



MEMORANDUM

**TO:** Southwest Washington Regional Transportation Council Board of Directors  
**FROM:** Matt Ransom, Executive Director   
**DATE:** December 31, 2019  
**SUBJECT:** Federal Legislative Policy Statement

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***AT A GLANCE – INFORMATION***

*The purpose of this memorandum is to present a DRAFT Federal Legislative Policy Statement in support of forthcoming federal legislative discussions in regards to re-authorization of the federal surface transportation (highway and transit) funding programs (FAST Act).*

**BACKGROUND**

In December 2015, Congress passed and President Obama signed a new federal transportation funding bill Fixing America’s Surface Transportation Act, or “FAST Act” which stabilized federal funding to state and metropolitan regions. The FAST Act has provided funding certainty for States and local governments to move forward with critical transportation projects. That alone is an improvement over the previous Act (MAP-21) which required 36 short-term funding extensions to keep the funding flow on track.

Since adoption, Congress has consistently appropriated funds to support the FAST Act consistent with the bill’s authorized funding levels. This level of funding predictability has been very beneficial to state and regional grant programs and has expanded the scope and reach of RTC’s regionally competitive grant awards.

**FAST ACT REAUTHORIZATION**

The FAST Act is authorized federal law through September 2020. Beginning this last year, the current federal Administration and Congress have begun the debate of various proposals in anticipation of reauthorization discussions through 2020. While there is no guarantee a final reauthorization bill will be developed and signed into law prior to the current bill’s expiration. There appears to be significant momentum to develop the policy and program framework for a reauthorization bill proposal, and there is benefit in RTC providing input to members of our federal delegation early on in the developmental process.

The following key tenets of a reauthorization legislative policy statement build upon the key tenets of existing federal law (*the current FAST Act*) and incorporate new proposals which might benefit the RTC region and our specific infrastructure needs. Also, several of the policy recommendations reflect stated federal legislative priorities of RTC member organizations.

## **KEY TENETS OF A FAST ACT REAUTHORIZATION POLICY STATEMENT**

The Southwest Washington Regional Transportation Council (RTC) supports the development and passage of a long-term federal surface transportation reauthorization bill providing robust funding for bridges, highways, mass transit, and other multi-modal infrastructure needs.

RTC supports Congress in reauthorizing the Fixing America's Surface Transportation Act (FAST Act) to accomplish the following policy and project priorities:

### **Policy Recommendations:**

- Address the solvency of the Highway Trust Fund through supplementing existing revenue sources or creation of new and sustainable sources.
- Grow the Federal Highway Funding program by fully funding and expanding currently authorized FAST Act formula and competitive funding programs including:
  - Formula grant programs including STBG, CMAQ, TAP; and
  - Nationally competitive grant programs including BUILD, INFRA, and FLAP.
- Grow the Federal Transit Funding program by fully funding the currently authorized FAST Act formula and competitive funding programs including:
  - Capital Investment Grant Program (Small Starts and New Starts); and
  - Bus and Bus Facility Grant Program.
- Create a new “Bridge Investment Program”, which should be designed as a nationally competitive grant program to address our nation’s highest priority bridge replacement and deferred bridge maintenance projects.
- Expand eligible activities of the National Highway Freight Program and fully fund formula and competitive grant programs which support nationally significant freight system projects.
- Retain and expand innovative financing programs (Build America Bonds, TIFIA) to supplement (but not replace) federal aid funding programs.
- Establish an Infrastructure Resiliency Program.
- Streamline regulations and procedures to accelerate project delivery.

### **Project Recommendations:**

As opportunities arise for congressionally directed spending, RTC has established regional project priorities through the regional transportation planning processes of Clark, Skamania and Klickitat counties. The county-specific Regional Transportation Plans can act as a basis for project-specific funding requests.

Further, within Clark County, the Clark County Transportation Alliance 2020 Policy Statement provides a listing of regionally endorsed project priorities, each of which are excellent candidates for congressionally directed spending. (Attachment 1)

### **ADDITIONAL CONTEXT**

Reauthorization of the federal highway and transit programs should be a priority to RTC member agencies, as the federal funding programs benefit each of the counties, cities, transit districts, port districts and tribes. Currently, each RTC member agency utilizes or has access to programs funded by these important federal programs.

A brief summary explanation of select Policy Recommendations has been compiled from several agencies and associations and is presented in Attachment 2.

### **INDUSTRY SPECIFIC ASSOCIATION ADVOCACY**

Several national associations representing the different transportation mode and policy interests generally adopt policy statements to express specific funding and policy priorities to Congress. The following references to FAST Act reauthorization policy statements of a select group of national associations are provided below:

Association of Metropolitan Planning Associations (AMPO):

<http://www.ampo.org/wp-content/uploads/2013/02/AMPO-Principle-Priorities-2019.pdf>

American Association of State Highway and Transportation Officials (AASHTO):

[https://policy.transportation.org/wp-content/uploads/sites/59/2019/10/2019-10-09-Official-AASHTO-Surface-Reauthorization-Package-FINAL\\_WL-v2-1.pdf](https://policy.transportation.org/wp-content/uploads/sites/59/2019/10/2019-10-09-Official-AASHTO-Surface-Reauthorization-Package-FINAL_WL-v2-1.pdf)

American Public Transit Association (APTA):

[https://www.apta.com/wp-content/uploads/APTA-RECOMMENDATIONS-Surface-Trans-Auth\\_10122019.pdf](https://www.apta.com/wp-content/uploads/APTA-RECOMMENDATIONS-Surface-Trans-Auth_10122019.pdf)

### **NEXT STEPS**

RTC staff will prepare a federal legislative policy statement for ratification following RTC Board of Directors conversation and input.

Attachment 1: Clark County Transportation Alliance 2020 Policy Statement

Attachment 2: Summary Descriptions of the Policy Recommendations

# Clark County Transportation Alliance 2020 Policy Statement



## Sponsoring Organizations:

Battle Ground Public Schools  
 Building Industry Association of Clark County  
 Camas-Washougal Chamber of Commerce  
 City of Battle Ground  
 City of Camas  
 City of La Center  
 City of Ridgefield  
 City of Vancouver  
 City of Washougal  
 Clark College  
 Clark County  
 Clark County Association of Realtors  
 Columbia Corridor Association  
 Columbia Pacific Building Trades  
 Columbia River Econ. Dev. Council  
 Columbia River Steamship Operators' Assn.  
 C-TRAN

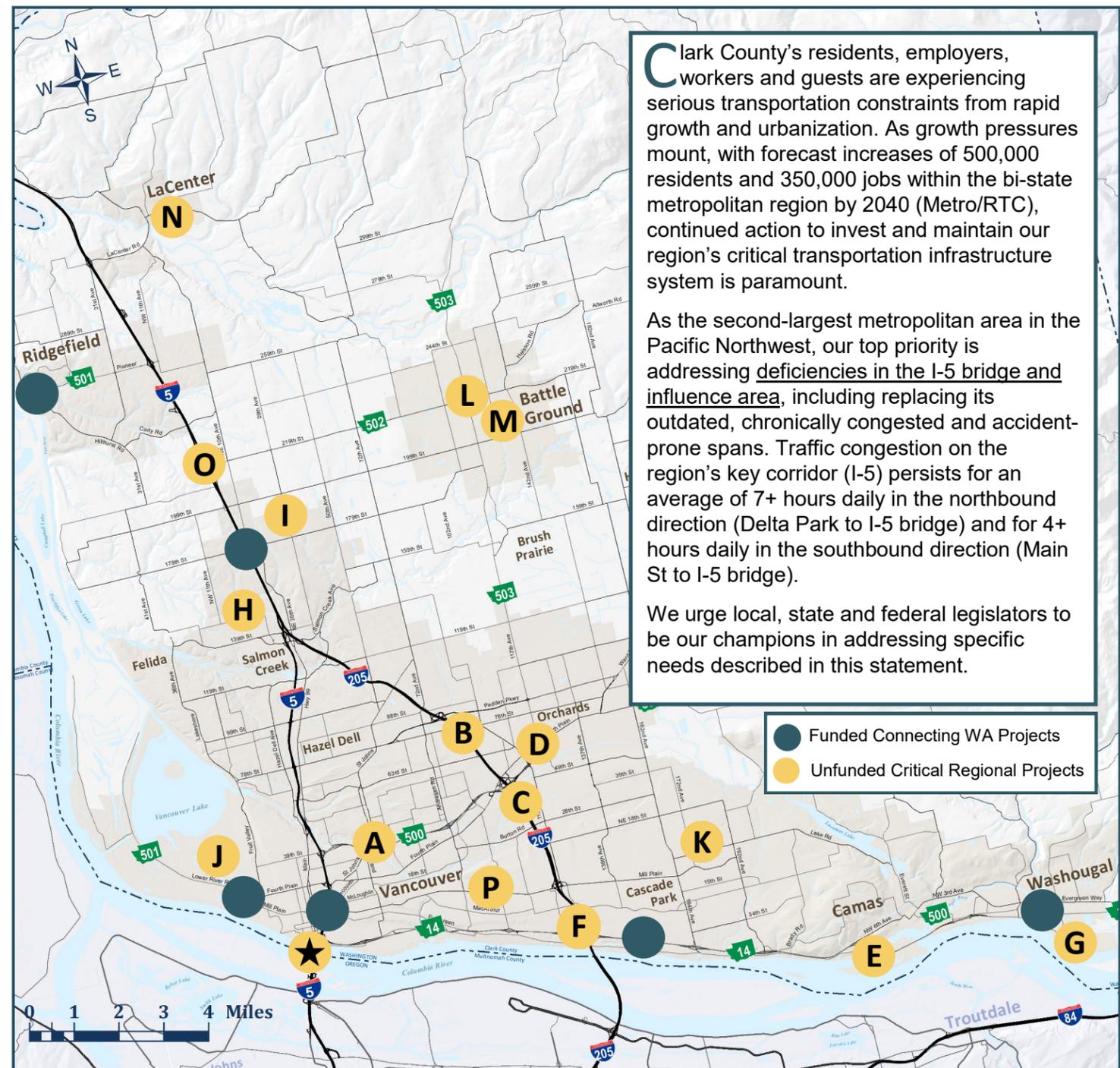
East Vancouver Business Association  
 Evergreen Public Schools  
 Greater Portland, Inc.  
 Greater Portland 2020  
 Greater Vancouver Chamber of Commerce  
 Hazel Dell/Salmon Creek Business Assn.  
 Hockinson School District  
 IBEW Local 48  
 Identity Clark County  
 Labor Roundtable of SW WA  
 Legacy Salmon Creek Medical Center  
 Neighborhood Traffic Safety Alliance  
 Pacific Northwest Waterways Association  
 Partners in Careers  
 PeaceHealth Columbia Network  
 Port of Camas-Washougal  
 Port of Portland

Port of Ridgefield  
 Port of Vancouver  
 Portland Business Alliance  
 Regional Transportation Council  
 Ridgefield School District  
 SW WA Central Labor Council  
 SW WA Contractors Association  
 SW WA High Technology Council  
 SW WA STEM Network  
 The Historic Trust  
 The Vancouver Clinic  
 Vancouver Public Schools  
 Vancouver's Downtown Association  
 Visit Vancouver USA  
 Washington State University Vancouver  
 Washington Trucking Associations  
 Washougal School District

For more information, contact [admin@iccbusiness.org](mailto:admin@iccbusiness.org) or call 360.695.4116

As of 12/13/19

# Clark County Transportation Alliance 2020 Policy Statement



# A CALL TO FURTHER ACTION

## I-976 Response

With the passage of I-976 and the potential elimination of fees that have been used by several local agencies for basic maintenance and preservation activities, we urge the Legislature to provide: temporary stop-gap funding to state and local agencies affected by this repeal, thereby allowing for a rational reduction in affected program funding; and to convene an evaluation of tools and mechanisms that could be made available to city and county jurisdictions to substitute the loss in funding authority created by this change in law.

## I-5 Bridge Replacement and Influence Area Improvements



### Action #1

**Continue Support for I-5 Bridge Replacement Program Office:** continue to develop bi-state legislative consensus, prepare critical permitting pathway, develop funding plan, begin permitting work.

**Complete Supplemental EIS Process:** initiate SEIS, re-evaluate prior scope and EIS, restart permitting work, submit and achieve approvals, develop funding plan, secure funding commitments, develop procurement documents and construction packages (\$50-100M, depending on scope; a portion of which is already committed by WA and OR).

We fully support replacement of the I-5 bridges and related corridor improvements. The I-5 spans are functionally obsolete and over time will require substantial maintenance investments to remain operational. Broad support is demonstrated through SSB 5806 (WA 2017), commitment of funds in the 2019 Washington State transportation budget (ESHB 1160, \$35M), commitment of funds by the Oregon Transportation Commission (\$9M), and the assignment of legislators in both states collaborating to replace the I-5 bridge.

A bi-state approach focused on finding significant, practical solutions through this primary freight, commerce and commuter corridor is imperative, in keeping with the I-5 Corridor Strategic Plan (2002). We endorse efforts by the Oregon legislature to fund projects that address I-5 corridor deficiencies, especially the I-5/I-84 interchange (a.k.a. "The Rose Quarter") in downtown Portland. We also place high priority on long-range transportation corridor planning given steadily rising population and commerce forecasts.

## Regionally Critical Projects and Needs

### Action #2

**Fund Regionally Critical Projects to Address Immediate Needs:** secure funding either through single-project awards or as part of the next statewide transportation funding package for regionally critical projects.

**Fund Critical Area Operations:** find additional maintenance, planning and traffic operations funds for critical urban areas (SR-14, SR-500, I-5, I-205) to optimize our existing system.

We support acceleration of projects in the Connecting Washington package, such as **economically vital interchange improvements at I-5 and 179th St.** We support project budget adjustments where labor, materials and right-of-way costs have risen substantially.

Funding is requested for additional regional system priorities that serve the growth needs of communities, reduce congestion hotspots, improve safety and provide multi-modal enhancements. Each project has been vetted through the regional planning process.

Following are critical regional projects (*lead agency*):

- A) SR-500 Intersections at 42nd Ave and 54th Ave (\$6M):** implement cost effective safety improvements from 2018 practical solutions study; additional investments including overpasses may be warranted (*WSDOT*)
- B) I-205/SR-500 to Padden Exwy (\$30M):** add auxiliary lanes to address congestion hotspot (*WSDOT*)
- C) I-205 at Mill Plain Blvd to SR-500 (\$25M):** add auxiliary lanes and active traffic management facilities to increase flow and capacity; project study underway (*WSDOT*)
- D) SR-500/Fourth Plain/SR-503 (\$15M):** following recent planning study, provide funds for initial intersection improvement to address congestion hot spot (*WSDOT*)
- E) SR-14 Camas Slough Bridge (\$35M):** develop parallel bridge structure for westbound traffic and added capacity (*WSDOT*)
- F) SR-14/I-205 Interchange (TBD):** provide funds for congestion relief; project study underway (*WSDOT*)
- G) SR-14 Phase 2 Access Improvements, Towncenter Connectors and Railroad Grade-Separation (\$70M):** improve A/Addy St connectors in the City's Towncenter, 27th interchange with roadway improvements to 27th and Index St, grade-separated underpass at 32nd St (*City of Washougal*)



Century-old I-5 bridge only stoplight from Canada to Mexico

### H) NE 10th Ave from 149th to 154th St/Whipple Creek (\$12.7M):

complete new north-south corridor for I-5 (*Clark County*)

### I) NE 15th Ave from 179th St to NE 10th Ave/NE 189th St vicinity (\$15M):

add arterial connection to increase capacity in conjunction with 179th/I-5 interchange upgrade (*Clark County*)

### J) NW 32nd Ave Industrial Corridor (\$10M):

planning, engineering, environmental review for new north-south freight arterial (*City of Vancouver*)

### K) SE 1st St at 164th to 192nd Ave (\$7M):

arterial widening and multi-modal upgrade; leverages significant private sector investments (*City of Vancouver*)

### L) SR-502/SR-503 Congestion Relief Project (\$2.2M):

complete community roadway and circulation enhancements to provide improved access and safety (*City of Battle Ground*)

### M) SE Grace Ave at SE Rasmussen Blvd to E Main St (\$6.6M):

arterial street realignment and new signal for upgraded capacity (*City of Battle Ground*)

### N) E 4th St Widening/Breeze Creek Culvert (\$5M):

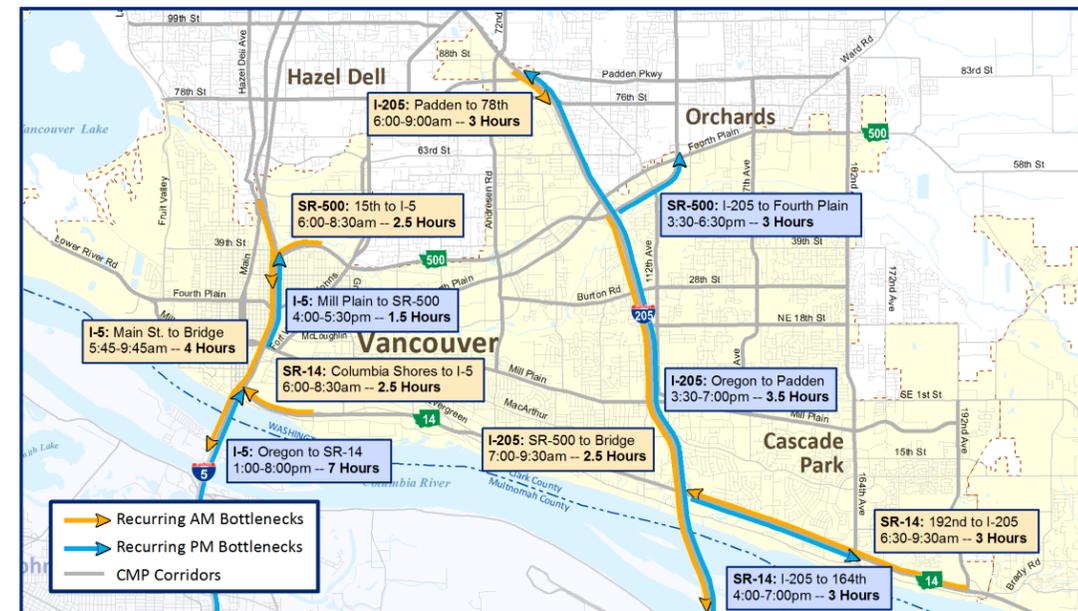
complete street makeover with fish bearing culvert replacement for improved environmental outcomes (*City of La Center*)

### O) NW 219th St Extension (I-5 to Hillhurst Rd) (\$5M):

add western ramp access at I-5 and arterial street extension to Hillhurst Rd (*City of Ridgefield*)

### P) Public Transit (\$5M):

co-fund design of C-TRAN's second Bus Rapid Transit (BRT) project along the Mill Plain corridor from downtown Vancouver to 192nd Ave (*C-TRAN*)



Courtesy SW Regional Transportation Council

## Facilitating Transportation Mobility and Economic Growth

We urge legislators to embrace the following priorities where possible:

- Enhance or expand funding programs to improve safety and accessibility for everyone, including increased funding for safe bike and pedestrian pathways, sidewalks and street crossings
- Improve access to regional centers including designated Port and industrial districts, and access in the developing *Discovery Corridor*
- Support continued assessment of transportation infrastructure revenue beyond the traditional federal and state fuel taxes
- Support broadband infrastructure to disperse economic opportunity, foster telecommuting and better compete in the evolving digital economy
- Fund regionally significant improvements for marine access within the Columbia River, and rail access improvements and track upgrades for ports and the county-owned Chelatchie Prairie Railroad
- Support the Port of Vancouver USA's Terminal 1 Waterfront development project for safety, commerce and tourism
- Create a broader array of infrastructure financing methods, including tax increment financing, design-build, public/private partnerships (P3), and continued Public Works Trust Fund, CERB, FMSIB, TIB and FRAP funding
- Actively embrace smart technologies to ease pressures on the transportation grid and improve safety for all users

## **Attachment 2**

The following information has been compiled by RTC. This information is provided to add descriptive context to select provisions of the proposed RTC Federal Legislative Policy Statement. The information below represents both verbatim statements from Agency publications and RTC staff summaries of published information.

*As published: WSDOT FAST Act Reauthorization Recommendations (April 26, 2019)*

### **Ensure Solvency of the Highway Trust Fund**

Issue: Congress should promptly renew a six year transportation bill so that there is no authorization gap upon FAST Act expiration in September 2020 as short-term program extensions cause unnecessary program disruptions and delays mobility benefits to states and communities.

Highway Trust Fund (HTF) revenues, mainly derived from fuel taxes, will continue to decline due to increased vehicle fuel efficiency and growing use of alternative fuel vehicles. Absent legislation, in FY 2021, the HTF is expected to experience a significant cash shortfall leading to an estimated 40 percent drop in highway obligations from the year before, or from \$46.2 billion to \$27.7 billion, and a near zeroing out of the Mass Transit Account. The federal funding debate can draw upon the experience of 31 states, including Washington State, which have successfully enacted transportation revenue packages and raised their gas taxes since 2012.

The HTF funding should be in an amount sufficient to increase federal investment in highway and transit formula programs in the coming years while preserving or increasing Washington State's share of those programs. The federal government should continue to play a strong funding role in meeting the growing needs of our nation's surface transportation system.

- Recommendation: Deposit new revenue into the Highway Trust Fund to ensure its long-term solvency, and ensure the next surface transportation bill is six years in length.

*As published: WSDOT FAST Act Reauthorization Recommendations (April 26, 2019)*

### **Increase Federal Funding for All Modes Through Formula-Based Funding Programs**

Issue: The investment backlog for transportation infrastructure continues to increase—reaching \$836 billion for highways and bridges and \$122 billion for transit according to the US Department of Transportation's (USDOT) 2015 Conditions and Performance report. Similarly, the American Society of Civil Engineers has identified a \$1.1 trillion funding gap for surface transportation between 2016 and 2025. It is also telling to look where our nation stands relative to global peers in infrastructure quality and economic competitiveness. The 2018 Global Competitiveness Report rankings from the World Economic Forum on infrastructure quality has listed the United States at just ninth place overall.

Formula-based transportation funding reflects the successful federal-state partnership by ensuring flexibility necessary for each state to best meet their unique investment needs. The current federal-aid highway and transit formula programs optimally balance national goals with state and local decision-making.

Congress should increase investment across all modal formula funding programs. Flexible and predictable funding from the federal government is necessary to maintain the National Highway System in a state of good repair if we are to compete effectively in a global economy. Washington is one of the

most trade-centric states in the nation, with almost \$600 billion in annual trade-related economic activity. Preserving our transportation system in a state of good repair and managing the capacity of that system effectively are essential to moving products to market. Washington state has raised its gas tax three times since 2003, most recently in 2015. Despite that robust state investment, at WSDOT, we currently have a \$6.9 billion ten-year funding gap to maintain all of our existing assets in a state of good repair. When you look only at WSDOT-owned highways, it's a \$3.3 billion unfunded need over the next ten years, or \$330 million we are short annually. It's imperative that we have a strong federal funding partner to complement the funding we are able to invest at the state level.

- Recommendation: WSDOT urges Congress to increase funding for the highway and transit formula programs.

Prepared by RTC, based on member agency and national association summary information

### **Transit Capital Investment Grants and Bus & Bus Facilities Grants**

Fully fund the transit Capital Investment Grants program (New / Small Starts) competitive grant programs. The Small Starts grant program supports lower-cost and innovate transit capital investment programs. C-TRAN had success with Small Starts grant program in securing capital investment for the Fourth Plain bus rapid transit program. Project development work is ongoing for the proposed Mill Plain bus rapid transit program, which would be a likely candidate for federal investment as part of a fully funded Small Starts program.

Full funding for the Bus & Bus Facilities Grants program would support regional project priorities. Under the FAST Act, Bus & Bus Facilities Grants were funded after several years of deferral, but urgent needs remain across the country to replace buses and bus-related infrastructure. As a result, transit agencies are forced to operate buses beyond their useful life and the backlog of bus infrastructure needs continues to grow. Increases in this program would allow regional agencies to better address bus capital program needs, including large and infrequent capital investments needed for major bus and facility procurements.

Prepared by RTC, based on member agency and national association summary information

### **Bridge Investment Program (a proposal for a new competitive grant program)**

The proposal is to create a new multi-billion dollar "Bridge Investment Program" that will address some of our nation's most problematic bridge needs. The current Senate Environment and Public Works Committee ATIA bill proposes a \$6.6 billion dollar grant program. The House Transportation & Infrastructure Committee will convene in January 2020 and may include a program proposal.

As proposed by the Senate Committee, for large bridge replacement projects (over \$100 million) a multi-year funding process would be created and projects would compete for funding on a national basis. The structure of the new program would allow large bridge projects (*like the I-5 Replacement Bridge*) to compete for a program grant. As currently proposed, the grant program may fund up to 50% of the total project cost. For smaller bridge projects, a competitive grant program may be established to help communities address the growing need to repair and upgrade deficient bridges.

DRAFT program details as summarized from the Senate Committee ATIA bill proposal include:

- *Eligible projects*– Projects to replace, rehabilitate, preserve or protect bridges on the National Bridge Inventory, or a bundle of such projects, or a project to replace or rehabilitate culverts to improve

flood control (though the bill caps the culvert projects at no more than 5 percent of annual grant totals) and improve habitat connectivity.

- *Classes of projects* – Large projects have eligible project costs over \$100 million, and other projects are less than that. Of the HTF half of the funding, not less than 50 percent, in aggregate, shall be used for large projects.
- *Eligible applicants*– Applications can be field by states, groups of states, local governments, political subdivisions of all of the above, special purpose districts, federal land agencies, tribal governments, or other multi-state or multi-jurisdictional groups.
- *Program goals*– The goals of the program are to improve movement of people and freight over bridges, to improve bridge conditions, and to provide financial assistance leveraging federal and non-federal contributions to fund projects.

As published: WSDOT FAST Act Reauthorization Recommendations (April 26, 2019)

### **Expand Eligible Activities in the National Highway Freight Program**

*Issue:* The FAST Act established a National Highway Freight Program (NHFP) that funds activities that “must contribute to the efficient movement of freight on the [NHFN] and be identified in a freight investment plan included in [the state’s freight plan.]” The FAST Act also established the Nationally Significant Freight and Highway Projects (NSFHP) program to provide financial assistance— competitive grants, currently now known as Infrastructure for Rebuilding America (INFRA) grants, or credit assistance— “for nationally or regionally significant freight and highway projects.” The use of the nation’s transportation system for freight is increasing, and with it the need for integrated solutions to better move freight throughout the country. Currently, no more than 10 percent of NHFP formula funding may be used for intermodal, freight rail, or water transportation. WSDOT believes integrated freight management solutions, freight safety programs, and research supporting future investments should be codified as eligible for NHFP and INFRA funds.

- *Recommendation:* Reform the National Highway Freight Program, both the formula program to states and the discretionary program (INFRA), to more clearly include eligibility for investment in integrated freight technology, management, and operations strategies and solutions, etc., and research supporting future investments. Remove the 10 percent multimodal cap in order to allow states to invest more in multimodal projects if appropriate for that state. Eligibility should include multi-state proposals and projects, for regions and corridors to improve freight intermodal connectivity.

As published: WSDOT FAST Act Reauthorization Recommendations (April 26, 2019)

### **Establish an Infrastructure Resiliency Program**

*Issue:* When Washington built its highway and interstate systems, it followed paths along riverbanks and bisected and redirected watercourses. The resulting highway network, while it was built to the standards at the time, is now susceptible to natural hazards and inhibits natural processes (like fish passage and stream channel migration).

Washington’s highway network includes approximately 1,995 fish barrier culverts that were built to federal design standards, many of which benefited from federal funding. These culverts had an unintended consequence of blocking salmon from reaching upstream habitat. Washington State is now required by a federal court order to replace enough culverts to open up 90 percent of blocked

habitat by 2030, with the remaining replaced at the end of their useful life or as part of another transportation project. WSDOT estimates it needs to replace 415 culverts at the cost of \$3.8 billion to meet the terms of the federal court order. To date, the Washington State legislature has identified \$736 million toward this effort.

WSDOT has also identified sections of highways that are vulnerable to damage from extreme weather events and the changes in hydrology due to climate change. In addition, as part of the study of facilities repeatedly damaged due to emergency events, we found a high percentage are tied to flooding and intense storms. Federal law (23 CFR 667), requires state DOTs to develop alternative designs to reduce the need for Federal emergency repair and reconstruction funds. There is growing evidence that nature-based designs, such as larger culverts with more natural streambeds, are more resilient.

- *Recommendations:* Congress should establish a discretionary funding program to help states and local governments improve the resilience and function of highway facilities for extreme events. The funding criteria should consider and prioritize projects that are required by federal court order or law.