

Freight Mobility Strategic Investment Board Workshop

May 30, 2019

10:00 AM to 4:00 PM

*Skamania Lodge - Rainier Room
Stevenson, WA*

AGENDA

10:00 AM	Welcome/Introductions	Dan Gatchet
10:05 AM	History of Freight in Washington	Brian Ziegler
11:05 AM	FMSIB Historical Capital Priorities	Brian Ziegler
11:35 AM	FMSIB Project History	Brian Ziegler
12:05 PM	Working Lunch	
12:15 PM	FMSIB Historical Budgets and Fund Balances	Brian Ziegler
12:45 PM	2019 Legislative Update (Budget and Policy Bills)	Brian Ziegler
1:30 PM	Options for Reducing Reappropriations	Brian Ziegler
1:45 PM	Active Projects That Could Be Deferred	Brian Ziegler
2:00 PM	FAST Act Reauthorization (Tentative)	TBD
2:15 PM	FMSIB Delegations (Subcommittees, Chair, Director)	Dan Gatchet
2:30 PM	Trucking, Rail, and Port Priorities	Chris Herman, WPPA Johan Hellman, BNSF Matt Ewers, WTA
3:30 PM	Review FMSIB 2018-19 Committees	All
3:45 PM	Establish 2020 Meeting Locations	All
4:00 PM	Adjourn	Dan Gatchet



Freight History in Washington State

FMSIB Workshop

May 30, 2019



Purpose

- Provide a historical perspective of freight mobility modes and partners in Washington
- Facilitate discussion and understanding of current issues affecting freight mobility
- Prepare Board for discussions about future role of FMSIB in statewide freight issues

1700's

- Horses arrived in the Northwest
- East-west trade amongst many tribes mingled at the Dalles along the Columbia River Gorge
- European sailing ships arrived in the PNW
 - 1791-95: British explorer George Vancouver charts coast and Puget Sound
 - 1792: Spain abandons Northwest land claims

1800's

- 1836: Steamships began operating on Puget Sound (Hudson's Bay Company *Beaver*)
- 1845: First counties established in Washington (Eight under Oregon Territorial laws, 26 under Washington Territorial laws, five after statehood)
- 1845: First wagon road built from Cowlitz Landing to Budd Inlet
- 1853: Washington Territory incorporated
- 1853: First military road surveyed from Walla Walla to Steilacoom
- 1854: First city incorporated in Washington

1800's (con't.)

- 1859: First military road built from Fort Walla Walla to Fort Benton, Montana
- 1860: Daily mail and stagecoach service begins between Portland and Olympia
- 1864: First telegraph line reaches Seattle
- 1866: Sternwheeler Okanogan first to navigate Celilo Rapids on the Columbia
- *1864-66 Fredrick Ziegler served in Co. E of 15 N.Y. Engineers (Lincoln's Army). Homesteaded in Washington*
- 1867: First wagon road built over Snoqualmie Pass

1800's (con't.)

- 1873: Northern Pacific Railroad names Tacoma as its western terminus
- 1884: First Northern Pacific train reaches Seattle
- 1889: Washington becomes 42nd state.
- 1889: First Legislature authorized counties to bond road construction and implemented first highway safety act
- 1893: Final spike driven for Great Northern Railway at Scenic, WA
- 1893: First state road established by Legislature: Cascade Wagon Road along the Nooksack River
- 1899: WA Good Roads Assn. established

1900's

- 1900: King Co. operates ferry service on Lake Washington
- 1902: Electric interurban trains begin operating between Seattle and Tacoma
- 1904: Automobile Club of Seattle (predecessor to AAA of Wash.) formed
- 1905: State Legislature designates 12 state roads and provides \$110,000 for improvements
- 1905: Legislature creates Highway Board (Forerunner of WSTC) and position of Highway Commissioner (forerunner of WSDOT Secretary)

1900's (con't.)

- 1905: First vehicle crosses Snoqualmie Pass
- 1907: Nation's first gas station opens – in Seattle
- 1908: First highway bridge across the Columbia River
- 1909: Nation's first transcontinental auto race, ends at Seattle's Alaska-Yukon-Pacific Exposition

1910's

- 1911: First port district formed in Washington
- 1912: State engineers first experimented with concrete paving
- 1913: First weight limits enacted for trucks in Washington State
- 1913: Port of Seattle launches first ferry designed for motor vehicles

1910's (con't.)

- 1915: The Dalles-Celilo Canal on the Columbia River opens (Port of Kennewick opens)
- 1917: Clark and Multnomah counties open “interstate” Columbia River Crossing
- 1917: U.S. Army Corps of Engineers opens Government Locks on Lake Washington Ship Canal
- 1917: U.S. enters World War I

194. "PACIFIC HIGHWAY INTERSTATE BRIDGE," SPANNING COLUMBIA RIVER, PORTLAND, ORE, TO VANCOUVER, WASH.

1920's

- 1921: One penny gas tax authorized
- 1922-23: First snow removal operations undertaken on Cascade mountain passes
- 1923: Gas tax raised to two cents
- 1923: Final stretch of Highway 1 (Vancouver, WA to Blaine) is paved

at Summit Inn Snoqualmie Pass Highway

Julian
7/66

1920's (con't.)

- 1927: Legislature orders all roads to be toll-free. State purchases private toll-bridges, removes tolls
- 1927: Four cross-sound ferries are built and served into the 2000's
- 1928: King County dedicates Boeing Field
- 1928: Seattle-Tacoma Interurban ends operations
- 1929: Gas tax raised to three cents, the extra penny dedicated to counties to plan for and improve a system of "Lateral Highways" to improve a system of "Farm to Market" Roads

1930's

- 1930: Mosquito fleet service between Seattle and Tacoma ends
- 1933-35: 26 stationary truck platform scales installed at points along the state highway system
- 1933: Six “traffic officers” (part of the Highway Department) were outfitted with portable scales (“Drive-on loadmeters”)
- State issues first debt (\$10 million) for highway improvements, backed by the gas tax
- American Trucking Association formed

1930's (con't.)

- 1933: Testing for driver's licenses becomes mandatory
- 1937: Legislature raises speed limit to 50 mph
- 1938: First "hours of service" regulations enacted
- 1938: First state vehicle inspections instituted (65% failed in the first year)
- 1939: Seattle-Everett Interurban ceases operations

1940's

- 1940: Tacoma Narrows Bridge opens (and closes)
- 1940: Lacey V. Murrow Floating Bridge opens
- 1943: Responsibility for truck weight enforcement was transferred from the Department of Highways to the State Patrol
- 1943: Secret nuclear processing operations begin at Hanford

1940's (con't.)

- 1944: Voters approve the 18th Amendment to the state constitution
- 1946: First stores open in Bellevue Square
- 1947: Legislature authorizes limited access highways
- 1949: Legislature raises gas tax to 6.5 cents
- 1949: First terminal dedicated at SeaTac International

1950's

- 1950: Northgate shopping center opens
- *1950: Charles R. Ziegler begins his Highway Dept. career*
- 1950: Second Tacoma Narrows Bridge opens
- 1951: State Toll Bridge Authority takes over the Black Ball Ferry for \$6.8 million (forerunner of the WA State Ferries)

1950's (con't.)

- 1953: First portion of Alaskan Way Viaduct opens
- 1954: Puget Sound Regional Planning Council meets (forerunner of PSRC)
- 1956: Federal Aid Highway Act creates the Interstate Highway and Defense System of highways
- 1960: Second I-5 Columbia River Crossing opens as a tolled facility

1960's

- 1961: WPPA formed by the state Legislature
- 1961: Hood Canal Floating Bridge opens
- 1962: Federal Aid Highway act creates requirement for MPO's in urbanized areas greater than 50,000 population
- 1962: I-5 Lake Washington Ship Canal bridge opens

1960's (con't.)

- 1963: Evergreen Point Floating Bridge opens
- 1965: CRAB Board created
- *1966: Roy D. Ziegler retires from Highway Dept. with 39 years service*
- 1967: US Dept. of Transportation formed
- 1967: Urban Arterial Board created (forerunner of TIB)

1960's (con't.)

- 1967: Final segment of I-5 between Tacoma and Everett opens
- 1968-70: King Co. voters twice reject “Forward Thrust”
- 1969: Boeing 747 maiden flight from Paine Field
- 1969: Last stop light removed on I-5
- 1969: MVET of 1% levied for transit services

EMPIRE EXPRESSWAY ~ ARBORETUM INTERCHANGE ~

1970's

- 1970: Highway Dept. moves into current HQ building (shaped like an “H”)
- 1970: EIS Lawsuit halts I-90 Seattle construction
- 1972: Seattle voters scrap proposal for Bay Freeway and R. H. Thompson Expressway
- 1973: State introduces first HOV lanes (SR-520)

1970's (con't.)

- 1975: Legislature grants authority to local governments to form PTBA's for transit service
- 1977: The State Highway Commission is directed to develop a functional classification system for state highways. Nine criteria are enumerated, no mention of freight. (RCW 47.05.021)
- 1977: *Brian J. Ziegler begins his WSDOT career*

1970's (con't.)

- 1978: North Bend celebrates removal of last stop light on I-90
- 1979: First publicly funded railroad rehabilitation project in the West begins
- 1979: The Highway Commission is replaced by the Transportation Commission
- 1979: Federal courts lift injunctions halting I-90 construction in Seattle

1980's

- 1980: First non-engineer selected to head WSDOT (Duane Berentson)
- 1981: First FLOW meters installed on I-5
- 1982: I-205 bridge opens between Vancouver and Portland
- 1985: First cooperative Marine Cargo Forecast (WSDOT and WPPA)
- 1988: Legislature forms first Rail Commission
- 1989: First guidelines for treatment of highway stormwater runoff are proposed



1990's

- 1990: Growth Management Act (GMA) and High Capacity Transit Act (HCTA) enacted
- 1991: Federal ISTEA passed
- 1992: High Speed Ground Transportation Commission issues final report recommending “higher speed” rail
- 1993: Statewide planning statutes adopted by the Legislature. Created State Multimodal Plan, State-owned and State interest components, and state support for high-capacity transit planning and regional planning. (RCW 47.06)
- 1993: WSDOT purchases 20-mile Toppenish-White Swan Rail line

1990's (con't.)

- 1993: Legislature directs Transportation Commission to develop a freight and goods transportation system (FGTS). In collaboration with counties and cities, the Commission is to review and make recommendations regarding weight restrictions and road closures which affect freight transportation. (RCW 47.05.021)
- 1994: Washington's first state-funded Amtrak train begins service
- 1994: WSDOT purchases six rail cars and begins Grain Train program operating out of the Port of Walla Walla

1990's (con't.)

State ports continue raising concerns about Washington State's trade dependency and competition

- Southern California Ports/Alameda Corridor
- British Columbia: DeltaPort

Alameda Corridor

- A 20-mile-long rail cargo expressway linking the ports of Long Beach and Los Angeles to the transcontinental rail network near downtown Los Angeles.
- A series of bridges, underpasses, overpasses and street improvements that separate freight trains from street traffic and passenger trains, facilitating a more efficient transportation network.
- The centerpiece is the Mid-Corridor Trench, which carries freight trains in an open trench that is 10 miles long, 33 feet deep and 50 feet wide between State Route 91 in Carson and 25th Street in Los Angeles.
- Construction began in April 1997. Operations began in April 2002.
- Predicted 50% of waterborne containers would be handled by rail. (32.9% as of 2003)

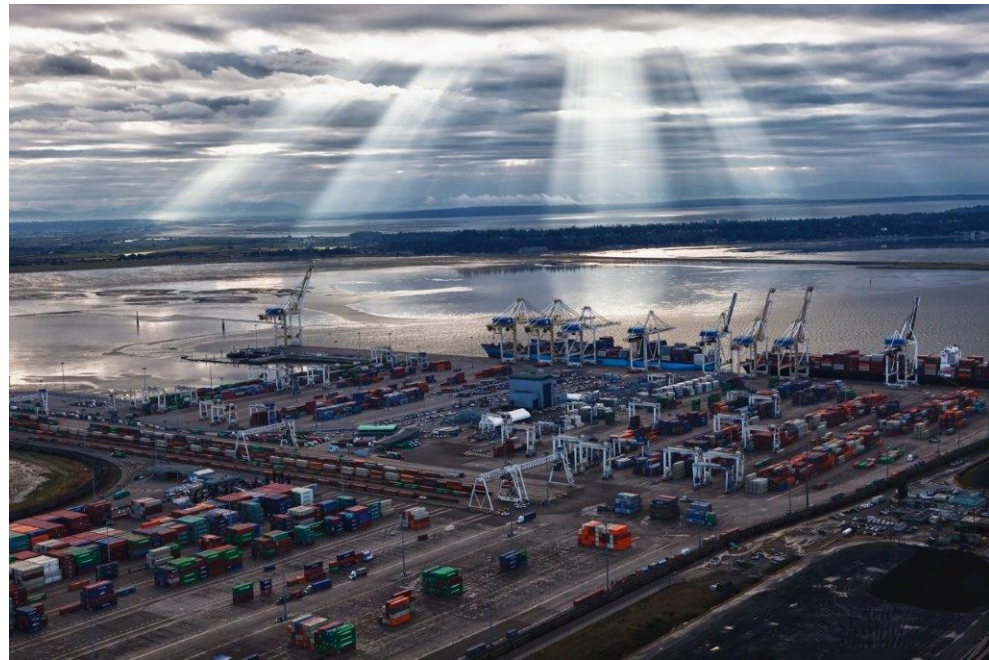


Alameda Corridor





DeltaPort



2016 Description:

- Global Container Terminals (GCT) Deltaport is Canada's flagship container terminal. and is located at Roberts Bank (Metro Vancouver).
- Located at Roberts Bank, just south of Vancouver, it is an 85 ha (210 acre) 3 berth container terminal that offers 10 high-speed Super Post-Panamax dock gantries, a modern fleet of container handling equipment and an 8-track on-dock intermodal rail yard totaling 28,000 feet.
- 1,100 meter (3,609-foot) continuous birth
- Unions:
 - ILWU Local 502-Longshoreman
 - ILWU Local 514-Foreman

1996

WHEREAS, recent interagency efforts have identified the elements of a strategic freight corridor through the Green River Valley and connecting the Ports of Seattle and Tacoma, known as ***the Freight Action Strategy for the Seattle-to-Tacoma (FAST) Corridor***, and

WHEREAS, the FAST Corridor work has involved the Ports of Seattle, Tacoma, and Everett; the cities of Seattle, Tacoma, Everett, Auburn, Kent, Tukwila, Puyallup, Sumner, Renton, Pacific, and Algona; the Burlington Northern & Santa Fe and Union Pacific Railways; the Puget Sound Regional Council; the WSDOT Office of Urban Mobility; and the counties of Pierce, Snohomish, and King, which are the parties to the memorandum, and ...

1996 (con't.)

- Legislative Transportation Committee:
 - Convened private sector freight representatives: Freight Mobility Advisory Committee (FMAC)
 - Hired a consultant to analyze freight needs, make recommendations
 - Recommendations were the formula for creation of FMSIB

1997

- FMAC recommendations:
 - Adopt a state freight mobility policy
 - Establish a process for determining strategic freight investments (including eligibility and selection criteria)
 - Establish a dedicated funding source to support:
 - 1) A new freight mobility program; and
 - 2) Strategic freight mobility investments
 - Fund special studies to ensure freight mobility needs are well-defined
 - Address non-physical barriers (i.e. regulations, permits, technology, safety, speed)

1997

- FMAC project criteria recommendations:
 - Make the program modally and jurisdictionally neutral
 - Focus on freight transportation
 - Take a long-term perspective: current project needs should not “unduly influence” long-term objectives of program

Other:

“No common measure or set of measures has emerged for comparing freight mobility improvements across different modes at the state level or across regions.”



1998

- FMSIB created
 - 12 member board
 - Independent board was *critical* part of authorization- would not have passed if part of another agency or jurisdiction
 - Initial staffing by WSDOT (Two Executive Directors), assistance by Transportation Improvement Board and County Road Administration Board.
 - **\$100M/biennium budget.** Proposed funding source: Referendum 49 (passed in November, 1998)
 - 33 projects of \$341.91M selected as part of first 6-year plan (based on FMAC recommendation)
 - Included “FAST” Corridor projects



1998-99

- 1998: Referendum 49 was on the ballot, and passed by citizens
- It lowered vehicle excise taxes and provided \$1.9b in bonds for highway projects
- 1999: Initiative 695 on the ballot, also passed by the citizens
- It lowered vehicle license fees to \$30, eliminating source of funds for FMSIB projects
- Initiative declared unconstitutional, but



ESHB 1858

07May04D_4570



2000

- Supplemental budget salvaged 12 FMSIB projects
- Puget Sound Regional Council funded 2 more
- FMSIB does first call for projects
 - 18 selected
 - Added to first 33 active projects
- Dan O'Neal appointed as first FMSIB Chair

2002



- Referendum 51: Nine-cent gas tax on ballot
- Included funding for FMSIB projects
- Voters reject referendum
- FMSIB conducts call for projects



2003

- Legislature enacts Nickel package
- 15% surcharge on truck weight fees
- WTA agreed to support if funds were dedicated to freight
- Nearly total amount was dedicated to WSDOT projects
- Two FMSIB projects included

2004



- Legislature included 10 more FMSIB projects in supplemental budget
- A call for projects was issued to keep an active list of projects advancing



2005

- Legislature passed 9.5 cent gas tax (phased)
- For first time, FMSIB received \$12M/biennium of dedicated funding:
 - \$6M is 18th Amendment restricted (roads only)
 - \$6M is multimodal (roads or non-roads)
 - FMSIB revenue “tied” to weight fee increase on trucking industry



2006 and 2007

- Board required increased project reporting
- Project advancement, reviews, and project deferrals were added to Board duties
- Board continued to advocate for federal participation on FMSIB projects (trips to Washington, DC)
- Call for projects continued to maintain active 6-year list.
- 2007: Puget Sound RTID defeated at the polls

2008



- FMSIB, City of Everett, City of Marysville, and Port of Everett collaborated on identification of future freight routes
- Extensive interaction with Congress - Sen. Patty Murray & Congressman Adam Smith



2009

- Call for projects: 6 submitted/4 approved
- Tacoma Area Tideflats Study (TATS)
 - SSA Marine
 - Marine View Ventures
 - Port of Tacoma
 - Fife
 - Tacoma
 - Pierce County
- Argo Truck Access Project begins

2010



- Call for projects: 10 submitted/6 approved
- **Executive Branch** proposal to consolidate FMSIB, County Road Administration Board (CRAB), Transportation Improvement Board (TIB), and WSDOT Highways and Local Programs (WSDOT-HLP)
- Joint Transportation Committee: **Local Agency Efficiencies Study** - CRAB, TIB, FMSIB and WSDOT Highways and Local Programs
 - Evaluate funding and services offered by four state agencies providing local transportation services.
 - Objective: Identify opportunities to streamline governance and organization, and to identify whether there are more efficient ways to distribute transportation funds and provide services to local governments.
 - Goal: Increase efficiencies while effectively meeting local governments' needs.
- Policy workgroup comprised of legislators and Governor's staff oversaw the study. A technical staff workgroup provided support.



2010/11 (Continued)

Local Agency Efficiencies Study – December findings:

- *“... each of the four agencies was created to address a particular need. Our assessment is that agencies have continued to execute programs and deliver services in alignment with their founding statutes and program direction.”*
- *“The four agencies’ programs and outcomes are in line with the six State Transportation Policy Goals. “*
- *“... customers interviewed for this study are generally very satisfied with the four agencies and did not highlight a need for significant structural changes.”*
- *“Based on this assessment, we do not see a need for or benefit from restructuring the current system.”*



2011

- Call for projects: 4 submitted/3 approved
- “Stick to the mission” was the FMSIB theme - Focus on investing in freight and infrastructure for economic recovery
- TATS completed
- FMSIB Board acted on two of the JTC study recommendations:
 - Pursue legislative appropriation for a third FTE (succession planning)
 - Pursue state law change to eliminate line item approval of FMSIB projects (became law in 2013).



2012

- Call for projects: One awarded
- Deputy Director position funded in supplemental budget
- Deputy Director hired in November 2012
- MAP-21 authorized
 - First federal transportation authorization to recognize freight
 - “Borrows” from FMSIB to create Freight Advisory Committees (Optional, Advisory to the “State”)

2013



- Senate Bill 5239/House Bill 1256 introduced and enacted:
 - Eliminated legislative, line-item approval of FMSIB projects.
 - FMSIB receives separate capital budget (no longer part of WSDOT-HLP appropriation)
- MAP-21:
 - Washington State Advisory Committee created via WSDOT/FMSIB letter of agreement, staffed by FMSIB
 - Karen Schmidt appointed to the National Freight Advisory Committee as only Washington State representative

2014

- Call for projects: Three awarded in July
- Legislative:
 - Agency request to permanently fund deputy director position denied.
 - House/Senate *reduced* operating budget \$25,000-Governor vetoed
- Washington State Freight Advisory Committee (WAFAC) completes recommendations to state freight plan, state Legislature, and congress (**Incarnation 1**)
- Board travels to Washington DC with WAFAC recommendations
- Karen Schmidt, Executive Director, retires.
- Ashley Probart is hired as new Executive Director.





2015

- 2015 Connecting Washington Transportation Package increases FMSIB budget from \$12M a biennium to \$27M a biennium (full implementation in 2017-19 Biennium)
 - \$13.5M is 18th Amendment restricted (roads only)
 - \$13.5M is multimodal (roads or non-roads)
 - Funds are part of an expenditure plan: they are not codified
- FMSIB budget increase is widely recognized as “tied” to weight fee increase on trucking
- Agency request to permanently fund deputy director position denied
- FMISB and Washington Public Ports Association are to conduct Marine Cargo Forecast (\$250,000 state, \$140,000 ports)



2015 – FAST Act

- Provides freight funding and more policy direction
- New FASTLANE grant program - eligible projects include highway freight projects on National Highway Freight Network (NHFN); Total program is \$4.5B over five years
- Requires designating an urban and rural freight corridor network as an extension of the National Highway Freight Network (approximately 240 miles)
- Federal freight formula funding program: States receive a direct funding distribution to improve the movement of freight on the NHFN. Washington State share is \$107.8M over five-year Act
- Expires Sept. 2020



2016

- FMSIB approves six new projects
- Local Agency Efficiencies Study Recommendation met: Dashboard – Lite implemented. FMSIB now has web based reporting capability
- Legislative:
 - HB 2599 Authorizes FMSIB to remove deferred projects
 - Supplemental Transportation Budget Proviso requires an update of the State Freight Plan to comply with new FAST Act
 - Includes requirement to identify projects on freight network, submit to Office of Financial Management / Legislature by November 1, 2016
 - FMSIB reactivates Washington State Freight Advisory Committee (**Incarnation 2**)
- Governor's Office is conducting meetings on allocation of all federal formula funding in June/July 2016 (FMSIB is identified as part of FAST ACT Work Group)



2017

- Legislature acts on 2016 NHFP list provided by WAFAC, directs WSDOT to “validate” projects
- FMSIB reactivates WAFAC (**Incarnation 3**) to respond to this proviso and review WSDOT State Freight Plan
- FMSIB and WPPA complete 2017 version of the Marine Cargo Forecast
- FMSIB initiates Phase 2 of the Road-Rail Conflicts Study
- WSDOT submits State Freight Plan to FHWA in December



2018

- FMSIB conducts Call for Projects.
 - 16 applications received, requesting \$46 m in FMSIB funding
 - Board approved seven of them (\$24 million)
 - Board reconsidered two projects (Edmonds Waterfront Crossing and Connell Rail I/C)
 - Edmonds not funded
 - Connell pending
- FMSIB submits Road-Rail Conflicts Study – Phase 2 to Governor and Legislature



2019

- FMSIB surprised by legislative budget reduction
 - Represents half of the agency's biennial revenue
 - Raises concerns amongst project sponsors
 - Creates dilemma for Board:
 1. Cancel 2020 Call for Projects or
 2. Reduce existing project awards
- Coalition of American Gateways and Trade Corridors (CAGTC) facilitates discussion on reauthorization of the freight elements of the FAST Act



Recent FMSIB Tasks

- Washington State Freight Advisory Committee (WAFAC) – Joint with WSDOT
- Marine Cargo Forecast – Joint with WPPA
- Road-Rail Conflict Study – Joint with Phase 1 Advisory Committee
- Observations of these:
 - Freight related
 - Partnerships
 - None were requested by FMSIB



Questions?

FMSIB Historical Capital Priorities

Rev. 5/10/19

Historical Capital Priority	RCW	Practice
1. Select high quality freight projects based on statutory criteria and a rigorous project application and review process.	47.06A. 010(6) 47.06A.020	
2. Fund only the construction phase of projects.		FMSIB awards construction funding only.
3. Fund projects “strategically.”	47.06A.001	
4. Fund projects proportional to freight benefits in accordance with statutory direction and FMSIB mission.	47.06A.020	
5. Leveraging funding with other sources minimizing amount of state funds.	47.06A.020(6) “The board shall consider twenty percent as the minimum partnership contribution ...”	Depending on project Type, the twenty-year average is between 80% and 90%.
6. Distribute funding across three regions of the state according to statutory direction.	47.06A.050	
7. Execute project agreements to cap FMSIB’s funding liability by <u>prohibiting</u> reimbursement for cost overruns.		All FMSIB grant agreements contain this language
8. When investing early in projects, assist sponsors in completing funding so construction can start. This requires the Board to be patient as some projects take up to 16 years from funding award to completion (the average is over 8 years).	47.06A.030(2)(b) “The Board may ... provide technical assistance ...”	
9. To ensure no project is delayed due to lack of funding, request the maximum amount of budget expenditure authority in the biennial budget that can be justified by active project awards.		Submitted and approved budgets included ALL projects that MIGHT construct in biennium. Average delivery has been around 29%.
10. Defer projects (i.e., remove project funding) that are not “progressing.”	47.06A.050(5)(a)	
11. Cancel projects that have been deferred more than six years (new authority granted to FMSIB in 2016).	47.06A.050(5)(b)	Board approved cancellations in Nov. 2016, 2017, and 2018
12. Maintain “reasonable” fund balances in the dedicated FMIA and FMMA accounts to ensure allocated funds are actively working.		The Board awards all available funds, reserving \$2-4 m for emergent projects
13. Minimize biennial budget re-appropriation requests to the Legislature (New Legislative direction).		Given the strategic nature of FMSIB’s investments, this has not been considered historically.

Note: FMSIB’s WACs generally mirror the relevant RCWs above. FMSIB’s Bylaws are principally operational and do not affect the project priorities and funding issues mentioned above.

Project Questions



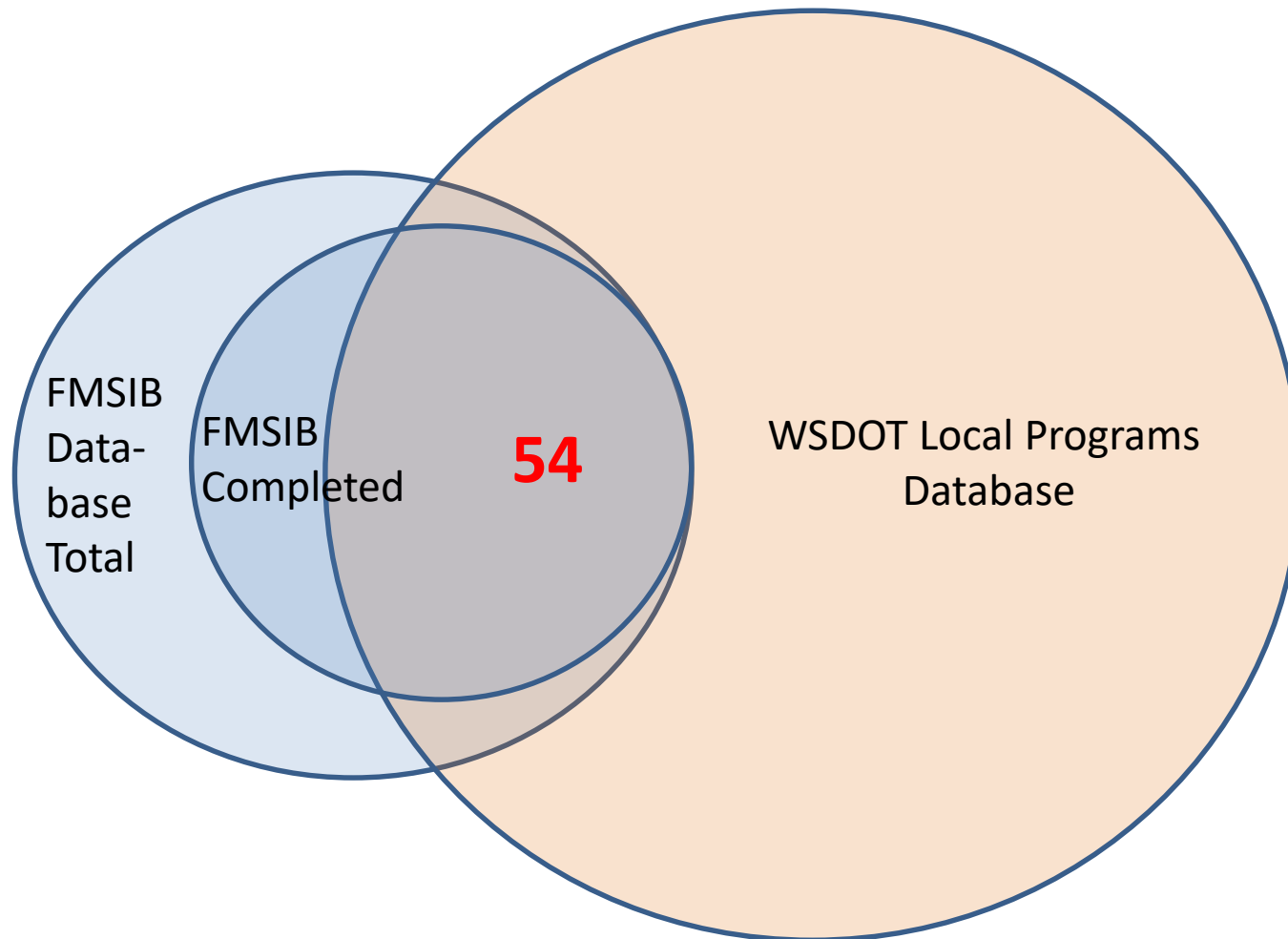
- How many and what type of projects has FMSIB completed?
- How long do projects take to get from Award to Completion?
- How long do projects take to Construct?
- Do any of these timelines vary by project Type or Agency?

Data and Analysis Approach



- Modify the FMSIB database to extract all project financing and milestone information.
- Validate and repair data export errors.
- Integrate new data elements (e.g., Ad date, Const. Start date) from WSDOT Local Programs database. This data is not part of the original FMSIB database design (see next slide).
- Calculate “Award-to-Completion” and “Ad-to-Completion” times for each project.
- Sort by project Type and Agency to assess variations.

How Many Projects?



Project Universes (Circle Size):

WSDOT Local Programs – 8,737

FMSIB Database Total – 94

FMSIB Completed – 67

Overlap w/Local Programs – 54
(i.e., Ad dates are available)



What Type of Projects?

	<u>No.</u>	<u>Total \$</u>	<u>FMSIB \$</u>	<u>FMSIB %</u>
Rail:	6	\$ 144,118,000	\$ 17,500,000	12%
Road/Rail:	32	\$ 855,034,417	\$ 162,798,000	19%
Road:	59	\$ 1,112,203,745	\$ 150,877,654	14%

Observations:

- Few “Rail only” projects
- “Rail only” and “Road only” projects received similar FMSIB shares.
- “Road / Rail” projects received substantially more FMSIB share.



How Many (By Agency)?

	Total Funds	FMSIB Funds	%
Cities	\$1,267,862,452	\$225,303,654	18%
Counties	\$299,495,710	\$29,180,000	10%
Port	\$387,234,000	\$61,312,000	16%
WSDOT	\$156,764,000	\$15,380,000	10%

Observation:

- Historic participation for Counties and WSDOT is lower than that for Cities and Ports



How Much (By Region)?

	Total \$	FMSIB \$	% of Project	% of Total FMSIB \$
Eastern	\$334,190,710	\$79,540,000	24%	24%
Puget Sound	\$1,528,165,452	\$220,405,654	14%	67%
Western	\$249,000,000	\$31,230,000	13%	9%
TOTAL	\$2,111,356,162	\$331,175,654		

Observation:

- Historical FMSIB participation is higher in the Eastern Region.
- Difficult to determine if the regional allocation meets the RCW requirement.

RCW [47.06A.050](#)

Allocation of funds.

(1) For the purpose of allocating funds for the freight mobility strategic investment program, the board shall allocate the first fifty-five percent of funds to the highest priority projects, without regard to location.

(2) The remaining funds shall be allocated equally among three regions of the state, defined as follows:



How Long (All Projects)?

	Award to Completion (Years)	Construction (Years)
Count:	54	53
Average:	8.2	3.3
Std. Dev.	4.0	1.9
Maximum:	16.0	8.3
Minimum:	2.0	0.8

Observations:

- Completion timeline is long (8.2 years). Reflects “Strategic Investments.”
- Construction timeline not unusual (3.3 years).
- Wide variation in completion timelines (2 years to 16 years). Reflects mix of “First/Last” dollars.



How Long (by Project Type)?

Project Type: Rail		
Count:	5	5
Average:	7.0	2.0
Std. Dev.	2.1	0.8
Maximum:	10.0	3.0
Minimum:	5.0	1.2

Project Type: Rail & Road		
Count:	18	18
Average:	9.9	4.3
Std. Dev.	3.7	1.5
Maximum:	15.0	7.3
Minimum:	4.0	2.0

Project Type: Road		
Count:	31	30
Average:	7.4	3.0
Std. Dev.	4.1	2.0
Maximum:	16.0	8.3
Minimum:	2.0	0.8

Observations:

- No substantial difference between “Rail only” projects and “Road only” projects.
- On average, “Rail & Road” projects take about 40-50% longer to finance and similarly to construct.



How Long (by Region)?

	Award to completion (Years)	Construction (Years)
EASTERN	14	14
Average:	9.8	3.2
Std. Dev.	3.9	2.0
Maximum:	16.0	8.3
Minimum:	4.0	0.8

	Award to completion (Years)	Construction (Years)
PUGET SOUND	30	29
Average:	8.7	3.8
Std. Dev.	3.8	1.9
Maximum:	15.0	7.3
Minimum:	2.0	0.9

	Award to completion (Years)	Construction (Years)
WESTERN	10	10
Average:	4.4	2.0
Std. Dev.	1.9	0.7
Maximum:	9.0	3.1
Minimum:	2.0	1.2

Observations:

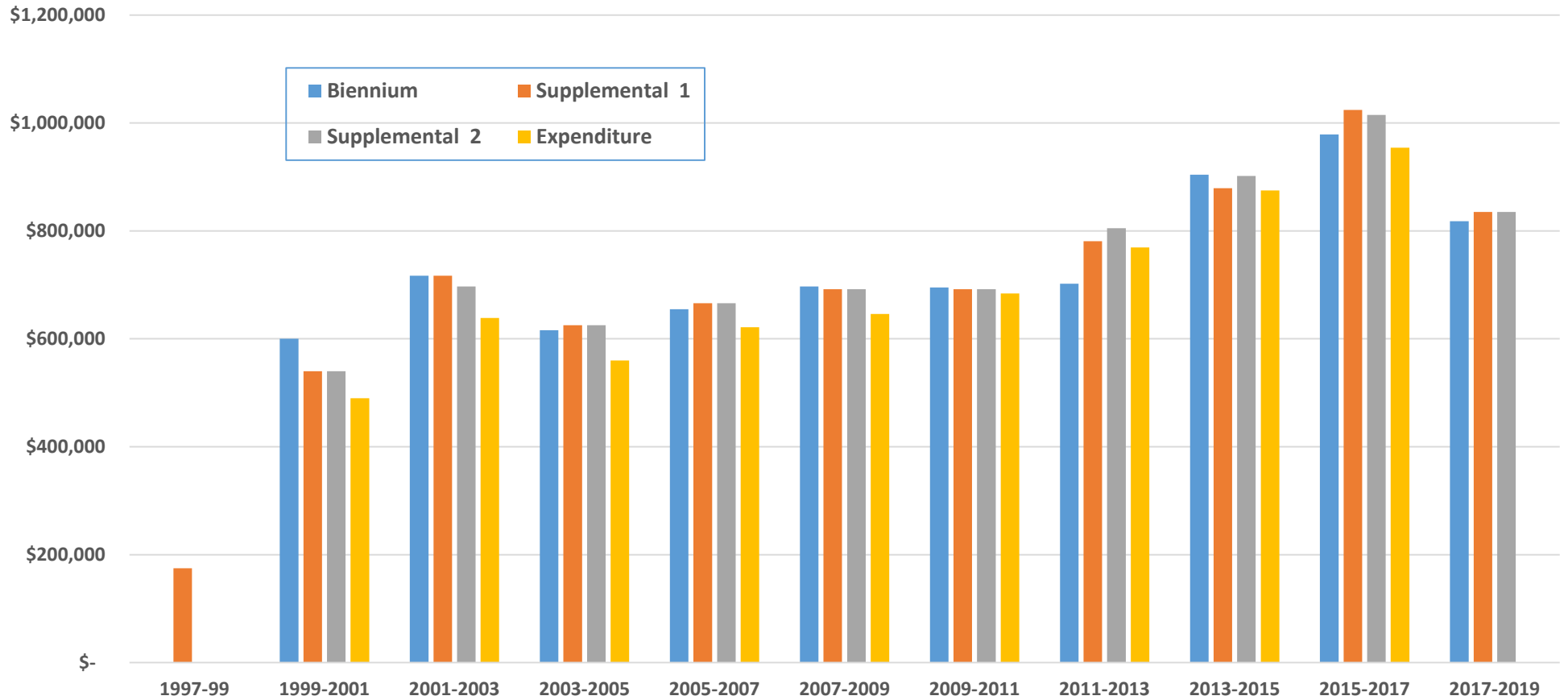
- Projects in Puget Sound and Eastern Regions take longer to finance and construct.

Summary

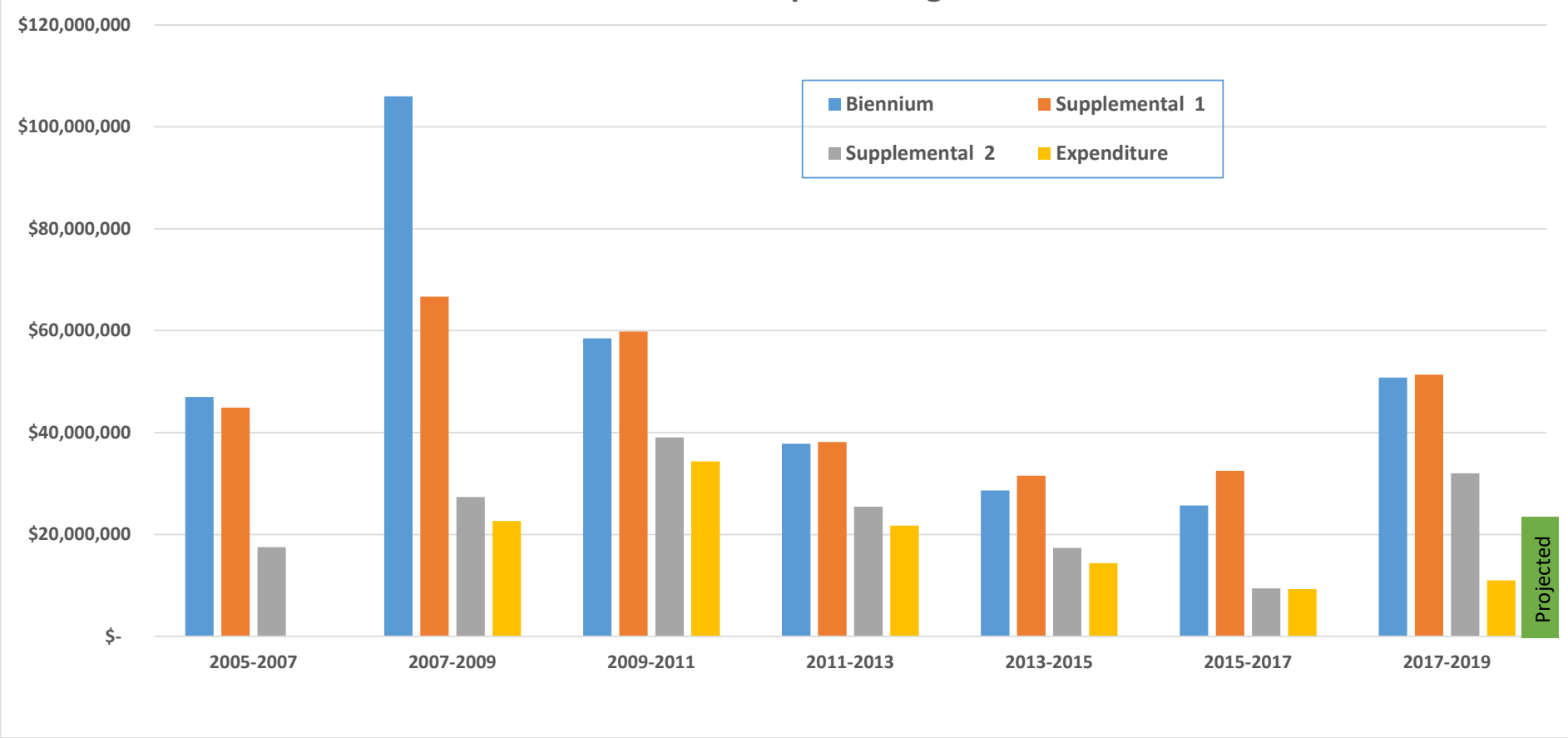


- FMSIB's portfolio includes a mix of “First” dollar and “Last” dollar funding.
- Project Completion times (Award to Completion) are on the high side, averaging 8.2 years and many times exceeding 12 years.
- Once fully financed, FMSIB-funded projects are completed in typical timeframes (i.e., 3 to 5 years).

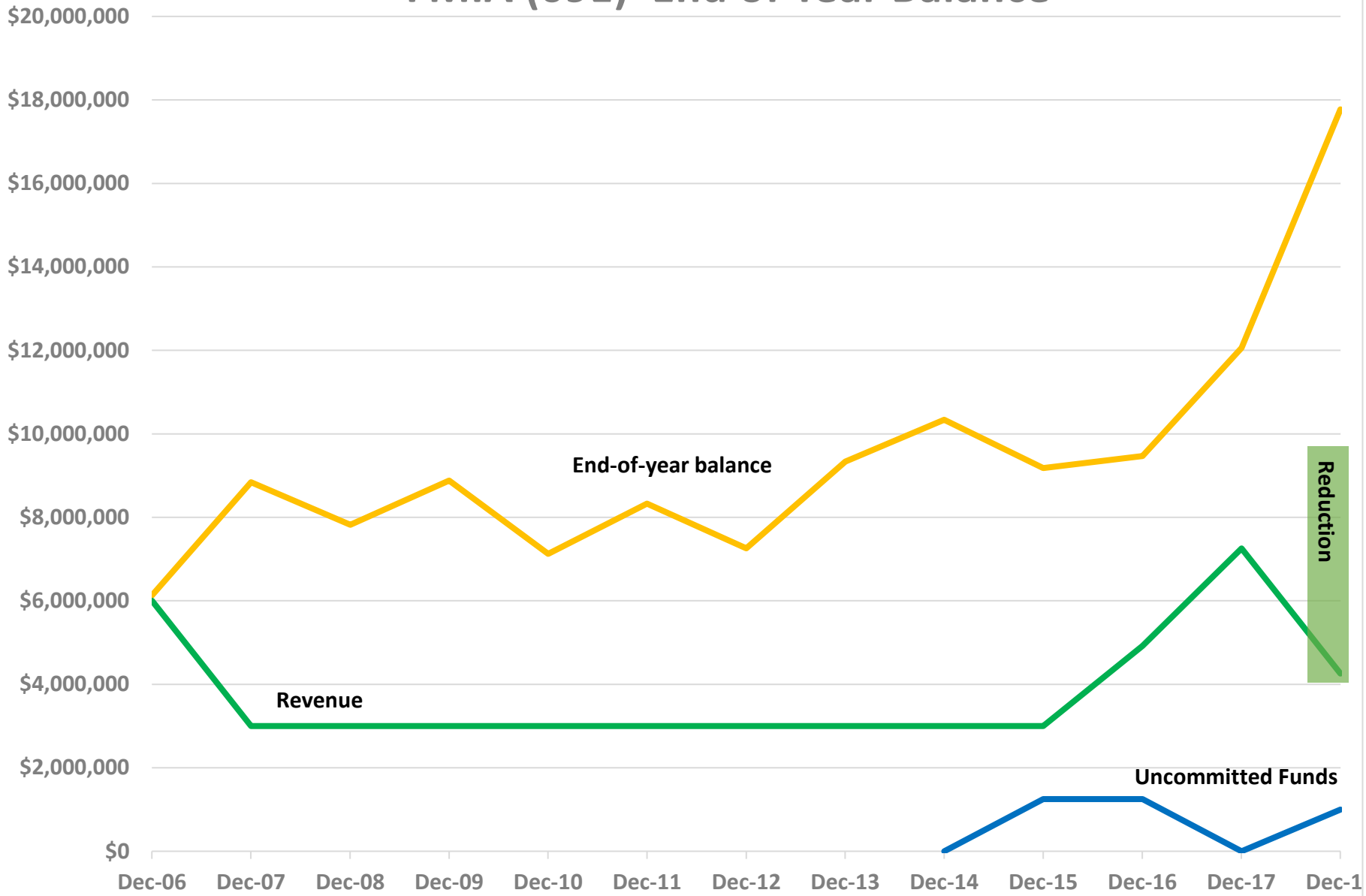
FMSIB Operating Budget



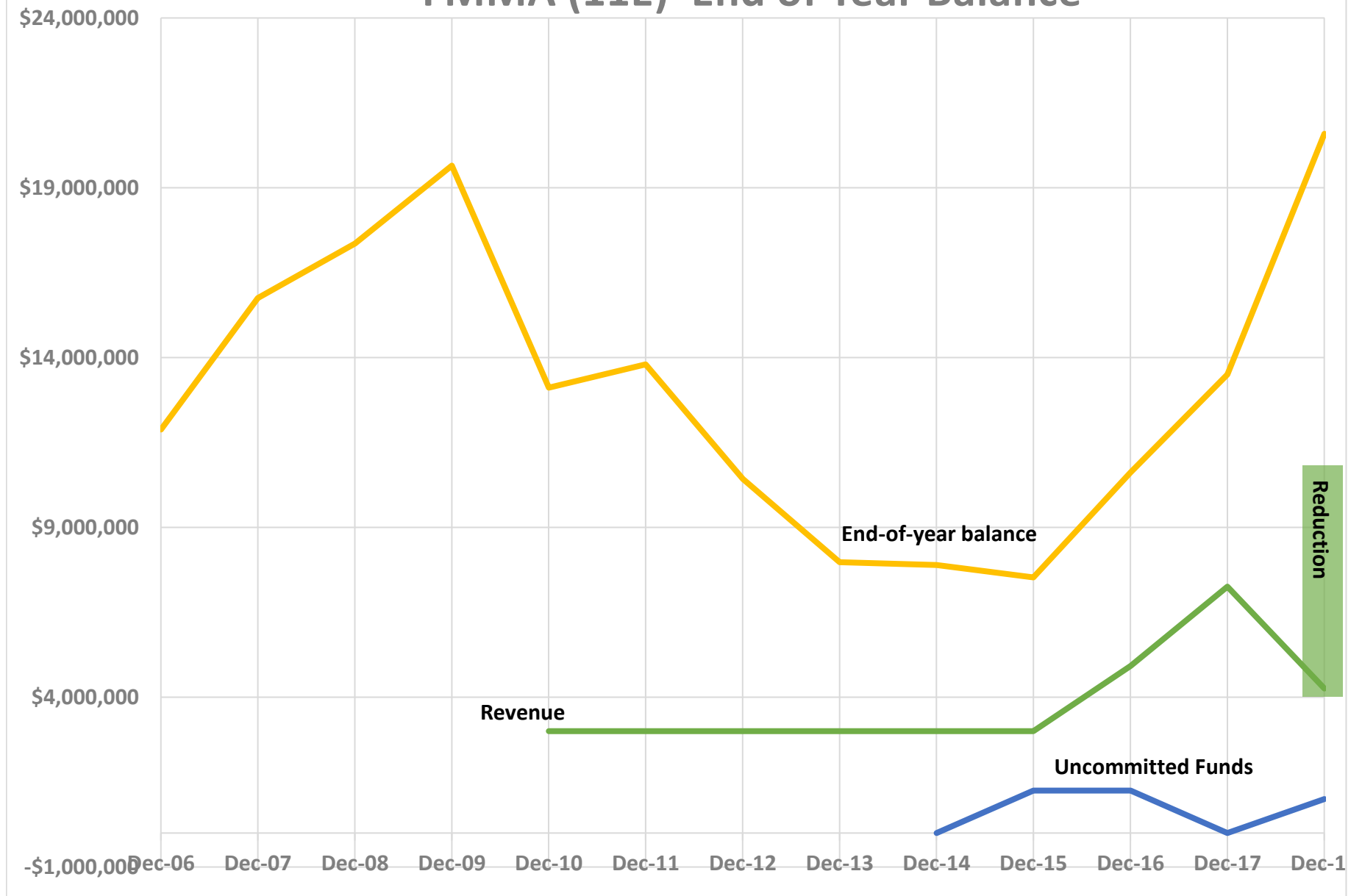
FMSIB Capital Budget



FMIA (09E) End of Year Balance



FMMA (11E) End of Year Balance



Legislative Update for May Board meeting

May 30, 2019

Bill No.	Title	FMSIB Connection	Status (eff. 4/28/19)	What to watch for?
HB 1508 SB 5521	Concerning the distribution of Connecting Washington funds to local and state transportation agencies	Places FMSIB's Connecting Washington funding (\$17 m per biennium) into statute	Both bills remain in Committee	Was not included in the CLB language. New revenue included in Hobbs' NLB proposal.
SB 5370 HB 1683	Creating a state commercial aviation coordinating commission	Original bills defined a FMSIB position on the commission. House substitute deleted the FMSIB role (Rep. Dent).	Passed Legislature April 28	Commission schedule quite aggressive, but FMSIB role replaced by freight forwarder and trucking reps.
HB 1897 SB 5830	Concerning vehicle combinations that may be operated on public highways	Policy interest	Senate Rules. Did not pass Senate by 3/13 cutoff. See note below on Hobbs' NLB.	Potential FMSIB role in developing, implementing, and reporting on the pilot program
HB 1712 SB 5883	Authorizing vehicles or combinations of vehicles carrying farm products to exceed total gross weight limits by two thousand pounds	Policy interest	Passed Legislature April 28.	
SB 5506	Concerning parking at rest areas	Policy interest	Passed Legislature April 27	Good for trucks
SB 5579	Concerning the volatility of crude oil received in the state by rail	Policy interest	Passed Legislature April 24.	Additional data reporting on volatility and new fines for violations
HB 2132 SB 5825	Addressing the completion of the planned construction of various facilities, by advancing construction, issuing bonds, and tolling portions of Interstate 405, state route number 167, and state route number 509.	Issues \$1.5 b in bonds to accelerate completion of SR-167 corridor to the Port	Passed Legislature April 28.	Evaluate schedule and budget impacts on FMSIB's 70th Ave. Undercrossing project.
TBD	Budget proviso implementing JTC Air Cargo Study	Current proviso language requires work to be coordinated with FMSIB	Awaiting inclusion in the Transportation and General Fund budgets	Monitor budgets at end of March

Bill No.	Title	FMSIB Connection	Status (eff. 4/28/19)	What to watch for?
HB 1161 SB 5213	2017-19 Supplemental Transportation Budget	Adjusts FMSIB appropriation closer to expected delivery amount.	Incorporated into biennial Transportation Budget (HB 1160)	To be discussed in detail at May 30 workshop
HB 1160 SB 5214	2019-21 Current Law and Agency Request Transportation Operating Budget	Provides FMSIB's \$871,000 Operating appropriation and \$43.4 m Capital appropriation	Passed by Legislature April 28	To be discussed in detail at May 30 workshop
SB 5970 SB 5971 SB 5972	2019-21 New Law Transportation Budget	Provides additional \$5 million per biennium to FMSIB projects (codified)	Senate Transportation passed out of Committee March 6	Inclusion of additional freight mobility related issues (like triple trailer pilot, Gateway Program acceleration, etc.)

FMSIB Budgets

ESHB 1160 – Conference Committee Report April 28, 2019

Rev. 4/28/19

((Changes from the House proposal))

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation \$789,000 (((\$813,000))

(Note: The Senate proposed including the \$59,000 decision package for Potential Staff Transition, resulting in an appropriation of \$848,000. This Conference Committee amount is nearly the midpoint between House and Senate proposals.

Also note that this appropriation is from the Freight Mobility Investment Account. Past appropriations have come from the Motor Vehicle Account – State Appropriation.)

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation \$18,094,000

Motor Vehicle Account—Federal Appropriation \$2,250,000

Freight Mobility Multimodal Account—State Appropriation \$21,220,000

Freight Mobility Multimodal Account—Private/Local Appropriation \$1,250,000 (((\$1,320,000))

TOTAL APPROPRIATION. \$42,814,000 (((\$42,884,000))

(Note: The \$70,000 increase was unexpected and may be a misunderstanding regarding the \$70,000 of UP funds allocated to the “Port of Seattle, Marginal/Diagonal Approach and Argo Yard” project.)

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document 2019-3 as developed March 25, 2019, ((April 27, 2019)) FMSIB Project List.

(BJZ Note: This list is essentially unchanged, except for the \$70,000 revision mentioned above).

(2) Until directed by the legislature, the board may not initiate a new call for projects. By January 1, 2020, the board must report to the legislature on alternative proposals to revise its project award and obligation process, which result in lower reappropriations.

NEW SECTION. Sec. 312 ((311)). FOR THE DEPARTMENT OF TRANSPORTATION— LOCAL PROGRAMS— PROGRAM Z—CAPITAL

Highway Infrastructure Account—State

((5))((8))(a) \$38,235,000 (((\$15,213,000)) of the motor vehicle account—federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016.

(b) In advance of the expiration of the fixing America's surface transportation (FAST) act in 2020, the department must work with the Washington state freight advisory committee to agree on a framework for allocation of any new national highway freight funding that may be approved in a new federal surface transportation reauthorization act. The department and representatives of the advisory committee must report to the joint transportation committee by October 1, 2020, on the status of planning for allocating new funds for this program.

NEW SECTION. Sec. 313 ((312)). ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

(2) As part of its annual budget submittal, the department of transportation shall provide:

Options for Reducing FMSIB Reappropriations

Rev. 5/10/19

Options	Advantages	Disadvantages
1. Submit biennial budgets that include only those projects with “high likelihood” to expend in the biennium.	<ul style="list-style-type: none">• Immediately reduces FMSIB budget request by over half• Reduces the likelihood of supplemental reappropriation	<ul style="list-style-type: none">• May require Board to delay reimbursements to sponsors• Board has not defined “high likelihood”
2. Implement a more aggressive project deferral policy.	<ul style="list-style-type: none">• Frees up funding for projects that might be more ready to construct	<ul style="list-style-type: none">• Increases uncertainty for project sponsors• Requires more frequent Calls for Projects• Newly awarded projects may not be ready to construct either
3. Award more project funds than available in fund balance.	<ul style="list-style-type: none">• Increases likelihood of expenditures since more projects are authorized	<ul style="list-style-type: none">• Increases risk of denying reimbursement to project sponsor
4. Provide delivery and/or expenditure incentives to project sponsors.	<ul style="list-style-type: none">• Encourages sponsors to accelerate delivery, assuming they have available funding	<ul style="list-style-type: none">• Increases uncertainty for project sponsors• Increases risk of denying reimbursement to project sponsor
5. Fund project Preliminary Engineering.	<ul style="list-style-type: none">• Expenditure is more immediate and predictable	<ul style="list-style-type: none">• Doesn’t deliver immediate freight benefit• Project may never get built



FMSIB Project Review - Defer?

Project	Agency	Project Name	Total Costs	FMSIB Funds	Awarded	Progress	Defer?
51-3	Seattle	Duwamish Spot Improvement	\$300,000	\$117,000	2003	Scheduled for Sept. 2019 completion	N
35-0	Kent	S. 228th St Grade Separation	\$25,000,000	\$4,500,000	2004	Scheduled for Nov. 2020 completion	N
64-1	Fife	Port of Tacoma Rd. I/C - Phase 1	\$27,148,000	\$6,667,000	2006	Scheduled for Nov. 2020 completion	N
72-0	Tacoma	Puyallup River Bridge replacement	\$38,760,000	\$5,000,000	2009	Scheduled for July 2019 completion	N
73-0	Port of Seattle	E. Marginal /Diagonal and Argo	\$8,068,000	\$3,750,000	2009	Complete and operational	N
77-0	Tukwila	SW 27th/Strander Blvd Connection- Phase 3	\$38,604,000	\$5,000,000	2010	30% design. Not fully funded	M
76-0	Fife	Port of Tacoma Rd. I/C - Phase 2	\$35,361,000	\$7,533,000	2010	Still short \$20 million	M
80-0	Spokane Valley	Barker Road/BNSF grade separation	\$29,200,000	\$9,000,000	2010	Fully funded - Feb. 2020 Ad date	N
81-1	Spokane County	Bigelow Gulch/Forker Road Realignment - Phases 5A & 6	\$24,400,000	\$6,000,000	2010	No other funding secured - Site visit 5/14/19	M
87-0	Marysville	SR 529/I-5 Interchange Expansion	\$54,050,000	\$5,000,000	2014	Awaiting DB estimate and agreement with WSDOT	N
91-0	Seattle	South Lander Street Grade Separation	\$140,000,000	\$8,000,000	2016	Under const. - Scheduled Dec. 2019 completion delayed	N
89-0	Fife	I-5/54th Avenue E Interchange Improvement Project	\$23,700,000	\$500,000	2016	Scheduled for Summer 2019 completion	N
89-1	Fife	I-5/54th Avenue E Interchange Improvement Project	\$23,700,000	\$2,500,000	2016	Awaiting agreemeent on design concepts with ST Link	M
94-0	Tacoma	Taylor Way Rehabilitation Project	\$18,598,000	\$2,500,000	2016	Scheduled for Nov. 2019 ad date	N
93-0	Sumner	SR 410 Traffic Avenue/ East Main Project	\$18,540,000	\$2,500,000	2016	On ad, scheduled for Dec. 2020 completion	N
90-0	Longview	SR 432-SR411 Intersection Improvements Project	\$4,200,000	\$2,100,000	2016	Scheduled for Feb. 2020 ad	N
100-0	Seattle	East Marginal Way Heavy Haul Corridor	\$48,600,000	\$6,100,000	2018	Recent award	N
95-0	Fife	70th Ave. East Freight Bottleneck Relief	\$41,371,624	\$5,000,000	2018	Recent award	N
98-0	Chelan County	West Cashmere Bridge	\$23,500,000	\$3,000,000	2018	Recent award	N
101-0	Sumner	Stewart Road Corridor - White River Bridge Replace	\$21,489,033	\$3,000,000	2018	Recent award	N
96-0	Port of Kalama	Industrial Rail Additions	\$11,750,000	\$2,400,000	2018	Recent award	N
99-1,2,3	Spokane Valley	Barker Road Corridor Widening	\$8,400,000	\$1,680,000	2018	Recent award	N
97-0	Spokane County	Bigelow Gulch - Phase 3	\$6,925,710	\$2,270,000	2018	Recent award	N
25 Projects			Total: \$671,665,367	\$94,117,000			

Chapter 47.06A RCW

RCW's related to delegation of authority

FREIGHT MOBILITY

Sections

47.06A.001	Findings.
47.06A.010	Definitions.
47.06A.020	Board—Duties.
47.06A.030	Board—Creation—Membership.
47.06A.040	Board—Administration and staffing.
47.06A.045	Board—Standing committee—Travel reimbursement.
47.06A.050	Allocation of funds.
47.06A.060	Grants and loans.
47.06A.070	Records.
47.06A.080	Port district development plans.

RCW 47.06A.001

Findings.

The legislature finds that:

(1) Washington state is uniquely positioned as a gateway to the global economy. As the most trade-dependent state in the nation, per capita, Washington's economy is highly dependent on an efficient multimodal transportation network in order to remain competitive.

(2) The vitality of the state's economy is placed at risk by growing traffic congestion that impedes the safe and efficient movement of goods. The absence of a comprehensive and coordinated state policy that facilitates freight movements to local, national, and international markets limits trade opportunities.

(3) Freight corridors that serve international and domestic interstate and intrastate trade, and those freight corridors that enhance the state's competitive position through regional and global gateways are strategically important. In many instances, movement of freight on these corridors is diminished by: Barriers that block or delay access to intermodal facilities where freight is transferred from one mode of transport to another; conflicts between rail and road traffic; constraints on rail capacity; highway capacity constraints, congestion, and condition; waterway system depths that affect capacity; and institutional, regulatory, and operational barriers.

(4) Rapidly escalating population growth is placing an added burden on streets, roads, and highways that serve as freight corridors. Community benefits from economic activity associated with freight movement often conflict with community concerns over safety, mobility, [and] environmental quality. Efforts to minimize community impacts in areas of high freight movements that encourage the active participation of communities in the early stages of proposed public and private infrastructure investments will facilitate needed freight mobility improvements.

(5) Ownership of the freight mobility network is fragmented and spread across various public jurisdictions, private companies, and state and national borders. Transportation projects have grown in complexity and size, requiring more resources and longer implementation time frames. Currently, there is no comprehensive and integrated framework for planning the freight mobility needs of public and private stakeholders in the freight transportation system. A coordinated planning process should identify new infrastructure investments that are integrated by public and private planning bodies into a multimodal and multijurisdictional network in all areas of the state, urban and rural, east and west. The state should integrate freight mobility goals with state policy on related issues such as economic development, growth management, and environmental management.

(6) State investment in projects that enhance or mitigate freight movements, should pay special attention to solutions that utilize a corridor solution to address freight mobility issues with important transportation and economic impacts beyond any local area. The corridor approach builds partnerships and fosters coordinated planning among jurisdictions and the public and private sectors.

(7) It is the policy of the state of Washington that limited public transportation funding and competition between freight and general mobility improvements for the same fund sources require strategic, prioritized freight investments that reduce barriers to freight movement, maximize cost-effectiveness, yield a return on the state's investment, require complementary investments by public and private interests, and solve regional freight mobility problems. State financial assistance for freight mobility projects must leverage other funds from all potential partners and sources, including federal, county, city, port district, and private capital.

[1998 c 175 § 1.]

RCW 47.06A.010

Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the freight mobility strategic investment board created in RCW 47.06A.030.

(2) "Department" means the department of transportation.

(3) "Freight mobility" means the safe, reliable, and efficient movement of goods within and through the state to ensure the state's economic vitality.

(4) "Local governments" means cities, towns, counties, special purpose districts, port districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts.

(5) "Public entity" means a state agency, city, town, county, port district, or municipal or regional planning organization.

(6) "Strategic freight corridor" means a transportation corridor of great economic importance within an integrated freight system that:

(a) Serves international and domestic interstate and intrastate trade;

(b) Enhances the state's competitive position through regional and global gateways;

(c) Carries freight tonnages of at least:

(i) Four million gross tons annually on state highways, city streets, and county roads;

(ii) Five million gross tons annually on railroads; or

(iii) Two and one-half million net tons on waterways; and

(d) Has been designated a strategic corridor by the board under RCW 47.06A.020(3). However, new alignments to, realignments of, and new links to strategic corridors that enhance freight movement may qualify, even though no tonnage data exists for facilities to be built in the future.

[1998 c 175 § 2.]

Board—Duties.

(1) The board shall:

- (a) Adopt rules and procedures necessary to implement the freight mobility strategic investment program;
- (b) Solicit from public entities proposed projects that meet eligibility criteria established in accordance with

subsection (4) of this section; and

(c) Review and evaluate project applications based on criteria established under this section, and prioritize and select projects comprising a portfolio to be funded in part with grants from state funds appropriated for the freight mobility strategic investment program. In determining the appropriate level of state funding for a project, the board shall ensure that state funds are allocated to leverage the greatest amount of partnership funding possible. The board shall ensure that projects included in the portfolio are not more appropriately funded with other federal, state, or local government funding mechanisms or programs. The board shall reject those projects that appear to improve overall general mobility with limited enhancement for freight mobility.

The board shall provide periodic progress reports on its activities to the office of financial management and the senate and house transportation committees.

(2) The board may:

(a) Accept from any state or federal agency, loans or grants for the financing of any transportation project and enter into agreements with any such agency concerning the loans or grants;

(b) Provide technical assistance to project applicants;

(c) Accept any gifts, grants, or loans of funds, property, or financial, or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(d) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter; and

(e) Do all things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

(3) The board shall designate strategic freight corridors within the state. The board shall update the list of designated strategic corridors not less than every two years, and shall establish a method of collecting and verifying data, including information on city and county-owned roadways.

(4) The board shall utilize threshold project eligibility criteria that, at a minimum, includes the following:

(a) The project must be on a strategic freight corridor;

(b) The project must meet one of the following conditions:

(i) It is primarily aimed at reducing identified barriers to freight movement with only incidental benefits to general or personal mobility; or

(ii) It is primarily aimed at increasing capacity for the movement of freight with only incidental benefits to general or personal mobility; or

(iii) It is primarily aimed at mitigating the impact on communities of increasing freight movement, including roadway/railway conflicts; and

(c) The project must have a total public benefit/total public cost ratio of equal to or greater than one.

(5) From June 11, 1998, through the biennium ending June 30, 2001, the board shall use the multicriteria analysis and scoring framework for evaluating and ranking eligible freight mobility and freight mitigation projects developed by the freight mobility project prioritization committee and contained in the January 16, 1998, report entitled "Project Eligibility, Priority and Selection Process for a Strategic Freight Investment Program." The prioritization process shall measure the degree to which projects address important program objectives and shall generate a project score that reflects a project's priority compared to other projects. The board shall assign scoring points to each criterion that indicate the relative importance of the criterion in the overall determination of project priority. After June 30, 2001, the board may supplement and refine the initial project priority criteria and scoring framework developed by the freight mobility project prioritization committee as expertise and experience is gained in administering the freight mobility program.

(6) It is the intent of the legislature that each freight mobility project contained in the project portfolio approved by the board utilize the greatest amount of nonstate funding possible. The board shall adopt rules that give preference to projects that contain the greatest levels of financial participation from nonprogram fund sources. The board shall consider twenty percent as the minimum partnership contribution, but shall also ensure that there are provisions allowing exceptions for projects that are located in areas where minimal local funding capacity exists or where the magnitude of the project makes the adopted partnership contribution financially unfeasible.

(7) The board shall develop and recommend policies that address operational improvements that primarily benefit and enhance freight movement, including, but not limited to, policies that reduce congestion in truck lanes at border crossings and weigh stations and provide for access to ports during nonpeak hours.

[2013 c 104 § 1; 2005 c 319 § 125; 1999 c 216 § 1; 1998 c 175 § 3.]

NOTES:

Findings—Intent—Part headings—Effective dates—2005 c 319: See notes following RCW 43.17.020.

RCW 47.06A.030

Board—Creation—Membership.

(1) The freight mobility strategic investment board is created. The board shall convene by July 1, 1998.

(2) The board is composed of twelve members. The following members are appointed by the governor for terms of four years, except that five members initially are appointed for terms of two years: (a) Two members, one of whom is from a city located within or along a strategic freight corridor, appointed from a list of at least four persons nominated by the association of Washington cities or its successor; (b) two members, one of whom is from a county having a strategic freight corridor within its boundaries, appointed from a list of at least four persons nominated by the Washington state association of counties or its successor; (c) two members, one of whom is from a port district located within or along a strategic freight corridor, appointed from a list of at least four persons nominated by the Washington public ports association or its successor; (d) one member representing the office of financial management; (e) one member appointed as a representative of the trucking industry; (f) one member appointed as a representative of the railroads; (g) the secretary of the department of transportation; (h) one member representing the steamship industry; and (i) one member of the general public. In appointing the general public member, the governor shall endeavor to appoint a member with special expertise in relevant fields such as public finance, freight transportation, or public works construction. The governor shall appoint the general public member as chair of the board. In making appointments to the board, the governor shall ensure that each geographic region of the state is represented.

(3) Members of the board shall be reimbursed for reasonable and customary travel expenses as provided in RCW 43.03.050 and 43.03.060.

(4) If a vacancy on the board occurs by death, resignation, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations and departments under subsection (2) of this section must be filled from a list of at least four persons nominated by the relevant association or associations.

(5) The appointments made in subsection (2) of this section are not subject to confirmation.

[1999 c 216 § 2; 1998 c 175 § 4.]

RCW 47.06A.040

Board—Administration and staffing.

The board, at its option, may either appoint an executive director, who shall serve at its pleasure and whose salary shall be set by the board or make provisions ensuring the responsibilities of the executive director are carried out by an existing transportation-related state agency or by private contract. Staff support to the board shall be provided by the department of transportation, the transportation improvement board, and the county road administration board, or their successor agencies.

[1999 c 216 § 3; 1998 c 175 § 5.]

RCW 47.06A.045

Board—Standing committee—Travel reimbursement.

During the 2013-2015 fiscal biennium, members of the freight advisory committee group created as a standing committee of the board may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

[2013 c 306 § 707.]

NOTES:

Effective date—2013 c 306: See note following RCW 47.64.170.

RCW 47.06A.050

Allocation of funds.

(1) For the purpose of allocating funds for the freight mobility strategic investment program, the board shall allocate the first fifty-five percent of funds to the highest priority projects, without regard to location.

(2) The remaining funds shall be allocated equally among three regions of the state, defined as follows:

(a) The Puget Sound region includes King, Pierce, and Snohomish counties;

(b) The western Washington region includes Clallam, Jefferson, Island, Kitsap, San Juan, Skagit, Whatcom, Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum counties; and

(c) The eastern Washington region includes Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Whitman, Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima counties.

(3) If a region does not have enough qualifying projects to utilize its allocation of funds, the funds will be made available to the next highest priority project, without regard to location.

(4) In the event that a proposal contains projects in more than one region, for purposes of assuring that equitable geographic distributions are made under subsection (2) of this section, the board shall evaluate the proposal and proportionally assign the benefits that are attributable to each region.

(5)(a) If the board identifies a project for funding, but later determines that the project is not ready to proceed, the board shall recommend removing the project from consideration and the next highest priority project shall be substituted in the project portfolio. Any project removed from funding consideration because it is not ready to proceed shall retain its position on the priority project list for six years.

(b) The board may remove a project from consideration after six years for any of the following reasons: (i) The project has been unable to obtain the necessary funding or financing to proceed, (ii) the project priority in the

jurisdiction where the project is located has been decreased so that it is unlikely to be constructed within two years, or (iii) there are quantifiable issues that make it highly unlikely the project could obtain the necessary permits or could be constructed as submitted in the original proposal to the board.

(c) To restore any project for funding consideration after it has been removed under (b) of this subsection, the sponsoring public entity must submit a new application, which must be considered by the board in the same manner as new applicants.

[2016 c 23 § 1; 2013 c 104 § 2; 1998 c 175 § 6.]

RCW 47.06A.060

Grants and loans.

In order to aid the financing of eligible freight mobility projects, the board may:

(1) Make grants or loans from funds appropriated for the freight mobility strategic investment program for the purpose of financing freight mobility projects. The board may require terms and conditions as it deems necessary or convenient to carry out the purposes of this chapter.

(2) The state shall not bear the financial burden for project costs unrelated to the movement of freight. Project amenities unrelated to the movement of freight may not be submitted to the board as part of a project proposal under the freight mobility strategic investment program.

(3) All freight mobility projects aided in whole or in part under this chapter must have a public entity designated as the lead project proponent.

[1998 c 175 § 7.]

RCW 47.06A.070

Records.

The board shall keep proper records and shall be subject to audit by the state auditor.

[1998 c 175 § 8.]

RCW 47.06A.080

Port district development plans.

Port districts in the state shall submit their development plans to the relevant regional transportation planning organization or metropolitan planning organization, the department, and affected cities and counties to better coordinate the development and funding of freight mobility projects.

[1998 c 175 § 9.]

Title 226-01 WAC

WAC's related to delegation of authority

Last Update: 12/23/15

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

DESCRIPTION OF ORGANIZATION

WAC Sections

226-01-010	Purpose and authority.
226-01-020	Freight mobility program intent.
226-01-030	Organization of the freight mobility strategic investment board.
226-01-040	Time and place of meetings.
226-01-050	Address of board.
226-01-060	Definitions.
226-01-070	Administration costs.

WAC 226-01-010

Purpose and authority.

Chapter 175, Laws of 1998 provides that the freight mobility strategic investment board shall adopt reasonable rules and procedures necessary to implement the freight mobility program.

[Statutory Authority: Chapter **47.06A** RCW. WSR 99-18-048, § 226-01-010, filed 8/27/99, effective 9/27/99.]

WAC 226-01-020

Freight mobility program intent.

It is the policy of the state of Washington that limited public transportation funding and competition between freight and general mobility improvements for the same fund sources require strategic, prioritized freight investments that reduce barriers to freight movement, maximize cost-effectiveness, yield a return on the state's investment, require complementary investments by public and private interests, and solve regional freight mobility problems. State financial assistance for freight mobility projects must leverage other funds from all potential partners and sources, including federal, county, city, port district, and private capital.

[Statutory Authority: Chapter **47.06A** RCW. WSR 99-18-048, § 226-01-020, filed 8/27/99, effective 9/27/99.]

WAC 226-01-030

Organization of the freight mobility strategic investment board.

The freight mobility strategic investment board (FMSIB) is a twelve-member board, organized under the provisions of chapter 175, Laws of 1998. The board administers the freight mobility strategic investment program for the purpose of financing freight mobility projects. The following board members are appointed by the governor for terms of four years, except that five members initially are appointed for terms of two years:

- (1) Two members, one of whom is from a city located within or along a strategic freight corridor, appointed from a list of at least four persons nominated by the association of Washington cities or its successor;
- (2) Two members, one of whom is from a county having a strategic freight corridor within its boundaries, appointed from a list of at least four persons nominated by the Washington state association of counties or its successor;
- (3) Two members, one of whom is from a port district located within or along a strategic freight corridor, appointed from a list of at least four persons nominated by the Washington public ports association or its successor;
- (4) One member representing the office of financial management;
- (5) One member appointed as a representative of the trucking industry;
- (6) One member appointed as a representative of the railroads;
- (7) The secretary of the department of transportation;
- (8) One member representing the steamship industry; and
- (9) One member of the general public.

[Statutory Authority: Chapter **47.06A** RCW. WSR 99-18-048, § 226-01-030, filed 8/27/99, effective 9/27/99.]

WAC 226-01-040

Time and place of meetings.

Regular public meetings of the board shall be held on the third Friday of every odd numbered month. Each such regular meeting shall be held in SeaTac, Washington, and begin at the hour of 9:00 a.m. unless otherwise designated by the board and at which time will be posted to the register and FMSIB web site at least twenty days prior to the meeting.

A special meeting of the board may be called by the chairperson or by a majority of the members of the board, by delivering personally or by mail written notice to all other members of the board at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour, and place of such meeting, and all provisions of chapter **42.30** RCW shall apply.

[Statutory Authority: Chapter **47.06A** RCW. WSR 02-08-076, § 226-01-040, filed 4/3/02, effective 5/4/02; WSR 99-18-048, § 226-01-040, filed 8/27/99, effective 9/27/99.]

WAC 226-01-050

Address of board.

Persons wishing to obtain information or to make submissions or requests of any kind shall address their correspondence to:

Executive Director,
Freight Mobility Strategic Investment Board
505 Union Avenue S.E., Suite 350
Post Office Box 40965
Olympia, Washington 98504-0965

[Statutory Authority: Chapter **47.06A** RCW. WSR 16-01-190, § 226-01-050, filed 12/23/15, effective 1/23/16; WSR 02-08-076, § 226-01-050, filed 4/3/02, effective 5/4/02; WSR 99-18-048, § 226-01-050, filed 8/27/99, effective 9/27/99.]

WAC 226-01-060

Definitions.

For purposes of implementing the requirements of chapter 175, Laws of 1998, relative to the freight mobility strategic investment board, the following definitions shall apply:

- (1) "Board" means the freight mobility strategic investment board (FMSIB).
- (2) "Department" means the department of transportation.
- (3) "Freight mobility" means the safe, reliable, and efficient movement of goods within and through the state to ensure the state's economic vitality.
- (4) "Director" is the executive director of the freight mobility strategic investment board.
- (5) "Local governments" means cities, towns, counties, special purpose districts, port districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts.
- (6) "Public entity" means a state agency, city, town, county, port district, or municipal or regional planning organization.
- (7) "Partnership" means the public entities sponsoring a project. The partnership as used in this chapter does not include the board.
- (8) "Lead agency" refers to the agency selected by the project partnership to be the point of contact with the board for a particular project.
- (9) "Original matching ratio" refers to the board's share of the project cost when it was initially approved for funding.
- (10) "Strategic freight corridor" means a transportation corridor of great economic importance within an integrated freight system that:
 - (a) Serves international and domestic interstate and intrastate trade;
 - (b) Enhances the state's competitive position through regional and global gateways;
 - (c) Carries freight tonnages of at least:
 - (i) Four million gross tons annually on state highways, city streets, and county roads;
 - (ii) Five million gross tons annually on railroads; or
 - (iii) Two and one-half million net tons on waterways; and
 - (d) Has been designated a strategic corridor by the board. However, new alignments to, realignments of, and new links to strategic corridors that enhance freight movement may qualify, even though no tonnage data exists for facilities to be built in the future.

[Statutory Authority: Chapter 47.06A RCW. WSR 99-18-048, § 226-01-060, filed 8/27/99, effective 9/27/99.]

WAC 226-01-070

Administration costs.

The board costs for necessary services and facilities that are attributable to the freight mobility strategic investment program shall be paid from the biennial appropriation.

[Statutory Authority: Chapter 47.06A RCW. WSR 99-18-048, § 226-01-070, filed 8/27/99, effective 9/27/99.]

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD BYLAWS
Bylaws affecting delegation of authority

ARTICLE I

PURPOSE

The Board shall carry out the provisions of Chapter 175, Laws of 1998, as now or hereafter amended, and shall perform the duties and functions as therein prescribed.

ARTICLE II

OFFICERS OF THE BOARD

Section 1. Officers of the Freight Mobility Strategic Investment Board (FMSIB).

- (a) The presiding officer of the Board shall be the public member appointed by the Governor and shall be designated the "chairperson". The chairperson shall preside over all meetings of the Board and do all such other things that are appropriate for or delegated to such officer by law and the Board;
- (b) In the absence of both the chairperson and vice chairperson, an acting vice chairperson, appointed by the chair or a majority of the voting members of the Board present at that meeting shall preside at that meeting of the Board;
- (c) The chairperson may appoint board members to serve as chair of board committees.
- (d) The Board shall appoint an Executive Director who shall serve at the Board's pleasure.

ARTICLE III

MEETINGS

Section 1. Time and Place of Meetings.

By December of each year, the Board shall adopt a calendar showing the time, date and location of board meetings for the following year.

A special meeting of the Board may be called by the chairperson or by a majority of the members of the Board, by delivering personally, by electronic communication or by mail written notice to all other members of the Board at least twenty-four hours before the time of such meeting as specified in the notice. The notice calling a special meeting shall state the purpose for which the meeting is called and the date, hour, and place of such meeting and all provisions of Chapter 42.30 RCW shall apply. The Board may meet for action on specific topics not finalized during regular and special board meetings by phone or other electronic method if the subject matter is stated and the conference is approved in an open public meeting.

Section 2. Notice to Members of Meetings.

Notice of all regular meetings, shall be given by the Executive Director in writing to each member by posting in the U.S. mail or by electronic communication, a notice thereof addressed to the member at their business or residence address furnished to the Board. Such notice shall be posted at least ten **(10) days** prior to the meeting. Members present at any meeting shall be deemed to have waived notice as to that meeting.

One week in advance of any regular meeting of the Board, subject material on agenda items shall be provided by the Executive Director and mailed to Board members.

Section 3. General Notice of Meeting and Agenda Items

A notice of regular public meetings of the Board shall be given by the Executive Director in writing to all persons who have made a timely request of the Board at least twenty (20) days prior to the meeting.

Section 4. Business of the Board.

All business of the Board shall be transacted by motion and/or resolution which may be made by any member in attendance, including the Chairperson, and shall require a second. Voting on all motions and resolutions shall be by voice unless a special division is called for by a member, in which case the roll shall be called by the presiding officer and the vote of each member shall be recorded. Except as otherwise provided, Robert's Rules of Order, latest edition, shall govern the meetings of the Board.

Adopted 3/16/2018

ARTICLE IV

QUORUM

The presence of a majority of the current Board membership shall constitute a quorum for the transaction of the business of the board.

It shall require a majority of those members in attendance to carry any motion and/or resolution unless otherwise set forth in these rules.

ARTICLE V

MINUTES

All actions of the Board shall be by motion and/or resolution recorded in a book or books kept for such purpose, maintained at the office of the Board, and shall be open to the public for inspection at all reasonable times.

ARTICLE VI

CHANGE OR REPEAL OF INTERNAL RULES

Amendment, alteration, change, additions to or repeal of the rules governing internal management of the Board, not affecting regular procedures available to the public, and not in conflict with state law, may be made by resolution of the Board pursuant to other applicable sections of these rules.

ARTICLE VII

INSTRUMENTS

All instruments, including vouchers for payment from the FMSIB administered funds shall be submitted to the Executive Director of the Board for approval and shall be signed by the Executive Director in the name of the Board; PROVIDED, vouchers for payment may be signed by the designated agent of the Executive Director if proper procedure has been followed and payment is due.

The Executive Director shall report to the Board at each regular meeting regarding the status of the operating and capital budget. The Executive Director shall report to the Board one-time expenses that are not considered ordinary expenses.

ARTICLE VIII

CERTIFICATION OF DOCUMENT

The Executive Director of the Board and that person so delegated the duty to have charge of the records of the Board shall have the authority to certify on behalf of the Board any and all documents, records or proceedings as may become necessary from time to time in the name and place of said Board.

ARTICLE IX

ADMINISTRATIVE COMMITTEE

The Chairperson may establish an administrative committee, subject to the approval of the Board, to handle day-to-day issues that cannot be delayed until the next board meeting and other such duties as assigned by the Board. All committee actions shall be reported at the next Board meeting.

ARTICLE X

CONDUCT OF MEMBERS AT BOARD MEETINGS

Board members shall declare their relationship to a project, if any, prior to expressing official statements dealing with projects before the Board directly related to their jurisdiction and/or affiliation. A board member shall not be the spokesperson for presenting a project proposal to the Board. The Chairperson may request a member to testify on any project issue before the Board directly dealing with that member's own jurisdiction and/or affiliation.

ARTICLE XI

Address of the Board

Persons wishing to obtain information or to make submissions or requests of any kind shall address their correspondence to:

Freight Mobility Strategic Investment Board
505 Union Avenue SE, Suite 350
PO Box 40965
Olympia, WA 98504

ARTICLE XII

Board Meeting Attendance

If a member of the Board is absent for three consecutive regularly scheduled Board meetings or is absent from more than fifty percent of the regularly scheduled meetings in any one calendar year, the following action will be taken:

- (a) The FMSIB Chairperson shall call the member to determine if the member desires to continue to serve on the Board; and
- (b) If the member continues to be absent, the FMSIB Chairperson shall document the absences in a letter to the member and send a copy to the member and send a copy to the appointment official and, if the member's position is subject to nomination, to the member's nominating organization.

ARTICLE XIII

POLICIES AND PROCEDURES

The Board shall adopt policies and procedures pursuant to Chapter 47.06A.020 RCW.

ARTICLE XIV

PROJECT DEFINITIONS

Accelerating a Project: Allocating funds to an Approved Project earlier than original Board approval.

Active Project List: Projects that have been approved by the Board.

Appropriation: Total FMSIB funds (by source) approved by the Legislature.

Delayed Project: A project that is delayed from the original schedule (at time of project approval) but is still advancing toward construction or completion. Delayed projects remain on the active FMSIB Project List and retain their financial commitment from FMSIB. However, the Board may choose to re-allocate a Delayed Project's previously approved funding in order to accelerate other approved projects.

Purpose of the Deferred Project List

State law (RCW 47.06A.050(5)) states: “If the board identifies a project for funding, but later determines that the project is not ready to proceed, the board shall recommend removing the project from consideration and the next highest priority project shall be substituted in the project portfolio. Any project removed from funding consideration because it is not ready to proceed shall retain its position on the priority project list.”

The Deferred Project List allows projects that have been previously approved but are delayed and no longer ready to proceed, to continue to be considered for future funding. This enables the project sponsor to address the causes of the delay, and once solved, have the opportunity to return to an active status. This is only allowed if the project would still provide the freight benefits envisioned when initially selected.

Deferred Project

A Deferred Project is defined as:

- A project that is no longer advancing toward construction or completion;
- Does not have a plan to advance within the foreseeable future; or
- There is an obstacle beyond the project sponsor's control stopping the project.

The Board must vote to place the project on the Deferred Project List. The FMSIB financial commitment is then removed from the project at the time it is placed on the Deferred Project List. The funds committed to the Deferred Project are allocated by the Board to another FMSIB project that can advance.

Deferred Projects have the ability to request reactivation to the Active FMSIB Project List by making a formal request to the Board and providing a timeline for project completion.

Reactivation from the Deferred List

The Board may vote to reactivate a project from the Deferred List after the sponsor presents a formal request for reactivation. The Board will consider whether the project sponsor's funding package is complete or nearly complete. Projects receiving approval must adhere to the timeline presented and adopted by the Board as well as any other stipulations placed upon the project by the Board. Funding is not assured and deferred projects are reactivated only as funds are available. Projects can only be reactivated from the Deferred Project List once.

Project Removal (Cancellation)

State Law RCW 47.06A(050)(5)(b) states:

“The board may remove a project from consideration after six years for any of the following reasons: (i) The project has been unable to obtain the necessary funding or financing to proceed, (ii) the project priority in the jurisdiction where the project is located has been decreased so that it is unlikely to be constructed within two years, or (iii) there are quantifiable issues that make it highly unlikely the project could obtain the necessary permits or could be constructed as submitted in the original proposal to the board.”

Project Approval: An action by the Board to add a project to the Active Project List and to allocate funding to the project.

Project Funding Allocation: An action by the Board to designate specific funds in specific years to an Approved Project.

2018-19 FMSIB Committees

Board & Executive

Chair ~ Dan Gatchet

Leonard Barnes

Matt Ewers

Erik Hansen

Johan Hellman

Pat Hulcey

Roger Millar

Arthur Swannack

Bob Watters

Aaron Hunt, Ex-Officio

*Cities (1) **Ben Wick**

*Counties (1)

*Ports (1) **John McCarthy**

Legislative

Chair ~ Leonard Barnes

Matt Ewers

Dan Gatchet

Johan Hellman

Pat Hulcey

Bob Watters

Project Selection

Chair ~ Pat Hulcey

Matt Ewers

Tom Trulove

Bob Watters

Administrative

Chair ~ Dan Gatchet

Leonard Barnes

Art Swannack

Outreach

Chair ~ Bob Watters

Leonard Barnes

*Vacant

Changes since 06-01-18 adoption noted in red.

Action Item: 2020 FMSIB Meeting Schedule

FMSIB meetings are traditionally scheduled on the third Friday of every odd-numbered month.

2020 Meeting Options	
January 16	Day on the Hill
January 17	Olympia (DoubleTree)
March 20	_____
May 28/June 4	Workshop

May 29/June 5	_____
September 18	_____
November 20	_____

Previous Board Meetings

2016 Board Meetings	2017 Board Meetings	2018 Board Meetings	2019 Board Meetings
Olympia*	Olympia*	Olympia*	Olympia*
Fife*	Fife*	SeaTac	Kalama*
Kalama			
Suquamish Workshop*	Suquamish *	Suquamish *	Stevenson Workshop*
Spokane	Tri-Cities Workshop	Walla Walla	Wenatchee
SeaTac	Vancouver	Spokane Area	Fife*

*= No airport

Active Project Locations

Puget Sound	Western WA	Eastern WA
Fife	Longview	Spokane County
Kent	Port of Vancouver	Spokane Valley
Marysville	Skagit County	Chelan County
Port of Seattle	Port of Kalama	Spokane County
Seattle		Spokane Valley
Sumner		
Tacoma		
Tukwila		