

**WAC 173-420-110 Exempt projects.** The following types of projects because of their nature, will not affect the outcome of any air quality analyses nor add any substance to those analyses and are exempted from all conformity requirements.

(1) Safety, preservation, or maintenance projects of the following type:

- (a) Railroad/highway crossing signing;
- (b) Pavement marking that does not add lanes or capacity;
- (c) Hazard elimination program;
- (d) Off-system road safety;
- (e) Emergency relief;
- (f) Shoulder improvements;
- (g) Truck size and weight inspection stations;
- (h) Safety improvement program;
- (i) Railroad/highway crossing warning devices;
- (j) Increasing sight distance that does not require changes in horizontal or vertical alignments;
- (k) Guardrails, median barriers, crash cushions;
- (l) Pavement resurfacing or rehabilitation;
- (m) Widening narrow pavements or bridges (less than one travel lane);
- (n) Noise attenuation;
- (o) Fencing;
- (p) Skid treatments;
- (q) Safety roadside rest areas;
- (r) Truck climbing lanes outside the urbanized area;
- (s) Lighting improvements;
- (t) Median additions;
- (u) Emergency truck pullovers.

(2) Mass transit projects of the following type:

- (a) Purchase of office, shop, and operating equipment for existing facilities;
  - (b) Purchase of operating equipment for vehicles, including ferries, trains, and buses;
  - (c) Construction or renovation of power, signal, and communication systems;
  - (d) Operating assistance;
  - (e) Rehabilitation of transit vehicles, including buses, ferries, and trains;
  - (f) Reconstruction or renovation of transit buildings and structures;
  - (g) Construction of small passenger shelters and information/ticketing kiosks;
  - (h) Rehabilitation or reconstruction of track structures, track, and trackbed in existing right of way;
  - (i) Noise attenuation;
  - (j) Purchase of vehicles to replace existing vehicles or for minor expansions of fleets to provide new service (less than five percent per year);
  - (k) Construction of new vehicle storage and maintenance facilities;
  - (l) Purchase of support vehicles.
- (3) Air quality projects of the following type:
- (a) Continuation of rideshare and vanpooling promotion activities at current levels;
  - (b) Bicycle projects;
  - (c) Pedestrian facilities.

- (4) Other projects of the following type:
  - (a) Acquisition of scenic easements;
  - (b) Planting and landscaping;
  - (c) Sign removal;
  - (d) Wetland mitigation, fish passage mitigation, and other environmental mitigation not related to air quality;
  - (e) Historical and cultural markers;
  - (f) Preliminary engineering through design, provided that funds are not expended or assurance is not made that will commit to the construction of a project;
  - (g) Access permits except when there is a break in full, modified, or partial access control;
  - (h) Advanced land acquisitions that do not influence the environmental assessment of a project, the decision of the need to construct the project, or the selection of project design or location;
  - (i) Planning and technical studies that do not commit to project implementation;
  - (j) Training and research programs;
  - (k) Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action.

[Statutory Authority: Chapter 70.94 RCW and 40 C.F.R. Part 51 Subpart T. WSR 95-18-022 (Order 94-31), § 173-420-110, filed 8/25/95, effective 9/25/95. Statutory Authority: Chapter 70.94 RCW and RCW 70.94.037. WSR 93-04-006 (Order 92-07), § 173-420-110, filed 1/22/93, effective 2/22/93.]