission reviews and comments on the plan and can provide their comments to the Governor and legislature. In Florida the annual work program and performance reporting components of the plan are submitted to the commission for use in their role in oversight of the department.
- **Integrating state and metropolitan/regional long-range transportation plans is difficult and has been addressed by the states in various ways.** Four (4) states' statutes mandate integration of statewide long-range transportation plans with regional and/or metropolitan transportation plans through state review and negotiation of changes in metropolitan and regional plans; creation of an independent organization of MPOs with responsibility for reviewing the state transportation plan; cooperative planning; or by having the state plan reconciled with or based on the metropolitan or regional plans. These strategies reflect a top-down view of planning (i.e. the metropolitan and regional plans are to be based on the state-plan) and a bottom-up view of planning (i.e. the state plan is to be based on the metropolitan and regional plans).
 - States have adjusted governance to more clearly define roles in transportation planning, including, in the case of California, by giving metropolitan and regional transportation agencies greater programming authority.
 - State long-range transportation plans recognize the pressing need to integrate plans, in order to reduce planning costs and make planning more efficient and to improve transportation system performance.

¹⁰ A web search could not find a policy statement. It appears that the bqAZ framework fulfilled the requirement for a policy statement.

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- There have been innovative ways in which planning is integrated. In Arizona a process co-chaired by the MPOs and the independent transportation commission and staffed by the department of transportation created a statewide framework under which the state long-range transportation plan is being drafted. Mississippi updated three (3) MPO plans concurrently with the update of its statewide long-range transportation plan.
- **Two (2) states require regional transportation plans.** California statutes require the development of regional transportation plans, which encompass metropolitan plans that are within the region, and that must meet state goals, particularly for reductions in greenhouse gas emissions. Florida allows regional transportation councils to adopt policy goals that are advisory to the state department of transportation and to the MPOs.
- **States reviewed are moving in the direction of performance-based planning and programming.** Georgia, for example, has developed what it calls a business case based long-range transportation plan by which they mean an investment strategy developed by following a strategic-planning process that is outcome-driven and return-on-investment oriented.

A. Statewide Long-Range Transportation Plan

1. Statutory Plan Requirements

KEY FINDING

Statutes in five (5) of the seven (7) states reviewed - Arizona, California, Florida, Georgia, and Texas - require a statewide long-range transportation plan. Mississippi and Nevada both have recently updated plans, but do not have statutory requirements for a statewide long-range transportation plan.

Statutes that require statewide long-range transportation plans are broad rather than proscriptive.

- **Description.** State statutes refer to the plan as balanced, comprehensive, and multimodal. Florida statutes require that the statewide long-range transportation plan be understandable to the general public.
- **Schedule.** Two (2) state statutes require that the state long-range transportation plan be completed on a specific schedule. In California, the revised California Transportation Plan must be completed by December 31, 2015, with an interim report due to the legislature and the California Transportation Commission by December 31, 2012. Georgia statutes required that the long-term statewide strategic transportation plan be completed by April 10, 2010.
- **Updates.** Two (2) states – Arizona and California – require that the plan be updated every five (5) years while the others do not specify an update period.

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- **Federal Compliance.** Three (3) states specify that the plan is to be federally compliant. Georgia statutes provide that the statewide strategic transportation plan is the official, intermodal, comprehensive, fiscally constrained transportation plan which includes projects, programs, and other activities to support implementation of the state's strategic transportation goals and policies. The Georgia statute states that this plan and the process for developing the plan shall comply with 23 C.F.R. Section 450.104. California statutes require the Governor to submit the California Transportation Plan to the Secretary of the U.S. Department of Transportation. Arizona statutes require the long-range statewide transportation plan to consider any information developed as a result of federally mandated planning processes, but that the plan shall be developed in addition to any federally mandated planning requirements.
- **Legislative Policy Goals.** Florida requires that the plan be developed within three (3) legislative guiding principles and California within seven (7) legislative policy goals. Georgia requires the statewide transportation strategic plan to consider ten (10) investment criteria that expire after four (4) years unless renewed or revised by the legislature.
 - *Climate Change.* The California legislature substantially revised the state's planning statutes to meet climate change goals. In the 2008 session the legislature imposed requirements on regional transportation planning agencies and MPOs to develop sustainable communities strategies and alternative planning strategies to reduce greenhouse gas emissions. In the 2009 session the legislature required the California Department of Transportation (Caltrans) to update the California Transportation Plan to show how the state will achieve maximum feasible emissions reductions, and identify the statewide integrated multimodal transportation system needed to obtain the mandated reductions in greenhouse gas emissions.
- **Performance Measures and Reporting.** Florida statutes require the Florida Transportation Plan to have three (3) components: long-term (20 years); short-term (annual work program); and an annual performance report. The short-term and annual performance report components are submitted by the Florida Department of Transportation (FDOT) to the independent Transportation Commission which has responsibility for oversight of FDOT. Texas requires an annual update of a component of the plan tied to performance measures.

2. Accountability for State Long-Range Transportation Plan

KEY FINDING

All five (5) states that have statutory requirements for a state long-range transportation plan vest responsibility for development of the plan in the department of transportation.

- **Department of Transportation.** Arizona requires that the plan be developed by the Arizona Department of Transportation (ADOT) under the direction of the Arizona Transportation Board, which is an independent commission. In Georgia, the 2009 legislative session left the responsibility for the development of the long-range transportation plan with the Georgia Department of Transportation (GDOT) Planning Division, but re-structured GDOT. The Director of the GDOT Planning Division is now appointed by the Governor, subject to the approval of the House and Senate Transportation Committees, and reports to the Governor not the Director of GDOT. The Director of GDOT reports to the Georgia Transportation Board which governs the department.
- **Independent Transportation Commissions.** Arizona, California, and Florida have transportation commissions that, like Washington's, are independent of the cabinet-level transportation departments. These states give the commissions different levels of accountability for the plan from approval, to comment to the department and legislature, to receipt of the short term components of the plan. Arizona requires the Transportation Board to adopt the plan developed by ADOT and to develop and adopt a statewide transportation policy statement every two (2) years. The policy statement is to include "performance expectations for the statewide transportation system over the next twenty (20) years and shall guide ADOT in developing a comprehensive and balanced statewide highway system." In establishing the statewide transportation policy statement, the board "shall consider, to the greatest extent possible, local, regional and tribal transportation goals" (ARS Title 28 Sections 301-307). California statutes require that Caltrans submit the plan to the Transportation Commission for review and comment. The Commission may present the results of its review and comment to the legislature and Governor. Florida statutes require the Florida Department of Transportation (FDOT) to submit the short-range component (annual work program) and annual performance report to the independent Florida Transportation Commission. The Commission serves as an oversight body for FDOT reviewing performance, annual work programs, budgets and long-range plans, and monitoring highway safety and financial status.
- **Governor.** Two (2) states require the Governor to approve the plan. Georgia requires the Governor to review and approve the statewide strategic transportation plan before it is submitted for approval to the Transportation Board which governs the Georgia Department of Transportation (GDOT). California requires the Governor to adopt the California Transportation Plan and submit it to the legislature and the Secretary of the United States Department of Transportation.

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- **Legislature.** Two (2) state statutes – Georgia and California – require a draft plan to be submitted to the legislature for review and comment before the final plan is adopted. Georgia requires that the draft plan be submitted to members of the General Assembly for comments and suggestions with comments then submitted by the House and Senate Transportation Committees to the Planning Division. California requires that a final draft of the plan be available to the legislature for review and comment. None of the states require the legislature to adopt the plan.

3. Integration with Regional and Metropolitan Transportation Plans

Statutory Requirements for Integrating Regional/MPO and State Long-Range Transportation Plans

KEY FINDING

Four (4) states statutes that require a statewide long-range plan also require that plan to be integrated with regional and/or metropolitan transportation plans.

- **Review and Comment on Regional and Metropolitan Plans by State.** Georgia statutes give the GDOT Planning Director, who reports to the Governor, the responsibility to review and make recommendations to the Governor concerning all proposed regional plans and transportation improvements and “negotiate with the propounder of the plans concerning changes or amendments which may be recommended by the department of the Governor, consistent with federal law and regulation” (George Revised Code § 32-2-22).
- **Review and Comment on State Plan by MPOs.** Florida statutes create a Metropolitan Planning Organization Advisory Council to “serve as a clearinghouse for review and comment by MPOs on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes” (FS 39.175 (6)).
- **Cooperative Planning.** Arizona statutes require the Transportation Board to consider to the greatest extent possible, local, regional, and tribal transportation goals when developing its policy statement. The Transportation Board is also charged with adopting uniform planning practices and performance-based planning process that are prepared by ADOT in consultation with local, regional, and tribal transportation agencies (ARS Title 28 Section 306).
- **Reconciliation of Plans.** Florida statutes require MPOs to develop 20- year transportation plans that consider the goals and objectives of the Florida Transportation Plan and require that the Florida Transportation Plan be developed in cooperation with MPOs and “reconciled, to the maximum extent feasible, with the long-range plans developed by MPOs” (FS 339.155(3) (a)). California statutes require that the strategies element of the California Transportation Plan “shall incorporate the broad systems concepts and strategies synthesized from the adopted regional transportation plans” (SB 391, Section 3 (b)). The California legislature finds that it is in the interests of the state to have an integrated state and regional transportation planning process. “It further finds that federal law mandates the development of a state and regional long-range transportation plan as a

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prerequisite for receipt of federal transportation funds. It is the intent of the Legislature that the preparation of these plans shall be a cooperative process involving local and regional government, transit operators, congestion management agencies, and the goods movement industry and that the process be a continuation of activities performed by each entity and be performed without any additional cost (California Government Code Section 65070 (a)).

Governance

KEY FINDING

Two (2) of the statewide long-range transportation plans discuss governance changes to more fully integrate planning and California has modified governance to give more programming authority to the MPOs and its regional transportation planning agencies.

- **MPO Programming Authority.** California has provided enhanced programming authority to its 18 MPOs and 26 Regional Transportation Authorities. SB 45 passed in the 1997 legislative session allocates 75 percent of transportation funds, including federal funds, to regional improvement programs. The remaining 25 percent of funds are for interregional improvement programs which are administered by the state. Arizona's draft statewide long-range transportation plan, *What Moves You Arizona*, includes consideration of enhanced programming authority for Arizona's MPOs: "The role of the MPOs in planning and programming transportation projects has been a topic of debate and negotiation with the Arizona Department of Transportation. An expanded role for MPOs in planning and programming relative to statewide resource allocation has also been discussed in reference to the next transportation bill" (p. 128).
- **MPO Planning.** The Texas Transportation Commission recently revised its administrative code to empower its 25 MPOs to develop long-range, mid-range, and short range plans, each with specified, measurable criteria. The new rules will go into effect in 2011 and are regarded as central to the update of the Texas Transportation Plan.¹¹

¹¹ Texas Department of Transportation Department Implementation of Sunset Advisory Commission Recommendations, June 2010, p. 7.

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- **Governance.** The *Draft 2060 Florida Transportation Plan* issued in 2010 includes recommendations on 21st century governance noting that “the current fragmentation in transportation decision making responsibilities and processes is one of the most significant challenges to implementing the 2060 Florida Transportation Plan” (p. 24). There are a large number of transportation entities involved in planning and most transportation planning and funding processes are organized by transportation mode and jurisdiction. “Differences in plan update schedules, horizon years, assumptions, and prioritization processes across agencies and jurisdictions further complicate decision making” (p.24). Florida does not have a unified vision linking regional transportation visions and priorities to accomplish statewide goals. The statewide vision should be “developed under the authority of the Governor and Legislature and implemented through coordinated actions of all state and regional agencies” (p. 25).

Statewide Long-Range Transportation Plans Integration with Metropolitan/Regional Transportation Plans

KEY FINDING

The states reviewed used different approaches to integrate planning, including one (1) state which updated MPO plans in the same process as the update of the statewide long-range transportation plan.

- **MPO Led Planning.** An ambitious statewide transportation planning framework - *Building a Quality Arizona* or *bqAZ*¹² - developed in a collaborative effort between Arizona’s Councils of Governments, MPOs, and the Arizona Department of Transportation was accepted by the State Transportation Board in January 2010.¹³ The framework was developed in accordance with an Executive Order from the Governor and the effort was co-chaired by the chair of the Maricopa County Regional Council and a member of the State Transportation Board and staffed by the Arizona Department of Transportation. The framework is guiding the current update of the Arizona 20-year statewide long-range plan, which starts from the recommended statewide scenario from the *bqAZ* framework. The draft 20-year plan, *What Moves You Arizona*, notes: “A government system that fosters cooperation and coordination is more efficient because it is able to take advantage of the strengths and expertise of its component staffs; more resilient because it has the support and buy-in of its membership and more responsive because it shares information and can understand and react to needs and concerns more quickly than a system that does not foster a culture of cooperation and coordination” (p. 7-13).

¹² bqAZ refers to a series of regional, rail, and other framework studies as well as the statewide framework.

¹³ The minutes of the January 15, 2010 meeting note that the framework was done by ADOT at the “direction” of the Board. This appears to have fulfilled the requirements for a policy statement.

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- **Updating Statewide and Metropolitan Long-Range Plans Together.** Mississippi's 2007 MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)¹⁴ is the updated state long-range transportation plan and updates the metropolitan long-range transportation plan for three (3) Mississippi MPOs.¹⁵ The efforts conducted within MULTIPLAN to update the long-range transportation plans for the MPOs included: updating the goals and objectives for the MPO plans; conducting origin and destination surveys to support planning activities; and developing a travel demand model for the MPO plan updates.
- **Issues Identified for Integration.** The Georgia *Statewide Strategic Transportation Plan* adopted in 2010 states that the long-term plan and business case will be integrated with the long-range plans developed by MPOs and local counties consistent with the federal transportation planning process. It notes areas where collaboration and partnership with local governments will be even more important than in the past: measuring how transportation investments in metro areas affect critical performance measures; demand management; regional and local transit planning; local and regional considerations for planned state investments; last-mile connectivity for people; and coordination of transportation investment with development patterns.
- **State Framework.** Caltrans is preparing the *California Interregional Blueprint* which "will articulate the state's vision for an integrated, multimodal, interregional transportation system that complements regional transportation plans and land use visions."¹⁶ Once completed in 2012, the *Blueprint* will be the basis for the *California Transportation Plan 2040* which is to be completed by December 31, 2015. The *Blueprint* will include the development of a Statewide Integrated Transportation, Land Use, and Economic Model to evaluate interregional transportation improvements, model and evaluate transportation and land use scenarios, and assess the effects of transportation policies on the economy.
- **Cooperative Planning.** The *Statewide Transportation Plan – Moving Nevada through 2028* was adopted by the Transportation Board in September 2008. The plan is a policy document to guide NDOT and is a multimodal plan that "explores the issues affecting aviation, bicycles, pedestrians, transit, cars, trucks, and trains and the linkage between these modes" (p ES-1). NDOT worked closely with Nevada's four (4) MPOs, other local, state, and federal agencies, and tribal nations in developing the plan.

¹⁴ Mississippi's MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)¹⁴ received the President's Award for Planning from the American Association of State Highway and Transportation Officials (AASHTO). AASHTO recognized MDOT and Mississippi's MPO's for the outstanding planning achievement as the result of the agreement to prepare the first joint Statewide and Metropolitan Area Transportation Plan in the United States.

¹⁵ A fourth Mississippi MPO is part of the Memphis MPO.

¹⁶ Caltrans, *California Interregional Blueprint – Progress Report*, 2010, p.1

B. Other State Plans Required by Statute

KEY FINDING

Texas requires three (3) state-level plans, one of which is the statewide long-range transportation plan. This is largest number of state-level plans required by statute in the states reviewed.

- **Policy Statement.** Arizona requires the independent Transportation Board to adopt a statewide transportation policy statement every two (2) years that establishes performance expectations for the statewide transportation system and guides ADOT in developing a comprehensive and balanced statewide highway system.
- **Strategic Intermodal System Plan.** The Florida legislature designated the strategic intermodal system in 2003. In 2004 the legislature provided the framework for funding future strategic intermodal system improvements, identified the intermodal system as the highest priority for transportation capacity, identified funding sources, and made all strategic intermodal system facilities eligible for state funding, regardless of ownership. State statutes require FDOT, in cooperation with MPOs, regional planning councils, local governments, the Statewide Intermodal Transportation Advisory Council and other transportation providers, to develop a Strategic Intermodal System Plan. The plan is to be consistent with the Florida Transportation Plan and is to be updated at least once every five (5) years subsequent to the updates of the Florida Transportation Plan.
- **Highway Plan.** Mississippi statutes require a three (3) year plan for the maintenance, construction, and relocation of the state highway system.
- **International Trade Corridor Plan.** Texas statutes require the Texas Department of Transportation (TxDOT) to develop an integrated international trade corridor plan that assigns priorities based on the amount of trade measured by weight and value to the transportation systems of the state. The plan shall be updated biennially and be reported to the presiding Chair of each house of the legislature no later than December 1st of every even year.
- **Rail:** Texas statutes also require TxDOT to update annually a long-term plan for passenger rail including a description of existing and proposed systems, information regarding the status of passenger rail systems under construction, an analysis of potential interconnecting difficulties, and ridership statistics for existing systems.

C. State Statutes on Regional/Metropolitan Transportation Plans

KEY FINDING

Two states – California and Florida – have statutory requirements for MPOs and statutorily required regional plans. Florida has also created an independent MPO coordinating body.

- **Regional Plans.** Florida authorizes regional planning councils to develop, as an element of their strategic regional policy plan, transportation goals and policies that must comply with the three (3) legislative prevailing principals and are to be advisory to the MPOs and the Florida Department of Transportation. California requires local planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced transportation system. The plan is required to be action-oriented and pragmatic, considering both the short-term and long-term future, and present clear, concise policy guidance to local and state officials. Plans must be developed every four (4) years and conform to the regional transportation plan guidelines adopted by the California Transportation Commission, and be submitted to the Commission and Caltrans.
- **MPO Coordinating Body.** Florida state law authorizes the creation of Florida MPO(s) and the Florida Metropolitan Planning Organization Advisory Council. Florida statutes also require MPOs to develop 20-year transportation plans. The Council was created by the legislature to augment the role of individual MPOs in the cooperative transportation planning process and serves as the principle forum for collective policy discussion. It has its own Board and staff. The Advisory Council is authorized to employ an Executive Director and other staff.

D. Statewide Long-Range Transportation Plans and Emerging Federal Directions

KEY FINDING

The states' statewide long-range plans discuss emerging federal planning requirements and potential changes in funding priorities.

Some state plans move in the direction of performance-based reporting. For example, the change in Georgia's transportation planning statutes reflected the Governor's Tomorrow's Transportation Today (IT3) program to bring to bring a "results-oriented, strategic orientation to transportation planning and implementation. IT3 supports the work of the Georgia Department of Transportation and Metropolitan Planning Organizations throughout Georgia."¹⁷ The resulting *Statewide Strategic*

¹⁷ <http://www.it3.ga.gov/Pages/default.aspx>

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Transportation Plan 2010-2030 takes a business case approach by which they mean an investment strategy developed by following a strategic-planning process that is outcome-driven and return-on-investment oriented.

SECTION V. RECOMMENDATIONS

This section presents three recommendations for the legislature to consider to revise statutory planning requirements and use the budget process to link legislative budget decisions to the statewide long-range transportation plan and assure itself that state-level planning expenditures are focused on the legislature's highest priorities.

A. Legislative Expectations

The legislature should expect that its investment in the continuum of state-level planning, – i.e. from the results of all the state-level planning activities, will: 1) inform the broad range of legislative transportation decisions; 2) be flexible and adaptable to changing circumstances; 3) be aligned and integrated at the state, regional, and metropolitan level; 4) be technically competent, data driven, and federally compliant; and 5) result from a robust public participation process.

Provide a context that informs the broad range of legislative transportation decisions

Planning should be of use to the legislature as it makes policy, governance, investment, and financial decisions that affect state, regional, and local transportation interests. As expressed in current planning statutes, state-level planning should inform decisions the legislature makes about the state-owned components and the state-interest components of the transportation system.

- **Recognize legislative direction.** The legislature has adopted policy goals and provided direction on its priorities that it should expect to be reflected in state-level planning. One example is the legislative priority to complete the Nickel and Transportation Partnership Act projects.
- **Understand mode-neutral, long-range performance alternatives for the state transportation system.**¹⁸ Planning should help the legislature understand the long-range performance alternatives; the policy, investment, governance and financial choices that would support those alternatives; and the impact of the alternatives at the state, regional, and metropolitan level.

¹⁸ Bipartisan Policy Center, *Performance Driven: A New Vision for US Transportation Policy*, National Transportation Policy Project June 9, 2009, p. 33. Mode-neutral means not assuming the use of a single mode nor giving preference to a single mode. The essence of outcome and performance-based planning is to improve the performance of the transportation system by emphasizing mode-neutral planning.

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- **Link to shorter-term capital programming, policy, and financial decisions.** Planning should help the legislature understand the impact of their shorter term decisions - including capital investments referred to in planning literature as programming - on the direction of the transportation system and the achievement of state, modal, regional, and local plans. In a presentation of the most recent *Nationwide Assessment of Statewide Plans 2010*, researchers note that in determining long-range plan utility, “the expectation is that the [objectives] identified in the long-range transportation plan guide programming.”
- **Provide clear, pragmatic, incremental choices.** Plans should identify and prioritize the choices the legislature can make to achieve incremental improvements and provide answers to the question of “what can we do” and “what should we do”.

Flexibility and adaptability to changing conditions

There are always transportation policy and funding uncertainties – which path will the federal government take in requiring state and metropolitan plans, what funding opportunities might arise, how will state priorities change over time. State-level planning should help the legislature anticipate change and planning activities should focus on the most important emerging problems.

Aligned and integrated at the state, regional, and metropolitan level

The planning effort should align and integrate state, regional, and metropolitan transportation plans with common performance measures and periodic overall reporting. Alignment is difficult given the different schedules upon which plans are updated – but it is nonetheless something that the legislature should expect. The same issues identified in Georgia that make planning integration more important than ever there are important here - measuring how transportation investments in metro areas affect critical performance measures; demand management; regional and local transit planning; local and regional considerations for planned state investments; last-mile connectivity for people; and coordination of transportation investment with development patterns.

Technically competent, data driven, and federally compliant

The legislature should expect that planning is technically competent, is based on solid data, and will maintain our state’s opportunity to maximize federal funding.

Result from a robust public participation process

The legislature should expect that the planning process includes outreach to the community in ways that extend beyond just the traditional public meetings. Solid data on public perceptions is important to understanding what citizens of the state want and need from the transportation system and their likely reactions to potential changes.

B. Statutorily Required Plan(s)

RECOMMENDATION 1

State statutes should require a statewide long-range transportation plan. No other state-level plans should be statutorily required.

Washington State statutes require two (2) statewide long-range transportation plans, eleven (11) mode plans, and regional transportation plans. There are state-level plans that are done, such as the metropolitan transportation plans and *Target Zero: Strategic Highway System Plan*, which are not required by statute, but are required by the federal government. And still others that are not required by state or federal law, such as *Moving Washington*.

Assumptions

In assessing what plans should be required by statute, the consultants made the following assumptions:

- **Federal requirements do not need to be repeated in state statute.**
- **Statutory requirements should be consistent with legislative expectations.** These expectations are to have a continuum of planning that informs the broad range of legislative transportation decisions, is flexible and adaptable to changing circumstances, is aligned and integrated at the state, regional, and local level, is technically competent, data driven, and federally compliant, and results from a robust public participation process.
- **The development of state-level plans does not depend on statutory requirements.** As in our own state, the other states reviewed have transportation plans that are not required by statute. The primary difference between Washington and the other states is that in the other states most (and in two (2) states all) of the existing state-level transportation plans are not statutorily required.
- **The legislature can use the budget proviso process if it wants to mandate plans.** The legislature has used the budget proviso process to mandate planning activities. This is the process that was followed in the FY 2009-11 biennium for WSDOT Program I planning projects that the legislature mandated.

Alternatives Considered

Three (3) alternative approaches to what state-level plans should be required by statute were considered: requiring a multiplicity of plans, as are required in existing statutes; requiring no plans; and requiring a statewide long-range transportation plan.

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- **Requiring a multiplicity of plans.** Requiring multiple plans has led to confusion and to a situation where legislative inquiries about why a plan is being done are answered, in part, by the fact that the legislature required it. While the list of plans could be updated and the legislature could consider sunsetting the list by having the requirements expire within a given period of time, requiring a multiplicity of plans reduces the flexibility and adaptability of planning, makes it less clear what plans are supposed to be integrated and aligned, and generally has not made planning more efficient or accountable.
- **Require no plans.** Nevada and Mississippi have no statutorily required plans. Requiring no plans provides the maximum flexibility, but would reduce the ability of the legislature to define accountability for a planning process that meets its expectations.
- **Require a statewide long-range transportation plan.** Five (5) of the states reviewed require a statewide long-range transportation plan. The advantage of this approach is that it allows the legislature to fix accountability for a plan – and for a continuing planning process – that fulfills its expectations.

Other Plans

This recommendation should not be confused with an effort to eliminate all other plans. Federally required plans – rail, aviation, highway safety, and metropolitan – will continue to be done. State-level plans that are deemed essential and funded by the legislature will also be done - which could be a policy plan, a ferry plan, a bike and pedestrian plan, etc. This recommendation simply means that planning initiatives would have to be justified on some basis other than that the plan is a statutory requirement.

C. Statewide Long-Range Transportation Plan Statute

RECOMMENDATION 2

Statutory requirements for the statewide long-range transportation plan should establish broad requirements, specify accountability for preparation and approval of the plan, and provide a link to statewide performance measurement and attainment reporting.

Plan Requirements

The broad statutory requirements for the statewide long-range transportation plan should be clear, encourage streamlining and efficiency, and specify that the plan:

- Is the federally compliant statewide long-range transportation plan.
- Is to be framed by the legislature's policy goals.
- Results from the continuum of state-level planning and is to be based on on-going metropolitan, regional, and mode planning activities.
- Allows other state-level plans, including mode, metropolitan, and/or regional plans, to be updated in the same process as the update of the statewide long-range transportation plan.
- Is to be outcome and performance based, consider mode-neutral (i.e. does not give preference to any one mode) alternatives, and integrate state, regional, and metropolitan transportation planning, performance measurement, and attainment reporting.
- Is to include public outreach that incorporates on-going outreach by state, metropolitan, and regional transportation agencies and uses best practices.
- Is to have clear financial assumptions, identify the need for any new resources, and provide a financial plan that can be linked with legislative budget decisions.

Plan Preparation

Responsibility for preparation of the statewide long-range transportation plan should be fixed by the legislature and reflect governance, the strong need to integrate planning, and lead to cost-efficiencies. The question of whether the statewide long-range transportation plan should be done by WSDOT or WSTC is frequently raised, but the actual conundrum is how to reconcile the three-way state-level planning governance structure (WSDOT, MPOs/RTPOs, WSTC) with having an accountable, streamlined planning process.

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- **WSDOT.** All of the states reviewed hold their departments of transportation accountable for preparation of the federally compliant statewide long-range transportation plan. WSDOT, as a nationally recognized leader in performance-based management, is well positioned to prepare a plan that meets emerging federal requirements. WSDOT also collects and analyzes the data that underpins all state-level transportation planning, has experience in meeting the federal process requirements, and is the agency most accountable for linking state planning to programming.
- **MPOs/RTPOs.** The MPOs/RTPOs have local expertise, knowledge, and relationships that WSDOT does not have. A truly statewide long-range transportation plan requires more than just the involvement of the MPOs/RTPOs – it requires their active concurrence on system outcomes and performance measures and their willingness and ability to supply data and expertise.
- **WSTC.** The legislature has given WSTC responsibility for providing on-going public forums for the development of transportation policy, including coordination with RTPOs, transportation stakeholders, counties, cities, and citizens, and the legislature has expressed its desire to have that input considered in the development of the statewide long-range transportation plan. The legislature has also required WSTC to conduct a market survey of Washington State Ferries customers every two (2) years and, as the tolling authority, WSTC as conducted customer surveys in support of its tolling activities.

Existing planning statutes – which include requirements for assistance (i.e. WSDOT is required to assist the WSTC in the preparation of the WSTC statewide plan) and consistency (i.e. the mode plans are to be consistent with the WSTC statewide transportation plan and with each other) – have not resulted in a streamlined process nor have they resulted in an integrated planning effort.

Plan Preparation Alternatives

The consultants have identified two options that might result in a more streamlined, cost-efficient, and integrated planning process that takes advantage of the expertise of WSDOT, the WSTC, and the MPOs/RTPOs.

- **WSDOT Preparation/WSTC & MPO/RTPO Review.** The legislature could hold WSDOT accountable for preparing the statewide long-range transportation plan, as other states do for their federally compliant plan. The statute could direct the MPOs/RTPOs to assist WSDOT, require WSDOT to consider WSTC transportation policy recommendations and utilize information from the WSTC public forums and surveys, and require the MPO/RTPO Coordinating Committee and WSTC to review and provide comments on the draft plan to the legislature and the Governor before it is finalized.

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- **Blended Responsibility.** The legislature could mandate a process in which WSDOT, the WSTC, and the MPO/RTPOs share responsibility for preparation of the statewide long-range transportation plan. For example, the legislature could require a process that is co-chaired by the Secretary of Transportation, the Chair of the WSTC, and the Chair of the MPO/RTPO Coordinating Committee, or alternatively, the legislature could name a Blue Ribbon Commission under whose auspices the three parties would work. WSDOT could be responsible for planning expertise and meeting federal procedural requirements; WSTC for coordinating policy recommendations, stakeholder and public outreach, and ensuring that its public forums and surveys are reflected in the plan; and MPOs/RTPOs for both planning and outreach.

Of the two alternatives, the consultants believe that having blended responsibility for preparation of the statewide long-range transportation plan will be the most likely to produce an integrated statewide plan.

- **Expand WSTC Surveys.** In either alternative, having WSTC expand its current surveys for Washington State Ferries customers and for tolling to a continuing statewide transportation survey would benefit the development of the statewide long-range transportation plan and the information could inform other mode, regional, and metropolitan planning. The information garnered from WSTC's mandated Washington State Ferry customer surveys were used in the development of the *Washington State Ferries' Long-Range Plan*. The method the WSTC uses for these surveys, with established panels, makes it cost-effective to consider expanding the survey to a survey that would support state mode, regional, and metropolitan planning. Some of the MPOs also conduct surveys as part of their planning and the results could inform the state and regional planning processes
- **Tribal Transportation Planning.** In either alternative, integration of tribal transportation planning with the statewide transportation plan needs to be considered. The chair of the Tribal Transportation Planning Organization (TTPO) is a member of the MPO/RTPO Coordinating Committee, but a more specific role for the TTPO could be considered.

Plan Approval

The Governor has a role with all three of the parties involved in the statewide long-range transportation plan. WSDOT is a cabinet agency, the Governor has to approve the metropolitan transportation improvement programs, and the Governor appoints the members of the WSTC. The Governor is in the best position to ensure an integrated process and should approve the statewide long-range transportation plan before it is submitted to the U.S. Department of Transportation. The legislature could also require the Office of Financial Management (OFM) to review and confirm the financial assumptions of the statewide long-range transportation plan.

Performance Measures and Attainment Report

Current state statutes require OFM to establish objectives and performance measures for state transportation agencies “to ensure transportation system performance at local, regional, and state government levels progresses toward the attainment of the policy goals (RCW 47.04.280).” OFM is also responsible for the preparation of a biennial report “on the progress toward the attainment by state transportation agencies of the state transportation policy goals and objectives prescribed by statute, appropriation, and governor directive (RCW 47.01.071).” The consultants recommend that the legislature amend these requirements to have the objectives and performance measures come from the statewide long-range transportation plan and encompass performance of the statewide transportation system.

D. Budget Process

In addition to clarifying planning statutes the legislature can use the budget process to assure itself that state-level planning expenditures are focused on the highest priorities of the legislature.

RECOMMENDATION 3

The legislature should require: a comparison of the proposed biennial budget with the statewide long-range transportation plan’s performance goals and financial plan; greater transparency of the state-level planning budget, including the use of federal planning dollars and the corresponding state match; and periodic reporting on the status of plans that it has funded, answering the question whether the plans are “on-time, on-schedule, and within budget.”

Link Programming to Statewide Long-Range Transportation Plan

The legislature should use the budget process to relate investment decisions to the performance-based goals in the statewide long-range transportation plan. The Governor could be required to show how the proposed biennial 16-year transportation financial plan (with its operating budget and project list) relates to the statewide long-range transportation plan’s performance goals and financial plan. Making this connection will help the legislature understand longer term trends as it reviews the biennial budget.

Transparency

State-level planning costs are, for the most part, included in the WSDOT operations budget which is subject to an incremental budget approach where the agency needs to show only the changes in the budget. This makes it more difficult for the legislature to understand exactly what planning activities are budgeted in the biennium.

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It is also difficult for the legislature to understand the trade-offs and options with regards to the expenditure of federal planning funds and the corresponding state match. This includes understanding:

- **The minimum state expenditure required to match federal state planning and research funds.** The Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users (SAFETEA-LU) requires that states set aside 2 percent of certain Federal Highway Administration (FHWA) apportionments for state planning and research activities, with 25 percent of the 2 percent used for research, development and technology transfer activities. Federal planning and research funds must be matched by 20 percent¹⁹ state funds. The budget presented to the legislature does not estimate the amount of the required expenditure of federal funds on planning and research nor the corresponding match.
- **The use of federal state planning and research funds.** Federal state planning and research funds and the state match are used to support WSDOT Program T - Transportation Planning, Data and Research expenditures. The federal government gives maximum possible flexibility to the states in the expenditure of federal planning dollars and there are other eligible uses within Program T and other programs for these federal dollars. For example, ferry system planning (in Program W) and development of the state highway system plan (in Program T) are eligible for federal planning funding but are not included in the 2009-11 biennium state planning and research program.
- **Other federal planning funds.** There are also federal planning funds that are used for rail, aviation, and public transportation planning. These funds also require a 20 percent match, except for aviation planning which requires a 5 percent match.

WSDOT is required to prepare a State Planning and Research Program for federal approval each biennium. It can, without additional effort, provide the same information for legislative consideration and approval in the budget process.

To improve transparency in budgeting state-level planning, the legislature could require the WSDOT biennial budget to include: a list of planning activities and plans to be completed in the biennium; state and federal funds anticipated for each activity and plan; and a comparison of the minimum state funds that are required to match federal planning expenditures and the proposed state funds. Without this information it is very difficult for the legislature to shift funding to meet its highest priorities, or to accurately understand what is requested.

¹⁹ In some situations the match may be reduced to 13.5 percent.

Reporting

The legislature does not have a consistent way of knowing whether plans that are funded are being developed “on-time, on-budget, and within scope.” The legislature could require periodic reports on the status of plans that it has authorized and funded. This should be reasonable for WSDOT to accommodate given its extensive performance reporting.

APPENDIX A. NATIONAL GOALS, OBJECTIVES AND PERFORMANCE MEASURES

Exhibit 2.
 Federal Initiatives: Recommended National Goals and Objectives

Objective	AASHTO	FHWA	Bipartisan Policy Center
Safety	Reduce traffic fatalities, serious injuries, and property loss	Improve safety for all system users	Reduce accidents, injuries, and serious fatalities
Preservation	Preserve highway, transit, and rail for future generations	Preserve existing system	Preserve multimodal system with a focus on the national interest
Economic Prosperity	Support global competitiveness and economic growth through an improved multimodal freight system	Improve economic growth and development through freight movements	Economic Growth- Produce maximum economic growth per dollar of investment Metropolitan Accessibility- Provide efficient access to jobs, labor, and other activities within metropolitan areas

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Objective	AASHTO	FHWA	Bipartisan Policy Center
Congestion	Improve the ability of highway, transit, and rail to advance personal mobility, connectivity, and accessibility	Increase mobility by reducing congestion	National Connectivity-Connect people and goods across the nation with and effective surface transportation network
Environment	Enhance community quality of life and minimize impacts on the environment and global climate change	Support environment and community and concerns about energy consumption and livability	Energy Security and Environmental Protection-Integrate energy security and environmental protection objectives with transportation policies and programs
System Operations	Use advanced management techniques and technologies to assure reliability and provide effective emergency response in disasters	N/A	N/A

From AASHTO Standing Committee on Planning Executive Roundtable for Performance-based Planning and Programming, October 2009

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Exhibit 3.
Federal Initiatives: Recommended Performance Measures for National Goals and Objectives

Objective	AASHTO	FHWA	Bipartisan Policy Center
Safety	Annual fatalities on a 3-yr moving average.; Serious injuries	Total fatalities/ incapacitating injuries (all roads and by system/ functional class); fatality rate/ incapacitating injuries by VMT or population	Fatalities and injuries per capita; Fatalities and injuries per VMT
Preservation	IRI (TIER 1)*; Structural condition (TIER 2); NHS structurally deficient deck area (TIER 1); Bridge structural adequacy (Tier 3)	Percent lane miles in good/fair/poor (national highway system and on state systems); Pavement roughness (IRI) good/fair/poor; Percent of bridge deck area in good/fair/poor conditions	Preservation needs should be funded by redirecting preservation funds to states with the largest needs on both highway and transit systems of national significance
Economic Prosperity	Travel delay (TIER 1); Travel delay per commuter (regional measure) (TIER 2); Congestion cost (TIER 2); Interstate system travel time reliability (Tier 2)	Travel time delay on major freight corridors; Average freight corridor truck speed; Average international border crossing time; Average time to navigate bottlenecks; Freight GHG emissions nationally and by state/ metro region	Access to jobs and labor; Access to non-work activities; Network utility (national connectivity)

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Objective	AASHTO	FHWA	Bipartisan Center	Policy
Congestion	Incident response time on NHS (TIER 3); Incident clearance time on NHS (TIER 3); Work zone closures on NHS (TIER 3)	Travel time reliability (selected NHS route segments, national and urbanized areas); Hours of delay (selected NHS route segments, national and urbanized areas)	Access, where congestion limits accessibility as does travel distance, travel cost and mode availability	
Environment	Transportation GHG (TIER 2); Storm water runoff (TIER 3)	Reduction of tons of GHG emitted national and by state/ metro region; Air pollutant emissions; Wetlands acreage	Petroleum consumption; CO2 emissions	
System Operations	Reliability on Significant Freight Corridors (SFCs) (TIER 1); Speed/travel time on SFCs (TIER 1); Roadway access measure (TIER 3)	N/A	N/A	

*Tier 1 reflects AASHTO's notation for performance measures that have been vetted by the states as "ready to go" for national comparison: there is general consensus on a definition; data are available; and measures are comparable and have been tested and understood; Tier 3 reflects measures that require more research for definition, data collection, and data analysis.

APPENDIX B. OTHER STATE PLANNING REQUIREMENTS AND STATUS

Arizona

The Arizona Department of Transportation (ADOT) is a cabinet agency. There is a seven (7) member Transportation Board that serves in an advisory capacity to the ADOT director and has authority to establish and/or modify state routes and highways, award construction contracts and monitor the status of construction projects, issue revenue bonds for financing needed transportation improvements throughout the state, and award local airport grants.

Planning Statutes

By statute²⁰ the Transportation Board and ADOT have a shared responsibility for transportation planning.

- **Policy Statement.** The Transportation Board is responsible for developing and adopting a statewide transportation policy statement every two (2) years. The policy statement is to include “performance expectations for the statewide transportation system over the next twenty years and shall guide ADOT in developing a comprehensive and balanced statewide highway system” (ARS 28-306(c)). In establishing the statewide transportation policy statement, the board “shall consider, to the greatest extent possible, local, regional and tribal transportation goals (ARS 28-306(e)).”
- **Long-Range Statewide Transportation Plan.** The Transportation Board is to adopt a 20 year long-range statewide transportation plan every five (5) years, which ADOT prepares under the Board’s direction. By statute, the plan is to consider any information developed as a result of federally mandated planning process, but “shall be developed in addition to any federally mandated planning requirements (ARS 28-506(A) (4-5)).”
- **Uniform Transportation Planning Practices and Performance-Based Planning Processes.** The Transportation Board is to adopt uniform planning practices and planning processes that are prepared by ADOT in consultation with local, regional, and tribal transportation agencies.
- **Performance Measures.** The Transportation Board is to adopt performance measures and factors and data collection standards that are prepared by ADOT in consultation with local, regional, and tribal transportation agencies.

²⁰ Arizona Revised Statutes Title 28 Sections 301-307 describe the responsibilities of the Transportation Board and Title 28 Sections 501-507 the role of the Arizona Department of Transportation.

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- **Annual Capital Program.** The Transportation Board adopts the annual capital project list.

Plan Status

2010 Statewide Transportation Planning Framework

An ambitious statewide transportation planning framework called Building a Quality Arizona or *bqAZ*²¹ developed in a collaborative effort between Arizona's Councils of Governments, Metropolitan Planning Organizations, and ADOT was accepted by the State Transportation Board in January 2010.²²

The framework was developed in accordance with an Executive Order from the Governor and was modeled after the successful approach the Maricopa Association of Governments (MAG) followed in developing the Regional Transportation Plan, subsequently funded by voters as 'Proposition 400' in 2004. The framework:

- Establishes a 2050 vision for the transportation future of Arizona
- Includes all major surface transportation facilities and services
- Emphasizes coordination with neighboring states and Mexico
- Focuses on personal travel and on freight movement
- Incorporates results of a separate but integrated State Rail Framework

The effort was guided by a Framework Policy Committee that provided guidance on the long-term vision for transportation. The 41-member committee had two co-chairs - the chair of the Maricopa County Regional Council and a member of the State Transportation Board - and included elected officials from the Council of Governments and MPO boards, business, tribal representations, state agency directors, FHWA staff, and stakeholders.

A 16-member Framework Management Committee guided the development of the framework and worked with the statewide technical team and a regional advisory team. The Framework Management Committee was co-chaired by the Director of ADOT and the Executive Director of the Maricopa Association of Governments and included representations from the MPOs, Councils of Governments, business and ADOT. The 11-member regional advisory team provided advice to the technical team on the staff level.

The plan is scenario based and preceded from the development of four regional plans to a statewide plan.

²¹ *bqAZ* refers to a series of regional, rail, and other framework studies as well as the statewide framework.

²² The minutes of the January 15, 2010 meeting note that the framework was done by ADOT at the "direction" of the Board. This appears to have fulfilled the requirements for a policy statement.

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State Long-Range Transportation Plan

ADOT is in the process of updating the state 20-year, fiscally constrained, long-Range transportation plan. The update starts from the recommended statewide scenario from the *bqAZ* effort.

California

The California Department of Transportation (Caltrans) is part of the state's Business, Transportation and Housing Agency, with the Executive Director of Caltrans reporting to the Secretary.

The California Transportation Commission, which is independent of Caltrans, consists of eleven (11) voting members and two (2) non-voting ex-officio members. Of the eleven (11) voting members, nine (9) are appointed by the Governor, one (1) is appointed by the Senate Rules Committee, and one (1) is appointed by the Speaker of the Assembly. The two (2) ex-officio non-voting members are appointed from the State Senate and Assembly, usually the respective chairs of the transportation policy committee in each house.

The commission is responsible for programming and allocating funds for the construction of highway, passenger rail, and transit improvements throughout California. The commission also advises and assists the Secretary of Business, Transportation and Housing and the legislature in formulating and evaluating state policies and plans for California's transportation programs. The commission adopts the biennial five-year state transportation improvement program (STIP) and approves the biennial four-year state highway operation and protection program (SHOPP), including the five-year estimate of state and federal funds for the STIP and the SHOPP. The commission adopts guidelines for the development of the STIP and for the development of regional transportation plans and provides the legislature with an annual report on transportation issues.

Planning Statutes²³

The California legislature substantially revised the state's planning statutes in the 2008 and 2009 sessions to meet climate change goals adopted by the legislature.

²³ California Government Code Chapter 585 includes provisions related to California transportation planning.

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- **Regional Transportation Plans.** Local planning agencies are to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced transportation system. The plan “shall be action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear, concise policy guidance to local and state officials” (California Government Code Section 65080 (a)). Plans must be developed every four (4) years, conform to the regional transportation plan guidelines adopted by the California Transportation Commission, and be submitted to the Commission and Caltrans.
- **Authority of Regional Transportation Agencies and MPOs.** California has 18 MPOs and 26 Regional Transportation Authorities. SB 45 passed in the 2007 legislative session provides enhanced direct programming authority to the MPOs and Regional Transportation Agencies by allocating the majority of California’s transportation funds directly to local entities. Under SB 45, 75 percent of State Transportation Improvement Program funds (including all State Highway Account, Public Transportation Account, and federal transportation funds, minus state administrative and other costs) are committed to regional improvement programs. The remaining 25 percent of funds are for interregional improvement programs which are administered by the state. Regional improvement programs are developed by RTPAs and MPOs, in accordance with the regional transportation plan.
- **MPO Sustainable Communities Strategy.** SB 375 passed in the 2008 legislative session requires each MPO to develop a sustainable communities strategy encompassing land use and transportation to meet greenhouse gas reduction goals set by the State Air Resources Board, who must approve the MPO plan. If MPO’s cannot develop strategies to meet the greenhouse gas reduction goals, they can consider and submit to the State Air Resources Board an alternative planning strategy. “At a minimum, the metropolitan planning organization must obtain state board acceptance that an alternative planning strategy would, if implemented, achieve the greenhouse gas emission reduction targets established for that region by the state board” (California Government Code Section 65080 (J) (iii)). Once the MPO adopts a sustainable communities plan it is to be incorporated in that region’s regional transportation plan.
- **California Transportation Plan.** In the 2009 session the legislature required Caltrans to update the California Transportation Plan to show how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. The plan is to identify the statewide integrated multimodal transportation system needed to obtain this reduction. An interim report is due to the legislature and the California Transportation Commission by December 31, 2012 identifying how the sustainable communities strategies and alternative planning strategies will influence the design of the statewide, integrated multimodal transportation system. The California Transportation Plan is to include a policy element, a strategies element, and a recommendations element in seven (7) legislative goal areas. The strategies element “shall incorporate the broad systems concepts and strategies synthesized from the adopted regional transportation plans” (SB 391, Section 3 (b)). The plan must be completed by December 31, 2015 and updated every five (5) years thereafter.

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- **Approval.** The Plan is required to be submitted to the Transportation Commission and various other state agencies for review and comment. “Prior to adopting the plan or update, the department shall make a final draft available to the legislature and Governor for review and comment. The commission may present the results of its review and comment to the legislature and Governor. The Governor shall adopt the plan and submit the plan to the legislature and the Secretary of the United States Department of Transportation (SB 391, Section 5).
- **Integrated Planning.** The legislature finds that it is in the interests of the state to have an integrated state and regional transportation planning process. “It further finds that federal law mandates the development of a state and regional long-range transportation plan as a prerequisite for receipt of federal transportation funds. It is the intent of the Legislature that the preparation of these plans shall be a cooperative process involving local and regional government, transit operators, congestion management agencies, and the goods movement industry and that the process be a continuation of activities performed by each entity and be performed without any additional cost (California Government Code Section 65070 (a)).

Plan Status

In response to SB 391, Caltrans is preparing the *California Interregional Blueprint* that “will articulate the state’s vision for an integrated, multimodal, interregional transportation system that complements regional transportation plans and land use visions.”²⁴ Once completed in 2012, the *Blueprint* will be the basis for the California Transportation Plan 2040 which is to be completed by December 31, 2015. A *Progress Report* was issued in 2010. The *Blueprint* will include the development of a Statewide Integrated Transportation, Land Use, and Economic Model to evaluate interregional transportation improvements, model and evaluate transportation and land use scenarios, and assess the effects of transportation policies on the economy.

²⁴ Caltrans, California Interregional Blueprint – Progress Report, 2010, p.1

Florida

The Florida Department of Transportation (FDOT) is a cabinet department reporting to the Governor.

- **Transportation Commission.** A nine (9) member Florida Transportation Commission, shown on the FDOT organization chart as having a “dotted line” relationship to the Secretary, is appointed by the Governor subject to confirmation by the Florida State Senate. The commission’s primary functions are to: review major transportation policy initiatives or revisions submitted by the department; recommend major transportation policy to the Governor and Legislature; serve as an oversight body for FDOT (i.e. review performance, review work program, monitor highway safety, monitor financial status, and review budget requests and long-range plan); serve as an oversight body for Florida’s eleven (11) regional transportation authority’s; and serve as nominating commission in the selection of the Secretary of Transportation. The Commission has an Executive Director and other staff.
- **Metropolitan Planning Organizations.** Florida state law authorizes the creation of Florida MPOs and the Florida Metropolitan Planning Organization Advisory Council (MPOAC). MPOAC is a statewide transportation planning and policy organization created by the legislature to augment the role of individual MPOs in the cooperative transportation planning process. The MPOAC assists MPOs in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion. The organization is made up of a Governing Board (26 members) consisting of local elected officials from each of the MPOs and a Staff Directors Advisory Committee consisting of the staff directors from each of the MPOs. The MPOAC also includes a Policy and Technical Subcommittee and other committees as assigned by the Governing Board. The Policy and Technical Subcommittee annually prepares legislative policy positions and develops initiatives to be advanced during Florida’s legislative session. The MPOAC is authorized to employ an Executive Director and other staff.
- **Statewide Intermodal Transportation Advisory Council.** State statutes create a Strategic Intermodal System that consists of transportation facilities that meet “a strategic and essential state interest. Limited resources available for the implementation of statewide and interregional transportation priorities are to be focused on that system” (FS Section 33961). State statutes create a Statewide Intermodal Transportation Advisory Council to advise and make recommendations to the legislature and FDOT on policies, planning, and funding of intermodal transportation projects in the state’s strategic intermodal system. The strategic intermodal system comprises “the state’s largest and most strategic transportation facilities, including major air, space, water, rail, and highway facilities.” The Council has fifteen (15) members – nine (9) selected by the Governor, three (3) by the President of the Senate, and three (3) by the Speaker of the House – representing rail, aviation, spaceport, intercity bus, trucking, military, and other intermodal transportation stakeholders.

Planning Statutes²⁵

- **Florida Transportation Plan.** FDOT is to develop the Florida Transportation Plan, which is to be easily read and understood by the general public and is to define the state's long-range transportation goals and objectives over a 20-year period within the context of the state comprehensive plan. The Florida Transportation Plan is to be based on three (3) prevailing principles: preservation, economic competitiveness, and improving travel choices to ensure mobility. The Plan is to consider the needs of the entire state transportation system, to examine the use of all modes, and to have long term (20-year), short-term (annual work program); and annual performance report components.
 - **MPOs.** The plan is required to be developed in cooperation with MPOs and "reconciled, to the maximum extent feasible, with the long-range plans developed by MPOs" (FS 330.155(3)(a)).
 - **Update.** The long-range component is to be updated every five (5) years.
 - **Transportation Commission.** The short-range component and the annual performance report are to be submitted to the Transportation Commission.
- **Regional Planning Councils.** Regional planning councils are authorized to develop, as an element of their strategic regional policy plan, transportation goals and policies that must comply with the three (3) prevailing principals and are to be advisory to the MPOs and FDOT.
- **MPOs.** Florida statutes require MPOs to develop 20- year transportation plans that consider the goals and objectives of the Florida Transportation Plan. "To ensure that the process is integrated with the statewide planning process, MPOs shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System and facilities for which projects have been identified pursuant to that process" (FS 39.175 (1)).
- **Metropolitan Planning Organization Advisory Council (MPOAC).** The MPOAC is to "serve as a clearinghouse for review and comment by MPOs on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes" (FS 39.175 (6)).
- **Strategic Intermodal System Plan.** FDOT is required, in cooperation with MPOs, regional planning councils, local governments, the Statewide Intermodal Transportation Advisory Council and other transportation providers, to develop a Strategic Intermodal System Plan. The plan is to be consistent with the Florida Transportation Plan and is to be updated at least once every five (5) years subsequent to the updates of the Florida Transportation Plan.

²⁵ Florida Statutes Chapter 339.

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- **Transportation Commission.** The Transportation Commission is to provide an annual review of FDOT's performance and productivity, including progress in meeting the Strategic Intermodal System Plan, to the governor and the legislative transportation and appropriation committees. If the Commission finds that the department has failed to perform satisfactorily, the commission must recommend actions to be taken to improve the FDOT's performance.

Plan Status

Florida issued a draft 2060 Florida Transportation Plan in October 2010 and adopted a revised Florida's Strategic Intermodal System Strategic Plan in January 2010.

Florida Transportation Plan

The draft *2060 Florida Transportation Plan*, which is the first Florida Transportation Plan to cover a 50-year period, is organized around six goals with long-range objectives, implementation strategies, and progress indicators for each. A committee of 29 people representing all levels of government, all modes of transportation, business and economic development interests, the military and private citizens developed the plan. Four (4) advisory groups involving an additional 74 people were involved in developing the plan.

The *2060 Florida Transportation Plan* includes recommendation on 21st century governance noting that "the current fragmentation in transportation decision making responsibilities and processes is one of the most significant challenges to implementing the 2060 FTP" (p. 24). There are a large number of transportation entities involved in planning and most transportation planning and funding processes are organized by transportation mode and jurisdiction. "Differences in plan update schedules, horizon years, assumptions, and prioritization processes across agencies and jurisdictions further complicate decision making" (p.24). The draft Florida Transportation Plan notes that Florida does not have a unified vision linking regional transportation visions and priorities to accomplish statewide goals. The statewide vision should be "developed under the authority of the Governor and Legislature and implemented through coordinated actions of all state and regional agencies" (p. 25).

Florida Strategic Intermodal System Strategic Plan²⁶

Florida's strategic intermodal system was established and the initial facilities and services included in the system were determined by the legislature in 2003. In 2004 the legislature provided the framework for funding future strategic intermodal system improvements, identified the intermodal system as the highest priority for transportation capacity, identified funding sources, and made all strategic intermodal system facilities eligible for state funding, regardless of ownership. The framework:

- Emphasizes interregional, interstate, and international travel and transport
- Uses objective measures of transportation activity reflecting national and industry standards
- Considers the economic requirements of key Florida industries
- Identifies transportation facilities emerging in importance
- Screens for responsible environmental stewardship
- Proactively designates planned facilities.

The 2010 plan update was developed by FDOT under the auspices of a 31-member 2010 SIS Strategic Plan Leadership Committee representing transportation agencies and providers, regional and local governments, business and economic development interests, and community and environmental interests.

The plan includes a section on partnerships noting: "Ultimately, the success of the SIS will depend on how FDOT works with the full range of transportation partners to coordinate investments, build consensus around priorities, and identify and fund specific investments. The state's role in transportation has shifted from emphasizing highways to encouraging all modes; and from addressing many needs to having a strategic focus on the SIS" (p. 26).

²⁶ Other Strategic Intermodal System (SIS) plans prepared by FDOT include the Annual SIS Designation and Data Review Report, the SIS Multimodal Needs Plan, and the SIS Multimodal Cost Feasible Plan. These documents with the SIS Strategic Plan meet the statutory requirements of the SIS plan. (*2010 SIS Strategic Plan*, p. 27)

Georgia

The Georgia Department of Transportation (GDOT) is governed by a 13-member State Transportation Board which exercises general control and supervision of the department. The Board is entrusted with powers which include: naming the Commissioner; designating which public roads are encompassed within the state highway system; approving long-range transportation plans; overseeing the administration of construction contracts; and authorizing lease agreements. Board members are elected by a majority of a General Assembly caucus from each of Georgia's thirteen congressional districts. Each board member serves a five-year term.

Planning Statutes²⁷

Georgia's transportation planning statutes were revised in the 2009 legislative session with the passage of Senate Bill 200 the *Transforming Transportation Investment Act*. The Act increased the Governor's responsibility for transportation and implemented his *Tomorrow's Transportation Today (IT3)* program to bring a "results-oriented, strategic orientation to transportation planning and implementation. IT3 supports the work of the Georgia Department of Transportation and Metropolitan Planning Organizations throughout Georgia."²⁸

Key provisions of the revised statutes are:

- **Director of Planning.** A Director of Planning position was created, with the director to be appointed by the Governor subject to approval by a majority vote of the both the House and Senate Transportation Committees. The director serves during the term and at the pleasure of the Governor and is the director of the planning division of GDOT but reports to the Governor.
- **Planning Responsibilities.** The principal responsibility of the director and the GDOT planning division is the development of transportation plans including the federally compliant statewide strategic transportation plan and statewide transportation improvement program. After the Governor reviews and approves the statewide strategic plan and transportation improvement program, they are submitted to the Transportation Board for approval.
- **Statewide Strategic Transportation Plan.** The statewide strategic transportation plan is defined by statute as the official, intermodal, comprehensive, fiscally constrained transportation plan which includes projects, programs, and other activities to support implementation of the state's strategic transportation goals and policies. This plan and the process for developing the plan shall comply with 23 C.F.R. Section 450.104.

²⁷ Official Code of Georgia Annotated (OCGA) section 32 deals with transportation planning.

²⁸ <http://www.it3.ga.gov/Pages/default.aspx>

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- **Progress Report.** A status report was due Oct. 15, 2009 to the Governor, Lieutenant Governor, Speaker of the House, and chairs of the Senate and House Transportation Committees detailing progress on the development of the plan.
- **Draft Plan Comment.** A draft plan was to be submitted to members of the General Assembly and the Governor for comments and suggestions by December 31, 2009, with comments due from the Governor and the House and Senate Transportation Committees by February 15, 2010.
- **Final Plan.** The final plan was due, and was completed on, April 10, 2010.
- **Investment Policies.** The statutes provided ten (10) investment policies to guide the strategic plan, with the investment policies expiring every four (4) years unless amended or renewed.
- **Project List.** The director and GDOT planning division are also charged with the development of an annual capital construction project list to be reviewed by the Governor and submitted to the legislature for consideration in the budget.
- **Regional Plans.** GDOT's planning division is to review and make recommendations to the Governor concerning all proposed regional transportation plans and transportation improvement programs and "negotiate with the proponent of the plans concerning changes or amendments which may be recommended by the department of the Governor, consistent with federal law and regulation" (OCGA § 32-2-22 (8) (b)).

Plan Status

The *Statewide Strategic Transportation Plan 2010-2030* was finalized on April 10, 2010. The plan takes a business case approach by which they mean an investment strategy developed by following a strategic-planning process that is outcome-driven and return-on-investment oriented. Over the next five (5) years GDOT intends to integrate the strategic plan with the long-range plans developed by MPOs and local counties.

The 2010 General Assembly authorized a significant increase in transportation funding and authorized the creation of twelve (12) special transportation taxing districts (House Bill 277).

Mississippi

The Mississippi Department of Transportation (MDOT) is governed by a three (3)-member elected commission representing three geographic areas in the state—northern, central and southern districts. The commissioners have authority and responsibility for the supervision of all modes of transportation in the state dealing with aeronautics, highways, public transit, ports, and rail safety. The chair of the commission is appointed by the members who are elected at the same time as the Governor.

The Executive Director of MDOT is selected by the Commission, subject to the advice and consent of the Mississippi State Senate, for a four-year term.

Planning Statutes²⁹

- **Transportation Commission.** The Mississippi Transportation Commission is charged with responsibility to “coordinate and develop a comprehensive, balanced transportation policy, to promote the coordinated and efficient use of all available and future modes of transportation, and to make recommendations to the legislature regarding transportation policies” (Section 65-1-8).
- **Office of Intermodal Planning.** The Office of Intermodal Planning within MDOT is established by statute and given responsibilities with respect to ports in the state that are not state ports.
- **Highway Plan.** A 3-year plan for the maintenance, construction, and relocation of the state highway system is required.

Plan Status

Mississippi’s 2007 *MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)*³⁰ is the updated state long-range transportation plan and updates the metropolitan long-range transportation plan for three (3) Mississippi MPOs.³¹ The efforts conducted within MULTIPLAN to update the long-range transportation plans for the MPOs included:

- The goals and objectives for the MPO plans were updated
- Roadside origin and destination surveys were conducted to support planning activities
- A travel demand model was developed for the MPO plan updates.

²⁹ Mississippi Statutes Section 65.

³⁰ Mississippi’s MULTIPLAN (Mississippi Unified Long-Range Transportation Infrastructure Plan)³⁰ received the President’s Award for Planning from the American Association of State Highway and Transportation Officials (AASHTO). AASHTO recognized MDOT and Mississippi’s MPO’s for the outstanding planning achievement as the result of the agreement to prepare the first joint Statewide and Metropolitan Area Transportation Plan in the United States.

³¹ A fourth Mississippi MPO is part of a the Memphis MPO.

Nevada

The Nevada Department of Transportation (NDOT) is administered by a seven-member Board consisting of the Governor, the Lieutenant Governor, the Attorney General and the State Controller, who serve ex-officio, and three (3) members appointed by the Governor.

Planning Statutes³²

- **NDOT Planning Division.** The statutes create a planning division within NDOT with responsibilities to: develop and coordinate balanced transportation policy and planning consistent with the social, economic and environmental goals of the state. The plan must be designed to meet the present and future needs of the state and local areas of the state for adequate, safe and efficient transportation facilities and services at a reasonable cost to the taxpayer. The division is also to coordinate local plans for balanced transportation facilities and services and assist in application for federal grants which must be submitted through an appropriate or designated state agency. The facilities and services may include, but are not limited to, highways, pathways and special lanes for bicycles, railways, urban public transportation, and aviation.
- The planning division is also charged with: establishing planning techniques and processes for all modes of transportation at an appropriate level, according to the requirements of the state and local areas of the state; assisting in the development of the department's capital program for all modes of transportation; testing and evaluating policies, plans, proposals, systems, programs and projects within the framework of the goals of the department; and conducting research in planning techniques, travel needs, transportation potential for the state, investigating, testing and demonstrating methods and equipment suitable for application to the problems of transportation facing the state.
- **Performance Report.** In 2007, concurrent with the adoption of close to \$1 billion in bonding capacity for transportation projects, the legislature required NDOT to adopt a plan for measuring the performance of the department and to report annually to the Transportation Board and the Director of the Legislative Counsel Bureau.

³² Nevada Revised Statutes Title 35, Chapter 408 deals with highways and bridges. Title 22, Chapter 277 deals with Regional Transportation Commissions.

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- **Regional Transportation Commissions.** The state legislature authorized the creation of Regional Transportation Commissions in any county in which a streets and highway plan has been adopted as part of the master plan by the county. A commission may be designated as a metropolitan planning organization. Commissions, including those designated as MPOs, may operate public transportation systems, and in larger counties establish a public transit system. In counties with populations of over 400,000, the commission or MPO is required to cooperate with local air pollution control board and regional planning coalitions to ensure that plans are consistent and to establish and carry out a program of integrated, long-range planning.

Plan Status

The *Statewide Transportation Plan – Moving Nevada through 2028* was adopted by the Transportation Board in September 2008. The plan is a policy document to guide NDOT and is a multimodal plan that “explores the issues affecting aviation, bicycles, pedestrians, transit, cars, trucks, and trains and the linkage between these modes” (p ES-1). NDOT worked closely with Nevada’s four (4) MPOs, other local, state, federal agencies, and tribal nations in developing the plan.

Texas

The Texas Department of Transportation (TxDOT) is an independent agency reporting to the Texas Transportation Commission. The five (5) member Transportation Commission adopts rules for the operation of the department, plans and makes policies for the location, construction and maintenance of the state system of highways and public roads, oversees the work of the TxDOT Director in preparing a comprehensive plan providing a system of highways and public roads, designates any county road as a farm-to-market road, divides the department into not more than 25 districts, prepares quarterly financial reports on the Department, creates and enhances existing and alternate sources of revenue, authorizes borrowing money, and submits recommendations on changes to the Governor and Legislature among other responsibilities³³.

³³ Texas Code Chapter 201 Subchapter A describes the role of the Commission.

Planning Statutes³⁴

- **Statewide Transportation Plan.** The department is responsible for developing a plan to include all modes of transportation including highways and turnpikes, aviation, mass transportation, railroads and high speed railroads, and water traffic. The plan must include a component that is not financially constrained and identifies improvements to relieve congestion. The department must seek input from local officials in determining these improvements. The plan includes a component that is updated annually describing the evaluation of transportation improvements based on performance measures.
- **International Trade Corridor Plan.** TxDOT shall work with appropriate entities to develop an integrated international trade corridor plan. The plan shall assign priorities based on the amount of trade measured by weight and value to the transportation systems of the state. The plan shall be updated biennially and be reported to the presiding Chair of each house of the legislature no later than December 1st of every even year.
- **Long-Term Plan for Statewide Passenger Rail System.** TxDOT shall update annually a long-term plan for passenger rail including a description of existing and proposed systems, information regarding the status of passenger rail systems under construction, an analysis of potential interconnecting difficulties, and ridership statistics for existing systems.
- **Cooperative Planning with Counties.** The Department may enter an agreement with a county that identifies future transportation corridors. The corridors must be identified in a plan adopted by the Transportation Commission, TxDOT, or a MPO.
- **Annual Report to Legislature on Certain Matters:** Not later than December 1st of each year the department shall submit a report to the legislature that details: the expenditures made by the Department in the preceding fiscal year on: the unified transportation program; turnpike projects and toll roads; the Trans-Texas corridor; rail projects; and non-highway facilities on the Trans-Texas corridor. The report must also detail the amount of bonds or other public securities issued for transportation projects and the direction of money by the department to a regional mobility authority in the state.

Plan Status

Strategic Plan and Texas Transportation Needs Report

In 2008, at the request of Governor Rick Perry, the Transportation Commission appointed a 12-member panel of experienced business leaders to provide an independent and authoritative assessment of the state's transportation infrastructure and mobility needs from 2009 to 2030. The goals of the report were to:

- Preserve and enhance the value of the state's enormous investment in transportation infrastructure

³⁴ Texas Code Chapter 201 Subchapter H describes the planning requirements.

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- Preserve and enhance urban and rural mobility and their value to the economic competitiveness of Texas
- Enhance the safety of Texas' traveling public
- Initiate a discussion on strategic rebalancing of transportation investments among infrastructure, mobility, and non-highway modes to anticipate future needs.

The 2030 Committee provided guidance to a team of transportation experts at the Texas Transportation Institute, the Center for Transportation and Research at the University of Austin, and the University of Texas at San Antonio. Staff from TxDOT and metropolitan research organizations provided input and support for the team. The work was done in six months in 2008-2009 and several methods were used to solicit public input.

TxDOT also creates a five-year strategic plan that is updated every two years and adopted by the Texas Transportation Commission. The plan's purpose is to identify short-term goals, objectives and strategies to address Texas' multimodal needs. Agency level performance measures are also identified. The plan is updated every two years and the 2011-2015 Strategic Plan was recently adopted by the Commission.

State Long-Range Transportation Plan

TxDOT is in the process of updating the State 25-year, fiscally constrained long-range transportation plan. The update builds on recommendations of the 2030 Committee as well as TxDOT and MPO planning efforts such as the Texas Rail Plan, Texas Airport System Plan, Regional Coordinated Transportation planning, and Strategic Plan. A draft plan has been released and the final report is due in November, 2010.

MPO Planning

Texas has 25 MPOs. According to the TxDOT website the Texas Transportation Commission recently revised its administrative code to require: "TxDOT to codify its planning program rules in such a way that enables TxDOT and empowers MPOs to develop long-range, mid-range, and short range plans, each with specified, measurable criteria. Also new to the process is the use of an extended cash forecast, which will provide greater flexibility for TxDOT and MPOs as they react to fluctuating financial resources by advancing or delaying projects, and to ensure that planning documents are appropriately fiscally constrained."³⁵ These new rules will go into effect in 2011.

³⁵ "New Rules Empower Metropolitan Planning Organizations, the Public, with Greater Authority Over Transportation Planning Decisions." Texas Department of Transportation. <http://www.dot.state.tx.us/news/037-2010.htm>

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The revised administrative code was the result of work by a Transportation Planning and Project Development Rulemaking Advisory Committee created by the Commission in July 2009. Its members were representatives from metropolitan planning organizations (MPOs), local governments, transit organizations, tolling authorities and the Federal Highway Administration. The Rulemaking Advisory Committee presented draft rules to the Texas Transportation Commission in May 2010, and after public comments were received, final adoption occurred in August 2010. “The work of this committee is essential to the 2035 Statewide Long Range Transportation Plan, the new goals for the 2011-2015 TxDOT Strategic Plan and will be considered in future unified transportation programs” (Texas Department of Transportation Department Implementation of Sunset Advisory Commission Recommendations, June 2010, p. 7).

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APPENDIX C.
DRAFT BILL

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-0417.1/11

ATTY/TYPIST: BP:crs

BRIEF DESCRIPTION: Concerning statewide transportation planning.

1 AN ACT Relating to statewide transportation planning; amending RCW
2 47.01.071, 47.01.075, 47.04.280, 47.06.140, 47.01.011, 47.01.300,
3 47.01.330, 47.05.010, 47.05.030, 47.80.023, 47.80.030, 47.82.010,
4 36.70A.070, 36.70A.085, 46.68.170, 47.60.290, 47.60.327, 47.76.210, and
5 47.79.020; adding new sections to chapter 47.06 RCW; adding a new
6 chapter to Title 47 RCW; creating a new section; recodifying RCW
7 47.01.051, 47.01.061, 47.01.071, 47.01.075, 47.01.420, 47.01.425, and
8 47.04.280; and repealing RCW 47.06.020, 47.06.040, 47.06.043,
9 47.06.045, 47.06.050, 47.06.060, 47.06.070, 47.06.080, 47.06.090,
10 47.06.100, 47.06.110, 47.06.120, 47.01.141, 47.60.286, 47.76.220,
11 47.79.040, and 47.80.070.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

13 NEW SECTION. **Sec. 1.** (1) Transportation planning is a
14 responsibility that crosses jurisdictions, including the state,
15 regional planning organizations, metropolitan planning organizations,
16 tribal nations, and local government. All levels of government,
17 including the federal government, fund transportation planning and
18 research. The legislature intends to allow more flexibility to
19 organize the transportation planning process across modes and

1 jurisdictions by providing policy direction on the desired outcome and
2 reducing statutory procedural requirements. It is not the
3 legislature's intent to discontinue planning or discount the importance
4 of particular plans, but to eliminate statutory requirements that have
5 impeded the efficacy of statewide transportation planning.

6 (2) Transportation planning across jurisdictions should be:

7 (a) Consistent with the transportation system policy goals in RCW
8 47.04.280 (as recodified by this act);

9 (b) Aligned and integrated with common transportation system
10 performance measures and attainment reporting;

11 (c) Technically competent;

12 (d) Based on consistent and uniform transportation system
13 performance and user data;

14 (e) The result of extensive public outreach and input;

15 (f) Conducted in a cost-efficient manner; and

16 (g) Compliant with federal requirements.

17 (3) The legislature intends that transportation planning will:

18 (a) Identify mode-neutral, long-range performance alternatives for
19 the state transportation system; and

20 (b) Be linked to shorter-term capital programming, policy, and
21 financial decisions.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.06 RCW
23 to read as follows:

24 The long-range statewide transportation plan required under 23
25 U.S.C. Sec. 135 must be developed by an ad hoc planning committee
26 convened July 1, 2013. Thereafter, the planning committee must be
27 convened pursuant to legislative direction at least every seven years.

28 (1) The planning committee must be comprised of:

29 (a) The chair of the Washington state transportation commission.
30 The chair of the commission may designate another transportation
31 commissioner to serve;

32 (b) The secretary of the department of transportation or the
33 secretary's designee; and

34 (c) A representative of transportation planning organizations to be
35 designated by the joint regional transportation planning organization
36 and metropolitan planning organization coordinating committee.

1 (2) The long-range statewide transportation plan must, at a
2 minimum:

3 (a) Establish a vision for the development of the statewide
4 transportation system;

5 (b) Incorporate the transportation system policy goals in RCW
6 47.04.280 (as recodified by this act);

7 (c) Address statewide transportation issues, without regard to
8 jurisdiction, and be based on ongoing mode, metropolitan, regional, and
9 tribal transportation planning;

10 (d) Be outcome and performance based; consider mode-neutral
11 alternatives; integrate state, regional, metropolitan, tribal, and
12 local transportation planning; and establish system performance
13 measures that will form the basis for the attainment report required
14 under RCW 47.04.280(4) (as recodified by this act);

15 (e) Involve representatives of significant transportation interests
16 and the general public from across the state. As part of this process,
17 the planning committee shall utilize data developed by the
18 transportation commission's statewide transportation survey conducted
19 under RCW 47.01.075 (as recodified by this act);

20 (f) Identify significant statewide transportation policy issues;

21 (g) Recommend statewide transportation policies and strategies to
22 the legislature; and

23 (h) Provide clear financial assumptions, identify the need for new
24 resources, and provide a financial plan that can be linked with
25 biennial budget decisions.

26 (3) The planning committee shall negotiate and agree upon a
27 proposed federally compliant long-range statewide transportation plan.
28 The planning committee shall forward the plan to the office of
29 financial management for review. The office of financial management
30 shall forward the plan to the governor with a recommendation to accept
31 or reject the plan as submitted. If the governor approves the plan,
32 the governor shall submit it to the federal department of
33 transportation as Washington's federally compliant long-range statewide
34 transportation plan. If the governor does not approve the plan, the
35 governor shall return the plan to the planning committee for revision
36 and resubmission.

37 (4) When there are inconsistencies between the long-range statewide
38 transportation plan and state, regional, metropolitan, tribal, or local

1 transportation plans, the department of transportation shall negotiate
2 with the propounder of the plans, consistent with federal law and
3 regulation.

4 (5) Other state mode, regional, metropolitan, and tribal
5 transportation plans may be updated using the same public outreach
6 process and information that is developed for the update of the long-
7 range statewide transportation plan.

8 (6) This section does not create a private right of action.

9 **Sec. 3.** RCW 47.01.071 and 2007 c 516 s 4 are each amended to read
10 as follows:

11 The transportation commission (~~((shall have))~~) has the following
12 functions, powers, and duties:

13 (1) To propose transportation policies (~~((to be adopted))~~) for
14 adoption by the governor and the legislature (~~((designed to assure the~~
15 ~~development and maintenance of a comprehensive and balanced statewide~~
16 ~~transportation system which will meet the needs of the people of this~~
17 ~~state for safe and efficient transportation services. Wherever~~
18 ~~appropriate, the policies shall provide for the use of integrated,~~
19 ~~intermodal transportation systems. The policies must be aligned with~~
20 ~~the goals established in RCW 47.04.280. To this end the commission~~
21 ~~shall:~~

22 ~~(a) Develop transportation policies which are based on the~~
23 ~~policies, goals, and objectives expressed and inherent in existing~~
24 ~~state laws;~~

25 ~~(b) Inventory the adopted policies, goals, and objectives of the~~
26 ~~local and area wide governmental bodies of the state and define the~~
27 ~~role of the state, regional, and local governments in determining~~
28 ~~transportation policies, in transportation planning, and in~~
29 ~~implementing the state transportation plan;~~

30 ~~(c) Establish a procedure for review and revision of the state~~
31 ~~transportation policy and for submission of proposed changes to the~~
32 ~~governor and the legislature; and~~

33 ~~(d) Integrate the statewide transportation plan with the needs of~~
34 ~~the elderly and persons with disabilities, and coordinate federal and~~
35 ~~state programs directed at assisting local governments to answer such~~
36 ~~needs;~~

1 ~~(2) To provide for the effective coordination of state~~
2 ~~transportation planning with national transportation policy, state and~~
3 ~~local land use policies, and local and regional transportation plans~~
4 ~~and programs));~~

5 ~~((+3))~~ (2) In conjunction with ~~((the provisions under))~~ RCW
6 47.01.075 (as recodified by this act), to provide for public
7 involvement in transportation designed to elicit the public's views
8 ~~((both with respect to adequate transportation services and appropriate~~
9 ~~means of minimizing adverse social, economic, environmental, and energy~~
10 ~~impact of transportation programs;~~

11 ~~(4) By December 2010, to prepare a comprehensive and balanced~~
12 ~~statewide transportation plan consistent with the state's growth~~
13 ~~management goals and based on the transportation policy goals provided~~
14 ~~under RCW 47.04.280 and applicable state and federal laws. The plan~~
15 ~~must reflect the priorities of government developed by the office of~~
16 ~~financial management and address regional needs, including multimodal~~
17 ~~transportation planning. The plan must, at a minimum: (a) Establish~~
18 ~~a vision for the development of the statewide transportation system;~~
19 ~~(b) identify significant statewide transportation policy issues; and~~
20 ~~(c) recommend statewide transportation policies and strategies to the~~
21 ~~legislature to fulfill the requirements of subsection (1) of this~~
22 ~~section. The plan must be the product of an ongoing process that~~
23 ~~involves representatives of significant transportation interests and~~
24 ~~the general public from across the state. Every four years, the plan~~
25 ~~shall be reviewed and revised, and submitted to the governor and the~~
26 ~~house of representatives and senate standing committees on~~
27 ~~transportation.~~

28 ~~The plan shall take into account federal law and regulations~~
29 ~~relating to the planning, construction, and operation of transportation~~
30 ~~facilities;~~

31 ~~(5) By December 2007, the office of financial management shall~~
32 ~~submit a baseline report on the progress toward attaining the policy~~
33 ~~goals under RCW 47.04.280 in the 2005-2007 fiscal biennium. By October~~
34 ~~1, 2008, beginning with the development of the 2009-2011 biennial~~
35 ~~transportation budget, and by October 1st biennially thereafter, the~~
36 ~~office of financial management shall submit to the legislature and the~~
37 ~~governor a report on the progress toward the attainment by state~~
38 ~~transportation agencies of the state transportation policy goals and~~

1 objectives prescribed by statute, appropriation, and governor
2 directive. The report must, at a minimum, include the degree to which
3 state transportation programs have progressed toward the attainment of
4 the policy goals established under RCW 47.04.280, as measured by the
5 objectives and performance measures established by the office of
6 financial management under RCW 47.04.280)) on transportation policy;

7 ((+6)) (3) To develop a long-range statewide transportation plan
8 in conjunction with the department of transportation, regional
9 transportation planning organizations, and metropolitan transportation
10 planning organizations under section 2 of this act;

11 (4) To propose to the governor and the legislature prior to the
12 convening of each regular session held in an odd-numbered year a
13 recommended budget for the operations of the commission as required by
14 RCW 47.01.061 (as recodified by this act);

15 ((+7)) (5) To adopt such rules as may be necessary to carry out
16 reasonably and properly those functions expressly vested in the
17 commission by statute;

18 ((+8)) (6) To contract with the office of financial management or
19 other appropriate state agencies for administrative support, accounting
20 services, computer services, and other support services necessary to
21 carry out its other statutory duties;

22 ((+9)) (7) To conduct transportation-related studies and policy
23 analysis to the extent directed by the legislature or governor in the
24 biennial transportation budget act, or as otherwise provided in law,
25 and subject to the availability of amounts appropriated for this
26 specific purpose; and

27 ((+10)) (8) To exercise such other specific powers and duties as
28 may be vested in the transportation commission by this or any other
29 provision of law.

30 **Sec. 4.** RCW 47.01.075 and 2007 c 516 s 5 are each amended to read
31 as follows:

32 (1) The transportation commission shall provide a public forum for
33 the development of transportation policy in Washington state to include
34 coordination with regional transportation planning organizations,
35 transportation stakeholders, counties, cities, and citizens.

36 (a) At least every ((five)) seven years, the commission shall
37 convene regional forums to gather citizen input on transportation

1 issues. The commission, department, metropolitan transportation
2 planning organizations, and regional transportation planning
3 organizations shall consider the input gathered at the forums (~~as it~~
4 ~~establishes~~) in the development of the long-range statewide
5 transportation plan under (~~RCW 47.01.071(4)~~) section 2 of this act.

6 (b) Beginning in 2012, the commission shall, with the involvement
7 of the department, conduct a survey to gather data on users of the
8 statewide transportation system, including the state ferry system, to
9 help inform level of service, operational, pricing, planning, and
10 investment decisions. The survey must be updated at least every two
11 years and be maintained to support the development and implementation
12 of adaptive management of the statewide transportation system.

13 (2) In fulfilling its responsibilities under this section, the
14 commission may create ad hoc committees or other such committees of
15 limited duration as necessary.

16 (3) In order to promote a better transportation system, the
17 commission may offer policy guidance and make recommendations to the
18 governor and the legislature in key issue areas, including but not
19 limited to:

20 (a) Transportation finance;

21 (b) Preserving, maintaining, and operating the statewide
22 transportation system;

23 (c) Transportation infrastructure needs;

24 (d) Promoting best practices for adoption and use by
25 transportation-related agencies and programs;

26 (e) Transportation efficiencies that will improve service delivery
27 and/or coordination;

28 (f) Improved planning and coordination among transportation
29 agencies and providers; and

30 (g) Use of intelligent transportation systems and other technology-
31 based solutions.

32 NEW SECTION. Sec. 5. A new section is added to chapter 47.06 RCW
33 to read as follows:

34 Prior to the convening of each regular session held in an odd-
35 numbered year, the governor's proposed biennial transportation budget
36 must include a statement of how the proposed biennial transportation

1 budget relates to the long-range statewide transportation plan's
2 performance goals and financial plan.

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.06 RCW
4 to read as follows:

5 The department shall:

6 (1) Present its proposed transportation planning and research
7 budget to the legislature biennially. The budget must include: A list
8 of planning activities and plans to be completed in the biennium; state
9 and federal funds anticipated for each activity and plan; and a
10 comparison of the minimum state funds required to match federal
11 planning expenditures and proposed state funds; and

12 (2) Include in its ongoing performance reporting the status of the
13 plans that are authorized by the legislature in the biennial
14 transportation budget, including whether the plans are being developed
15 on schedule and within the allocated budget.

16 **Sec. 7.** RCW 47.04.280 and 2010 c 74 s 1 are each amended to read
17 as follows:

18 (1) It is the intent of the legislature to establish policy goals
19 for the planning, operation, performance of, and investment in, the
20 state's transportation system. The policy goals established under this
21 section are deemed consistent with the benchmark categories adopted by
22 the state's blue ribbon commission on transportation on November 30,
23 2000. Public investments in transportation should support achievement
24 of these policy goals:

25 (a) Economic vitality: To promote and develop transportation
26 systems that stimulate, support, and enhance the movement of people and
27 goods to ensure a prosperous economy;

28 (b) Preservation: To maintain, preserve, and extend the life and
29 utility of prior investments in transportation systems and services;

30 (c) Safety: To provide for and improve the safety and security of
31 transportation customers and the transportation system;

32 (d) Mobility: To improve the predictable movement of goods and
33 people throughout Washington state;

34 (e) Environment: To enhance Washington's quality of life through
35 transportation investments that promote energy conservation, enhance
36 healthy communities, and protect the environment; and

1 (f) Stewardship: To continuously improve the quality,
2 effectiveness, and efficiency of the transportation system.

3 (2) The powers, duties, and functions of state transportation
4 agencies must be performed in a manner consistent with the policy goals
5 set forth in subsection (1) of this section.

6 (3) These policy goals are intended to be the basis for
7 establishing detailed and measurable objectives and related performance
8 measures.

9 ~~(4) ((It is the intent of the legislature that the office of~~
10 ~~financial management establish objectives and performance measures for~~
11 ~~the department of transportation and other state agencies with~~
12 ~~transportation-related responsibilities to ensure transportation system~~
13 ~~performance at local, regional, and state government levels progresses~~
14 ~~toward the attainment of the policy goals set forth in subsection (1)~~
15 ~~of this section. The office of financial management shall submit~~
16 ~~initial objectives and performance measures to the legislature for its~~
17 ~~review and shall provide copies of the same to the commission during~~
18 ~~the 2008 legislative session.))~~ The office of financial management
19 shall submit ~~((objectives and performance measures))~~ a report on the
20 attainment of the policy goals established in subsection (1) of this
21 section and the objectives established in the long-range statewide
22 transportation plan, including performance measures on the statewide
23 transportation system, to the legislature for its review and shall
24 provide copies of the ~~((same))~~ report to the commission, department,
25 and regional and metropolitan transportation planning organizations
26 during each regular session of the legislature during an even-numbered
27 year thereafter.

28 (5) This section does not create a private right of action.

29 **Sec. 8.** RCW 47.06.140 and 2009 c 514 s 3 are each amended to read
30 as follows:

31 (1) The legislature declares the following transportation
32 facilities and services to be of statewide significance: Highways of
33 statewide significance as designated by the legislature under chapter
34 47.05 RCW, the interstate highway system, interregional state principal
35 arterials including ferry connections that serve statewide travel,
36 intercity passenger rail services, intercity high-speed ground
37 transportation, major passenger intermodal terminals excluding all

1 airport facilities and services, the freight railroad system, the
2 Columbia/Snake navigable river system, marine port facilities and
3 services that are related solely to marine activities affecting
4 international and interstate trade, key freight transportation
5 corridors serving these marine port facilities, and high capacity
6 transportation systems serving regions as defined in RCW 81.104.015.
7 (~~The department, in cooperation with regional transportation planning~~
8 ~~organizations, counties, cities, transit agencies, public ports,~~
9 ~~private railroad operators, and private transportation providers, as~~
10 ~~appropriate, shall plan for improvements to transportation facilities~~
11 ~~and services of statewide significance in the statewide multimodal~~
12 ~~transportation plan.)) Improvements to facilities and services of
13 statewide significance (~~identified in the statewide multimodal~~
14 ~~transportation plan)), or to highways of statewide significance
15 designated by the legislature under chapter 47.05 RCW, are essential
16 state public facilities under RCW 36.70A.200.~~~~

17 (2) The department of transportation, in consultation with local
18 governments, shall set level of service standards for state highways
19 and state ferry routes of statewide significance. Although the
20 department shall consult with local governments when setting level of
21 service standards, the department retains authority to make final
22 decisions regarding level of service standards for state highways and
23 state ferry routes of statewide significance. In establishing level of
24 service standards for state highways and state ferry routes of
25 statewide significance, the department shall consider the necessary
26 balance between providing for the free interjurisdictional movement of
27 people and goods and the needs of local communities using these
28 facilities. When setting the level of service standards under this
29 section for state ferry routes, the department may allow for a standard
30 that is adjustable for seasonality.

31 **Sec. 9.** RCW 47.01.011 and 2007 c 516 s 2 are each amended to read
32 as follows:

33 (~~The legislature hereby recognizes the following imperative needs~~
34 ~~within the state: To create a statewide transportation development~~
35 ~~plan which identifies present status and sets goals for the future; to~~
36 ~~coordinate transportation modes; to promote and protect land use~~
37 ~~programs required in local, state, and federal law; to coordinate~~

1 ~~transportation with the economic development of the state; to supply a~~
2 ~~broad framework in which regional, metropolitan, and local~~
3 ~~transportation needs can be related; to facilitate the supply of~~
4 ~~federal and state aid to those areas which will most benefit the state~~
5 ~~as a whole; to provide for public involvement in the transportation~~
6 ~~planning and development process; to administer programs within the~~
7 ~~jurisdiction of this title relating to the safety of the state's~~
8 ~~transportation systems; and to coordinate and implement national~~
9 ~~transportation policy with the state transportation planning program.)~~)

10 The legislature finds and declares that placing all elements of
11 transportation in a single department is fully consistent with and
12 shall in no way impair the use of moneys in the motor vehicle fund
13 exclusively for highway purposes.

14 Through this chapter, a unified department of transportation is
15 created. To the jurisdiction of this department will be transferred
16 the present powers, duties, and functions of the department of
17 highways, the highway commission, the toll bridge authority, the
18 aeronautics commission, and the canal commission, and the
19 transportation related powers, duties, and functions of the planning
20 and community affairs agency. The powers, duties, and functions of the
21 department of transportation must be performed in a manner consistent
22 with the policy goals set forth in RCW 47.04.280 (as recodified by this
23 act).

24 **Sec. 10.** RCW 47.01.300 and 1994 c 258 s 4 are each amended to read
25 as follows:

26 The department shall, in cooperation with environmental regulatory
27 authorities:

28 (1) ~~((Identify and document environmental resources in the~~
29 ~~development of the statewide multimodal plan under RCW 47.06.040;~~

30 ~~(2) Allow for public comment regarding changes to the criteria used~~
31 ~~for prioritizing projects under chapter 47.05 RCW before final adoption~~
32 ~~of the changes by the commission;~~

33 ~~(3))~~) Use an environmental review as part of the project prospectus
34 identifying potential environmental impacts, mitigation, and costs
35 during the early project identification and selection phase, submit the
36 prospectus to the relevant environmental regulatory authorities, and

1 maintain a record of comments and proposed revisions received from the
2 authorities;

3 ((+4)) (2) Actively work with the relevant environmental
4 regulatory authorities during the design alternative analysis process
5 and seek written concurrence from the authorities that they agree with
6 the preferred design alternative selected;

7 ((+5)) (3) Develop a uniform methodology, in consultation with
8 relevant environmental regulatory authorities, for submitting plans and
9 specifications detailing project elements that impact environmental
10 resources, and proposed mitigation measures, to the relevant
11 environmental regulatory authorities during the preliminary
12 specifications and engineering phase of project development;

13 ((+6)) (4) Screen construction projects to determine which
14 projects will require complex or multiple permits. The permitting
15 authorities shall develop methods for initiating review of the permit
16 applications for the projects before the final design of the projects;

17 ((+7)) (5) Conduct special prebid meetings for those projects that
18 are environmentally complex; and

19 ((+8)) (6) Review environmental considerations related to
20 particular projects during the preconstruction meeting held with the
21 contractor who is awarded the bid.

22 **Sec. 11.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to read
23 as follows:

24 (1) The secretary shall establish an office of transit mobility.
25 The purpose of the office is to facilitate the integration of
26 decentralized public transportation services with the state
27 transportation system. The goals of the office of transit mobility
28 are: (a) To facilitate connection and coordination of transit services
29 and planning; and (b) maximizing opportunities to use public
30 transportation to improve the efficiency of transportation corridors.

31 (2) The duties of the office include, but are not limited to, the
32 following:

33 (a) ~~((Developing a statewide strategic plan that creates common
34 goals for transit agencies and reduces competing plans for cross-
35 jurisdictional service;~~

36 ~~(b))~~ Developing a park and ride lot program;

37 ~~((c))~~ (b) Encouraging long-range transit planning;

1 ~~((d))~~ (c) Providing public transportation expertise to improve
2 linkages between regional transportation planning organizations and
3 transit agencies;

4 ~~((e))~~ (d) Strengthening policies for inclusion of transit and
5 transportation demand management strategies in route development,
6 corridor plan standards, and budget proposals;

7 ~~((f))~~ (e) Recommending best practices to integrate transit and
8 demand management strategies with regional and local land use plans in
9 order to reduce traffic and improve mobility and access;

10 ~~((g) Producing recommendations for the public transportation
11 section of the Washington transportation plan;))~~ and

12 ~~((h))~~ (f) Participating in all aspects of corridor planning,
13 including freight planning, ferry system planning, and passenger rail
14 planning.

15 (3) In forming the office, the secretary shall use existing
16 resources to the greatest extent possible.

17 (4) The office of transit mobility shall establish measurable
18 performance objectives for evaluating the success of its initiatives
19 and progress toward accomplishing the overall goals of the office.

20 (5) The office of transit mobility must report quarterly to the
21 secretary, and annually to the transportation committees of the
22 legislature, on the progress of the office in meeting the goals and
23 duties provided in this section.

24 **Sec. 12.** RCW 47.05.010 and 2002 c 5 s 401 are each amended to read
25 as follows:

26 The legislature finds that solutions to state highway deficiencies
27 have become increasingly complex and diverse and that anticipated
28 transportation revenues will fall substantially short of the amount
29 required to satisfy all transportation needs. Difficult investment
30 trade-offs will be required.

31 It is the intent of the legislature that investment of state
32 transportation funds to address deficiencies on the state highway
33 system be based on a policy of priority programming having as its basis
34 the rational selection of projects and services according to factual
35 need and an evaluation of life cycle costs and benefits that are
36 systematically scheduled to carry out defined objectives within

1 available revenue. The state must develop analytic tools to use a
2 common methodology to measure benefits and costs for all modes.

3 The priority programming system must ensure preservation of the
4 existing state highway system, relieve congestion, provide mobility for
5 people and goods, support the state's economy, and promote
6 environmental protection and energy conservation.

7 The priority programming system must (~~implement the state-owned~~
8 ~~highway component of the statewide transportation plan,~~) be consistent
9 with the long-range statewide transportation plan and local,
10 metropolitan, and regional transportation plans, by targeting state
11 transportation investment to appropriate multimodal solutions that
12 address identified state highway system deficiencies.

13 The priority programming system for improvements must incorporate
14 a broad range of solutions (~~that are identified in the statewide~~
15 ~~transportation plan as~~) appropriate to address state highway system
16 deficiencies, including but not limited to highway expansion,
17 efficiency improvements, nonmotorized transportation facilities, high
18 occupancy vehicle facilities, transit facilities and services, rail
19 facilities and services, and transportation demand management programs.

20 **Sec. 13.** RCW 47.05.030 and 2007 c 516 s 7 are each amended to read
21 as follows:

22 (1) The office of financial management shall propose a
23 comprehensive (~~ten-year~~) sixteen-year investment program for the
24 preservation and improvement programs defined in this section,
25 consistent with the policy goals described under RCW 47.04.280 (as
26 recodified by this act). (~~The proposed ten-year investment program~~
27 ~~must be forwarded as a recommendation by the office of financial~~
28 ~~management to the legislature, and must be based upon the needs~~
29 ~~identified in the statewide transportation plan established under RCW~~
30 ~~47.01.071(4).~~)

31 (2) The preservation program consists of those investments
32 necessary to preserve the existing state highway system and to restore
33 existing safety features, giving consideration to lowest life cycle
34 costing.

35 (3) The improvement program consists of investments needed to
36 address identified deficiencies on the state highway system to meet the
37 policy goals established in RCW 47.04.280 (as recodified by this act).

1 **Sec. 14.** RCW 47.80.023 and 2009 c 515 s 15 are each amended to
2 read as follows:

3 Each regional transportation planning organization shall have the
4 following duties:

5 (1) Prepare and periodically update a transportation strategy for
6 the region. The strategy shall address alternative transportation
7 modes and transportation demand management measures in regional
8 corridors and shall recommend preferred transportation policies to
9 implement adopted growth strategies. The strategy shall serve as a
10 guide in preparation of the regional transportation plan.

11 (2) Prepare a regional transportation plan as set forth in RCW
12 47.80.030 that is consistent with countywide planning policies if such
13 have been adopted pursuant to chapter 36.70A RCW, with county, city,
14 and town comprehensive plans, and state transportation plans.

15 (3) Certify by December 31, 1996, that the transportation elements
16 of comprehensive plans adopted by counties, cities, and towns within
17 the region reflect the guidelines and principles developed pursuant to
18 RCW 47.80.026, are consistent with the adopted regional transportation
19 plan, and, where appropriate, conform with the requirements of RCW
20 36.70A.070.

21 (4) Where appropriate, certify that countywide planning policies
22 adopted under RCW 36.70A.210 and the adopted regional transportation
23 plan are consistent.

24 (5) Develop, in cooperation with the department of transportation,
25 operators of public transportation services and local governments
26 within the region, a six-year regional transportation improvement
27 program which proposes regionally significant transportation projects
28 and programs and transportation demand management measures. The
29 regional transportation improvement program shall be based on the
30 programs, projects, and transportation demand management measures of
31 regional significance as identified by transit agencies, cities, and
32 counties pursuant to RCW 35.58.2795, 35.77.010, and 36.81.121,
33 respectively, and any recommended programs or projects identified by
34 the agency council on coordinated transportation, as provided in
35 chapter 47.06B RCW, that advance special needs coordinated
36 transportation as defined in RCW 47.06B.012. The program shall include
37 a priority list of projects and programs, project segments and
38 programs, transportation demand management measures, and a specific

1 financial plan that demonstrates how the transportation improvement
2 program can be funded. The program shall be updated at least every two
3 years for the ensuing six-year period.

4 (6) Include specific opportunities and projects to advance special
5 needs coordinated transportation, as defined in RCW 47.06B.012, in the
6 coordinated transit-human services transportation plan, after providing
7 opportunity for public comment.

8 (7) Designate a lead planning agency to coordinate preparation of
9 the regional transportation plan and carry out the other
10 responsibilities of the organization. The lead planning agency may be
11 a regional organization, a component county, city, or town agency, or
12 the appropriate Washington state department of transportation district
13 office.

14 (8) Review level of service methodologies used by cities and
15 counties planning under chapter 36.70A RCW to promote a consistent
16 regional evaluation of transportation facilities and corridors.

17 (9) Work with cities, counties, transit agencies, the department of
18 transportation, and others to develop level of service standards or
19 alternative transportation performance measures.

20 (10) Work with the transportation commission, department, and other
21 regional and metropolitan transportation planning organizations on the
22 development of the long-range statewide transportation plan.

23 (11) Submit biennial reports to the office of financial management
24 in support of the attainment report required under RCW 47.04.280(4) (as
25 recodified by this act).

26 (12) Submit to the agency council on coordinated transportation, as
27 provided in chapter 47.06B RCW, beginning on July 1, 2007, and every
28 four years thereafter, an updated plan that includes the elements
29 identified by the council. Each regional transportation planning
30 organization must submit to the council every two years a prioritized
31 regional human service and transportation project list.

32 **Sec. 15.** RCW 47.80.030 and 2005 c 328 s 2 are each amended to read
33 as follows:

34 (1) Each regional transportation planning organization shall
35 develop in cooperation with the department of transportation, providers
36 of public transportation and high capacity transportation, ports, and

1 local governments within the region, adopt, and periodically update a
2 regional transportation plan that:

3 ~~(a) ((Is based on a least cost planning methodology that identifies
4 the most cost-effective facilities, services, and programs;~~

5 ~~(b) Identifies existing or planned transportation facilities,
6 services, and programs, including but not limited to major roadways
7 including state highways and regional arterials, transit and
8 nonmotorized services and facilities, multimodal and intermodal
9 facilities, marine ports and airports, railroads, and noncapital
10 programs including transportation demand management that should
11 function as an integrated regional transportation system, giving
12 emphasis to those facilities, services, and programs that exhibit one
13 or more of the following characteristics:~~

14 ~~(i) Crosses member county lines;~~

15 ~~(ii) Is or will be used by a significant number of people who live
16 or work outside the county in which the facility, service, or project
17 is located;~~

18 ~~(iii) Significant impacts are expected to be felt in more than one
19 county;~~

20 ~~(iv) Potentially adverse impacts of the facility, service, program,
21 or project can be better avoided or mitigated through adherence to
22 regional policies;~~

23 ~~(v) Transportation needs addressed by a project have been
24 identified by the regional transportation planning process and the
25 remedy is deemed to have regional significance; and~~

26 ~~(vi) Provides for system continuity;~~

27 ~~(e)) Is consistent with the long-range statewide transportation
28 plan required under section 2 of this act and with the transportation
29 system policy goals in RCW 47.04.280 (as recodified by this act);~~

30 (b) Establishes level of service standards for state highways and
31 state ferry routes, with the exception of transportation facilities of
32 statewide significance as defined in RCW 47.06.140. These regionally
33 established level of service standards for state highways and state
34 ferries shall be developed jointly with the department of
35 transportation, to encourage consistency across jurisdictions. In
36 establishing level of service standards for state highways and state
37 ferries, consideration shall be given for the necessary balance between

1 providing for the free interjurisdictional movement of people and goods
2 and the needs of local commuters using state facilities;

3 ~~((d))~~ (c) Includes a financial plan demonstrating how the
4 regional transportation plan can be implemented, indicating resources
5 from public and private sources that are reasonably expected to be made
6 available to carry out the plan, and recommending any innovative
7 financing techniques to finance needed facilities, services, and
8 programs;

9 ~~((e))~~ (d) Assesses regional development patterns, capital
10 investment and other measures necessary to:

11 (i) Ensure the preservation of the existing regional transportation
12 system, including requirements for operational improvements,
13 resurfacing, restoration, and rehabilitation of existing and future
14 major roadways, as well as operations, maintenance, modernization, and
15 rehabilitation of existing and future transit, railroad systems and
16 corridors, and nonmotorized facilities; and

17 (ii) Make the most efficient use of existing transportation
18 facilities to relieve vehicular congestion and maximize the mobility of
19 people and goods;

20 ~~((f))~~ (e) Sets forth a proposed regional transportation approach,
21 including capital investments, service improvements, programs, and
22 transportation demand management measures to guide the development of
23 the integrated, multimodal regional transportation system. For
24 regional growth centers, the approach must address transportation
25 concurrency strategies required under RCW 36.70A.070 and include a
26 measurement of vehicle level of service for off-peak periods and total
27 multimodal capacity for peak periods; and

28 ~~((g))~~ (f) Where appropriate, sets forth the relationship of high
29 capacity transportation providers and other public transit providers
30 with regard to responsibility for, and the coordination between,
31 services and facilities.

32 (2) The organization shall review the regional transportation plan
33 biennially for currency and forward the adopted plan along with
34 documentation of the biennial review to the state department of
35 transportation.

36 (3) All transportation projects, programs, and transportation
37 demand management measures within the region that have an impact upon

1 regional facilities or services must be consistent with the plan and
2 with the adopted regional growth and transportation strategies.

3 **Sec. 16.** RCW 47.82.010 and 1990 c 43 s 36 are each amended to read
4 as follows:

5 The department, in conjunction with local jurisdictions, shall
6 coordinate as appropriate with the designated metropolitan planning
7 organizations to develop a program for improving Amtrak passenger rail
8 service. The program may include:

9 (1) Determination of the appropriate level of Amtrak passenger rail
10 service;

11 (2) Implementation of higher train speeds for Amtrak passenger rail
12 service, where safety considerations permit;

13 (3) Recognition, in the ~~((state's long range planning process))~~
14 development of the long-range statewide transportation plan under
15 section 2 of this act, of potential higher speed intercity passenger
16 rail service, while monitoring socioeconomic and technological
17 conditions as indicators for higher speed systems; and

18 (4) Identification of existing intercity rail rights-of-way which
19 may be used for public transportation corridors in the future.

20 **Sec. 17.** RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each
21 amended to read as follows:

22 The comprehensive plan of a county or city that is required or
23 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
24 and descriptive text covering objectives, principles, and standards
25 used to develop the comprehensive plan. The plan shall be an
26 internally consistent document and all elements shall be consistent
27 with the future land use map. A comprehensive plan shall be adopted
28 and amended with public participation as provided in RCW 36.70A.140.

29 Each comprehensive plan shall include a plan, scheme, or design for
30 each of the following:

31 (1) A land use element designating the proposed general
32 distribution and general location and extent of the uses of land, where
33 appropriate, for agriculture, timber production, housing, commerce,
34 industry, recreation, open spaces, general aviation airports, public
35 utilities, public facilities, and other land uses. The land use
36 element shall include population densities, building intensities, and

1 estimates of future population growth. The land use element shall
2 provide for protection of the quality and quantity of groundwater used
3 for public water supplies. Wherever possible, the land use element
4 should consider utilizing urban planning approaches that promote
5 physical activity. Where applicable, the land use element shall review
6 drainage, flooding, and storm water run-off in the area and nearby
7 jurisdictions and provide guidance for corrective actions to mitigate
8 or cleanse those discharges that pollute waters of the state, including
9 Puget Sound or waters entering Puget Sound.

10 (2) A housing element ensuring the vitality and character of
11 established residential neighborhoods that: (a) Includes an inventory
12 and analysis of existing and projected housing needs that identifies
13 the number of housing units necessary to manage projected growth; (b)
14 includes a statement of goals, policies, objectives, and mandatory
15 provisions for the preservation, improvement, and development of
16 housing, including single-family residences; (c) identifies sufficient
17 land for housing, including, but not limited to, government-assisted
18 housing, housing for low-income families, manufactured housing,
19 multifamily housing, and group homes and foster care facilities; and
20 (d) makes adequate provisions for existing and projected needs of all
21 economic segments of the community.

22 (3) A capital facilities plan element consisting of: (a) An
23 inventory of existing capital facilities owned by public entities,
24 showing the locations and capacities of the capital facilities; (b) a
25 forecast of the future needs for such capital facilities; (c) the
26 proposed locations and capacities of expanded or new capital
27 facilities; (d) at least a six-year plan that will finance such capital
28 facilities within projected funding capacities and clearly identifies
29 sources of public money for such purposes; and (e) a requirement to
30 reassess the land use element if probable funding falls short of
31 meeting existing needs and to ensure that the land use element, capital
32 facilities plan element, and financing plan within the capital
33 facilities plan element are coordinated and consistent. Park and
34 recreation facilities shall be included in the capital facilities plan
35 element.

36 (4) A utilities element consisting of the general location,
37 proposed location, and capacity of all existing and proposed utilities,

1 including, but not limited to, electrical lines, telecommunication
2 lines, and natural gas lines.

3 (5) Rural element. Counties shall include a rural element
4 including lands that are not designated for urban growth, agriculture,
5 forest, or mineral resources. The following provisions shall apply to
6 the rural element:

7 (a) Growth management act goals and local circumstances. Because
8 circumstances vary from county to county, in establishing patterns of
9 rural densities and uses, a county may consider local circumstances,
10 but shall develop a written record explaining how the rural element
11 harmonizes the planning goals in RCW 36.70A.020 and meets the
12 requirements of this chapter.

13 (b) Rural development. The rural element shall permit rural
14 development, forestry, and agriculture in rural areas. The rural
15 element shall provide for a variety of rural densities, uses, essential
16 public facilities, and rural governmental services needed to serve the
17 permitted densities and uses. To achieve a variety of rural densities
18 and uses, counties may provide for clustering, density transfer, design
19 guidelines, conservation easements, and other innovative techniques
20 that will accommodate appropriate rural densities and uses that are not
21 characterized by urban growth and that are consistent with rural
22 character.

23 (c) Measures governing rural development. The rural element shall
24 include measures that apply to rural development and protect the rural
25 character of the area, as established by the county, by:

26 (i) Containing or otherwise controlling rural development;

27 (ii) Assuring visual compatibility of rural development with the
28 surrounding rural area;

29 (iii) Reducing the inappropriate conversion of undeveloped land
30 into sprawling, low-density development in the rural area;

31 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
32 surface water and groundwater resources; and

33 (v) Protecting against conflicts with the use of agricultural,
34 forest, and mineral resource lands designated under RCW 36.70A.170.

35 (d) Limited areas of more intensive rural development. Subject to
36 the requirements of this subsection and except as otherwise
37 specifically provided in this subsection (5)(d), the rural element may

1 allow for limited areas of more intensive rural development, including
2 necessary public facilities and public services to serve the limited
3 area as follows:

4 (i) Rural development consisting of the infill, development, or
5 redevelopment of existing commercial, industrial, residential, or
6 mixed-use areas, whether characterized as shoreline development,
7 villages, hamlets, rural activity centers, or crossroads developments.

8 (A) A commercial, industrial, residential, shoreline, or mixed-use
9 area shall be subject to the requirements of (d)(iv) of this
10 subsection, but shall not be subject to the requirements of (c)(ii) and
11 (iii) of this subsection.

12 (B) Any development or redevelopment other than an industrial area
13 or an industrial use within a mixed-use area or an industrial area
14 under this subsection (5)(d)(i) must be principally designed to serve
15 the existing and projected rural population.

16 (C) Any development or redevelopment in terms of building size,
17 scale, use, or intensity shall be consistent with the character of the
18 existing areas. Development and redevelopment may include changes in
19 use from vacant land or a previously existing use so long as the new
20 use conforms to the requirements of this subsection (5);

21 (ii) The intensification of development on lots containing, or new
22 development of, small-scale recreational or tourist uses, including
23 commercial facilities to serve those recreational or tourist uses, that
24 rely on a rural location and setting, but that do not include new
25 residential development. A small-scale recreation or tourist use is
26 not required to be principally designed to serve the existing and
27 projected rural population. Public services and public facilities
28 shall be limited to those necessary to serve the recreation or tourist
29 use and shall be provided in a manner that does not permit low-density
30 sprawl;

31 (iii) The intensification of development on lots containing
32 isolated nonresidential uses or new development of isolated cottage
33 industries and isolated small-scale businesses that are not principally
34 designed to serve the existing and projected rural population and
35 nonresidential uses, but do provide job opportunities for rural
36 residents. Rural counties may allow the expansion of small-scale
37 businesses as long as those small-scale businesses conform with the
38 rural character of the area as defined by the local government

1 according to RCW 36.70A.030(15). Rural counties may also allow new
2 small-scale businesses to utilize a site previously occupied by an
3 existing business as long as the new small-scale business conforms to
4 the rural character of the area as defined by the local government
5 according to RCW 36.70A.030(15). Public services and public facilities
6 shall be limited to those necessary to serve the isolated
7 nonresidential use and shall be provided in a manner that does not
8 permit low-density sprawl;

9 (iv) A county shall adopt measures to minimize and contain the
10 existing areas or uses of more intensive rural development, as
11 appropriate, authorized under this subsection. Lands included in such
12 existing areas or uses shall not extend beyond the logical outer
13 boundary of the existing area or use, thereby allowing a new pattern of
14 low-density sprawl. Existing areas are those that are clearly
15 identifiable and contained and where there is a logical boundary
16 delineated predominately by the built environment, but that may also
17 include undeveloped lands if limited as provided in this subsection.
18 The county shall establish the logical outer boundary of an area of
19 more intensive rural development. In establishing the logical outer
20 boundary, the county shall address (A) the need to preserve the
21 character of existing natural neighborhoods and communities, (B)
22 physical boundaries, such as bodies of water, streets and highways, and
23 land forms and contours, (C) the prevention of abnormally irregular
24 boundaries, and (D) the ability to provide public facilities and public
25 services in a manner that does not permit low-density sprawl;

26 (v) For purposes of (d) of this subsection, an existing area or
27 existing use is one that was in existence:

28 (A) On July 1, 1990, in a county that was initially required to
29 plan under all of the provisions of this chapter;

30 (B) On the date the county adopted a resolution under RCW
31 36.70A.040(2), in a county that is planning under all of the provisions
32 of this chapter under RCW 36.70A.040(2); or

33 (C) On the date the office of financial management certifies the
34 county's population as provided in RCW 36.70A.040(5), in a county that
35 is planning under all of the provisions of this chapter pursuant to RCW
36 36.70A.040(5).

37 (e) Exception. This subsection shall not be interpreted to permit

1 in the rural area a major industrial development or a master planned
2 resort unless otherwise specifically permitted under RCW 36.70A.360 and
3 36.70A.365.

4 (6) A transportation element that implements, and is consistent
5 with, the land use element.

6 (a) The transportation element shall include the following
7 subelements:

8 (i) Land use assumptions used in estimating travel;

9 (ii) Estimated traffic impacts to state-owned transportation
10 facilities resulting from land use assumptions to assist the department
11 of transportation in monitoring the performance of state facilities, to
12 plan improvements for the facilities, and to assess the impact of land-
13 use decisions on state-owned transportation facilities;

14 (iii) Facilities and services needs, including:

15 (A) An inventory of air, water, and ground transportation
16 facilities and services, including transit alignments and general
17 aviation airport facilities, to define existing capital facilities and
18 travel levels as a basis for future planning. This inventory must
19 include state-owned transportation facilities within the city or
20 county's jurisdictional boundaries;

21 (B) Level of service standards for all locally owned arterials and
22 transit routes to serve as a gauge to judge performance of the system.
23 These standards should be regionally coordinated;

24 (C) For state-owned transportation facilities, level of service
25 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
26 to gauge the performance of the system. The purposes of reflecting
27 level of service standards for state highways in the local
28 comprehensive plan are to monitor the performance of the system, to
29 evaluate improvement strategies, and to facilitate coordination between
30 the county's or city's six-year street, road, or transit program and
31 the office of financial management's (~~ten-year~~) sixteen-year
32 investment program. The concurrency requirements of (b) of this
33 subsection do not apply to transportation facilities and services of
34 statewide significance except for counties consisting of islands whose
35 only connection to the mainland are state highways or ferry routes. In
36 these island counties, state highways and ferry route capacity must be
37 a factor in meeting the concurrency requirements in (b) of this
38 subsection;

1 (D) Specific actions and requirements for bringing into compliance
2 locally owned transportation facilities or services that are below an
3 established level of service standard;

4 (E) Forecasts of traffic for at least ten years based on the
5 adopted land use plan to provide information on the location, timing,
6 and capacity needs of future growth;

7 (F) Identification of state and local system needs to meet current
8 and future demands. Identified needs on state-owned transportation
9 facilities must be consistent with the long-range statewide
10 (~~multimodal~~) transportation plan required under (~~chapter 47.06 RCW~~)
11 section 2 of this act;

12 (iv) Finance, including:

13 (A) An analysis of funding capability to judge needs against
14 probable funding resources;

15 (B) A multiyear financing plan based on the needs identified in the
16 comprehensive plan, the appropriate parts of which shall serve as the
17 basis for the six-year street, road, or transit program required by RCW
18 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795
19 for public transportation systems. The multiyear financing plan should
20 be coordinated with the (~~ten-year~~) sixteen-year investment program
21 developed by the office of financial management as required by RCW
22 47.05.030;

23 (C) If probable funding falls short of meeting identified needs, a
24 discussion of how additional funding will be raised, or how land use
25 assumptions will be reassessed to ensure that level of service
26 standards will be met;

27 (v) Intergovernmental coordination efforts, including an assessment
28 of the impacts of the transportation plan and land use assumptions on
29 the transportation systems of adjacent jurisdictions;

30 (vi) Demand-management strategies;

31 (vii) Pedestrian and bicycle component to include collaborative
32 efforts to identify and designate planned improvements for pedestrian
33 and bicycle facilities and corridors that address and encourage
34 enhanced community access and promote healthy lifestyles.

35 (b) After adoption of the comprehensive plan by jurisdictions
36 required to plan or who choose to plan under RCW 36.70A.040, local
37 jurisdictions must adopt and enforce ordinances which prohibit
38 development approval if the development causes the level of service on

1 a locally owned transportation facility to decline below the standards
2 adopted in the transportation element of the comprehensive plan, unless
3 transportation improvements or strategies to accommodate the impacts of
4 development are made concurrent with the development. These strategies
5 may include increased public transportation service, ride sharing
6 programs, demand management, and other transportation systems
7 management strategies. For the purposes of this subsection (6),
8 "concurrent with the development" means that improvements or strategies
9 are in place at the time of development, or that a financial commitment
10 is in place to complete the improvements or strategies within six
11 years.

12 (c) The transportation element described in this subsection (6),
13 the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121
14 for counties, and RCW 35.58.2795 for public transportation systems, and
15 the ((ten-year)) sixteen-year investment program required by RCW
16 47.05.030 for the state, must be consistent.

17 (7) An economic development element establishing local goals,
18 policies, objectives, and provisions for economic growth and vitality
19 and a high quality of life. The element shall include: (a) A summary
20 of the local economy such as population, employment, payroll, sectors,
21 businesses, sales, and other information as appropriate; (b) a summary
22 of the strengths and weaknesses of the local economy defined as the
23 commercial and industrial sectors and supporting factors such as land
24 use, transportation, utilities, education, workforce, housing, and
25 natural/cultural resources; and (c) an identification of policies,
26 programs, and projects to foster economic growth and development and to
27 address future needs. A city that has chosen to be a residential
28 community is exempt from the economic development element requirement
29 of this subsection.

30 (8) A park and recreation element that implements, and is
31 consistent with, the capital facilities plan element as it relates to
32 park and recreation facilities. The element shall include: (a)
33 Estimates of park and recreation demand for at least a ten-year period;
34 (b) an evaluation of facilities and service needs; and (c) an
35 evaluation of intergovernmental coordination opportunities to provide
36 regional approaches for meeting park and recreational demand.

37 (9) It is the intent that new or amended elements required after
38 January 1, 2002, be adopted concurrent with the scheduled update

1 provided in RCW 36.70A.130. Requirements to incorporate any such new
2 or amended elements shall be null and void until funds sufficient to
3 cover applicable local government costs are appropriated and
4 distributed by the state at least two years before local government
5 must update comprehensive plans as required in RCW 36.70A.130.

6 **Sec. 18.** RCW 36.70A.085 and 2009 c 514 s 2 are each amended to
7 read as follows:

8 (1) Comprehensive plans of cities that have a marine container port
9 with annual operating revenues in excess of sixty million dollars
10 within their jurisdiction must include a container port element.

11 (2) Comprehensive plans of cities that include all or part of a
12 port district with annual operating revenues in excess of twenty
13 million dollars may include a marine industrial port element. Prior to
14 adopting a marine industrial port element under this subsection (2),
15 the commission of the applicable port district must adopt a resolution
16 in support of the proposed element.

17 (3) Port elements adopted under subsections (1) and (2) of this
18 section must be developed collaboratively between the city and the
19 applicable port, and must establish policies and programs that:

20 (a) Define and protect the core areas of port and port-related
21 industrial uses within the city;

22 (b) Provide reasonably efficient access to the core area through
23 freight corridors within the city limits; and

24 (c) Identify and resolve key land use conflicts along the edge of
25 the core area, and minimize and mitigate, to the extent practicable,
26 incompatible uses along the edge of the core area.

27 (4) Port elements adopted under subsections (1) and (2) of this
28 section must be:

29 (a) Completed and approved by the city according to the schedule
30 specified in RCW 36.70A.130; and

31 (b) Consistent with the economic development, transportation, and
32 land use elements of the city's comprehensive plan, and consistent with
33 the city's capital facilities plan.

34 (5) In adopting port elements under subsections (1) and (2) of this
35 section, cities and ports must: Ensure that there is consistency
36 between the port elements and the port comprehensive scheme required

1 under chapters 53.20 and 53.25 RCW; and retain sufficient planning
2 flexibility to secure emerging economic opportunities.

3 (6) In developing port elements under subsections (1) and (2) of
4 this section, a city may utilize one or more of the following
5 approaches:

6 (a) Creation of a port overlay district that protects container
7 port uses;

8 (b) Use of industrial land banks;

9 (c) Use of buffers and transition zones between incompatible uses;

10 (d) Use of joint transportation funding agreements;

11 (e) Use of policies to encourage the retention of valuable
12 warehouse and storage facilities;

13 (f) Use of limitations on the location or size, or both, of
14 nonindustrial uses in the core area and surrounding areas; and

15 (g) Use of other approaches by agreement between the city and the
16 port.

17 (7) The department of (~~community, trade, and economic~~
18 ~~development~~) commerce must provide matching grant funds to cities
19 meeting the requirements of subsection (1) of this section to support
20 development of the required container port element.

21 (8) Any planned improvements identified in port elements adopted
22 under subsections (1) and (2) of this section must be transmitted by
23 the city to the transportation commission for consideration of
24 inclusion in the long-range statewide transportation plan required
25 under (~~RCW 47.01.071~~) section 2 of this act.

26 **Sec. 19.** RCW 46.68.170 and 2009 c 470 s 701 are each amended to
27 read as follows:

28 There is hereby created in the motor vehicle fund the RV account.
29 All moneys hereafter deposited in said account shall be used by the
30 department of transportation for the construction, maintenance, and
31 operation of recreational vehicle sanitary disposal systems at safety
32 rest areas (~~in accordance with the department's highway system plan as~~
33 ~~prescribed in chapter 47.06 RCW~~). During the 2007-2009 and 2009-2011
34 fiscal biennia, the legislature may transfer from the RV account to the
35 motor vehicle fund such amounts as reflect the excess fund balance of
36 the RV account to accomplish the purposes identified in this section.

1 **Sec. 20.** RCW 47.60.290 and 2007 c 512 s 5 are each amended to read
2 as follows:

3 (1) The department shall annually review fares and pricing policies
4 applicable to the operation of the Washington state ferries.

5 (2) Beginning in 2008, the department shall develop fare and
6 pricing policy proposals that must:

7 (a) Recognize that each travel shed is unique, and might not have
8 the same farebox recovery rate and the same pricing policies;

9 (b) Use data from the current survey conducted under RCW
10 (~~47.60.286~~) 47.01.075 (as recodified by this act);

11 (c) Be developed with input from affected ferry users by public
12 hearing and by review with the affected ferry advisory committees, in
13 addition to the data gathered from the survey conducted (~~in RCW~~
14 ~~47.60.286~~) under RCW 47.01.075 (as recodified by this act);

15 (d) Generate the amount of revenue required by the biennial
16 transportation budget;

17 (e) Consider the impacts on users, capacity, and local communities;
18 and

19 (f) Keep fare schedules as simple as possible.

20 (3) While developing fare and pricing policy proposals, the
21 department must consider the following:

22 (a) Options for using pricing to level vehicle peak demand; and

23 (b) Options for using pricing to increase off-peak ridership.

24 **Sec. 21.** RCW 47.60.327 and 2007 c 512 s 7 are each amended to read
25 as follows:

26 (1) The department shall develop, and the commission shall review,
27 operational strategies to ensure that existing assets are fully
28 utilized and to guide future investment decisions. These operational
29 strategies must, at a minimum:

30 (a) Recognize that each travel shed is unique and might not have
31 the same operational strategies;

32 (b) Use data from the current survey conducted under RCW
33 (~~47.60.286~~) 47.01.075 (as recodified by this act);

34 (c) Be consistent with vehicle level of service standards;

35 (d) Choose the most efficient balance of capital and operating
36 investments by using a life-cycle cost analysis; and

1 (e) Use methods of collecting fares that maximize efficiency and
2 achieve revenue management control.

3 (2) After the commission reviews recommendations by the department,
4 the commission and department shall make joint recommendations to the
5 legislature for the improvement of operational strategies.

6 (3) In developing operational strategies, the following, at a
7 minimum, must be considered:

8 (a) The feasibility of using reservation systems;

9 (b) Methods of shifting vehicular traffic to other modes of
10 transportation;

11 (c) Methods of improving on-dock operations to maximize efficiency
12 and minimize operating and capital costs;

13 (d) A cost-benefit analysis of remote holding versus over-water
14 holding;

15 (e) Methods of reorganizing holding areas and minimizing on-dock
16 employee parking to maximize the dock size available for customer
17 vehicles;

18 (f) Schedule modifications;

19 (g) Efficiencies in exit queuing and metering;

20 (h) Interoperability with other transportation services;

21 (i) Options for leveling vehicle peak demand; and

22 (j) Options for increasing off-peak ridership.

23 (4) Operational strategies must be reevaluated periodically and, at
24 a minimum, before developing a new capital plan.

25 **Sec. 22.** RCW 47.76.210 and 1995 c 380 s 2 are each amended to read
26 as follows:

27 The Washington state department of transportation shall implement
28 a state freight rail program that supports the freight rail service
29 objectives identified in the (~~state's multimodal~~) long-range
30 statewide transportation plan required under (~~chapter 47.06 RCW~~)
31 section 2 of this act. The support may be in the form of projects and
32 strategies that support branch lines and light-density lines, provide
33 access to ports, maintain adequate mainline capacity, and preserve or
34 restore rail corridors and infrastructure.

35 **Sec. 23.** RCW 47.79.020 and 1993 c 381 s 2 are each amended to read
36 as follows:

1 The legislature finds that there is substantial public benefit to
2 establishing a high-speed ground transportation program in this state.
3 The program shall implement the recommendations of the high-speed
4 ground transportation steering committee report dated October 15, 1992.
5 The program shall be administered by the department of transportation
6 in close cooperation with the utilities and transportation commission
7 and affected cities and counties.

8 The high-speed ground transportation program shall have the
9 following goals:

10 (1) Implement high-speed ground transportation service offering top
11 speeds over 150 m.p.h. between Everett and Portland, Oregon by 2020.
12 This would be accomplished by meeting the intermediate objectives of a
13 maximum travel time between downtown Portland and downtown Seattle of
14 two hours and thirty minutes by the year 2000 and maximum travel time
15 of two hours by the year 2010;

16 (2) Implement high-speed ground transportation service offering top
17 speeds over 150 m.p.h. between Everett and Vancouver, B.C. by 2025;

18 (3) Implement high-speed ground transportation service offering top
19 speeds over 150 m.p.h. between Seattle and Spokane by 2030.

20 The department of transportation shall, subject to legislative
21 appropriation, implement such projects as necessary to achieve these
22 goals in accordance with the implementation plans identified in RCW
23 47.79.030 ((and 47.79.040)).

24 NEW SECTION. **Sec. 24.** The following acts or parts of acts are
25 each repealed:

26 (1) RCW 47.06.020 (Role of department) and 2007 c 516 s 9 & 1993 c
27 446 s 2;

28 (2) RCW 47.06.040 (Statewide multimodal transportation plan) and
29 2002 c 189 s 4, 1998 c 199 s 1, 1994 c 258 s 5, & 1993 c 446 s 4;

30 (3) RCW 47.06.043 (Technical workers--Skill enhancement) and 2003
31 c 363 s 204;

32 (4) RCW 47.06.045 (Freight mobility plan) and 1998 c 175 s 10;

33 (5) RCW 47.06.050 (State-owned facilities component) and 2007 c 516
34 s 10, 2002 c 5 s 413, & 1993 c 446 s 5;

35 (6) RCW 47.06.060 (Aviation plan) and 1993 c 446 s 6;

36 (7) RCW 47.06.070 (Marine ports and navigation plan) and 1993 c 446
37 s 7;

- 1 (8) RCW 47.06.080 (Freight rail plan) and 1993 c 446 s 8;
2 (9) RCW 47.06.090 (Intercity passenger rail plan) and 2002 c 5 s
3 414 & 1993 c 446 s 9;
4 (10) RCW 47.06.100 (Bicycle transportation and pedestrian walkways
5 plan) and 1993 c 446 s 10;
6 (11) RCW 47.06.110 (Public transportation plan) and 2005 c 319 s
7 124, 1996 c 186 s 512, 1995 c 399 s 120, & 1993 c 446 s 11;
8 (12) RCW 47.06.120 (High capacity transportation planning and
9 regional transportation planning--Role of department) and 1993 c 446 s
10 12;
11 (13) RCW 47.01.141 (Biennial report) and 1987 c 505 s 49, 1984 c 7
12 s 75, 1977 c 75 s 68, & 1973 2nd ex.s. c 12 s 1;
13 (14) RCW 47.60.286 (Ferry user data survey) and 2007 c 512 s 4;
14 (15) RCW 47.76.220 (State rail plan--Contents) and 1995 c 380 s 3,
15 1993 c 224 s 2, 1985 c 432 s 1, & 1983 c 303 s 5;
16 (16) RCW 47.79.040 (Rail passenger plan) and 1993 c 381 s 4; and
17 (17) RCW 47.80.070 (Statewide consistency) and 1994 c 158 s 5.

18 NEW SECTION. **Sec. 25.** (1) RCW 47.01.051, 47.01.061, 47.01.071,
19 47.01.075, 47.01.420, and 47.01.425 are each recodified as sections in
20 a new chapter in Title 47 RCW.

21 (2) RCW 47.04.280 is recodified as a new section in chapter 47.06
22 RCW.

--- END ---

APPENDIX D. AGENCY RESPONSES



**Washington State
Department of Transportation**
Paula J. Hammond, P.E.
Secretary of Transportation

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January 3, 2011

The Honorable Mary Margaret Haugen
Washington State Senator
PO Box 40402
Olympia, Washington 98504-0402

The Honorable Judy Clibborn
Washington State Representative
PO Box 40600
Olympia, Washington 98504-0600

Dear Senator Haugen and Representative Clibborn:

We appreciate the opportunity to comment on the Joint Transportation Committee (JTC) consultant's draft report *Evaluation of State-Level Transportation Plans* which examines the complexities of transportation planning. We look forward to working with your respective committees and your staff to improve Washington's transportation planning framework.

We support further efforts to address the following findings and recommendations from the report:

- Revising current transportation planning RCWs could improve the effectiveness of statewide planning.
- Designating in state law the entity responsible for developing the long-range statewide transportation plan required by federal law would increase accountability and clarify responsibility.
- Governor's approval of the long-range statewide transportation plan to ensure an integrated preparation process.
- The Highway System Plan and Target Zero are examples of effective modal and corridor plans that produce useful investment and operational strategies.

We believe that any changes to state transportation planning requirements should ensure that:

- Plans meet federal requirements to maintain eligibility for federal transportation funding and that Washington is positioned to access evolving and emerging federal programs and funding.
- Investments in current transportation system assets are maintained while future investments address the highest priorities that support the economy, the environment, and our communities today and into the future.
- Plans focus on critical needs, are performance based and data driven, and meet the needs of the public and key local, regional, state, federal, and tribal decision makers.

Transportation Committee Chairs
January 3, 2011
Page 2


We recommend that you consider the following in moving forward:

- Supporting the recommendation to designate WSDOT as the lead for preparing the long-range statewide transportation plan. WSDOT should do this in consultation with, at a minimum, the Washington State Transportation Commission and the MPO, RTPOs, tribal governments, and local governments. We are concerned, however, that the consultant's recommended "blended option" for leading statewide plan preparation would diffuse responsibility and accountability
- Working with WSDOT and USDOT in the drafting of any changes to Washington's transportation planning framework.
- Retaining statutory requirements for the statewide long-range plan and key modal plans to ensure that their contents and processes meet state needs, federal requirements, and that they effectively guide future investments.

Governor Gregoire's proposed 2011-2013 budget contains a requirement that by October 2011, WSDOT is to make recommendations on cost savings that could be achieved through consolidating reporting and planning functions within the department. We believe this requirement will provide additional input to any efforts to implement recommendations of the JTC report.

Please don't hesitate to contact me or Brian Smith, Director, Strategic Planning Division, at 360-705-7958, or smithb@wsdot.wa.gov

Sincerely



Paula J. Hammond, P.E.
Secretary of Transportation

PJH:jsl/bg

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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Joint Transportation Committee

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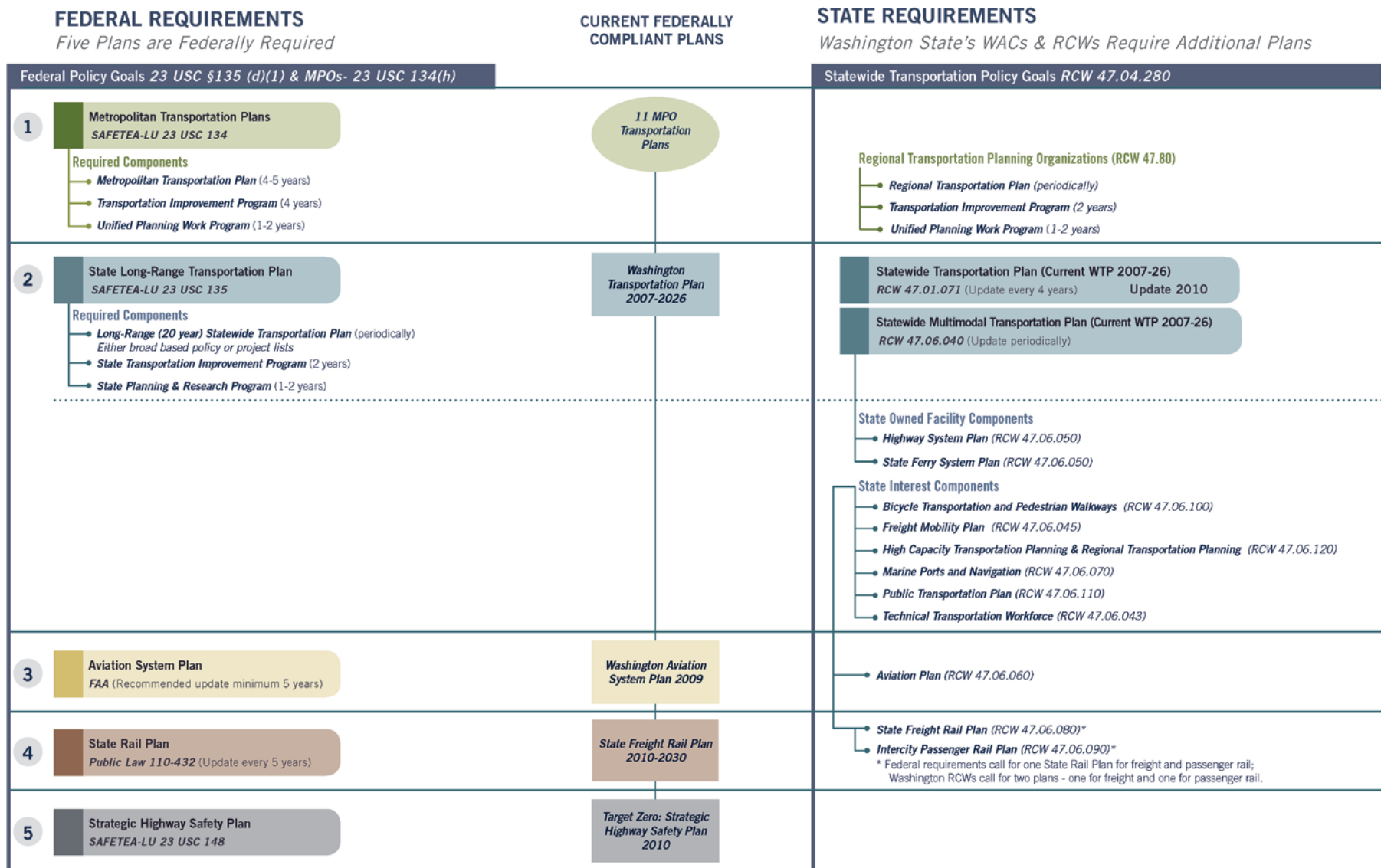
- *Federal mode plans.* The federal government requires a state rail plan and an aviation plan, which are also required under state law, and a Strategic Highway Safety Plan which is not reflected in state statute.

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.

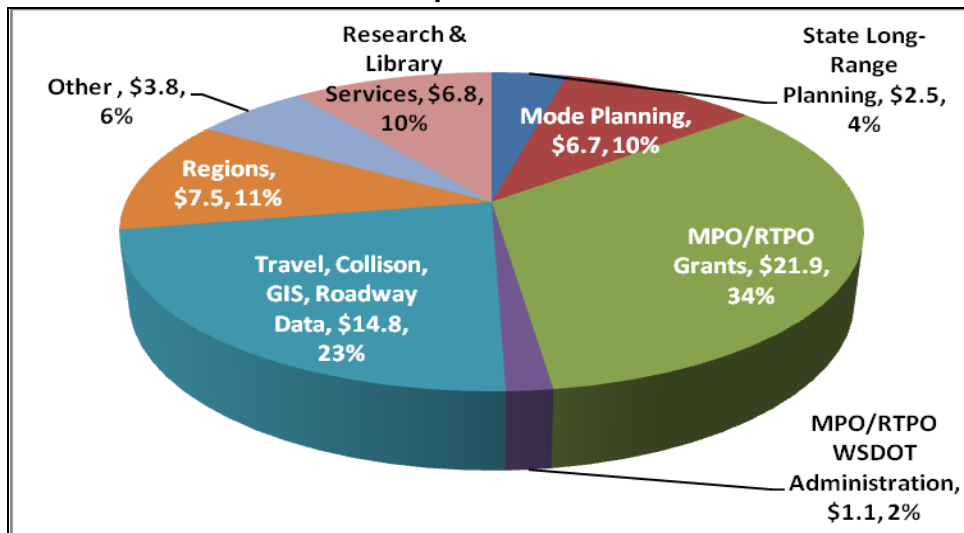
The State Planning and Research Work Program, MPO/RTPO Unified Planning Work Programs, and the 2009-11 transportation budget show that the state spends approximately \$24.4 million in state funds for state-level planning and research in a biennium and the MPOs/RTPOs approximately \$3.4 million per biennium.

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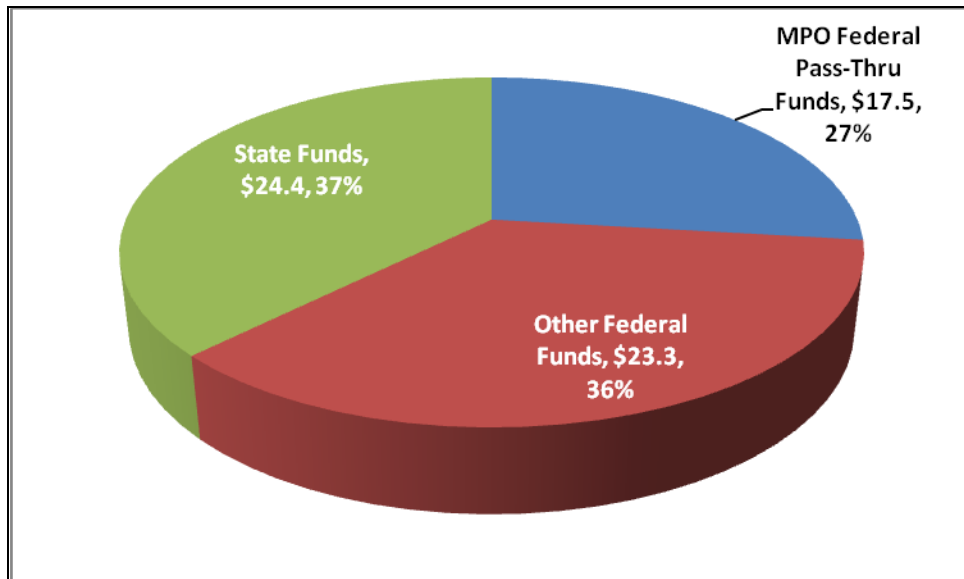
The 2009-11 biennium budget for state-level planning and research including federal and state funds is \$65.1 million⁴ which includes: \$2.5 million for state-long range transportation planning; \$6.7 million for mode planning; \$23.0 million for MPOs/RTPOs which includes \$1.1 million for WSDOT administration, \$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

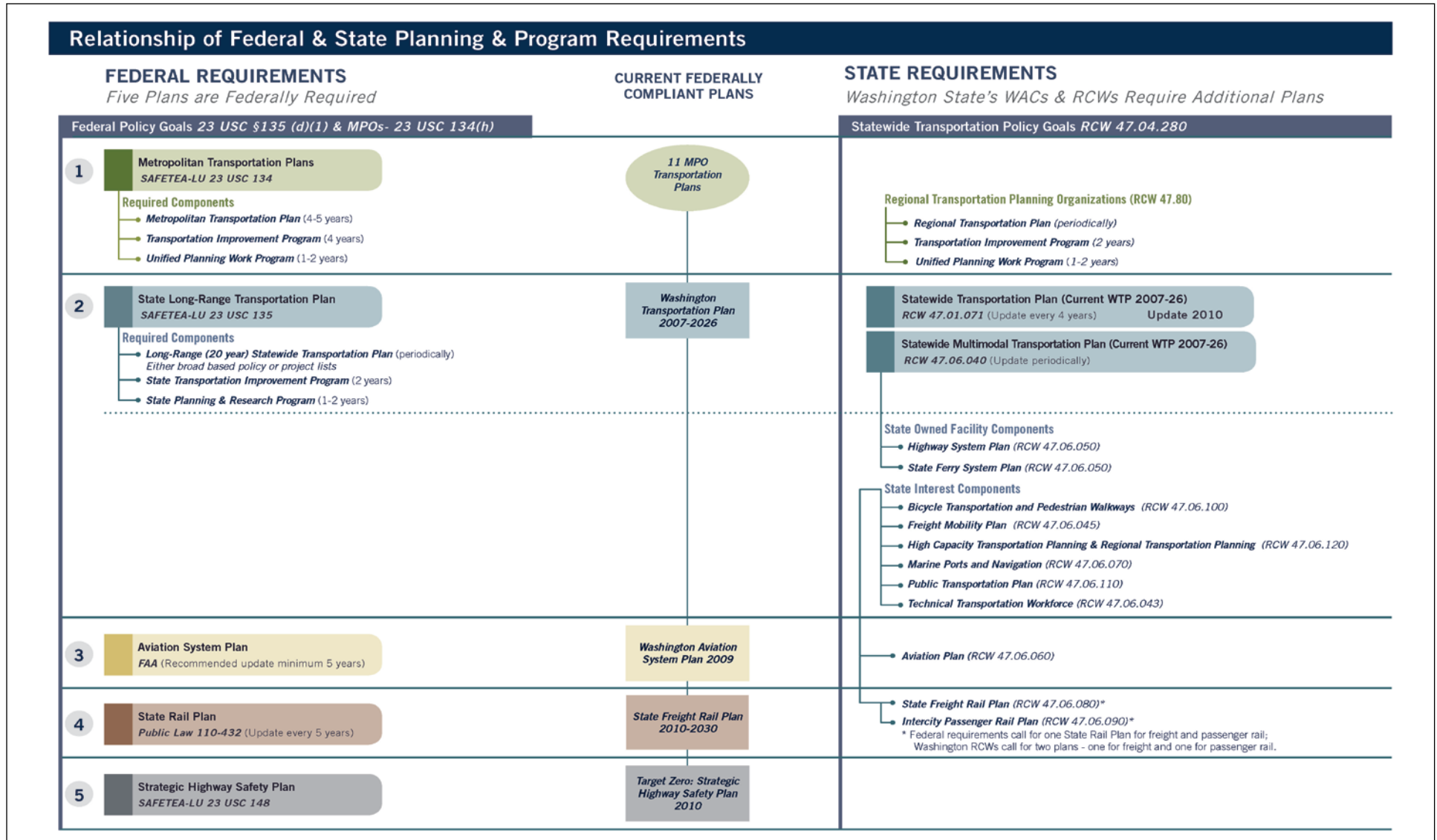
The exhibit below summarizes the relationship between federal and state planning and program requirements. A more detailed review developed by JTC staff is attached as Appendix 1. Key points regarding planning requirements are as follows:

- *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 3.
Washington State Metropolitan Planning Organizations



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)

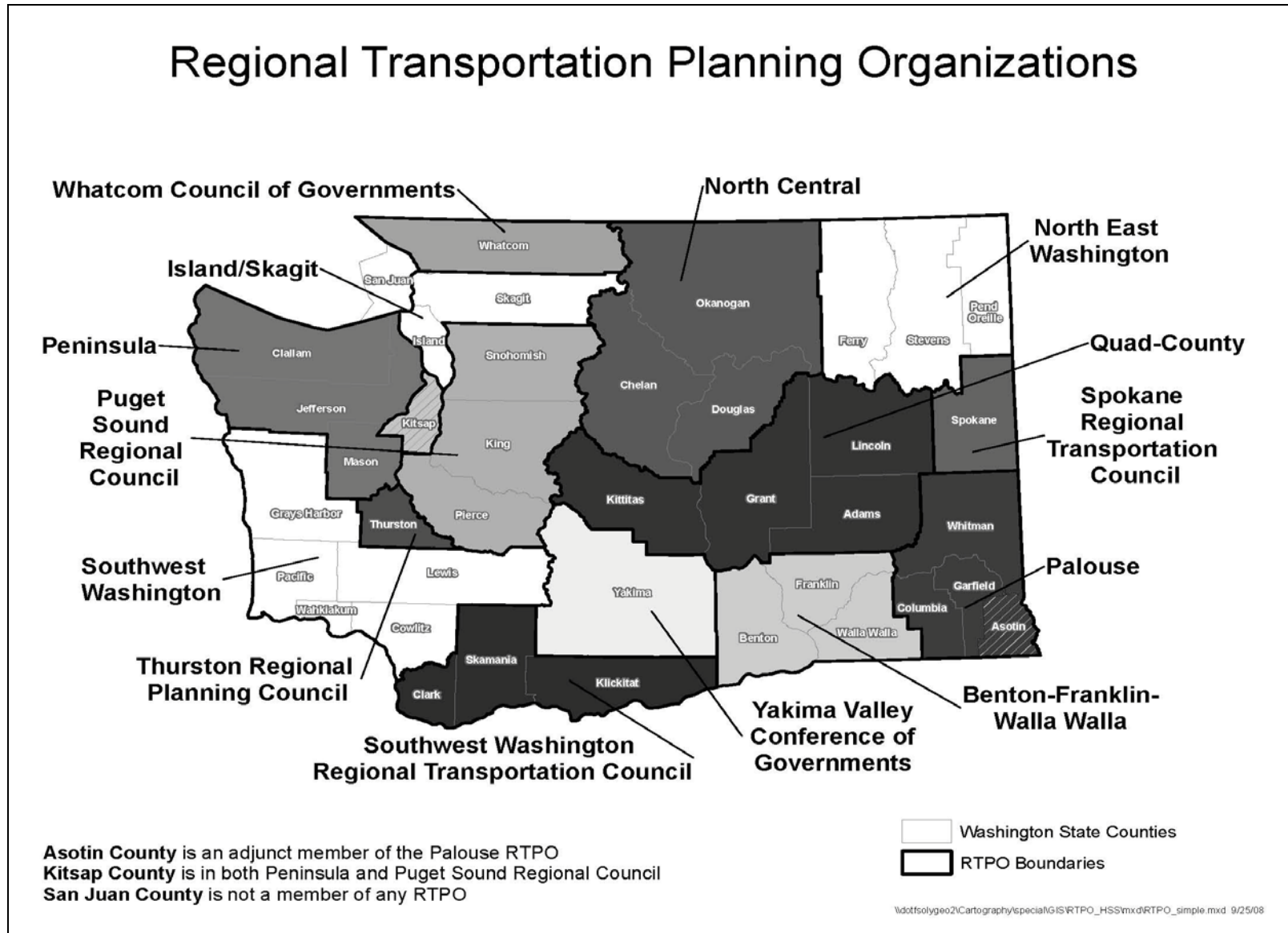
¹² The Vancouver Air Quality Maintenance Area is currently designated as a CO maintenance area, currently operating under a maintenance Plan. (Source Southwest Washington MTP Appendix A)

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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

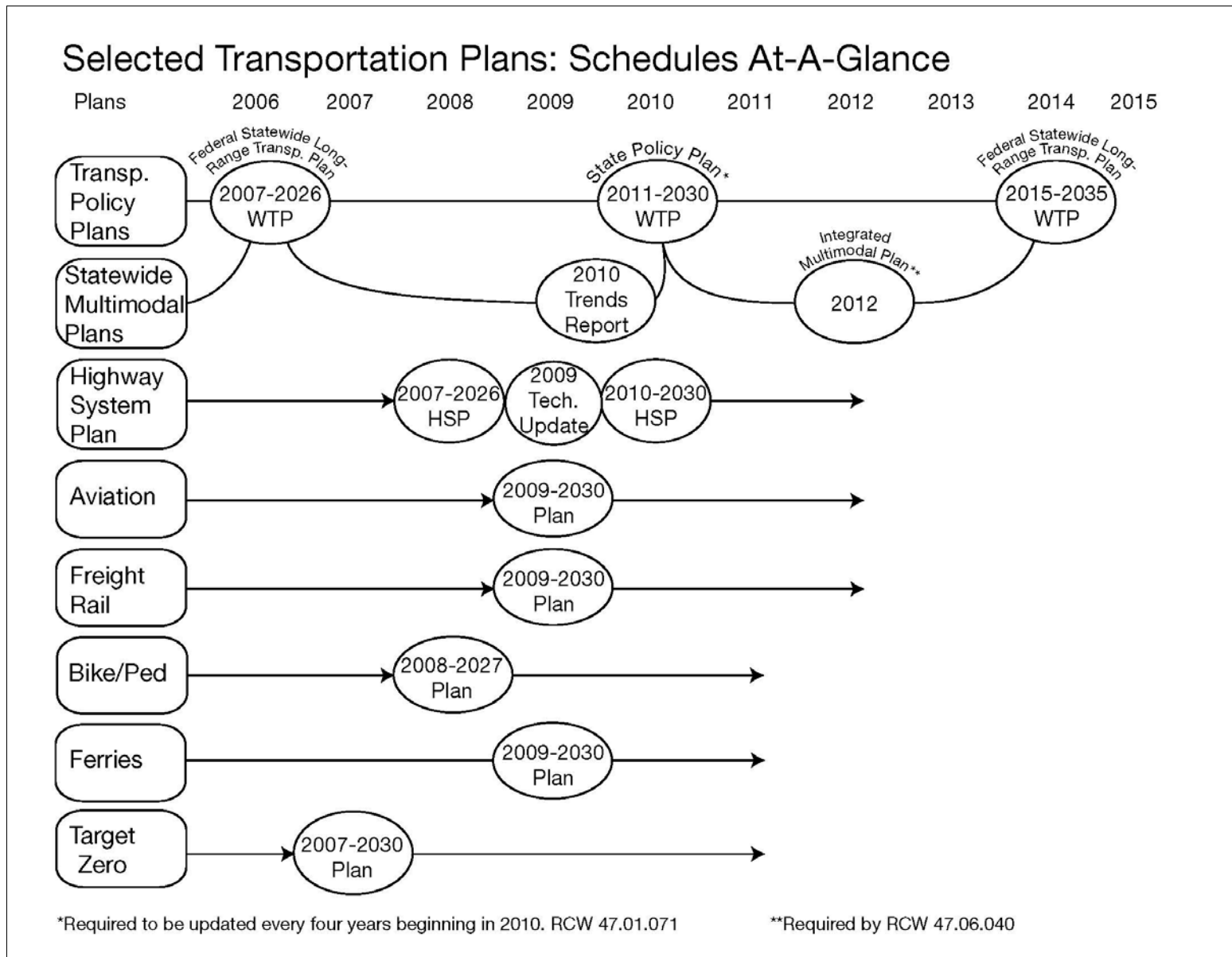
a. MPO/RTPO Support

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

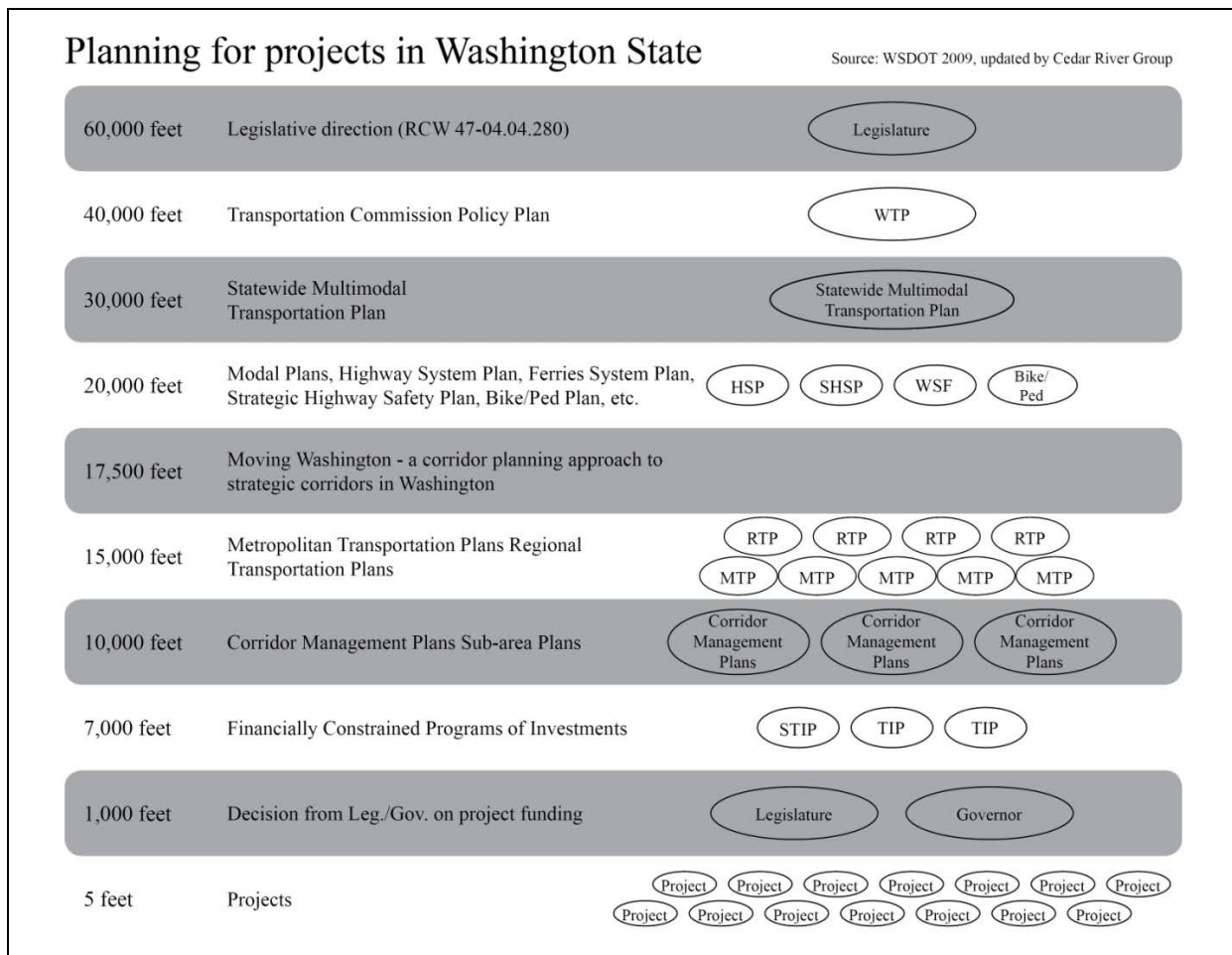
²² The consultants interviewed legislative, WSDOT, Office of Financial Management, and Governor's Office staff.

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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	Multimodal	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	\$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	\$0.1		\$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>	73%	25%	
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>	80%	20%	
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.

White Paper on Evaluation of State-Level Transportation Plans

Appendix 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].

Evaluation of State-Level Planning White Paper Appendix

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APPENDIX A.

JTC Cross Referencing of Federal and State Planning Requirements

Cross-Referencing Federal & State Planning Requirements

A. Plan Contents

Federal Requirement	<p>State’s Long-range Statewide Transportation Plan: Provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States. <i>23 USC 135(a)(2) – NOTE: This plan is for surface transportation only.</i></p> <p>Statewide Transportation Improvement Program (STIP): States develop a list of all transportation projects that require federal approval or are seeking federal funding. This list is for all transportation providers – not just WSDOT projects.</p> <p>Strategic Highway Safety Plan: State Departments of Transportation develop this plan that analyzes and makes effective use of State, regional, or local crash data; considers safety needs; describes projects or strategies, etc. – <i>23 USC 148 (a) (6)</i></p> <p>49 USC 303 and RCW 47.76.220 require Departments of Transportation to develop a State Rail Plan that identifies, evaluates, and encourages essential rail services. <i>WSDOT combines these plans with the Freight Rail Plan in RCW 47.06.080</i></p>
Commission	<i>RCW 47.01.071(4)</i> (Commission powers & duties)
WSDOT	<p><i>RCW 47.01.011</i> (Legislative declaration) <i>47.06.010, .020, .040</i> (multimodal plan) – <i>note: statute requires WSDOT to assist Commission with the state transportation policy plan (47.06.020(5)) & develop multimodal plan (.020(2))</i></p> <p>Required multimodal plan contents:</p> <ul style="list-style-type: none"> • State-owned facilities component – <i>RCW 47.06.050</i>

	<ul style="list-style-type: none"> ○ Highway system plan – <i>RCW 47.06.050(1)</i> ○ Ferry plan – <i>RCW 47.06.050(2)</i> ● State interest component <ul style="list-style-type: none"> ○ Technical Workers – <i>RCW 47.06.043</i> ○ Freight Mobility – <i>47.06.045</i> ○ Aviation Plan – <i>RCW 47.06.060</i>; ○ Marine Ports & navigation plan – <i>RCW 47.06.070</i>; ○ Freight Rail Plan – <i>RCW 47.06.080</i> ○ Intercity Passenger rail plan – <i>RCW 47.06.090</i> ○ Bicycle transportation & pedestrian walkways plan – <i>RCW 47.06.100</i> ○ Public Transportation plan – <i>RCW 47.06.110</i> <p>RCW 47.76.220 and 49 USC 303 require WSDOT to develop a State Rail Plan that identifies, evaluates, and encourages essential rail services. <i>WSDOT combines these plans with the Freight Rail Plan in RCW 47.06.080</i></p> <p>RCW 47.60.005 says the ferry system Capital Plan is the same as the “state ferry system plan” in RCW 47.06.050(2). However, RCW 47.60.375 requires WSDOT to develop a Capital Plan for the ferry system that includes more than the plan in RCW 47.06.050(2).</p> <p>RCW 47.60.377 requires WSDOT to develop a vessel rebuild and replacement plan</p>
<p>MPO</p>	<p>Metropolitan Transportation Plan is a multimodal plan for each metropolitan planning area. Requirements are similar for the Long-range Statewide Transportation Plan (<i>CFR 450.322</i>)</p> <p>Transportation Improvement Program (TIP) is a list of projects requiring federal approval or seeking federal funding for the area inside the MPO. Requirements are similar to the STIP (<i>CFR 450.324</i>)</p> <p><i>23 USC 134(c)(2)</i></p>

RTPO	<p>Each regional transportation planning organization shall develop a regional transportation plan (<i>RCW 47.80.030 (1)</i>)</p> <p>Use least cost planning methodology that identifies the most cost-effective facilities, services, and programs ... Identify existing or planned transportation facilities, services, and programs ... that should function as an integrated regional transportation system ...<i>RCW 47.80.030(1)</i></p>
Transit	<p>Beginning in federal fiscal year 2006, projects funded through three Federal Transit Administration programs, including Job Access Reverse Commute (§5316), New Freedom (§5317), and the capital program for Elderly Individuals and Individuals with Disabilities (§5310), are required to be derived from a locally developed, coordinated transit-human services transportation plan. 49 U.S.C. Sections 5302, 5303, 5310, 5311, 5314, 5316, and 5317</p> <p>Regional transit authorities shall submit a maintenance and preservation plan to WSDOT, if they wish to receive state funding - <i>RCW 81.112.086</i></p>

B. Process

Federal Requirement	<p>States and MPOs [P]rovide for consideration of all modes of transportation, and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed. - <i>23 USC 135(a)(3) and 23 USC 134 (c)(3)</i></p>
Commission	<p><i>RCW 47.01.071(4)</i> (Commission powers & duties);</p> <p><i>RCW 47.80.070 (3)</i> Consistency with regional transportation planning process</p>
WSDOT	<p><i>RCW 47.01.011</i> (Legislative declaration) <i>47.06.010, .020, .040</i> (multimodal plan) – <i>note: statute requires WSDOT to assist Commission with their policy plan (.020(5)) & develop multimodal plan (.020(2))</i></p>

MPO	<i>23 USC 134(c)(3)</i>
RTPO	<p>Adopt and periodically update a regional transportation plan that identifies existing and planned transportation facilities, services, and programs that are inside the RTPO boundaries – <i>RCW 47.80.303 (1)</i></p> <p>Work with cities, counties, transit agencies, the department of transportation, and others to develop level of service standards or alternative transportation performance measures – <i>RCW 47.80.023(9)</i>; Establish transportation guidelines and principles with cooperation from component cities, towns and counties – <i>RCW 47.80.026</i></p>

C. Coordination

Federal Requirement	<p>“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.” <i>23 CFR 450.104</i>. States required to Coordinate w/MPOs – STIP must include MPO TIPs w/o change - <i>23 USC 135(b)</i>, <i>23 CFR 450.208</i>; MPOs required to consult w/other planners in jurisdiction <i>23 USC 134(g)</i></p>
Commission	<p>Effectively coordinate with national transportation planning, state and local land use policies, and local and regional transportation plans & programs; <i>RCW 47.01.071(2)</i></p>
WSDOT	<p>During development of the long-range transportation plan: Coordinate with Metropolitan planning activities; statewide trade and economic development planning; public transportation operation; and state air quality agency – <i>23 CFR 450.208</i></p> <p>Plans must be consistent with state transportation policy plan, regional transportation planning, high capacity planning, and local comprehensive plans – <i>RCW 47.06.040 (2)</i></p>
MPO	<p>Consult w/other planners in jurisdiction <i>23 USC 134(g)</i></p>
RTPO	<p>Establish transportation guidelines and principles with cooperation from component cities, towns and counties – <i>RCW 47.80.026</i></p>

D. Cooperation

Federal Requirement	This applies to States and MPOs. 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”.
Commission	No requirement in state law to develop the policy plan in cooperation with another
WSDOT	<p>Cooperate with MPOs in development of the long-range transportation plan – <i>23 CFR 450.214</i></p> <p>Cooperate with environmental regulatory authorities to identify and document environmental resources in the development of the statewide multimodal transportation plan under RCW 47.06.040 – <i>RCW 47.01.300</i></p> <p>Statewide multimodal transportation plan is developed in cooperation with RTPOs, counties, cities, transit agencies, public ports, private railroad operators, and private transportation providers – <i>RCW 47.06.140 (1)</i></p> <p>Cooperate with federal authorities in the development of a national system of civil aviation and for the coordination of the aeronautical activities of those authorities and the authorities of this state – <i>RCW 47.68.110</i></p>
MPO	Similar to state – see 23 CFR 450.300-338
RTPO	Regional transportation plans are developed in cooperation with WSDOT, providers of public transportation and high capacity transportation, ports, and local governments – <i>RCW 47.80.030(1)</i>

E. Scope – Required Factors

Planning Factors/Goals			
Category	Feds to States - 23 USC §135 (d)(1) ¹	State to WTC & WSDOT Authorizing statute is RCW 47.04.280 ² except where otherwise noted	State to RTPO ³ - Authorizing statute is RCW 47.80.030 except where otherwise noted
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	To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy	Concentration of economic activity, residential density, development corridors and urban design that, where appropriate, supports high capacity transit, freight transportation and port access
Safety	increase the safety of the transportation system for motorized and nonmotorized users;	To provide for and improve the safety and security of transportation customers and the transportation system; "Improvement of traveler safety" – RCW 47.06.040(2).	
Security	increase the security of the transportation system for motorized and nonmotorized users		
Accessibility & mobility	increase the accessibility and mobility of people and freight	To improve the predictable movement of goods and people throughout Washington state;	Address development patterns that promote pedestrian and nonmotorized transportation,

¹ Failure to consider factors is not reviewable by a Court – 23 USC 135(d)(2)

² Statute does not create a private right of action – RCW 47.04.280(5)

³ Federal requirements for MPOs are identical to factors for States – 23 USC 134(h)

Planning Factors/Goals			
		<p>“efficient movement of freight and goods” – <i>RCW 47.06.040(2)</i></p>	<p>circulation systems</p>
<p>Environ-mental protection</p>	<p>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</p>	<p>To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment</p> <p>“Consider engineers and architects to design environmentally sustainable, context-sensitive transportation systems.” <i>RCW 47.01.078 (7).</i></p> <p>“identify and document potential affected environmental resources.” – <i>RCW 47.06.040</i></p> <p>“identify and document environmental resources – <i>RCW 47.01.300</i></p>	
<p>Intermodal integration & connectivity</p>	<p>enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and</p>	<p>Promote integrated multimodal planning – <i>RCW 47.01.078</i></p> <p>Improvement and integration of all transportation modes to create a seamless</p>	<p>Address intermodal connections</p> <p>“facilities ...should function as an</p>

Planning Factors/Goals			
	freight	intermodal transportation system – <i>RCW 47.06.040(2)</i>	integrated regional transportation system” <i>RCW 47.80.030(1)(b)</i> “Sets forth a proposed regional transportation approach ...to guide the development of the integrated, multimodal regional transportation system” <i>RCW 47.80.030(1)(f)</i>
Efficiency	promote efficient system management and operation	To continuously improve the quality, effectiveness, and efficiency of the transportation system. Reduce VMT – use Demand management tools – WSTC goals – <i>RCW 47.01.078</i>	Address efficient and effective highway systems. “Make the most efficient use of existing transportation facilities to relieve vehicular congestion and maximize the mobility of people and goods” <i>RCW 47.80.030(1)(e)(ii)</i>
Preservation	emphasize the preservation of the existing transportation system	To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services; see also <i>RCW 47.06.040(2)</i>	“Ensure the preservation of the existing regional transportation system” <i>RCW 47.80.030(1)(e)(i)</i>
Congestion Relief		Multimodal plan <i>RCW 47.06.040(2)</i>	“Make the most efficient use of existing transportation facilities to relieve vehicular congestion and maximize the mobility of people and goods” <i>RCW</i>

Planning Factors/Goals			
			47.80.030(1)(e)(ii)
Preserve Downtowns		Multimodal plan <i>RCW 47.06.040(2)</i>	
Attract or accommodate population		Multimodal plan <i>RCW 47.06.040(2)</i>	accommodate growth in demand... joint and mixed use developments
Attract Employment Growth		Multimodal plan <i>RCW 47.06.040(2)</i>	Address the ability of transportation facilities and programs to retain existing and attract new jobs and private investment

F. Plan Horizon

Federal Requirement	20 years for statewide long-range plan - <i>23 USC 135(f)(1)</i> ; 4 years for STIP - <i>23 USC 135(g)(1)</i>
Commission	Update statewide policy plan every 4 years – <i>RCW 47.01.071</i>
WSDOT	No separate time requirements for multimodal plan
MPO	20 years for Metropolitan Long Range Transportation plan - <i>23 CFR 450.322(a)</i> ; 4 or 5 years for TIP - <i>23 CFR 450.324</i>
RTPO	6 years – <i>RCW 47.80.023(5)</i> ; biennial updates – <i>RCW 47.80.030(2)</i>

G. Consultation

<p>Federal Requirement</p>	<p>“Consultation means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken. This definition does not apply to the ‘consultation’ performed by the States and the MPOs in comparing the long-range statewide transportation plan and the metropolitan transportation plan, respectively, to State and Tribal conservation plans or maps or inventories of natural or historic resources. “ State must Consult with MPOs; local transportation officials; tribal governments and Secretary of Interior, Long-range Transportation Plan and STIP 23 USC 135(f), (g)</p>
<p>Commission</p>	<p>Effectively coordinate with national transportation planning, state and local land use policies, and local and regional transportation plans & programs; <i>RCW 47.01.071(2)</i></p> <p>Consult with the chief of the Washington state patrol, the director of the traffic safety commission, the executive director of the county road administration board, and the director of licensing on the implications and impacts on the transportation related functions and duties of their respective agencies of any proposed comprehensive transportation plan, program, or policy. <i>RCW 47.01.250</i></p>
<p>WSDOT</p>	<p>During development of the long-range transportation plan: Consult with non-metropolitan local officials; Indian Tribal governments and the Secretary of Interior; State, Tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation – <i>23 CFR 450.214</i></p> <p>State Departments of Transportation must develop the State Strategic Highway Safety Plan in consultation with:</p> <ul style="list-style-type: none"> (i) a highway safety representative of the Governor of the State; (ii) regional transportation planning organizations and metropolitan planning organizations, if any; (iii) representatives of major modes of transportation; (iv) State and local traffic enforcement officials; (v) persons responsible for administering section 130 at the State level;

	<p>(vi) representatives conducting Operation Lifesaver;</p> <p>(vii) representatives conducting a motor carrier safety program under section 31102, 31106, or 31309 of title 49;</p> <p>(viii) motor vehicle administration agencies; and</p> <p>(ix) other major State and local safety stakeholders;</p> <p>23 USC 148 (6)</p> <p>WSDOT must consult with the chief of the Washington state patrol, the director of the traffic safety commission, the executive director of the county road administration board, and the director of licensing on the implications and impacts on the transportation related functions and duties of their respective agencies of any proposed comprehensive transportation plan, program, or policy. <i>RCW 47.01.250</i></p>
MPO	<p>During development of the metropolitan transportation plan: Consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation – <i>23 CFR 450.322 (g)</i></p> <p>Consult with relevant state & local agencies w/in the jurisdiction on required plans - <i>23 USC 134(i), (j)</i></p>
RTPO	<p>Establish transportation guidelines and principles with cooperation from component cities towns and counties. <i>RCW 47.80.026</i>; Cooperate with DOT in developing 6 – year plan – <i>RCW 47.80.023(5)</i></p>

H. Public Outreach

Federal Requirement	<p>State Departments of Transportation develop and use a documented public involvement process that provides opportunities for public review and comment at key decision points – <i>23 CFR 450.210 (a)</i></p>
Commission	<p>The transportation commission shall provide a public forum for the development of transportation policy in Washington state to include coordination with regional transportation planning organizations, transportation stakeholders, counties,</p>

	cities, and citizens. At least every five years, the commission shall convene regional forums to gather citizen input on transportation issues. The commission shall consider the input gathered at the forums as it establishes the statewide transportation plan under RCW 47.01.071(4). <i>RCW 47.01.075</i>
WSDOT	During development of the long-range statewide plan and the STIP follow the process detailed in 23 CFR 450.210 Provide for public involvement in the transportation planning and development process – <i>(RCW 47.01.011) NOTE: There is no definition in state law of “public involvement”</i> Plans must reflect public involvement – <i>RCW 47.06.040(2)</i>
MPO	During development of the metropolitan transportation plan and the TIP follow the requirements in 23 CFR 450.316

I. Identification of Environmental Issues

Federal Requirement	A long-range transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan-
Commission	<i>None</i>
WSDOT	The long-range statewide transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan. – 23 CFR 450.214(j)
MPO	Similar requirements for metropolitan transportation plan as for long-range statewide transportation plan 23 CFR 450.322(7)

J. Financial Plan

Federal Requirement	“Financial plan means documentation required to be included with a metropolitan transportation plan and TIP (and optional for the long-range statewide transportation plan and STIP) that demonstrates the consistency between reasonably available and projected sources of Federal, State, local, and private revenues and the costs of implementing proposed transportation system improvements.” <i>23 CFR 450.104.</i>
Commission	“ <i>Not required</i> ”
WSDOT	Optional for long-range statewide transportation plan and STIP as per 23 CFR 450.214(l) Not required for Strategic Highway Safety Plan
MPO	Financial plan mandatory for MTP & TIP - <i>23 USC 134(i), (j)</i>
RTPO	Regional transportation plan must include a financial plan – <i>RCW 47.80.030(1)(d)</i>

K. Project List

Federal Requirement	May be included in long-range statewide transportation plan; must be included in STIP - <i>23 USC 135(f), (g)</i>
Commission	Not required
WSDOT	Optional for long-range transportation plan, but if included must follow 23 CFR 450.214(l) Required for STIP - <i>23 CFR 450.216</i>

	Optional for Strategic Highway Safety Plan under certain conditions – <i>23 USC 148(6)</i>
MPO	Must be included in metropolitan transportation plans and TIP – <i>23 CFR 450.322 and 23 CFR 450.324</i>
RTPO	Program shall include a priority list of projects and program – <i>RCW 47.80.023(5)</i> .

L. Preserve Existing System (*included in required factors, see above*)

Federal Requirement	<i>23 CFR 450.206</i>
Commission	<i>RCW 47.04.280</i>
WSDOT	Long-range statewide transportation plan and STIP must address preservation of the existing transportation system – <i>23 CFR 450.206 (a)(8)</i> <i>RCW 47.04.280, Preservation element in highway system plan – RCW 47.06.050; Required 10 year preservation & investment plan - RCW 47.05.030</i>
MPO	Metropolitan transportation plan and STIP must address preservation of the existing transportation system - <i>23 CFR 450.306 (8)</i>
RTPO	“Ensure the preservation of the existing regional transportation system” <i>RCW 47.80.030(1)(e)(i)</i>

M. Publication

Federal Requirement	State must publish or otherwise make available long-range statewide transportation plan and STIP - <i>23 USC 135(f)(8) and 23 USC 135(g)(4)(B)</i>
Commission	Plan must be submitted to the governor and house of representatives and senate standing committees on transportation
WSDOT	State must publish or otherwise make available long-range statewide transportation plan and STIP - <i>23 USC 135(f)(8) and 23 USC 135(g)(4)(B)</i>
MPO	Publication required for MTP & TIP – <i>23 USC 134 (i), (j)</i> .
RTPO	No specific requirement

N. Work Program Documentation

Federal Requirement	Statewide and Metropolitan transportation planning activities ...shall be documented in a work program (or simplified statement of work in accordance with the provisions of this section and 23 CFR part 420.
Commission	Not required for Transportation Commission policy plan
WSDOT	Statewide transportation planning activities performed with funds provided under title 23 U>S>C and title 49 U.S.C. Chapter 53 shall be documented in a statewide planning work program in accordance with the provisions of 23 CFR part 420.
MPO	<i>Unified Planning Work Program required under 23 CFR 450.308</i>
RTPO	Not required for RTPO

NOTES:

Washington's laws require WSDOT to produce one statewide plan and nine separate modal plans. The definitions, scope and process for these plans is different from the federal long-range plan. This makes it difficult to gather all the appropriate information needed for a federally compliant plan during the development of the state-compliant plans.

Scope

RCW 46.04.040 – The statewide multimodal transportation plan primary emphasis includes improvement and integration of **all transportation** modes. Plans must include highways, non-motorized highway use, ferries, aviation, marine ports and navigation, freight rail, passenger rail, and public transportation.

23 CFR 450.200 – One purpose of the long-range transportation plan and STIP is “to facilitate the safe and efficient management, operation, and development of **surface transportation** systems.”

NOTE: Aviation and water are not surface transportation and are not included in the federal long-range transportation plan. However, the federal definition of public transportation includes ferries – so ferries are the only water transportation included.

Process

Chapter 42.30 RCW – **Open Public Meetings Act**

- Pertains to all public commissions, boards, councils, committees, subcommittees, departments, divisions, office and all other public agencies of the state and its subdivisions thereof exist to aid in the conduct of the people's business. (WSDOT, Transportation Commission, RTPOs, Transit Agencies, County Governments, City Governments, etc)

RCW 47.01.250: WSDOT and Transportation Commission must consult with the following on matters of relative priorities during development of plans, programs, and budgets:

- chief of the Washington State Patrol
- the director of the Traffic Safety Commission
- the executive director of the County Road Administration Board
- and the director of Licensing

RCW 47.06.020:

- Statewide Planning process must be **consistent** with the policy goals in RCW 47.04.280

- WSDOT assists the transportation commission in their plan required in RCW 47.01.071
- WSDOT coordinates and develops statewide transportation polices that guide all Washington transportation providers

Definitions

Cooperation: Not defined in state law - Federal CFR 450.104 defines it as “means that the parties involved in carrying out the transportation planning and programming processes work together to achieve a common goal or objective.

Consultation: Not defined in state law – Federal CFR 450.104 defines it as “means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action (s), considers the views of the other parties and periodically informs them about action(s) taken. This definition does not apply to the “consultation” performed by the States and the MPOs in comparing the long-range statewide transportation plan and the metropolitan transportation plan, respectively, to the State and Tribal conservation plans or maps or inventories of natural or historic resources (see CFR 450.214(i) and CFR 450.322(g)(1) and (g)(2)).

Consideration: Not defined in state law – Federal CFR 450.104 defines it as “means that one or more parties takes into account the opinions, action, and relevant information from other parties in making a decision or determining a course of action.”

Coordination: Not defined in state law - Federal CFR 450.104 defines it as “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.”

Ferries

RCW 47.06.050 requires WSDOT to analyze the role of private ferries operating under the authority of the state’s Utility and Transportation Commission (UTC) during development of the ferry system plan - which is a component of the multimodal transportation plan. 23 USC 134 requires WSDOT to analyze ferries in the long-range statewide transportation plan.

The UTC’s definition of ferry includes excursions (such as Puget Sound dinner cruises) that are on a regular schedule – even if they depart and return to the same point without stops. It excludes barges.

It is unclear if passenger-only ferries are ferry, analyzed under RCW 47.06.050 (2) or as a form of public transportation, and analyzed under RCW 47.06.110.

- The only federal definition of ferries is in *US Code Title 46, Sec 2101 (10)(b)* - transportation between two points not more than 300 miles apart on a vessel that follows a regular schedule. This includes barges and excludes excursions that have no stops and depart and return to the same place.

Portions of State Laws Pertaining to Ferry Definitions:

- The state ferry system plan “shall assess the role of private ferries operating under the *authority of the utilities and transportation commission* and shall coordinate ferry system capital and operational plans with the private operations **RCW 47.06.050 (2)**
- (11) "Common carrier" includes all railroads, railroad companies, street railroads, street railroad companies, commercial ferries... **RCW 81.04.010**
- (12) "Vessel" includes every species of watercraft, by whatsoever power operated, for public use in the conveyance of persons or property for hire over and upon the waters within this state, excepting all towboats, tugs, scows, barges, and lighters, and excepting rowboats and sailing boats under twenty gross tons burden, open steam launches of five tons gross and under, and vessels under five tons gross propelled by gas, fluid, naphtha, or electric motors **RCW 81.04.010**
- (13) “Commercial ferry” includes every corporation, company, association, joint stock association, partnership, and person, their lessees, trustees, or receivers, appointed by any court whatsoever, owning, controlling, leasing, operating, or managing any vessel over and upon the waters of this state. **RCW 81.04.010**
- A commercial ferry may not operate any vessel or ferry for the public use for hire between fixed termini or over a regular route upon the waters within this state, including the rivers and lakes and Puget Sound **RCW 81.84.010**

Public Transportation:

- **RCW 47.06.110** requires WSDOT to develop a public transportation plan and 23 CFR 450.200 requires WSDOT to develop a long-range statewide transportation plan that includes all surface transportation – which includes public transportation.
- **USC 42 Sec 12181(10)** Specified public transportation The term “specified public transportation” means transportation by bus, rail, or any other conveyance (other than by aircraft) that provides the general public with general or special service (including charter service) on a regular and continuing basis. *This includes ferries and excludes aviation.*
- **RCW 35.58.020 (13)** includes motor vehicles only. *This excludes aviation, ferries, and rail.*

- **RCW 36.57A.010 (10)** "Public transportation service" means the transportation of packages, passengers, and their incidental baggage by means other than by chartered bus, sight-seeing bus ... "Public transportation service" includes passenger-only ferry service for those public transportation benefit areas eligible to provide passenger-only ferry service under RCW [36.57A.200](#)
- **RCW 36.57.010 (3)** "Public transportation function" means the transportation of passengers and their incidental baggage by means other than by chartered bus, sightseeing bus, together with the necessary passenger terminals and parking facilities or other properties necessary for passenger and vehicular access to and from such people-moving systems, and may include contracting for the provision of ambulance services.
- **Title 47 RCW:** Can't find a definition for public transportation or transit – however they are both used throughout.

Highway

- **RCW 47.04.010 (36)** *"State highway." Every highway as herein defined, or part thereof, which has been designated as a state highway, or branch thereof, by legislative enactment*
- **RCW 47.04.020** - Classification of highways.

All public highways in the state of Washington, or portions thereof, outside incorporated cities and towns shall be divided and classified as state highways and county roads. All state highways and branches thereof shall be established by the legislature of the state of Washington by appropriate general location and termini. Any prior distinctions between highways as primary or secondary are hereby abolished. All powers granted to, or duties imposed upon, the department with regard to either primary or secondary state highways shall be construed to relate to all state highways. Whenever these terms are used, either jointly or independently, each shall be construed to include all state highways. All public highways in the state of Washington, or portions thereof, outside incorporated cities and towns, not established as state highways, are hereby declared to be county roads.
- Federal scope is for federal aid highway system (interstates, US highways, state routes, most county roads, some city streets, certain roads on or to federal lands and Indian Reservations. See **23 USC Sec 101** for multiple definitions)

Environmental

RCW 43.21C.030 - SEPA review is required for “all branches of government of this state, including state agencies, municipal and public corporations, and counties”

WAC 468-12-704 – WSDOT activities exempted from definition of "action" The following activities are exempted from the definition of "action" because they are nonproject actions for which approval must be obtained from a federal agency prior to implementation as provided in WAC 197-11-704 (2)(b)(iii): (1) National transportation studies; (2) Federal-aid system designations; (3) National functional classification of highways and determination of needs.

WAC 468-12-800 – These WSDOT and Transportation Commission’s planning activities are categorical exemptions and not subject to SEPA review:

(3) Information collection and research, as provided by WAC 197-11-800(18), including but not limited to the development, adoption, and revision of transportation plans and six-year construction programs, and ***any other studies, plans, and programs which lead to proposals which have not yet been approved, adopted, or funded, and which do not commit the transportation department to proceed with the proposals contained therein.***

NOTE: *These categorical exemptions do not apply to RTPOs, Transit Agencies, MPOs, City Governments, or County Governments.*

RCW 47.06.040 – During development of the statewide multimodal transportation plan WSDOT shall identify and document the potential affected environmental resources, including, but not limited to, wetlands, storm water runoff, flooding, air quality, fish passage, and wildlife habitat. The department shall conduct its environmental identification and documentation in coordination with all relevant environmental regulatory authorities

RCW 47.01.300 – WSDOT shall in cooperation with environmental regulatory agencies: (1) Identify and document environmental resources in the development of the statewide multimodal plan under 47.06.040.

23 CFR 450.214 - During development of the long-range transportation plan: Consult with non-metropolitan local officials; Indian Tribal governments and the Secretary of Interior; State, Tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation

23 CFR 450.214(j) - The long-range statewide transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

NOTE: Federal requirements require identification of mitigation activities and areas of mitigation – while the state requires an identification of the resources

Tolling

The transportation commission as the tolling authority⁴ sets tolls, variable pricing⁵, and charges to use the following:

1. **Washington State Ferries** (RCW 47.60.315). Fares and pricing policies are set by the Transportation Commission
2. **All toll eligible facilities**
 - a. Generically listed as transportation corridors, bridges, crossings, interchanges, on-ramps, off-ramps, approaches, bi-state facilities, and interconnections between highways⁶
 - b. Specifically listed projects
 - i. SR 520 Bridge Replacement
 - ii. SR 167 HOT Lanes
3. The transportation commission also sets the charges for these situations:
 - a. Public-private Transportation Initiatives (RCW 47.46.090). The transportation commission sets the tolls, but only after a citizen advisory committee has at least 20 days to review and comment on the toll charge schedule.
 - b. Transportation benefit districts (RCW 47.56.078) The transportation commission sets the toll charges after the legislature approves tolling the facility
 - c. Regional transportation investment districts (RCW 47.56.076). The majority of the voters in the district's boundary authorize the tolling. The transportation commission set and imposes the tolls.

⁴ RCW 47.56.810(1) "Tolling authority" means the governing body that is legally empowered to review and adjust toll rates. Unless otherwise delegated, the transportation commission is the tolling authority for all state highways.

⁵ Toll rates may include variable pricing (RCW 47.56.850(4))

⁶ This is a "including, but not limited to" list

Who develops transportation policies?

- RCW 47.01.071 The **transportation commission** shall have the following functions, powers, and duties:
 - (1) To propose policies to be adopted by the governor and the legislature designed to assure the development and maintenance of a comprehensive and balanced statewide transportation system
- RCW 47.01.075 The **transportation commission** shall provide a public forum for the development of transportation policy in Washington state and may offer policy guidance and make recommendations to the governor and legislature
- RCW 47.06.020 **The specific role of the department** 1) Ongoing coordination and development of statewide transportation policies that guide all Washington transportation providers

What is the plan WSDOT develops?

- RCW 47.01.011 calls it a “**statewide transportation development plan**”
- RCW 47.06.040 says the department shall “develop a **statewide multimodal transportation plan** under *RCW [47.01.071](#)(3) and in conformance with federal requirements”
- RCW 47.01.071 (4) is the requirement for the transportation commission to develop a “**comprehensive and balance statewide transportation plan.**” RCW 47.01.071 does not even mention WSDOT.
- RCW 47.06.020 says “**statewide multimodal transportation plan**”
- RCW 36.70A.070(6)(a)(iii)(F) requires that identified needs on state-owned transportation facilities in local GMA transportation elements must be consistent with the **statewide multimodal transportation plan** required under chapter 47.06 RCW.
- RCW 47.06.140 calls it the “**statewide multimodal transportation plan**”

What is the name of the plan the Transportation Commission develops?

- RCW 47.06.040 calls it the State Transportation Policy Plan “The plans developed under each component must be consistent with the **state transportation policy plan**”
- RCW 47.01.071 (4) calls it “**a comprehensive and balanced statewide transportation plan**”
- RCW 36.70A.085 (8) states “Any planned improvements identified in port elements adopted under subsections (1) and (2) of this section must be transmitted by the city to the transportation commission for consideration of inclusion in the “**statewide transportation plan**” required under RCW [47.01.071](#).”

What is the WTP?

It is not defined and only mentioned here: RCW 47.01.330 (2) (g) requires the Office of Transit Mobility to produce “recommendations for the public transportation section of the **Washington transportation plan.**”

APPENDIX B.
**JTC Staff Memo: Statutory Assignment of Transportation Planning
Responsibilities**

MEMO

To: Kathy Scanlan
Mary Fleckenstein
From: Paul Neal
Date: September 30, 2010
Re: Statutory Assignment of Transportation Planning Responsibilities

Question

Is the responsibility for developing and adopting the statewide transportation plan required by federal law, 23 U.S.C. §135, vested in the Transportation Commission (Commission) or the Department of Transportation (DOT)?

Answer

Prior to the 2005 the question was irrelevant, as statute directed both entities to work together to produce the federally required statewide transportation plan. The 2005 realignment of transportation governance made the question relevant. Current transportation planning statutes, adopted in the context of the prior governance structure, do not provide a clear answer.

Beginning in 1977, the Legislature established a symbiotic planning relationship between DOT and the Commission. The Department developed a federally compliant statewide transportation plan at the direction of the Commission. The Commission reviewed that plan, held public hearings, and ultimately adopted it. The result, the Washington Transportation Plan, was submitted to the Legislature and the Federal DOT.

In 1993 the Legislature provided more structure by requiring a multimodal plan to feed into the statewide transportation plan and a number of sub-plans that fed into the multimodal plan. The multimodal plan was created to improve the process for adopting the statewide transportation plan, not supplant it. Both the Commission and the Department recognized this by designating the Washington Transportation Plan as meeting both the Federal planning requirements and the multimodal plan requirements of chapter 47.06 RCW.

The 2005 transportation governance restructure redefined the relationship of the Department and the Commission. The Commission is now a wholly separate agency, rather than the governing board of the Department. Seen through this new lens, the planning statutes now could be read as requiring two separate plans: a statewide transportation plan under RCW 47.01.071 and a multimodal transportation plan under RCW 47.06.040. The formerly consistent Legislative direction that each plan comply with federal requirements now raised a question as to which plan is the federally compliant plan.

Since 2005 the Legislature has consistently referred to the Commission's plan developed under RCW 47.01.071 as the "statewide transportation plan." The 2007 planning and goals bill used that language in three different instances. The Legislature used that same designation again in 2009 when it: (i) enacted additional planning requirement in the growth management act, RCW 36.70A.085; and (ii) appropriated \$350,000 to the Commission to update the Washington Transportation Plan.

Arguments could be made under current statute to support both sides of the question. In reality, current statute still reflects the prior arrangement where the Commission was in charge of DOT and both entities worked together to produce one plan. Those pre-existing provisions are difficult to reconcile with the post-2005 reality. The current JTC planning study may provide an opportunity to specifically delegate responsibility for producing a federally compliant statewide transportation plan.

Discussion

All parties interested in the JTC's statewide planning study, ESSB 6381 §204(7) agree the current statutes governing transportation planning are unclear. What is clear is that 23 USC §135 requires the State to develop a "statewide transportation plan" to qualify for federal highway funding. Determining the Legislature's delegation of responsibility to produce a federally compliant statewide transportation plan requires a chronological review of the development of the state transportation planning statutes.

1) Analysis

a) 1977: Creation of WSDOT and the WSTC

Prior to 1977 several different agencies governed Washington transportation. These included the department of highways, the highway commission, the toll bridge authority, the aeronautics

commission, the canal commission, and portions of the planning and community affairs agency. The Legislature reorganized this governance structure in ch. 151, laws of 1977, ex. Sess., by creating the DOT and WSTC and transferring transportation duties to them. The two new entities were closely linked. The Commission appointed the DOT secretary who served as an ex officio member of the Commission as “chief executive officer of the commission responsible only to it, and shall be guided by the policies established by it.” §4, ch. 151, laws of 1977 ex. Sess.

The Legislature delegated shared planning responsibilities:

[The Commission shall] ...direct the secretary to prepare and submit to the commission a comprehensive and balanced state-wide transportation plan which shall be based on the transportation policy adopted by the legislature and applicable state and federal laws.

...

The plan shall take into account the federal law and regulations relating to planning, construction and operation of transportation facilities.

§7, ch. 151, laws of 1977, ex. sess., codified as RCW 47.01.071(3).

It is no accident that the Legislature used the same moniker to describe this plan as the federal statutes and rules. The “state-wide transportation plan” required by RCW 47.01.071 was the same state-wide transportation plan required by 23 USC §135 and had to be developed in compliance with federal requirements.

The identification and delegation of planning responsibilities in RCW 47.01.071 remained unchanged until 2005⁷.

b) 1993: Modal Plans Required.

The Legislature provided further structure to the planning process by adopting chapter 47.06 RCW in 1993. EHB 1007, prime sponsor Representative Ruth Fisher, was described in the bill report as “enhancing state-wide transportation planning.” The background section of the bill report stated:

The statutes of the Department of Transportation do not provide a planning process for incorporating the transportation policies identified in recent years in the State Transportation Policy Plan, the Growth Management Act, and other transportation legislation. Examples of issues not addressed in statute are the identification of and planning for transportation facilities and services of statewide significance, coordination of transportation facilities and services that cross regional

boundaries, and coordination between transportation modes to make transferring passengers or goods from one mode to another more convenient and efficient.

The new federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) identifies several elements that each state must include in its transportation planning process in order to qualify for federal transportation funding.

⁷ RCW 47.01.071 was amended in §45, ch. 87, laws of 1980 to alter the due dates for the plan. It was amended again in §1, ch. 59, laws of 1981 to authorize the Commission to propose its own operating budget. Neither amendment changed the allocation of responsibilities to develop the federally required state-wide transportation plan.

Final Bill Report, EHB 1007, (ch. 446, laws of 1993).

The enacted bill created Chapter 47.06 RCW. §4 of the bill required the Department to “develop a statewide multimodal plan under RCW 47.01.071(3) and in conformance with federal requirements...” , RCW 47.06.040. The act went on to specify the components of that plan including the specific modal plans that rolled up into it, including the newly designated highway systems plan, *see* §§5, 6,7,8, 9, 10 11.

§3 of the bill, RCW 47.06.030, directed the Commission to develop a separate “state transportation policy plan.” That statute, and presumably the requirement for a separate policy plan, was repealed in 2007.

The new planning requirements of chapter 47.06 complemented and fed into the pre-existing requirements of RCW 47.01.071. That is, the newly required multi-modal plan and the associated plans were created to provide a more defined structure to the planning process that ultimately would result in the federally compliant statewide transportation plan produced under RCW 47.01.071. The planning statutes did not require two separate federally compliant plans. Rather they provided for a structure to ensure that the all planning requirements were properly considered in development of the federally compliant statewide transportation plan. DOT’s designation of the Washington Transportation Plan as both the federally compliant plan and the state multimodal plan recognized this interrelation ship.

At this point, it would not have made sense to ask whether the Commission or the Department had the responsibility for producing the federally required plan. The statutes directed both to work cooperatively to create the plan. The Department was to prepare and submit the plan to the Commission. As part of developing that plan it followed the planning requirements of chapter 47.06 RCW. The Commission was charged with reviewing the plan, including providing opportunities for public, prior to officially adopting the plan as the federally compliant statewide transportation plan. The question became relevant in 2005.

c) 2005: Transportation Governance Reorganized.

The Legislature fundamentally changed transportation governance in ESB 5513 (ch 319, laws of 2005). The DOT secretary now was appointed by, and reported to, the Governor. The relative planning responsibilities of the Commission and the Department in RCW 47.01.071 were amended as follows:

[the commission shall] (~~direct the secretary to~~) prepare (~~and submit to the commission~~) a comprehensive and balanced statewide transportation plan

which shall be based on the transportation policy adopted by the governor and the legislature and applicable state and federal laws.

§5, ch. 319, laws of 2005. RCW 47.06.040 was not amended, that is, it still retained the requirement that the multimodal plan be developed “under 47.01.071(3)”. That requirement made less sense since the Commission was no longer empowered to direct the secretary to prepare and submit a statewide transportation plan. The Commission and the Department were in the middle of developing a new federally compliant plan, which the Commission adopted in 2006.

d) **2007: Transportation Goals and Planning Addressed.**

In 2005 the Legislature commissioned a study of Transportation goals and planning. The Legislature enacted SSB 5412 in 2007 partially in response to the findings and recommendations of that study. The bill, titled “An act relating to clarifying goals, objectives, and responsibilities of certain transportation agencies” simplified statutory transportation goals by enacting RCW 47.04.280 while amending or repealing other statutes setting transportation goals. The bill also:

- Directed the commission to produce a statewide transportation plan by December, 2010, and every 4 years thereafter. The requirements that the plan developed under RCW 47.01.071 be “consistent with...state and federal laws” and “take into account federal law and regulations relating to the planning, construction and operation of transportation facilities” were not amended;
- Repealed the statute directing the Commission to develop a separate transportation policy plan, RCW 47.06.030;
- Identified as “a specific role of the Department” in RCW 47.06.020 to “assist the transportation commission in the development of the statewide transportation plan required under RCW 47.01.071(4)”;
- Enacted cross-references describing the plan adopted under RCW 47.01.071 as the “statewide transportation plan”.
 - RCW 47.01.075, was amended to require: “The commission shall consider the input gathered at the forums as it establishes the statewide transportation plan under RCW 47.01.071(4).”
 - RCW 47.05.030 was amended to require OFM to base its 10-year transportation investment program on “the statewide transportation plan established under RCW 47.01.071(4).”

e) **Other Statutory Cross-references to Transportation Planning.**

Federal law requires Washington to develop a “statewide transportation plan”. As discussed above, parallel language is used in Title 47 RCW to identify the Commission’s planning responsibilities in RCW 47.01.071. The Legislature recently included the same cross-reference in the growth management act, RCW 36.70A.085(8).

Similarly, the 2009-11 transportation budget appropriated \$350,000 to the Transportation Commission “updating the statewide transportation plan.” §204, ESSB 5352.

2) **Conclusion**

The current transportation planning statutes are grounded in a reality that no longer exists. The Commission is not in charge of DOT and no longer has the authority to direct it to develop a plan for the Commission’s review. Interpreting the statutes to require two separate, free-standing plans, could potentially be reconciled with the statutory language, but is difficult to reconcile with the Legislature’s intent in enacting those statutes. The current JTC planning study provides an opportunity for the Legislature to consider clarifying the statewide transportation planning roles and responsibilities.