

DRAFT

**State Fiscal Year (SFY) 2011(July 1, 2010 – June 30, 2011)
Unified Planning Work Program (UPWP)
Transportation Planning Guidance**

FUNDING SITUATION

We recognize you face flat or decreasing funding levels and federal funding uncertainty after mid-December 2009. The funding situation is causing financial challenges at all levels. Our objective in presenting the state themes in this guidance document is to ensure “no surprises” regarding state-level activities and issues that you may need to become involved in despite limited funding.

PURPOSE

Provide annual guidance for MPOs to meet unified work program requirements in CFR 450.308 and for RTPOs to meet work program requirements in agreements to meet the intent of RCW 47.80.010 through 47.80.050.

TIMEFRAMES

The focus of the MPO/RTPO SFY 2010 UPWP continues on achievable outcomes during the remainder of the 2009-2011 biennium (July 1, 2009 to June 30, 2011). Several organizations are operating on two-year UPWPs providing easy transition to complete projects begun in SFY 2010.

Organizations with two-year UPWPs

- Cowlitz-Wahkiakum Council of Governments
- Peninsula Regional Transportation Planning Organization
- Puget Sound Regional Council
- QuadCo Regional Transportation Planning Organization
- Skagit Metropolitan Planning Organization

Recognizing this, we have minimized changes in this guidelines document that might interrupt existing transportation planning efforts. SFY 2011 is the second year of the current biennium. State funds not spent by June 30, 2011 will remain in the Motor Vehicle Fund. Therefore, RTPOs must complete UPWP tasks by June 30, 2011 and seek reimbursement from WSDOT shortly thereafter.

REQUIREMENTS

A. Federal Funding and Requirements: SAFETEA-LU expired September 30, 2009, and has been extended for a short period. New federal funding is subject to continuing resolutions, rescissions, and a new transportation act. We do not expect a new six-year bill or new federal transportation planning regulations as you prepare your 2011 UPWP, although if major program or funding changes occur during 2010-11, UPWP amendments could become necessary.

1. Format of the UPWP. §450.308 (c) requires MPOs to format their UPWP in sufficient detail to indicate:

- Who (the MPO, state, public transportation operator, local government or consultant), will perform the work;
- The schedule for completing the work;
- The resulting products;
- The proposed funding by activity/task; and
- A summary of the total amounts and sources of federal and matching funds.

MPOs/RTPOs are the recognized “go-to agency” for transportation planning in the region. To help the UPWP review team grasp the nature of transportation planning in the region Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) reiterate their request that the MPO UPWP identify all major transportation planning activities in the region.

2. Federal Emphasis Areas. The FHWA and the FTA do not plan to issue any new formal guidance for planning emphasis areas. They suggest continuing focus on compliance with SAFETEA-LU. As you are all aware, MPOs are required to tie their work programs to the federal planning factors in CFR 450.306

<http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi>.

- Support economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase accessibility and mobility of people and freight;
- 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;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

There is some new federal guidance on greenhouse gas calculations:

When agencies request transportation planning funds for activities related to climate change, primarily to reduce VMT and GHG emissions in an effort to meet state, regional or local or future Federal GHG emission reduction targets, they must employ generally-agreed to and reasonable assumptions, as well as state of the practice methodologies for the calculation of those VMT and GHG emissions reductions. More information is available at <http://www.fhwa.dot.gov/planning/plnInduse.htm> (1-8-09 memorandum).

In addition, the Center for Transportation and the Environment (CTE) is hosting a series of forums to engage transportation and environmental professionals in a dialogue about emerging issues in policies, research applications, and best practices. Earlier this year the Department of Transportation, the Department of Housing and Urban Development, and the Environmental Protection Agency announced an unprecedented agreement to help U.S. families gain a better access to affordable housing, more transportation options and lower transportation costs. The first forum was on November 9, 2009. Access to Video, audio, and written formats and dates of future forums are at the CTE website at <http://cte.ncsu.edu/CTE/TechTransfer/Teleconferences/archive.asp>

B. State Funding and Requirements: No significant changes to state law or rule regarding RTPO duties have been introduced since the mid-1990s. The 2010 Legislative Session begins January 11, 2010 and ends in 60 days. We will keep you informed of any pertinent changes, both proposed and enacted. The overall RTPO state funding level remains unchanged from the last two biennia. However, RTPO allocations are subject to slight reallocation based on slight population changes since last year. If funding and/or legislative changes are substantive for your organization, again, we will likely request appropriate UPWP amendments.

State requirements are divided into three items: general duties, the state's five transportation policy goals, and top statewide themes we want to ensure are on your radar because of policy developments at the state level.

1. General Duties. This section recaps the ongoing activities with which you are familiar. RTPO duties are defined in state law RCW 47.80.023. This law provides the basis for the UPWP. In addition, each RTPO has a Metropolitan/Regional Transportation Planning Organization Agreement with WSDOT that further details mutual expectations.

The significant RTPO duties are paraphrased below for your convenience:

- Prepare and periodically update a transportation strategy for the region.
- Prepare a regional transportation plan.
- Where appropriate, certify that county-wide planning policies and the regional transportation plan are consistent.
- Develop a six-year regional Transportation Improvement Program (TIP) in cooperation with WSDOT, public transportation providers, and local governments in the region.

- Designate a lead planning agency to coordinate preparation of the regional transportation plan and to carry out the other duties of the RTPO.
- Review level of service methodologies used by cities and counties to promote consistent regional evaluation of transportation facilities and corridors.
- Work with cities, counties, transit agencies, WSDOT, and others to develop level of service standards or alternative transportation performance measures.
- Every two years, submit a prioritized regional human service and transportation list to the Agency Council on Coordinated Transportation (ACCT).
- Prepare an annual Unified Planning Work Program.
- Prepare an annual Report of Progress, including a summary of work during the course of the fiscal year, costs incurred in accordance with the approved UPWP and budget, and problems or delays.
- As a good business practice, RTPOs should continue to coordinate with the tribal agencies in their area. Tribal coordination should include as a minimum, invitation to RTPO meetings and discussion on areas of mutual interest.

Duties in RCW 47.080.023(3) relating to Comprehensive Plan transportation element review and certification for RTPOs. This will likely require more time for RTPOs, which have counties and cities undergoing Comp Plan updates by December 2011. Although this is in the next biennium, counties and cities within these counties may begin work on their updates during FY 2011. The counties include:

Clallam County
Clark County
Jefferson County
King County
Kitsap County
Pierce County
Snohomish County
Thurston County
Whatcom County

Monitoring, commenting, or testifying on new transportation-related ordinances.

Implementing or testifying on proposed rule changes to implement GMA.

- NOTE: The Department of Commerce has filed proposed rule changes to Chapter 365-190 WAC, Chapter 365-195 WAC, and creating a new Chapter 365-196 WAC. The comment period for these changes closed October 2, 2009. It is unknown when these rules will be adopted, but WSDOT expects them to be available for your use before FY 2011.

- 2. Incorporation of the Five State Transportation Policy Goals.** WSDOT requests that each UPWP describe the work programmed to support and address the five legislative transportation system policy goals of RCW 47.04.280 located at <http://apps.leg.wa.gov/rcw/default.aspx?cite=47.04.280>. These goals are:
- a. Preservation: To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services.
 - b. Safety: To provide for and improve the safety and security of transportation customers and the transportation system.
 - c. Mobility: To improve the predictable movement of goods and people throughout Washington state.
 - d. Environment: To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment.
 - e. Stewardship: To continuously improve the quality, effectiveness, and efficiency of the transportation system.

We realize that addressing these five areas this has for many years been an integral part of regional transportation planning programs. Documenting the specific efforts to support the direction set by the legislature in 2007 (SSB 5412) is a valuable aspect of your written planning products.

The Office of Financial Management (OFM) has not yet published the 2009 Transportation Progress report also referred to as an "Attainment Report". Its projected availability is January-February 2010. The following link is to the WSDOT SSB 5412 website, which provides the 2008 report:
<http://www.wsdot.wa.gov/NR/rdonlyres/1BBAF12B-6A54-4976-A94E-C119A7B5F270/0/OFMsAttainmentReport.pdf>

We will send you more information on the 2009 Attainment Report when we receive it.

3. Top Statewide Themes. WSDOT and our federal partners recognize tight budgets to address the mandatory work elements described in items 1 and 2 above. However, WSDOT will continue to be engaging in several additional themes that MPOs and RTPOs are likely to want to stay informed about and/or be active partners in shaping. Thus, we encourage that you allocate a portion of your budget to working with us on some or all of these themes. Many of you are already involved in these theme areas.

WSDOT Themes for SFY 2011 UPWPs include:

- a. Involvement in Statewide Planning activities:
 - Washington State Transportation Commission: respond to requests for involvement from the Transportation Commission in development of their Washington Transportation Plan 2011-2030 Policy Plan update. This plan is due December 2010.
 - Statewide Multimodal Transportation Plan: publishing will follow federal reauthorization.
 - Modal and freight plans.

- Incorporation of pertinent aspects of statewide transportation plans into your RTP/MTP if being updated in this timeframe.
- b. Involvement in WSDOT Region planning activities:
- Respond to requests for involvement from WSDOT Regions in Route Development Plans, transportation corridor plans, or other transportation issues.
- c. Involvement in State and National Legislative activity:
- State legislation comments on legislative actions.
 - Federal transportation, livability, climate change and performance measures legislation and planning regulations, and any interim funding situations; commenting and reporting back on actions of national interest groups. WSDOT is monitoring this very closely and several of you are doing likewise through your involvement in national organizations and on the Governor's working group. Your organization's tasks or level of involvement may vary and it is difficult to predict what issues may require your attention, only that there will likely be some. Your ability to respond very rapidly from time to time could be important including, but not limited to, analyzing proposed federal surface transportation act bill elements, attending meetings, participating in conference calls, or reviewing comments to proposed legislation and perhaps testifying on proposed legislation. A deliverable could be a collaborative, combined Washington State response to prospective legislation.
- d. Involvement in Climate Change
- For the four affected RTPOs, collaborate and engage with WSDOT to implement Sections 2a and 2b of the Governor's Executive Order 09-05 – Washington's Leadership on Climate Change¹. During the next biennium, WSDOT encourages a collaborative effort with the MPOs/RTPOs to address the Governor's Executive Order 09-05 on climate change and the requirements in RCW 47.01.440 related to statewide reductions in vehicle miles traveled (VMT), RCW 70.235.020 and proposed chapter 173-441 WAC relating to the limiting and reporting of greenhouse gas (GHG) emissions, and subsequent policy directives in state and federal requirements.

4. Unfunded Tasks. We recommend that MPOs and RTPOs continue to include a list of priority unfunded transportation planning tasks and projects in the UPWP.

5. Administrative Issues. We are providing updates here on several administrative issues for your use.

Requirements for reimbursement: WSDOT tracks the expenses of all state transportation planning funds to show the products and results. We need clear descriptions of the expenses. Please identify UPWP work elements and activities on your invoice voucher, an attached document, or discuss the activities performed with the Transportation

¹ While this primarily affects the four largest RTPOs at present, ultimately it will likely have implications for all.

Planning Office staff. This additional effort provides us with an indication of progress toward outcomes vs. progress in expenditures. This also strengthens the transparency and accountability of the program. We are always looking for ways to streamline this process and ask for your input.

On-site review: Attachment B is a suggested template for the spring 2010 MPO/ RTPO on-site UPWP review meeting. We would like to encourage the meeting follow this format, as it is the one event each year where WSDOT HQ, Region, FTA and FHWA staff make a point of in-person visits with you. RTPOs can expect a similar agenda without attendance by federal representatives.

Schedule. Attachment C is the UPWP development schedule.

Contracting. RTPOs may contract for services to implement tasks identified in the UPWP. To complete all tasks, the MPOs and RTPOs may desire outside assistance. Before pursuing consulting help, please discuss your needs with your WSDOT Region Planning Manager, as WSDOT may be able to provide the resources you need. If there is still agreement, after a discussion that you should contract with a consultant please refer to the sections in the Metropolitan/Regional Transportation Planning Organization agreement related to subcontracting and purchases. The Transportation Planning Office (TPO) must approve the UPWP expenditure of Metropolitan Planning (PL) funds, Federal Transit Administration section 5303 funds, and state RTPO funds before any consultant selection process begins.

Amendments. UPWP amendments are encouraged where needed to reprioritize work, address changes in funding and to address new issues. As you know, your RTPO board and the WSDOT Policy Development and Regional Coordination Branch must approve all amendments before submission to WSDOT. TPO approves for the non-TMAs and FHWA/FTA approve amendments for the TMAs