

**MPO/RTPO/WSDOT COORDINATING COMMITTEE  
MEETING SUMMARY  
Clarion Hotel, SeaTac, WA  
February 24, 2009**

**1. INTRODUCTIONS**

Coordinating Committee Chair Jeff Wilkens, Executive Director of the Wenatchee Valley Transportation Council (WVTC), welcomed the members and guests of the Coordinating Committee and thanked them for coming. Those present introduced themselves.

**2. ROUND -TABLE DISCUSSION OF MPO and RTPO DIRECTORS–  
STIMULUS COMMUNICATIONS AND DECISION PROCESS**

**Guest Participants: Jill Satran (OFM); Dave Dye, (WSDOT Deputy Secretary) and Kathleen Davis (WSDOT Director of Highways and Local Programs)**

Mr. Wilkens opened by explaining that this agenda item was requested to discuss concerns arising from the development of project lists for the Recovery Act and MPO/RTPO relationships with WSDOT and the state. He indicated that even though the Act is now law, there remain questions about it and the larger issue of improving relationships with WSDOT and the state. Expressing appreciation for the guests from the Governor's office and WSDOT present for the discussion, he led the discussion. He began by acknowledging an e-mail he authored on the subject that was distributed more widely than intended and that may have had unintended consequences.

The following represents the key concerns raised:

- Since becoming a cabinet agency, WSDOT is not coordinating with MPOs/RTPOs in the planning and project selection stages, only communicating decisions after the budget process is finished.
- Washington State is better than most states at coordinating, but must build on and strengthen a collaborative relationship with MPOs/RTPOs.
- The national stimulus debate created a “yours and mine” mentality that transferred to the states and replaced the collaborative process.
- The lack of communication, coordination, and collaboration is a systemic problem; the “stimulus” process resurrected the issue.
- MPOs/RTPOs must work with and help the legislators understand the role of MPOs/RTPOs.
- WSDOT regions work well with MPOs/RTPOs during the odd-numbered years, but there is a “blackout” in the even years during “book building.”
- MPO/RTPO perception is that the state feels it is the state's money and will prioritize it as the state sees fit.
- Discussions and coordinated planning must occur before “book building.”
- The region and locals have a good idea of each others' priorities until the “blackout.”
- One MPO's board did not understand why a regional priority disappeared from WSDOT's list and was replaced by train sets.
- Why was transit compiled by WSDOT when it is always the MPO that compiles those projects?

- When it finally came to asking that WSDOT projects be amended into regional/metropolitan TIPs, the WSDOT list should have identified the MPO/RTPO not just WSDOT Region and county so that each organization could more easily locate the projects it needed to act upon.

The meeting attendees provided further points:

Charlie Howard, Transportation Planning Director, Puget Sound Regional Council, indicated he wanted to clarify the action his Policy Board had taken because some people may have misread what happened. While they did not vote (either up or down) to add the WSDOT projects to their illustrative TIP at the meeting on February 12, they did vote to pass the decision to the PSRC Executive Board. Thus, the WSDOT list did move forward.

Mr. Howard went on to ask questions about the legislative list of projects to be approved that day. He wanted to know more about WSDOT's role in the development of that list.

Lon Wyrick, Executive Director of the Thurston Regional Planning Council, shared that his organization had similar concerns and discussions, particularly about how to integrate what WSDOT wanted.

Dean Lookingbill, Executive Director of the Southwest Washington Regional Transportation Council, asked what feedback, if any, his peers had from WSDOT and expressed concern about the lack of consultation. Mr. Wilkens indicated that he had not received and WSDOT feedback. Mr. Howard responded that he had a couple of conversations with WSDOT's Secretary Paula Hammond, and that she seemed to understand the MPO concerns and is committed to improving the process.

Mr. Lookingbill clarified that his concern was as much with the cabinet level as with WSDOT; now that WSDOT reports to the Governor, it is less clear how the MPO partners enter the consultation process. MPO coordination with WSDOT is at the 30,000-foot level but there is not enough between that level and the detailed project delivery step. He realizes this isn't WSDOT's intention, but that's how it's working out, and he has heard this frustration across all levels of government.

The group agreed that there is a need to better define the MPO coordination issue.

Mr. Howard commented that nationwide the stimulus process has been creating dissatisfaction. Mr. Howard indicated he hoped a planning process would be in place for the stimulus program and wanted collaboration on selecting the state projects as has always been done with regular programs such as STP. PSRC has always used some of its sub-allocated STP funds to assist WSDOT projects being built. He pointed out that one of the problems was lack of information from the federal government as the bill unfolded.

Mr. Howard noted that MPOs need to start working on an educational outreach for state legislators who do not understand the role of the MPOs and may be asking why MPOs are involved. Mr. Howard indicated he would like to see more recognition that MPOs are (legally-mandated) partners in the process.

Glenn Miles, Executive Director of the Spokane Regional Transportation Planning Council, commented that his organization had an early discussion and developed a list of regionally significant projects that could be pursued with stimulus funding and submitted the list to the state, but no one followed up. He would like to see close collaboration and coordination among MPOs, RTPOs, and WSDOT Regions and Headquarters to vet the projects earlier through a focused discussion about WSDOT's objectives and priorities, with local input, when the project list is being created, and before decisions are made. Then there would be local and regional buy-in regarding the content of the WSDOT portion of the project list. This is not just a stimulus issue; the stimulus program has brought to a head the problem with WSDOT's top-down approach that has been in place for 30 years and does not work well for the locals. This is a systemic problem. It appears that the state feels "it's our money, we will do what we want with it, and we will tell you when we are done."

Mr. Wyrick interjected that, as frustrating as it may seem, Washington State is much further ahead than many other states in the quality of its relationships with MPOs and local agencies. There is a good history of collaboration and cooperation from WSDOT, but with the change to cabinet status and now the stimulus bill the relationship is strained. This is just a bump in the road, though, and we need to build on our positive base. He added his concern that TRPC's top road project, which they thought had been included, was, in the final analysis, dropped, and instead they got "train sets" about which they knew nothing and were given no explanation as to why this should be a higher priority for TRPC.

Mr. Howard commented that Secretary Hammond had shared with him WSDOT's concern that its own needs list came to over \$8 billion and they were reluctant to publish this because it was so huge. However, he commented, PSRC's own local list was \$4.7 billion, and by working through priorities with their members, they were able to prune it to the \$100 million, or so, that will be available through the bill. Trust in the PSRC local process is there because members participated in the prioritization process and understand what happened to their projects and why.

Mr. Wilkens observed that a strong theme in the process is accountability. He asked if the stimulus bill requirements for accountability somehow hindered the process.

Mr. Lookingbill noted that the important message is that accountability is gained through the collaborative process. Participants in a discussion need enough detailed knowledge of the choices to evaluate how well the proposed projects satisfy key regional goals.

Mr. Dye reaffirmed WSDOT's commitment to its partners and asked how to work proactively to get ready for the next budget and gear up with further projects. He acknowledged there will always be tensions that arise and there will be ebbs and flows and the stimulus bill, with all its bizarre rules, is one of these.

Mr. Dye then reaffirmed to the Committee that WSDOT is committed to building solid relationships that can weather the turmoil. He emphasized the need for new sources of revenue and predicted serious trouble without it in the 2011-2013 budget. Noting that the gas tax is no longer enough, nor is the stimulus package, he asked, how can we gear up with real projects for the 2011-2013 budget process. Acknowledging that the stimulus process is unique and the legislative process is not easily changed, he suggested coordinating up front so the right priorities are provided to the legislature.

Mr. Miles suggested that when the first discussions were occurring at the national level we should have convened a round table discussion with the MPOs and RTPOs to determine what projects are important to each and what possible funding was on the table. This would have resulted in a better understanding at the board level and created a collaborative process. We need a better understanding of local, regional, and state needs. Mr. Miles emphasized that before WSDOT begins “book building” in even numbered years, it should go through the MPO/RTPO process. He also suggested developing two books, one financially constrained and one with all the needs. In the future this approach will build good will and the discussions will go smoother.

Mr. Wyrick observed that it seemed like even the WSDOT region offices were in the dark. Once projects were submitted to headquarters they just disappeared. High priority projects were not on the list when they came out of the box.

Mr. Howard offered that PSRC had trouble bringing the Ferries Division to the table and he couldn't understand why the transit list was developed by WSDOT without MPO input, where most of the money goes. Transit agencies were confused as well.

Chairman Wilkens reminded everyone that it is the policy boards of local elected officials that make the decisions and they are the ones that need to hear and understand the state's collaborative message, not just the MPO directors and staff.

Mr. Kushner emphasized that BFCG received requests to include projects from legislators, economic development, WSDOT, congressional staff, and transit agencies. So who do you believe? It was very difficult to understand process and what list was which.

Mr. Dye again emphasized WSDOT's commitment to collaborate in the future and cautioned that the real pressing issue is the 2011-2013 budget. We can't change the legislative process, but we can influence the outcome by coordinating up front so we are feeding the right projects into the process. He asked: “how do we do that?”

Mr. Howard agreed with Mr. Lookingbill that lists weren't coordinated. We should have been involved in the conversation on WSDOT priorities. When the WSDOT list finally came out it only identified what the WSDOT region identified—no identification by MPO/RTPO. The list should have been coordinated and included all the projects, statewide and regional.

Mr. Lookingbill then asked when the legislative list would come out and when it does, how will we know where it came from, i.e., whose list was it on and how did it get there?

Mr. Miles recommended that WSDOT come to the MPOs to discuss the state needs before starting the next book building process (priority setting process). Then build two books, one fiscally constrained and one needs-based. He expressed that having the conversation early in the process will help build regional support, rapport, and comfort and will also build support at the legislative level. He also suggested having conversations before 2011 to discuss, not only project lists, but new revenue streams.

Mr. Harvey suggested that the MPOs and RTPOs schedule a one day retreat to formulate a consistent message and process and then work with the state and WSDOT to develop a collaborative process.

### **3. ECONOMIC STIMULUS–GOVERNOR’S OFFICE VIEW**

#### **Jill Satran**

Ms. Satran expressed that it has been challenging to respond to the moving target and thanked everyone for the amazing response to the call for prioritized project lists for the [American Recovery and Reinvestment Act of 2009](#) (ARRA). She handed out three draft documents with estimated funding distributions of: WA [FHWA Funds](#); [FHWA Local Distribution](#); and [Local Enhancement Distribution](#).

There is a local governments team to review the projects because all are technically state discretionary projects. We still don’t know what will be required of all the strings that are attached, e.g., maintenance of effort requirements, date changes, and how job creation will be calculated and tracked.

In response to a question about how OFM is handling the job creation aspect of stimulus projects, Ms. Satran indicated that Irv Lefberg (OFM) is working on this and will run the projects through a formula from the state input-output model that’s been in place for approximately 20 years. The model provides direct and indirect job estimates, but is weaker on induced job creation, which is very hard to quantify on a per project basis. The same formula will be used for all projects. This is not a criterion for project selection but will be an accountability measure.

Mr. Miles had a question about the quality and duration of the jobs created through ARRA, pointing out that a paving job has employment different results than a more complex project.

Ms. Satran noted that the model addresses job duration, but does not address a lot of other detail differentiating one kind of construction job from another. She also noted that the Governor’s office received comments of concern for the quality of jobs created, but that it’s not clear this can be measured.

Mr. Miles suggested looking at the quality and duration of jobs not just number of jobs.

A brief discussion took place on the “maintenance of effort” requirement. The ARRA prohibits existing federal funds from being supplanted by stimulus/ARRA funds. This is not on a project-by-project basis but at a programmatic level, which allows the state some flexibility on how to take the best advantage of stimulus funding. The state must provide information on “maintenance of effort” demonstrating that ARRA funds are not being substituted in a way that reduces total state expenditures on construction.

Mr. Howard informed Ms. Satran that he would like to know what the model is and be able to explain it to the PSRC boards. The region’s *Vision 2040* looks at long term economic development, not just immediate short-term jobs.

Ms. Satran went on to discuss assistance to economically distressed areas, a feature of ARRA. She has discussed this with Dan Mathis of FHWA who is providing a map of the Washington State distressed areas based on federal criteria.

Some discussion ensued around the 120-day obligation deadline. Mr. Howard expressed concern that the PSRC worked hard to choose and prioritize “shovel ready” projects and that the 12-month requirement in the law to obligate funds would slow economic stimulus and allow projects to compete that are not “shovel ready.” He commented that the local governments’ panel had the same concern and contacted him about keeping the 120-day rule. Ms. Davis informed the Committee that the local governments’ panel adopted the 120-day obligation rule to ensure “shovel ready” projects are funded first.

Some discussion of the various lists of stimulus projects that have been evolving followed. Ms. Satran explained that the Governor has been consulting with the chairs of the House and Senate transportation committees, and the result of this is a consensus list that’s adopted by the House this afternoon (2/24/09) and by the Senate on Thursday (2/26/09).

Mr. Kushner asked how the Governor’s state stimulus list matches up with this list. Ms Satran answered that the Governor’ hope for quick enactment didn’t happen so the lists were melded and now there is just one list.

Bob Jones (WSDOT Olympic Region) commented that it is important to have enough projects on the list in case funding increases.

Ms. Satran responded affirmatively by saying we need flexibility so that after the legislature leaves town we can continue to move forward.

Mr. Kushner asked if there is an MPO seat on the local government selection panel. The answer was no.

#### **4. TIP AMENDMENTS FOR ECONOMIC STIMULUS FUNDING**

##### **Elizabeth Robbins**

Ms. Robbins explained that the TIP amendment process for ARRA projects will follow usual processes, just faster, and should begin with MPOs amending proposed ARRA projects into their respective TIP as either "illustrative" or "planned." MPOs can then administratively amend projects into the Funded/ Secured, aka fiscally constrained, TIP as ARRA funding comes through. She also explained that WSDOT is standing by to process TIP amendments as fast as they come in. The Committee agreed that it is useful to have some illustrative projects waiting in the wings. Mr. Miles indicated SRTC sent WSDOT an illustrative project list approved by his Board six weeks earlier. (Note: Regional Coordination Branch staff clarified with Mr. Miles later that he needed to submit this *as a TIP amendment*.)

Mr. Vinish, representing the Tribal Transportation Planning Organization as its Chair, and the Lummi Indian Nation, asked if the ARRA rules are in writing. He also asked if local jurisdictions can add additional rules to those set forth by Congress and the state, and was told yes.

Mr. Wyrick informed the group he is planning to add a [web page](#) about ARRA for his region.

There was some discussion around the growing concern that in all the intensity of ARRA activities, SAFETEA-LU reauthorization might be forgotten. ARRA is a (small) one-time boost but by no means a substitute for a new bill. Lon Wyrick injected that the reauthorization bill needs to be bold and innovative.

On SAFETEA-LU, Michael Cardwell, representing the Tulalip Tribe suggested that the legislation needs modifying regarding how to work with tribes, promoting the Washington model nationally. Going back to the stimulus bill, he pointed out that tribes can get stimulus funds in several different ways if they want to partner with MPOs and RTPOs. He explained that tribes are an asset and resource to the state that can use their voice to help get a better surface transportation bill next time. Tribes want to work within the Governor's office structures.

Stephanie Tax, (WSDOT Highways and Local Programs) informed the Committee that, STIP amendments are scheduled for federal approval every two weeks to ensure the 120-day timeline is met. Regulations require Governor approval of the TIPs before FHWA and FTA can approve the STIP; the Governor has delegated to the Secretary of Transportation approval of MPO TIP amendments. Ms. Robbins is providing TIP amendment oversight to ensure a smooth approval process.

Ms. Robbins informed the Committee that MPO TIP amendments will follow the usual process and, as usual, others send their TIP amendments directly to WSDOT's Highways & Local Programs Office.

Chairman Wilkens asked how the dollars would match up with project lists. Ms. Davis answered that each region's dollars will be kept in that region to the extent the 120-day rule is met.

Mr. Wyrick expressed hope that the panel will only fund projects that can be completed and not use ARRA funding to partially fund projects that have no funding identified for completion.

Chairman Wilkens, thanked Ms. Davis for providing the criteria and direction for choosing projects.

## **5. LEGISLATIVE TRACKING**

### **Elizabeth Robbins**

Ms. Robbins handed out a [Key 2009 Legislative Bills](#) of interest and their status. Please see the handout for details. The full list of bills was e-mailed with the meeting materials.

Chairman Wilkens asked for an explanation of HB2072. Don Chartock, WSDOT Public Transportation, explained the bill would reorganize the Agency Council on Coordinated Transportation (ACCT), which is scheduled to sunset on June 30, 2010. The bill reauthorizes the ACCT until June 30, 2011, creates several workgroups, and Local Coordinating Coalitions in each nonemergency medical transportation brokerage region. The intent of the coalitions is to advance local efforts to coordinate and maximize efficiencies in special needs transportation programs and services. Don further explained it expands the role of locals and realigns boundaries, such as, the brokerage boundaries for Medicaid. Medicaid brokerage boundaries do not match RTPO boundaries and Mr. Chartock is working with legislators to align the two.

Chris Picard, Manager of WSDOT's Urban Planning Office (UPO) highlighted two tolling bills that could affect the PSRC region; both of these bills could jeopardize congestion relief programs and the Urban Partnership Program. They are:

- HB2211 – Would impose tolls on the state route number 520 bridge to help finance construction of critical safety projects, including replacement of the floating bridge, and to generate additional funds to help finance associated projects in the state route number 520 corridor program. The bill provides that the Department of Transportation, unless otherwise delegated, is the state toll agency with the authority to administer the tolling program on toll facilities on the state route number 520 corridor.
- HB2238 – Would require the state to use funding identified for the SR 520 bridge to replace the floating bridge first and have the bridge open to traffic by 2014 as promised by the governor during the 2008 legislative session. It also declares that only post construction tolls will be used to finance in part the remaining portions of the state route number 520 project after construction of the floating bridge.

## **6. WSDOT BOUNDARY REVISION BILL ([SB 5682](#))**

### **Lon Wyrick**

Mr. Wyrick expressed concern with this bill because, as written, it would split the Thurston Regional Planning Council (TRPC) between two WSDOT regions. He said it appeared to stem from a belief that while it's important to keep maintenance functions located throughout the state, when it comes to administrative functions it's less important where they are sited. Mr. Dye, WSDOT Deputy Secretary, thanked Mr. Wyrick for his energetic efforts in bringing forward the bill's shortcomings.

## **7. FEDERAL FUNDING RESCISSION & FUTURE FUNDS ALLOCATION AGREEMENT**

### **Elizabeth Robbins**

#### **a. Rescission**

Ms. Robbins opened the discussion by informing the Committee that there is a rescission of \$8.7 billion of [FHWA federal funds looming, including potentially Metropolitan Planning Grants for FFY 2009 and 2010](#) (FTA funds are not affected.) [At the time of the Coordinating Committee meeting, Congress had not passed the Omnibus Appropriations Act of 2009 which included another rescission of \$3.1B.] This provision was written into SAFETEA-LU at \$8.5 billion in order to get the bill passed and then expanded by \$200 million. [Since the time of the Coordinating Committee meeting, WSDOT, the MPOs, and others have arrived at a way to avoid rescinding the federal planning funds that the MPOs receive.]

#### **b. MPO Funds Allocation**

Then Ms. Robbins raised the issue that the method for [allocation of funds to MPOs](#) was last agreed upon by the MPOs in 2005; this is the method that allocates MPO PL and FTA funds to the eleven MPOs. Occasionally since then, some organizations have raised the issue of discussing the method again, and potentially altering it, in advance of a new surface transportation act. The formula includes a base amount, an amount related to population, and an amount related to whether the organization has air quality compliance requirements. Mr. Howard commented that some versions of SAFETEA-LU reauthorization call for a higher population threshold for MPOs in any case. If this is included in reauthorization the formula will need re-visiting anyway. After a short discussion it was agreed that the current formula should stay in place until further notice; the MPOs indicated that they would like to discuss the issue among themselves before further discussion or action is taken.

**ACTION: Form a work group to work on a possible new allocation formula of MPO planning funds.**

## **8. RTPO STATE FUNDS—UNDER RUN OF FUNDS REALLOCATE**

### **Elizabeth Robbins**

Ms. Robbins proposed an [RTPO funding competition opportunity](#) similar to previous biennia to reallocate unspent RTPO funds that have accumulated from (a) \$40,000 from San Juan County not yet having become part on an RTPO and (b) \$2,000 in funds set aside for 50% of Coordinating Committee lunches. Such funds must be used by the end of the biennium (June 30, 2009). The proposal and its timetable were accepted as presented. [[End of Biennium Funded Projects.](#)]

### **NEW BUSINESS**

1. Richard Rolland, Director, Eastern Washington University, Northwest TTAP, Tribal Transportation Training and Technical Assistance, informed the Committee that 23 USC 140d has \$20 million in Technology Transfer funds for Disadvantaged Business Enterprises for On-the-Job (OJT) training. He suggested that funds could support an event such as a Summer Institute for secondary and/or college students in engineering, planning, and related areas. Mr. Rolland is seeking support for this use of the funding.
2. Several participants brought up additional questions about the stimulus program. It was noted that while local agencies have a year to obligate the “sub allocated” portion of the funds; that the Local Oversight Panel nevertheless has requested that local funds, like state funds, be obligated within 120 days of the ARRA’s passage. All stimulus projects must be complete within three years. It was stated again that the job creation criterion is a reporting factor, not a selection factor. The first 50% of the project’s funds must be spent within 120 days. Rosemary Siipola, Cowlitz-Wahkiakum Council of Governments, asked what was happening with rail projects; was WSDOT submitting applications, as required for this element of the program. Ms. Davis indicated, yes. Timing is an unknown. It was noted that the Local Oversight Panel is not reviewing transit projects. The MPOs asked to be kept closely informed on stimulus issues.
3. Mr. Howard brought up the issue of legislative benchmarks addressing VMT reduction goals passed in 2008. While the legislation says that WSDOT must create goals, the method for allocating the required reduction around the state has not been created. A state senator questioned PSRC about the need to have each of their transportation alternatives meet state law (this was his interpretation), but their attorney reviewed the law and advised Mr. Howard that the Senator’s interpretation is not correct. The PSRC adopted its alternatives without assessing the impact of each on VMT reduction.
4. Hood Canal Bridge will be closed from late May through early June. Please check the [Hood Canal Project website](#).

### **ADJOURN**