

Chapter 479-14 WAC

TRANSPORTATION IMPROVEMENT ACCOUNT PROJECTS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

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| 479-14-008 | Definitions. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-008, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW. |
| 479-14-010 | Programs funded from the transportation improvement account. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-010, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW. |
| 479-14-100 | Intent of the transportation partnership program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-100, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW. |
| 479-14-110 | Priority criteria for the transportation partnership program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-110, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW. |
| 479-14-120 | Establishing regions for transportation partnership program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-120, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW. |
| 479-14-130 | Apportionment of funds to transportation partnership program regions. [Statutory Authority: Chapter 47.26 RCW. WSR 04-19-108, § 479-14-130, filed 9/21/04, |

effective 10/22/04; WSR 00-22-001, § 479-14-130, filed 10/19/00, effective 11/19/00. Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-130, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-140 Eligible transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-140, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-150 Designation of lead agency for transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-150, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-160 Verification of coordination with planning authority for transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-160, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-170 Planning requirements for multiagency transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-170, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-180 Local/private matching funds on transportation partnership program projects. [Statutory Authority: Chapter 47.26 RCW. WSR 05-05-004, § 479-14-180, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-180, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-190 Certification of local/private matching funds for transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-190, filed 11/23/99, effective 12/24/99.] Repealed by WSR 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

WAC 479-14-005 Purpose and authority. The transportation improvement board adopts reasonable rules necessary to implement the transportation improvement account.

[Statutory Authority: Chapter 47.26 RCW. WSR 07-18-050, § 479-14-005, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. WSR 99-24-038, § 479-14-005, filed 11/23/99, effective 12/24/99.]

WAC 479-14-006 Previously funded projects. Projects are not eligible to compete for funding within the termini limits of a previously funded project for a period of ten years from contract completion. A project that is divided into multiple phases is not considered a previously funded project.

[Statutory Authority: Chapter 47.26 RCW. WSR 07-18-050, § 479-14-006, filed 8/30/07, effective 9/30/07.]

WAC 479-14-011 Programs funded from the transportation improvement account. The transportation improvement account funds the following programs:

- (1) The urban program;
- (2) The small city arterial program:
 - (a) Grants; and
 - (b) Federal match funding.
- (3) The sidewalk programs:
 - (a) Urban sidewalk program; and
 - (b) Small city sidewalk program.
- (4) The arterial preservation program.

[Statutory Authority: Chapter 47.26 RCW. WSR 13-20-087, § 479-14-011, filed 9/30/13, effective 10/31/13; WSR 12-08-060, § 479-14-011, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-011, filed 8/30/07, effective 9/30/07.]

WAC 479-14-111 Who is eligible to receive urban program funding. Eligible agencies are:

- (1) Counties that have an urban area;
 - (2) Incorporated cities with a population of five thousand or more. For the purposes of determining population, cities may include the population of any state correctional facility located within the city. Agencies exceeding population of five thousand are eligible pending designation as a federal urban area following the next federal census; and
 - (3) Transportation benefit districts.
- Generally, the eligible agency will be designated as the project lead. However, the executive director may designate another agency as lead in the best interest of project completion or for convenience to both parties.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-111, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-111, filed 8/30/07, effective 9/30/07.]

WAC 479-14-121 What projects are eligible for urban program funding. Eligible projects are:

- (1) Improvements on federally classified arterials;
- (2) Within a city qualifying for urban designation upon the next federal census as long as the project carries a federal arterial functional classification; or
- (3) Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act.

Any urban street that is not functionally classified at the time of award must obtain federal functional classification prior to approval to expend board funds.

Sidewalks with five feet minimum clear width are required on both sides of the arterial unless a deviation is granted under WAC 479-14-200.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-121, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-121, filed 8/30/07, effective 9/30/07.]

WAC 479-14-131 Award criteria for the urban program. The board establishes the following criteria for use in evaluating urban program grant applications:

- (1) Mobility improvements - Includes system connectivity, improves flow of vehicles and freight, and extends or completes corridor for network connections.
- (2) Physical condition - Includes pavement, structural, and geometric design features of the arterial.
- (3) Growth and development improvements - Provides or improves access to urban centers, economic development,

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supports annexation agreements, and increases residential density.

(4) Safety improvements - Addresses accident reduction, elimination of roadway hazards, corrects roadway deficiencies, and eliminates railroad at-grade crossing.

(5) Sustainability - Improves mode accessibility, reduces or eliminates water detention, and encourages energy reduction technology and use of recycled materials.

(6) Constructability - Demonstrates a strong likelihood to achieve full funding, obtain permits, acquire right of way, and reach construction within the timelines established in WAC 479-05-211.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-131, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-131, filed 8/30/07, effective 9/30/07.]

WAC 479-14-141 Regions of the urban program. The board allocates urban program funding across five regions to ensure statewide distribution of funds. The five regions are as follows:

- (1) Puget Sound region includes eligible agencies within King, Pierce, and Snohomish counties.
- (2) Northwest region includes eligible agencies within Clallam, Island, Jefferson, Kitsap, San Juan, Skagit, and Whatcom counties.
- (3) Northeast region includes eligible agencies within Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman counties.
- (4) Southeast region includes eligible agencies within Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima counties.
- (5) Southwest region includes eligible agencies within Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum counties.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-141, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-141, filed 8/30/07, effective 9/30/07.]

WAC 479-14-151 Funding distribution formula for the urban program. The statewide distribution of urban program funds is allocated between regions according to the following formula:

The average of the ratios of region urban area population (RUP) divided by the statewide urban population (SUP) plus region functionally classified lane miles within the urban area (RFC) divided by statewide functionally classified lane miles within urban areas (SFC).

$$\frac{(RUP/SUP) + (RFC/SFC)}{2}$$

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The board may adjust the regional allocation by plus or minus five percent to fully fund the approved list of regional projects. When requested by the board, TIB staff will update the regional allocation to ensure equitable distribution of funds.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-151, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-151, filed 8/30/07, effective 9/30/07.]

(12/3/13)

WAC 479-14-161 Matching requirement for the urban program. The urban program provides funding which will be matched by other funds as follows:

- (1) For cities:
 - (a) If the city valuation is under \$1.0 billion, the matching rate is ten percent of total project costs.
 - (b) If the city valuation is \$1.0 billion to \$2.5 billion, the rate is fifteen percent of total project costs.
 - (c) If the city valuation is over \$2.5 billion, the rate is twenty percent of total project costs.

- (2) For counties:
 - (a) If the road levy valuation is under \$3.0 billion, the rate is ten percent of total project costs.
 - (b) If the road levy valuation is between \$3.0 billion to \$10.0 billion, the rate is fifteen percent of total project costs.
 - (c) If the road levy valuation is over \$10.0 billion, the rate is twenty percent of total project costs.

The board uses the current published valuation from the department of revenue.

- (3) For transportation benefit districts, the match is based on the valuation of the city or county in which it is located. If the project lies within more than one city or county, the match is determined by the city or county that has the greatest valuation.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-161, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-161, filed 8/30/07, effective 9/30/07.]

WAC 479-14-200 Sidewalk deviation authorities for the urban program. The board recognizes the need for pedestrian facilities on arterial roadways and has required that sidewalks be provided under the urban program. A sidewalk deviation may be requested by the lead agency and may be granted under the following authorities:

- (1) The executive director has administrative authority to grant sidewalk deviations as follows:
 - (a) On both sides if the roadway is a ramp providing access to a limited access route;
 - (b) On both sides of a designated limited access facility if:
 - (i) Route is signed to prohibit pedestrians; or
 - (ii) Pedestrian facilities are provided on an adjacent parallel route;
 - (c) On one side if the roadway is a frontage road immediately adjacent to a limited access route; or
 - (d) On one side if the roadway is immediately adjacent to a railroad or other facility considered dangerous to pedestrians.

- (2) All other sidewalk deviation requests require board action.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-200, filed 4/3/12, effective 5/4/12; WSR 07-18-050, § 479-14-200, filed 8/30/07, effective 9/30/07.]

WAC 479-14-211 Who is eligible to receive small city arterial program funding. An eligible agency is an incorporated city or town that has a population of less than five thousand. For the purposes of determining population, cities may exclude the population of any state correctional facility located within the city.

(12/3/13)

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-211, filed 4/3/12, effective 5/4/12.]

WAC 479-14-215 Small city match funding allocation. Within the small city arterial program, ten percent of the annual allocation may be portioned as an amount available for small cities to match federal funding provided for local government federal aid of transportation, on a first come/first served basis.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-215, filed 4/3/12, effective 5/4/12.]

WAC 479-14-221 What projects are eligible for small city arterial program funding. To be eligible for funding, a proposed project must improve an arterial that meets at least one of the following standards:

- (1) Serves as a logical extension of a county arterial or state highway through the city; or
- (2) Acts as a bypass or truck route to relieve the central core area; or
- (3) Serves as a route providing access to local facilities such as:
 - (a) Schools;
 - (b) Medical facilities;
 - (c) Social centers;
 - (d) Recreational areas;
 - (e) Commercial centers;
 - (f) Industrial sites.

Sidewalks are required on one side of the roadway unless a deviation is granted under WAC 479-14-200.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-221, filed 4/3/12, effective 5/4/12.]

WAC 479-14-231 Award criteria for the small city arterial program. The board establishes the following criteria for use in evaluating small city arterial program grant applications:

- (1) Safety improvement - Projects that address accident reduction, hazard elimination, and roadway deficiencies.
- (2) Pavement condition - Replaces or rehabilitates street surfaces and structural deficiencies.
- (3) Local support - Projects that improve network development and address community needs.
- (4) Sustainability - Improves network development of street system, reduces or eliminates water detention, and encourages energy reduction technology and use of recycled materials.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-231, filed 4/3/12, effective 5/4/12.]

WAC 479-14-241 Regions of the small city arterial program. The board allocates small city arterial program funding across three regions to ensure statewide distribution of funds. The three regions are as follows:

- (1) Puget Sound region includes eligible agencies within King, Pierce, and Snohomish counties.
- (2) East region includes eligible agencies within Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties.

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(3) West region includes eligible agencies within Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom counties.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-241, filed 4/3/12, effective 5/4/12.]

WAC 479-14-251 Funding distribution formula for the small city arterial program. The statewide distribution of small city arterial program funds is allocated between regions according to the following formula:

Region small city population divided by statewide small city population.

The board may adjust the regional allocation by plus or minus five percent to fully fund the approved list of regional projects. When requested by the board, staff will update the regional allocations to ensure equitable distribution of funds.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-251, filed 4/3/12, effective 5/4/12.]

WAC 479-14-261 Matching requirement for the small city arterial program. There is no match requirement for cities with a population of one thousand or less. Cities with a population over one thousand must provide a minimum match of five percent of the total project cost.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-261, filed 4/3/12, effective 5/4/12.]

WAC 479-14-270 Small city federal match funding eligibility and application. Cities with a population under five thousand may request grant funds to match a federal grant. The project must meet TIB eligibility requirements for the small city arterial program described under WAC 479-14-221. A TIB funding application form must be submitted to apply for federal match funding.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-270, filed 4/3/12, effective 5/4/12.]

WAC 479-14-271 Restriction on use of small city federal match funding. Federal match funds are only for transportation projects funded through federal transportation grants. All other local funding sources must be sought before applying for federal match funds from TIB.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-271, filed 4/3/12, effective 5/4/12.]

WAC 479-14-272 Small city federal match funding priority. The priority for funding federal match applications is the order in which the applications are received until the funds are fully allocated.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-272, filed 4/3/12, effective 5/4/12.]

WAC 479-14-273 If small city federal match funding is fully allocated. If an eligible application is received after all of the apportioned funding is committed, TIB may use small city preservation program funds as described in WAC 479-10-011 and 479-10-174. If all SCAP and SCPP funds are committed, the local agency may present their project to the board at the next scheduled board meeting after receiving the

notice of denial from TIB staff. The notice of denial may be in the form of an e-mail or letter.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-273, filed 4/3/12, effective 5/4/12.]

WAC 479-14-274 Small city match funding increases. Increases in federal match funding for chosen projects may be made within the executive director's authority in accordance with WAC 479-01-060.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-274, filed 4/3/12, effective 5/4/12.]

WAC 479-14-402 Sidewalk program subprograms. In order to provide equity for project grant funding, the sidewalk program is divided into the urban sidewalk program and the small city sidewalk program.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-402, filed 4/3/12, effective 5/4/12.]

WAC 479-14-411 Who is eligible to receive sidewalk program funding. Each of the subprograms has separate criteria for agency eligibility as follows:

(1) Urban sidewalk program agency eligibility:

(a) Incorporated cities with a population of five thousand and over.

(b) Incorporated cities with a population less than five thousand which are located within a federally designated urban area.

(c) Counties with a federally designated urban area.

(2) Small city sidewalk program agency eligibility: Incorporated cities with a population under five thousand.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-411, filed 4/3/12, effective 5/4/12.]

WAC 479-14-421 What projects are eligible for sidewalk program funding. Minimum project requirements for each subprogram are as follows:

(1) Urban sidewalk program project eligibility:

(a) Must be on or related to a functionally classified route; and

(b) Primary purpose of the project is transportation and not recreation.

(2) Small city sidewalk program project eligibility:

(a) The project must be located on or related to a street within the TIB designated arterial system; and

(b) Primary purpose of the project is transportation and not recreation.

For both of the subprograms, TIB does not participate in the cost for right of way acquisitions.

[Statutory Authority: Chapter 47.26 RCW. WSR 13-24-092, § 479-14-421, filed 12/3/13, effective 1/3/14; WSR 12-08-060, § 479-14-421, filed 4/3/12, effective 5/4/12.]

WAC 479-14-431 Award criteria for the sidewalk program. The board establishes the following criteria for use in evaluating sidewalk program grant applications for both urban and small city sidewalk projects:

(1) Safety improvement - Projects that address hazard mitigation and accident reduction.

(2) Pedestrian access - Projects that improve or provide access to facilities including:

- (a) Schools;
- (b) Public buildings;
- (c) Central business districts;
- (d) Medical facilities;
- (e) Activity centers;
- (f) High density housing (including senior housing);
- (g) Transit facilities;
- (h) Completes or extends existing sidewalks.

(3) Local support - Addresses local needs and is supported by the local community.

(4) Sustainability - Improves sidewalk width, provides hardscaping and appropriate plantings, addresses low impact development or natural drainage practices, and encourages pervious surface use.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-431, filed 4/3/12, effective 5/4/12.]

WAC 479-14-441 Regions of the sidewalk program.

The board allocates sidewalk program funding across three regions to ensure statewide distribution of funds. The three regions are as follows:

(1) Puget Sound region includes eligible agencies within King, Pierce, and Snohomish counties.

(2) East region includes eligible agencies within Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties.

(3) West region includes eligible agencies within Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom counties.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-441, filed 4/3/12, effective 5/4/12.]

WAC 479-14-451 Distribution formula for the sidewalk program. For the purpose of allocating funds, the sidewalk program is divided into two subprograms, the urban sidewalk program and the small city sidewalk program. The distribution formulas are as follows:

(1) Urban sidewalk program - The average of the ratios of region urban area population (RUP) divided by statewide urban population (SUP) plus region functionally classified lane miles within the urban area (RFC) divided by statewide functionally classified lane miles within urban areas (SFC).

The equation is as follows:

$$\frac{(RUP/SUP) + (RFC/SFC)}{2}$$

(2) Small city sidewalk program - Region small city population divided by statewide small city population.

For either program, the board may adjust regional allocations by plus or minus five percent to fully fund the approved list of regional projects. When requested by the board, staff will update the regional allocations to ensure equitable distribution of funds.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-451, filed 4/3/12, effective 5/4/12.]

WAC 479-14-461 Matching requirement for the sidewalk program. The sidewalk program provides funding which will be matched by other funds as follows:

(1) The urban sidewalk program requires a match of at least twenty percent of total project costs.

(2) Small city sidewalk program matching rates are dependent on the city population as follows:

(a) Cities with a population of one thousand and below are not required to provide matching funds.

(b) Cities with a population over one thousand but less than five thousand, require a match of at least five percent of the total project costs.

[Statutory Authority: Chapter 47.26 RCW. WSR 12-08-060, § 479-14-461, filed 4/3/12, effective 5/4/12.]

