



MEMORANDUM

TO: Southwest Washington Regional Transportation Council Board of Directors
FROM: Matt Ransom, Executive Director 
DATE: July 30, 2019
SUBJECT: **EHB 1584 Implementation**

AT A GLANCE – INFORMATION

The purpose of this memorandum is to notify the Board of pending communication with Tribal Nations within the RTC service area in implementation of newly enacted Washington law.

BACKGROUND

The Washington State Legislature convened for its 2019 session on January 14 and concluded on April 28. New law created by the Legislature and signed by the Governor (EHB 1584) compels Regional Transportation Planning Organizations (RTPO) to invite Tribal Nations within their planning boundaries, to become voting members of the RTPO Policy Board, as an eligibility condition for RTPO’s to receive state planning funding.

IMPLEMENTATION OF EHB 1584

EHB 1584 becomes effective law as of August 1, 2019. After that date, as a condition to being eligible to receive state appropriated planning funds (for designated RTPO purposes), RTPO’s: “must provide a reasonable opportunity for voting membership to federally recognized tribes that hold reservation or trust lands within the planning area...”. The RTPO must offer that voting membership either: “every two years or when the composition of the Board (of the RTPO) is modified in an interlocal agreement”.

The two Tribal Nations that fit the definition as federally recognized tribes within the RTC planning area are: Cowlitz Tribe and Yakama Nation (see attached map).

For the current State budget biennium (July 2019-June 2021), RTC is eligible to receive at a minimum \$385,849 in RTPO formula grant funds. In addition, RTC is eligible to receive special one-time allocations of additional funds either through formula redistribution or to complete additional planning studies, should additional funds become available to the statewide RTPO program. Future eligibility to access those grant funds is contingent upon fulfilling the requirements of the newly enacted state law.

RTC’s General Counsel has reviewed the Session Law and has provided the following points of consideration for how to proceed in making the invitation, and how to incorporate voting members into the agency’s governing documents.

- It is recommended that based upon the schedule provided in the Session Law, that the RTC Board Chair will extend a letter of invitation after August 1, 2019, which the Executive Director will transmit to each eligible tribe.

- The Executive Director will facilitate the intermediary engagement with each tribe to determine their interest and their response to the letter of invitation.
- The Board will then consider a revision to the RTC Bylaws at the Annual Meeting (the December Board meeting) at least every two years, and the Bylaws will be introduced for amendment to reflect Tribe voting membership per their formal response to the letter of invitation.

NEXT STEPS

The RTC Executive Director will prepare a letter for transmittal to the affected Tribal Nations in fulfillment of the new Law invitation criteria. Based on Tribal Nation responses, additional future actions may be required of the Board of Directors.

Attachment: Map

Federally Recognized Tribes

Reservation or Trust Lands within the RTC Planning Area

