

Freight Mobility Strategic Investment Board

January 20, 2023

9:00 a.m. to 1:00 p.m.

DoubleTree Downtown Olympia, 415 Capitol Way No, Olympia, WA 98501
Capitol Conference Room

Meeting will be webcast live on TVW: <https://tvw.org/watch/?eventID=2022111187>
<https://tvw.org/video/Freight-Mobility-Strategic-Investment-Board-2022091129/?eventID=2022091129>
(For Zoom meeting option, please contact sees@fmsib.wa.gov for meeting link)

Note: Chair may adjust agenda topics and timing

AGENDA

9:00 AM	1 Welcome/Introductions	Temple Lentz	Informational
9:05 AM	2 PUBLIC COMMENT		Informational
9:10 AM	3 <u>Meeting Minutes Approval (Nov. 18, 2022)</u>	Temple Lentz	Informational/Action
9:20 AM	4 Review Day-on-the-Hill	All	Informational
9:50 AM	5 Executive Director search	Temple Lentz	Informational
10:00 AM	6 <u>FMSIB Budget Reports</u>	Jane Wall-Visiting	Possible Action
10:20 AM	7 Board Member Reports	Board Members	Informational
10:50 AM	8 Update on Ports	Chris Herman WPPA	Informational
11:05 AM	9 Update on Washington Cities	Brandy DeLange AWC	Informational
11:25 AM	10 Update on Washington Counties	Axel Swanson WSAC	Informational
11:50 AM	11 <u>Phase 2 Proviso Report - FPAC Report</u>	Ben Wick FPAC Chair and FPAC Group	Informational
12:00 PM	12 Working Lunch	Guests: Rep Fey Rep Barkis, Sen King	
12:30 PM	13 <u>FMSIB Committees Review</u>	Temple Lentz	Informational/Action
12:40 PM	14 <u>Legislative Review and Board Direction</u>	All	Informational/Action
12:55 PM	15 Next Meeting: March 17, Port of Kalama	Temple Lentz	Informational
1:00 PM	16 Adjourn	Temple Lentz	Informational



FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

MEETING MINUTES

November 18, 2022 • 9:00 a.m. – 1:00 p.m. • Tukwila, WA

[TVW Recording](#)

In Attendance

BOARD MEMBERS

Temple Lentz, Chair	John McCarthy	<i>Not Present:</i>
Leonard Barnes	Roger Millar	
Peter Bennett	Art Swannack	
Matt Ewers	Ben Wick	
Erik Hansen-By Zoom	Ex officio Aaron Hunt-By Zoom	
Johan Hellman	Anne McEnerney-Ogle	

FMSIB STAFF

Brian Ziegler, Director
Sally A. See, Executive Assistant

GUEST PRESENTERS

Laticia Neal, Pierce County
Kjristine Lund, Lund Consulting Services

Meeting Convenes

Chair Lentz convened the meeting at 9:00 am and stated that this board meeting is being conducted in accordance with state and local health guidelines regarding COVID-19 and public meetings. Some members of the public and some participants may choose not to participate in person, so the meeting is being conducted via Zoom teleconferencing software. The meeting is also live-streamed on TVW and archives of the broadcast will be available shortly after today's meeting. This is an open public meeting and all provisions of the Open Public Meetings Act (OPMA) apply, as amended by recent orders of the Governor.

Chair Temple Lentz requested that Board members introduce themselves, as well as FMSIB Staff. All guests were then asked to introduce themselves.

Public Comment

No one stepped forward.

Chair Recognition

Outgoing Chair Dan Gatchet was recognized for his dedication and hard work as FMSIB's Chair for the last eleven years.

Director Recognition

Director Brian Ziegler was recognized for his dedication and hard work over the ten years on the FMSIB Board and five years as FMSIB's Executive Director. Director Ziegler's last day with FMSIB will be November 30, 2022.

Approval of Minutes

Motion Item: Adoption of September 2022 Meeting Minutes

Commissioner Swannack asked that September Minutes be amended to include:

For Board member reports, Commissioner Swannack participated in a presentation to the Washington State Transportation Commission by Whitman County Public Works Director in Clarkston regarding rural county road funding. They spoke primarily about CRAB board but were asked a bit about FMSIB so Commissioner Swannack had an opportunity to explain what FMSIB does.

Chair Lentz entertained a motion to adopt the September 2022 meeting minutes with above amendment.

Commissioner Councilmember Wick moved to accept the minutes as amended. Mr. Ewers seconded.

MOTION CARRIED

Director Transition Plan

Motion Item: Update Administrative Committee removing Mr. Gatchet and replacing him with Chair Lentz.

Chair Lentz entertained the motion to update Administrative Committee removing Mr. Gatchet and replacing him with Chair Lentz.

Mayor McEnery-Ogle moved to accept the motion. Commissioner Swannack seconded.

MOTION CARRIED

Motion Item: Approve the draft position description, authorize Chair to engage WSDOT Human Resources in posting position, and convene Administrative Committee to develop and begin recruitment process.

Chair Lentz entertained the motion to approve the draft position description, authorize Chair to engage WSDOT Human Resources in posting position, and convene Administrative Committee to develop and begin recruitment process.

Commissioner McCarthy moved to accept the motion. Mr. Barnes seconded.

MOTION CARRIED

Motion Item: Authorize the Chair to immediately pursue and appoint an Interim Director for a limited period, and to determine terms for temporary hire in consultation with Administrative Committee.

Chair Lentz entertained a motion to authorize the Chair to immediately pursue and appoint an Interim Director for a limited period, and to determine terms for temporary hire in consultation with Administrative Committee.

Mayor McEnerny-Ogle moved to accept the motion. Commissioner McCarthy seconded.

MOTION CARRIED

FMSIB Budgets and Director's Report

Please see the board meeting packet for the complete report on Director Ziegler's activities since the September 2022 Board meeting.

Key Topics:

Project Updates – Pierce County, Canyon Road Corridor Project

Pierce County requests FMSIB retain the Canyon Road Corridor Projects #20 and #53 on the FMSIB Deferred project list and not cancel the projects. A presentation will be given by Pierce County in this meeting.

Freight Policy Advisory Committee (FPAC)

This FMSIB Committee was formed to develop recommendations to the Board regarding the provisos in FMSIB's 2021-23 Budget. The Committee members include Committee Chair Ben Wick, Leonard Barnes, Matt Ewers, Anne McEnerny-Ogle, and Temple Lentz. FMSIB Chair Dan Gatchet has been attending meetings, as well as Ron Pate and Jason Beloso from WSDOT.

Leading up to the June Board Workshop, FPAC discussions focused on Truck Parking (April 25), Inland Intermodal Facilities (May 9), and Zero Emissions (May 23). The June Workshop focused on these same topics and discussed how FMSIB's budget proposal (due Sept. 20) might reflect these topical areas and other project investments.

The FPAC committee has met seven times between the June and September Board meetings and then four more times between September and November. The Committee evaluated a process for prioritizing the 160+ projects submitted by MPOs, RTPOs, and WPPA. The committee has also continued to evaluate statewide proposals and discuss whether budget decision packages are appropriate for any projects. The Board decided that no decision packages were warranted but the statewide investment proposals should be reflected in the Final Budget Proviso Report to the Legislature.

At their November 10 meeting, FPAC approved a draft report for the Board's review and approval. The final report is due to the Legislature December 1.

Budget Development

During August and September, FMSIB staff met with project sponsors, budget staff, legislative and OFM staff, and FPAC members to develop a comprehensive list of budget options to consider. At the Board's September 16 meeting, two project sponsors presented their case for increased funding on their projects and those requests were approved by the Board. All budget options by Board direction that affected the 2023-25 biennial budget were finalized at, or immediately following, the September 16 Board meeting. Those decisions were sent to the Governor on September 20 in the form of FMSIB's 2023-25 Biennial Budget. Soon afterward, on October 4, FMSIB staff submitted the Board's 2023 Supplemental Budget to the OFM.

2023 Legislature

At the Board's September meeting, staff was directed to begin planning for "Day on the Hill" activities to occur in Olympia. This will be the first in-person contact with members of the Transportation Committees

since 2019. During December, FMSIB staff will match up Board member availability with Committee member availability in order to maximize available meetings during the January 19 office visits. The 2022 Annual Report will be a primary vehicle for communicating FMSIB's legislative priorities to the House and Senate Transportation Committee members visited.

In other legislative matters, Representative Fey recently released draft legislation for restructuring FMSIB's mission and scope. Representative Fey held a listening session on November 9, during which many FMSIB Board members spoke to his proposed legislation. The Board will discuss this proposed legislation today and develop a consensus position to be communicated to the Legislature.

2022 Annual Report

FMSIB staff have met with Kjris Lund to develop report themes and layout. We are also providing content for Ms. Lund and her graphics team. Ms. Lund will be available at today's meeting to provide a short progress report.

One of FMSIB's budget provisos requests a specific report on the HEAL Act be provided to the Legislature in FMSIB's 2023 Annual Report. Here is the draft language being proposed for inclusion in our Annual Report:

"The 2022 Legislature included the following proviso in FMSIB's budget:

"Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2022 annual report to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction."

Along with CRAB and TIB, the FMSIB Board is monitoring HEAL Act implementation closely. State agencies that are mandated to participate are following the lead of the state Environmental Justice Council (EJC), created by the HEAL Act. It is very likely the EJC will request the 2023 Legislature to amend the implementation timeline to allow additional consensus building by the EJC.

FMSIB will monitor these timeline changes in 2023 and assess Board options for participating."

State Auditor Review of FMSIB

Since June, FMSIB staff have been meeting with the State Auditor to be responsive to their requests for documents and information. The focus of the audit has been 1) payroll, particularly whether staff implemented the required salary reductions in 2019 and 2020, 2) project monitoring, with emphasis on whether staff implemented the Board's new LEAP list revision process, and 3) verifying that FMSIB Director has approved all project payments before payment is made. All questions from SAO have been answered and all requested documents have been provided.

A more detailed report is in the meeting packet. An Audit Exit Interview to obtain the official final report will be scheduled end of November/beginning of December.

Board Member Reports – Freight Outreach Efforts

Mr. Barnes – Wanted to complement WSDOT on how well routes have been improved between Grays Harbor and Olympia, up to the King County area.

Mayor McEnerny-Ogle – Provided an update on how well the City of Vancouver and the Port of Vancouver have worked with the committee overseeing the I-5 Bridge project into Portland. The committee is moving quickly, including essential port accesses. They're having 2-3 meetings each week to move the project along.

A lot of conversation and work is being done. Truck parking has been a strong topic for the committee. Asking what land is available and discussing the issue with developers.

Mr. Ewers – At the November WTA Board meeting, truck parking was strongly discussed. Members of WTA also made it clear that they would like to be a part of the change from diesel to other forms of fuel for cleaner emissions. WTA has become involved in these two topics and will stay involved with them.

Mr. Hellman – Addressed the rail negotiations that are currently taking place. Several agencies are working together to avert a lockout and/or railroad strike. There are 12 unions overseen by the President of the US and Congress, making sure that there is no total shutdown. The planned September strike was averted, and unions have ratifying votes now while waiting to hear more. Mr. Hellman has spent a lot of time calming nerves throughout the Freight Industry. Even if a strike is discussed, there will be a cooling off period that will provide for further discussions.

Commissioner McCarthy – Cargo volumes are down and delays are having an impact up and down the entire coast. It appears that a number of international shippers are avoiding the west coast, and it's having a substantial impact on the future of our west coast ports.

Secretary Millar – Visited PacCar and found it very interesting. Suggest that FMSIB arrange for a tour when we're in the area. Introduced the possibility of a 2024 Board meeting in Marysville (close to PacCar).

Project Updates/Requests

Leticia Neal, Transportation Improvement Coordinator of Pierce County presented by Zoom.

Project Updates – Pierce County, Canyon Road Corridor Project

Pierce County requests FMSIB retain the Canyon Road Corridor Projects #20 and #53 on the FMSIB Deferred project list and not cancel the projects.

FMSIB awarded funding to two Pierce County projects (#20 and #53) to complete an important gap in the freight network between the Port of Tacoma and the industrial area in Frederickson. The project also removes a freight-restricted bridge and constructs a road-rail grade separation of the BNSF mainline. Due to lack of progress, the Board deferred these two Canyon Road Corridor projects in 2011. Per Board rules, the projects were eligible for cancellation in 2017, but in 2018 the Board approved the County's request for a two-year extension of any potential cancellation.

Pierce County presented a status report in September 2020 and the Board voted to retain the project on the deferred list another two years. County staff presented at this November meeting providing another update to the Board with the intent of receiving favorable Board action to retain the project on FMSIB's deferred list.

Mr. Barnes asked if the increased traffic in the area is being evaluated during this project. Ms. Neal assured the Board that they are looking closely at this and taking the increased traffic into account.

Mr. Barnes also asked for clarification of the BNSF contribution to the project. Ms. Neal responded that they are looking at projected estimates for the funding of this project, predicting \$3.6 million will come from BNSF. BNSF needs to know the project is closer to construction and have more specific project costs before they can officially approve this funding. Ms. Neal assured the Board that they are on track to provide this information.

Commissioner Swannack expressed his concerns regarding the uncertainty of funding for this project. Ms. Neal detailed her belief in the value of this project and pointed out the number of grants available for this type of project, and this one "checks all the boxes". The project fits into the hot topics of the time and will benefit

freight movement and past successes in targeting the right projects, making it a reasonable project to move forward.

This project currently has no financial impact on FMSIB's budget. For further information, see the project website at <https://canyonroadconnection.org/>.

The Board requests that Ms. Neal/Pierce County provide an update in two years (2024). Ms. Neal agreed.

Motion Item: Retain the Canyon Road Corridor Projects #20 and #53 on the FMSIB Deferred project list and not cancel the projects.

Chair Lentz entertained a motion to retain the Canyon Road Corridor Projects #20 and #53 on the FMSIB Deferred project list and not cancel the projects, with an update provided by Pierce County in two years.

Commissioner Swannack moved to approve the motion. Mr. Barnes seconded.

MOTION CARRIED

WSDOT Truck Parking Report to the Governor

Mr. Ron Pate, WSDOT Rail Director, gave an update to the delivery of this report to the Governor.

The WSDOT Truck Parking report was delivered to the Governor in October of 2022. Mr. Pate presented a brief of what the Truck Parking Report consisted of and that the Governor had vetoed some of the report, asking for recommendations from WSDOT to make up for the vetoes. More conversations between WSDOT and OFM are to come soon.

Mr. Pate will provide an update to the Governor's response on this report and responses to the vetoes at the January FMSIB Board Meeting.

Phase 2 Proviso Report – FPAC Report

This FMSIB Committee was formed to develop recommendations to the Board regarding the provisos in FMSIB's 2021-23 Budget. The Committee members include Committee Chair Ben Wick, Leonard Barnes, Matt Ewers, Anne McEnerny-Ogle, and Chair Temple Lentz. Mr. Ron Pate and Mr. Jason Beloso from WSDOT have also been attending these meetings.

Committee Chair Ben Wick presented work done to this point on the Proviso Report done by the FPAC Committee. Leading up to the June Board Workshop, FPAC discussions focused on Truck Parking (April 25), Inland Intermodal Facilities (May 9), and Zero Emissions (May 23). The June Workshop focused on these same topics and discussed how FMSIB's budget proposal (due Sept. 20) might reflect these topical areas and other project investments.

The FPAC has met seven times between the June and September Board meetings and then four more times between September and November. The Committee evaluated a process for prioritizing the 160+ projects submitted by MPOs, RTPOs, and WPPA. The committee has also continued to evaluate statewide proposals and discuss whether budget decision packages are appropriate for any projects. The Board decided that no decision packages were warranted but the statewide investment proposals should be reflected in the Final Budget Proviso Report to the Legislature.

At their November 10 meeting, FPAC approved a draft report for the Board's review and approval. The final report is due December 1.

Someone needs to validate the 22-24 projects that have been identified by FPAC that appear to be ready. First question: Are they ready to go in 2023? Councilmember Wick outlined the criteria used for ranking these projects. It was noted that Representative Fey has asked that FMSIB provide a prioritized list of projects sooner rather than later.

Director Ziegler will send an email to those MPO/RTPO/WPPA agencies that appear to have projects ready to go asking for additional information that should be collected by the Local Agency to validate readiness.

Mr. Bennett requests that if we do not receive additional information from responding agencies on the 22-24 projects that appear ready, FMSIB includes a caveat on the report with: “*Needs further validation” or “*Agency did not respond” so that we’re not leaving any of the projects out of contention.

The letter to agencies will include: “FMSIB plans to request that these projects be included in FMSIB’s Legislative budget for 2023. Please use the ranking criteria provided.”

FPAC committee meeting on November 21 will finalize the path forward on validation of project criteria. Councilmember Wick will coordinate validation effort. Updates will be sent by MPO/RTPO/WPPA to FMSIB by December 16th. A prioritized project report will be sent to the Legislature prior to Legislative session. There is additional information in the Board packet.

Motion Item: Approve the Phase 2 Proviso Report to be sent to the Legislature with the caveat that FMSIB is researching further validation on each of the top projects and will have a prioritized project list to the Legislature by the first day of the Legislative session.

Chair Lentz entertained a motion to approve the Phase 2 Proviso Report to be sent to the Legislature with the caveat that FMSIB is researching further validation on each of the top projects and will have a prioritized project list to the Legislature prior to Legislative session.

Councilmember Wick moved to approve the motion. Mayor McEnerny-Ogle seconded.

MOTION CARRIED

Proposed Legislation Update

Chair Lentz – Asks what approach should the Board take as a whole in regard to Representative Fey’s proposed legislation?

Chair Lentz hesitates to put forward any type of response on the current version of the proposed legislation and suggests that we remain flexible until the final version of the proposed legislation is dropped and announced by Representative Fey. Then the Board can call a special meeting and prioritize FMSIB feedback.

Mr. Bennett – proposes that we ask that the part in regard to deleting funding authorization from FMSIB mandate be unstricken, so that FMSIB can continue to fund worthwhile projects. It’s important for FMSIB to keep the funding authorization for future projects.

Ms. See will contact OFM and request that they send a copy of the final proposed legislation to us as soon as possible. She will also request a second listening session with Representative Fey before he actually drops it in the Bill Room.

No Action has been taken. The Board will wait for the updated version of proposed legislation, review it, and then call a special meeting with the Board to discuss.

2022 FMSIB Annual Report

Consultant Kjris Lund presented proposed content of the FMSIB Annual Report by Zoom. The theme will be Flexibility in a Changing World.

After presentation Mr. Bennett requested that the annual report not have so much detail in the points made and might include additional information in the back of the book.

An introductory letter will be done by Chair Lentz for the report.

A short bio will be provided recognizing a goodbye sentence from each Chair Gatchet and Director Ziegler to close the Annual Report.

Short bios and picture of each Board member will be included in the Report.

Ms. Lund's presentation will be sent to all Board members for review.

Final draft will be proofed by Ms. See and sent to Chair Lentz and the Board for review. Deadline for the final report is scheduled for the end of December.

Format of Future FMSIB Meetings

Chair Lentz states that due to the Governor dropping mandates for in-person meetings, all future FMSIB meetings will be held in person with Zoom being an option for presenters and attendees if needed. FMSIB will also continue the TVW streaming of Board meetings.

No action was taken. Meetings will continue in person with the Zoom and TVW options.

State Audit Report

Chair Lentz stated that since June, FMSIB staff have been meeting with the State Auditor to be responsive to their requests for documents and information. The focus of the audit has been 1) payroll, particularly whether staff implemented the required salary reductions in 2019 and 2020, 2) project monitoring, with emphasis on whether staff implemented the Board's new LEAP list revision process, and 3) that FMSIB Director acknowledges all project payments. FMSIB provided all requested information and SAO has reported that they have not produced any findings.

A more detailed report is in the meeting packet. We still await scheduling of the Audit Exit Interview to obtain an official final report.

Confirm "Day on the Hill" – January 19, 2023

The need for a "Day on the Hill" was discussed. Subjects of discussion with Legislators should include: FPAC list of project applications, future freight needs, FMSIB accomplishments, and the future of FMSIB. Mayor McEnery-Ogle suggested that we invite legislative members to the FMSIB Board meetings as well.

Board members agreed that the "Day on the Hill" for January 19, 2023 should move forward.

An email will be sent to Members asking for confirmation on who will attend and what hours, as well as which of the legislators they would like to visit outside of the Transportation Committee members.

Next Meeting

Board Action Item: Adoption to hold the next “Day on the Hill” January 19, 2023 and FMSIB Board meeting January 20, 2023 in Olympia, WA.

Chair Lentz entertained a motion to hold the next “Day on the Hill” January 19, 2023 and FMSIB Board meeting on January 20, 2023 in Olympia, WA.

Mr. Hellman moved to pass the motion. Commissioner Swannack seconded.

MOTION CARRIED

Meeting Adjourned

Chair Lentz adjourned the meeting at 1:00 p.m.

Summary of Board Motions:

- 1) Adoption of June 3, 2022, Board Meeting Minutes. (page 2)
- 2) Accept draft Director position description and allow WSDOT HR to move forward in posting to the public. (page 2)
- 3) Update Administration Committee to remove Dan Gatchet and replace him with Chair Lentz. (page 2)
- 4) Convene Administration Committee to evaluate applications. (page 2)
- 5) Allow Chair Lentz to appointment an Interim Director. (page 2)
- 6) Retain the Canyon Road Corridor Projects #20 and #53 on the FMSIB Deferred project list and not cancel the projects. (page 5)
- 7) Approve the Phase 2 Proviso Report to be sent to the Legislature. (page 6)
- 8) Approve January 2023 Board’s “Day on the Hill”. (page 8 & 9)
- 9) Adoption to hold the January 20, 2023 FMSIB Board meeting in Olympia, WA. (page 9)

Summary of Future Agenda Items:

- 1) Mr. Pate will provide an update to the Governor’s response on the Truck Parking Report at the January FMSIB Board Meeting
- 2) Letticia Neal of Pierce County was asked to provide an updated report in two years on the Canyon Road Corridor Project (November 2024)
- 3) Secretary Millar suggests that FMSIB arrange for a tour when we’re in the area. Introduced the possibility of a 2024 Board meeting in Marysville (close to PacCar).
- 4) Ms. See will contact OFM and request that they send a copy of the final proposed legislation to us as soon as possible. She will also request a second listening session with Representative Fey before he actually drops it in the Bill Room.
- 5) SAO Audit final report
- 6) Briefing of Day on the Hill
- 7) FMSIB Annual Report

Temple Lentz
FMSIB Board Chair

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Active Projects - Sorted by Biennium

Reporting for January 11, 2023

Likelihood to expend 21-23 biennial appropriation:

- High
- Medium
- Low
- Under Agreement

- FMSIB Award to Const. is less than 2 years
- FMSIB Award to Const. is between 2 and 4 years
- FMSIB Award to Const is more than 4 years

Changes from Nov 2022 Report

PROJECT STATUS

	Agency	Project Title	Yr. Selected	PROJECT STATUS					Notes
				FMSIB Award	Fully Funded	Under Const.	Open to Traffic	Fully Reimbursed	
Projects Started in 17 - 19 Biennium									
15	Seattle	S Lander St Grade Separation	2017						Project completed 11/2020 but not closed out
18	Spokane Co	Bigelow Gulch / Forker Rd Realignment- phase 6	2010						Suspended due to weather, Work will resume spring of 2023 to complete signing, path paving, fence, shoulder work, and punch list items.
Projects Started in 19 - 21 Biennium									
1	Chelan Co	West Cashmere Bridge	2018						Project substantially completed 6/2022 but not closed out
6	Fife / WSDOT	70th Ave E - Freight Bottleneck	2018						
10	Longview	SR 432/SR 411 Intersection Improvements	2016						
12	Port of Kalama	Industrial Rail Additions	2018						
22	Spokane Valley	Barker Rd / BNSF Grade Separation	2013						Estimated to Open to Traffic by end of Jan 2023
23	Sumner	SR 410 Traffic Ave/E Main (2022 complete)	2016						
26	Tacoma	Taylor Way Rehabilitation	2016						
11	Marysville	SR 529/I-5 Interchange Expansion	2014						Notice to Proceed issued May 11, 2022. Expenditure of FMSIB funds not expected until Fall 2024.
21	Spokane Valley	Barker Rd Corridor Widening - Spokane River to SR290	2018						Phases 1, 2a and 3 open, 2b in design (UPRR appealing WUTC hearing)
19	Spokane Co	Bigelow Gulch Phase 3	2018						Submitted final reimbursement
Projects Started in 21 - 23 Biennium									
5	Fife	I-5/Port of Tacoma Road Interchange Ph 2 (south side I-5)	2010						Phase 2 now split into 2A and 2B, allowing Phase 2A to go to construction soonr. Phase 2A design is nearing completion, R/W Plans eta July 2023, Award eta Dec 2023
16	Seattle	East Marginal Way Heavy Haul Corridor	2018						Bid Opening was held on December 14, 2022, award anticipated Jan 20, 2023. Requesting to Move funds to 23 - 25 biennium
24	Sumner	Stewart Road	2018						In progress of procuring R/W. Expected ad date is April 2023. Requesting to move funds to 23 - 25 biennium

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

2021-23 Capital Budget - Sorted by Biennium

Reporting for January 11, 2023

Likelihood to expend 21-23 biennial appropriation:

- High
- Medium
- Low
- Under Agreement

(Dollars in thousands)

Agency	Project Title	Yr. Selected	FMSIB Award	21 - 23 (Plan)	21 - 23 (Rev Plan)	21-23 Expenditure	23 - 25 Approved	23 - 25 Requested	25 - 27	Total
Projects Started in 17 - 19 Biennium										
15	Seattle	S Lander St Grade Separation	2017	8,000	279	1	0		0	2,779
18	Spokane Co	Bigelow Gulch / Forker Rd Realignment- phase 6	2010	6,000	2,076	1,260	0		0	7,260
Projects Started in 19 - 21 Biennium										
1	Chelan Co	West Cashmere Bridge	2018	3,000	0	0	0		0	3,000
6	Fife / WSDOT	70th Ave E - Freight Bottleneck	2018	5,000	364	364	0		0	2,864
10	Longview	SR 432/SR 411 Intersection Improvements	2016	2,100	256	25	0		0	2,356
12	Port of Kalama	Industrial Rail Additions	2018	3,900	3,900	0	0		0	3,900
22	Spokane Valley	Barker Rd / BNSF Grade Separation	2013	9,000	9,000	6,000	4,011	0	0	9,165
23	Sumner	SR 410 Traffic Ave/E Main (2022 complete)	2016	2,500	290	(29)	0		0	2,790
26	Tacoma	Taylor Way Rehabilitation	2016	2,500	879	879	0		0	2,379
11	Marysville	SR 529/I-5 Interchange Expansion	2014	5,000	5,000	0	0	5,000	0	5,000
21	Spokane Valley	Barker Rd Corridor Widening - Spokane River to SR290	2018	1,680	713	8	0	705	0	1,701
19	Spokane Co	Bigelow Gulch Phase 3	2018	2,270	2,183	1,583	1,467	0	0	3,317
	Statewide	Future Awards			0		22,000		28,500	50,500
Projects Started in 21 - 23 Biennium										
5	Fife	I-5/Port of Tacoma Road Interchange Ph 2 (south side I-5)	2010	7,533	5,833		1,700		0	7,533
16	Seattle	East Marginal Way Heavy Haul Corridor	2018	6,100	2,000	0	4,100	6,100	0	12,200
24	Sumner	Stewart Road	2018	3,700	2,000	1,000	555	1,700	2,700	7,955
Future Total					34,773		29,500		28,500	
Program Total				112,133		8,541	29,500		28,500	155,616

				25%						
Revenue										
Beginning Balance				12,175			2,066			2,353
Freight Mobility Investment Account - 09E				11,171			13,698			14,511
Freight Mobility Multimodal Account - 11E				10,493			14,511			14,511
Motor Vehicle Funds				0			0			0
Total Revenue				33,839			30,275			31,375
Expenditures										
Freight Mobility Investment Account - 09E				17,769		7,533	13,351			13,351
Freight Mobility Multimodal Account - 11E				14,004		1,008	14,571			14,571
Highway Safety Account										
Motor Vehicle Funds (Federal)										
Total Expenditures				31,773		8,541	27,922			27,922
Reappropriation				2,066			2,353			3,453

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

CURRENT BIENNIUM 21-23 Budget \$ 843,000

Expenditure Detail through: Dec 31, 2022

FMSIB Budget	Biennium Appropriation July 1, 2021 - June 30, 2023	Biennium Allotments thru Dec 31, 2022	Actual Expenditures thru Dec 31, 2022	Biennium To Date Dollar Variance
Salary	588,000	441,000	456,909	-15,909
Travel	57,000	42,750	39,748	3,002
Goods & Services	148,000	111,000	102,008	8,992
Personal Service Contracts	50,000	43,050	43,050	0
Total Thru Dec 31, 2022	\$ 843,000	637,800	641,715	-3,915
Expenditure Detail	Budgeted Expenditures July 1, 2021 - June 30, 2023	Budgeted Expenditures thru Dec 31, 2022	Actual Expenditures thru Dec 31, 2022	Biennium To Date Dollar Variance
Salaries:				
Staff Salary (includes \$27,184 LeaveBuyout)	588,000	441,000	456,909	-15,909
Total Salary	\$ 588,000	441,000	456,909	-15,909
Travel:				
Staff Travel	22,000	16,500	16,410	90
Board Travel	35,000	26,250	23,338	2,912
Total Travel	\$ 57,000	42,750	39,748	3,002
Goods & Services:				
Other State Agency Services				
WSDOT Labor & Svcs/Auditor	25,000	18,750	28,299	-9,549
WS DES Services	38,000	28,500	20,514	7,986
WS TIB - Office Rent & Utilities	42,000	31,500	26,309	5,191
WS Attorney General	2,000	1,500	0	1,500
Misc. Operating Expenses				
Misc. Office, Mtg, Equipment Costs	41,000	30,750	26,886	3,864
Total Goods & Services	\$ 148,000	111,000	102,008	8,992
Personal Service Contracts:				
Consultant Expenses				
FY22 - 2021 Annual Report (Lund)	25,000	25,000	25,000	0
FY23 - 2022 Annual Report (Lund)	25,000	18,050	18,050	0
Total Personal Service Contracts	\$ 50,000	43,050	43,050	0
Total Thru Dec 31, 2022	\$ 843,000	637,800	641,715	-3,915



FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

505 Union Avenue SE, Suite 350 • PO Box 40965 • Olympia, WA 98504-0965 • (360) 586-9695

Temple Lentz,
Chair

January 11, 2023

Board Members
Leonard Barnes

Dear Governor Inslee, Representative Fey, Senator Liias, Representative Barkis, and Senator King:

Peter Bennett

Matthew Ewers

Erik Hansen

Johan Hellman

John McCarthy

Anne McEnery-Ogle

Roger Millar

Arthur Swannack

Ben Wick

The Freight Mobility Strategic Investment Board (FMSIB) is pleased to provide further refinement on our December 1, 2022, report to the Governor and the 2023 Legislature. This report was requested in FMSIB's 2021-23 Budget (SSB 5165, Sec. 301(3)).

In that report we requested additional time to vet the freight investment list to ensure that we could provide a recommendation of the best investments that are ready for action in the upcoming biennium.

This list builds on our first two reports to the legislature. In the December 2021 report, we identified priority freight investment categories. In the December 2022 report, we worked with the Metropolitan Planning Organizations (MPOs)/Regional Transportation Planning Organizations (RTPOs), and Ports (WPPA) to determine a list of freight investment needs. To better vet the top projects from the December 2022, we had in-depth conversations with the project sponsors to confirm previously submitted information and determine preparedness to proceed to construction. Based on those findings, we are recommending that 2023-2025 biennium Freight Mobility Funds be directed toward the attached program of investments.

In addition to the identified investments, the FMSIB Board wanted to recognize the important work of the Washington State Department of Transportation (WSDOT) around Truck Parking. We also see the importance of this work and support the Governor's proposals to find some solutions. We would also recommend that the legislature consider directing additional funding toward potential solutions that could come out of the work being proposed. This is an issue that affects our entire state: not just the transportation industry, but also our local communities' livability and our environmental quality.

Thank you for your time and consideration.

Please contact myself, Board Chair, Temple Lentz at email: Temple.Lentz@gmail.com or Sally See, FMSIB Executive Assistant, at email: SeeS@fmsib.wa.gov, if you have any questions.

Respectfully,

Temple Lentz
Board Chair

Website
www.fmsib.wa.gov

Proposed 2023 to 2025 Biennium Freight Priority Investment List

Freight Mobility Strategic Investment Board (FMSIB)

Phase 1 Target Area	MPO/RTPO	Sponsor	Project Title	Proposed Funding
Bridge and Road Replacement	PSRC	City of Kent	76th Avenue S (South Phase)	\$ 5,000,000
Expansion of Freight Corridors	SRTC	Spokane County	Bigelow Gulch Corridor Safety & Mobility Project 2	\$ 2,290,000
Expansion of Freight Corridors	RTC	City of Vancouver	Jefferson Street Realignment	\$ 3,000,000
Expansion of Freight Corridors	SRTC	City of Airway Heights	6th/10th/12th Ave Improvements	\$ 2,420,000
Grade Separation Projects	CDTC	Wenatchee	McKittrick Underpass (INFRA project segment 1B)	\$ 3,000,000
Grade Separation Projects	RTC	Port of Vancouver	Terminal 5 Overpass (Design)	\$ 200,000
Intermodal Transfer Facilities	Statewide	WSDOT/FMSIB	Study of Inland Intermodal Transfer Facilities Success Factors	\$ 300,000
Transportation Systems Management and Operations (TSMO)	Statewide	FMSIB/WPPA	2024 Marine Cargo Forecast	\$ 300,000
Road Preservation	TRPC	Port of Olympia	Marine Drive Heavy Haul Freight Corridor Restoration	\$ 1,300,000
Road Preservation	WWVMPO	Waitsburg	Bolles Road Overlay (Design)	\$ 80,000
Transportation Systems Management and Operations (TSMO)	PSRC	Port of Seattle	Re-Build of T-91 Gate & Access Road	\$ 75,000
Transportation Systems Management and Operations (TSMO)	SRTC	WSDOT	I-90 Transportation System Management & Operation (TSMO) Improvements	\$ 600,000
Expansion of Freight Corridors	SRTC	City of Spokane Valley	South Barker Rd Corridor Improvements	\$ 3,000,000
				\$ 21,565,000

2021-22 FMSIB Committees

Board

Chair ~ Temple Lentz
Leonard Barnes
Peter Bennett
Matt Ewers
Erik Hansen
Johan Hellman
Anne McEnerny-Ogle
John McCarthy
Roger Millar
Arthur Swannack
Ben Wick
Aaron Hunt, Ex-Officio

Legislative

Chair ~ Leonard Barnes
Temple Lentz
Matt Ewers
Johan Hellman
Roger Millar
Ben Wick

Freight Policy Advisory Committee (FPAC)

Chair ~ Ben Wick
Leonard Barnes
Matt Ewers
Anne McEnerny-Ogle
Temple Lentz

Administrative

Chair ~ Temple Lentz
Leonard Barnes
Art Swannack
John McCarthy

Director Transition Ad Hoc (added Oct 2022)

Chair ~ Temple Lentz
Leonard Barnes
John McCarthy
Art Swannack

Stakeholders

Added Dec 2022

Chris Herman-Ports
Sheri Call-Trucking
Axel Swanson-WSAC
Brandy DeLange-AWC
Johan Hellman-Board and Rail

HOUSE BILL 1084

State of Washington

68th Legislature

2023 Regular Session

By Representatives Fey, Ramos, Ryu, Ramel, Leavitt, Timmons, and Wylie

Prefiled 12/27/22. Read first time 01/09/23. Referred to Committee on Transportation.

1 AN ACT Relating to freight mobility prioritization; amending RCW
2 47.06A.010, 47.06A.001, 47.06A.020, 47.06A.030, 47.06.045, 47.06.070,
3 46.68.300, and 46.68.310; adding a new section to chapter 53.20 RCW;
4 adding a new section to chapter 47.04 RCW; creating a new section;
5 recodifying RCW 47.06A.080 and 47.06A.090; and repealing RCW
6 47.06A.045, 47.06A.050, and 47.06A.060.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 **Sec. 1.** RCW 47.06A.010 and 1998 c 175 s 2 are each amended to
9 read as follows:

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

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

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

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

18 (4) "Indian tribe" has the same meaning as provided in RCW
19 43.376.010.

20 (5) "Local governments" means cities, towns, counties, special
21 purpose districts, port districts, and any other municipal

1 corporations or quasi-municipal corporations in the state excluding
2 school districts.

3 ~~((5))~~ (6) "Overburdened community" has the same meaning as
4 provided in RCW 70A.02.010.

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

7 ~~((6))~~ (8) "Strategic freight corridor" means a transportation
8 corridor of great economic importance within an integrated freight
9 system that:

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

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

14 (c) Carries freight tonnages of at least:

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

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

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

19 (d) Has been designated a strategic corridor by the board under
20 RCW 47.06A.020~~((3))~~ (4). However, new alignments to, realignments
21 of, and new links to strategic corridors that enhance freight
22 movement may qualify, even though no tonnage data exists for
23 facilities to be built in the future.

24 **Sec. 2.** RCW 47.06A.001 and 1998 c 175 s 1 are each amended to
25 read as follows:

26 The legislature finds that:

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

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

36 (3) Freight corridors that serve international and domestic
37 interstate and intrastate trade, and those freight corridors that
38 enhance the state's competitive position through regional and global
39 gateways are strategically important. In many instances, movement of

1 freight on these corridors is diminished by: Barriers that block or
2 delay access to intermodal facilities where freight is transferred
3 from one mode of transport to another; conflicts between rail and
4 road traffic; constraints on rail capacity; highway capacity
5 constraints, congestion, and condition; waterway system depths that
6 affect capacity; and institutional, regulatory, and operational
7 barriers.

8 ~~(4) ((Rapidly escalating population growth is placing an added~~
9 ~~burden on streets, roads, and highways that serve as freight~~
10 ~~corridors. Community benefits from economic activity associated with~~
11 ~~freight movement often conflict with community concerns over safety,~~
12 ~~mobility, [and] environmental quality. Efforts to))~~ The negative
13 impacts of freight transportation do not fall equally on all
14 residents of Washington, and historically the negative impacts have
15 been concentrated or felt most acutely within overburdened
16 communities. Overburdened communities and vulnerable populations tend
17 to be disproportionately located next to industrial areas and freight
18 facilities such as ports, rail yards, highways, and truck stops. As
19 such, the incidence of many health conditions, traffic accidents
20 involving nondrivers, and highways dividing communities are among the
21 highest in these communities. Freight mobility improvement efforts
22 must prevent or minimize community impacts in areas of high freight
23 movements ((that)) and must encourage the active participation of
24 communities in the early stages of proposed public and private
25 infrastructure investments ((will facilitate needed freight mobility
26 improvements)).

27 (5) Greenhouse gas emissions from freight transportation
28 contribute to global climate change. In keeping with RCW 70A.45.020,
29 freight mobility efforts must facilitate a transition to zero-
30 emissions technology and proposed public and private infrastructure
31 investments must align with this transition. This includes project
32 design that accommodates zero-emissions vehicle refueling and
33 transportation patterns, and prioritizing investments in zero-
34 emissions freight movement corridors.

35 (6) Ownership of the freight mobility network is fragmented and
36 spread across various public jurisdictions, private companies, and
37 state and national borders. Transportation projects have grown in
38 complexity and size, requiring more resources and longer
39 implementation time frames. Currently, there is no comprehensive and
40 integrated framework for planning the freight mobility needs of

1 public and private stakeholders in the freight transportation system.
2 A coordinated planning process should identify new infrastructure
3 investments that are integrated by public and private planning bodies
4 into a multimodal and multijurisdictional network in all areas of the
5 state, urban and rural, east and west. The state should integrate
6 freight mobility goals with state policy on related issues such as
7 economic development, growth management, and environmental
8 management.

9 ~~((6))~~ (7) State investment in projects that enhance or mitigate
10 freight movements, should pay special attention to solutions that
11 utilize a corridor solution to address freight mobility issues with
12 important transportation and economic impacts beyond any local area.
13 The corridor approach builds partnerships and fosters coordinated
14 planning among jurisdictions and the public and private sectors.

15 ~~((7))~~ (8) It is the policy of the state of Washington that
16 limited public transportation funding and competition between freight
17 and general mobility improvements for the same fund sources require
18 strategic, prioritized freight investments that reduce barriers to
19 freight movement, maximize cost-effectiveness, yield a return on the
20 state's investment, require complementary investments by public and
21 private interests, and solve regional freight mobility problems.
22 State financial assistance for freight mobility projects must
23 leverage other funds from all potential partners and sources,
24 including federal, county, city, port district, and private capital.

25 **Sec. 3.** RCW 47.06A.020 and 2013 c 104 s 1 are each amended to
26 read as follows:

27 (1) The purpose of the board is to:

28 (a) Provide strategic guidance to the governor and the
29 legislature regarding the highest priority freight mobility needs in
30 the state;

31 (b) Encourage policies that support a competitive, resilient,
32 sustainable, and equitable freight system; and

33 (c) Serve as a forum for discussion of state transportation
34 decisions affecting freight mobility.

35 (2) The board shall:

36 (a) Adopt rules and procedures necessary to implement the freight
37 mobility strategic investment program;

1 ~~(b) ((Solicit from public entities proposed projects that meet~~
2 ~~eligibility criteria established in accordance with subsection (4) of~~
3 ~~this section; and~~

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

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

19 ~~(2))~~ In consultation with local governments, transportation
20 planning organizations, other public entities, and Indian tribes
21 recommend a six-year investment program of the highest priority
22 freight mobility projects for the state across freight modes,
23 jurisdictions, and the regions of the state;

24 (c) Monitor the implementation of projects included in the six-
25 year investment program on an ongoing basis;

26 (d) Identify critical emerging freight mobility issues not yet
27 addressed by investments considered for inclusion in the six-year
28 investment program of the highest priority freight mobility
29 investments required in (a) of this subsection; and

30 (e) Submit an initial full report meeting the requirements of
31 this subsection to the governor and the transportation committees of
32 the legislature by December 1, 2024. Updated reports may be submitted
33 annually to the transportation committees of the legislature and
34 governor by December 1st of each year; however, a full update must be
35 provided every two years.

36 (3) The board may:

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

1 ~~(b))~~ Provide technical assistance to project ~~((applicants))~~
2 sponsors;
3 ~~((e))~~ (b) Accept any gifts, grants, or loans of funds,
4 property, or financial, or other aid in any form from any other
5 source on any terms and conditions which are not in conflict with
6 this chapter;
7 ~~((d))~~ (c) Adopt rules under chapter 34.05 RCW as necessary to
8 carry out the purposes of this chapter; ~~((and~~
9 ~~(e))~~ (d) Do all things necessary or convenient to carry out the
10 powers expressly granted or implied under this chapter;
11 (e) Evaluate and recommend for state sponsorship priority
12 projects eligible for federal grant funding under the nationally
13 significant multimodal freight and highway projects program, also
14 known as the infrastructure for rebuilding America program,
15 established in 23 U.S.C. Sec. 117 and the railroad crossing
16 elimination program established in 49 U.S.C. Sec. 22909; and
17 (f) For critical emerging freight issues identified under
18 subsection (2)(d) of this section, proactively work with potential
19 project sponsors, impacted communities, and other interested parties
20 to facilitate project development to address these critical issues.
21 ~~((3))~~ (4) The board shall ~~((designate))~~:
22 (a) Designate strategic freight corridors within the state. The
23 board shall update the list of designated strategic corridors not
24 less than every two years, and shall establish a method of collecting
25 and verifying data, including information on city and county-owned
26 roadways ~~((-~~
27 ~~(4) The board shall~~);
28 (b) Coordinate with the department of transportation throughout
29 the process of its periodic update of the state's freight mobility
30 plan and review and provide feedback on the plan;
31 (c) For the purposes of developing the six-year program of
32 highest priority freight mobility investments, utilize threshold
33 project eligibility criteria that, at a minimum, includes the
34 following:
35 ~~((a))~~ (i) The project must be on a strategic freight corridor;
36 ~~((b) The project must meet one of the following conditions:~~
37 ~~(i) It is primarily aimed at reducing identified barriers to~~
38 ~~freight movement with only incidental benefits to general or personal~~
39 ~~mobility; or~~

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

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

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

9 ~~(5) From June 11, 1998, through the biennium ending June 30,~~
10 ~~2001, the board shall use the multicriteria analysis and scoring~~
11 ~~framework for evaluating and ranking eligible freight mobility and~~
12 ~~freight mitigation projects developed by the freight mobility project~~
13 ~~prioritization committee and contained in the January 16, 1998,~~
14 ~~report entitled "Project Eligibility, Priority and Selection Process~~
15 ~~for a Strategic Freight Investment Program." The prioritization~~
16 ~~process shall measure the degree to which projects address important~~
17 ~~program objectives and shall generate a project score that reflects a~~
18 ~~project's priority compared to other projects. The board shall assign~~
19 ~~scoring points to each criterion that indicate the relative~~
20 ~~importance of the criterion in the overall determination of project~~
21 ~~priority. After June 30, 2001, the board may supplement and refine~~
22 ~~the initial project priority criteria and scoring framework developed~~
23 ~~by the freight mobility project prioritization committee as expertise~~
24 ~~and experience is gained in administering the freight mobility~~
25 ~~program.~~

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

37 ~~(7) The board shall develop))~~ (ii) The project sponsor must
38 demonstrate a plan for:

39 (A) Sufficient engagement with overburdened communities impacted
40 by the project; and

1 (B) The evaluation of project alternatives and mitigation
2 measures addressing the impacts on these communities to the greatest
3 extent possible;

4 (d) Adopt other evaluation criteria for the six-year program of
5 highest priority freight mobility investments to include, but not be
6 limited to, benefits to the state's freight system, how much funding
7 has already been secured for a project, project readiness for
8 construction, and the regional distribution of projects;

9 (e) For the six-year investment program, solicit from public
10 entities proposed projects that meet threshold criteria established
11 in accordance with this subsection. The procedures for collecting and
12 validating project information must rely on information project
13 sponsors have already developed to the greatest extent possible;

14 (f) For the six-year investment program, review and evaluate
15 project submissions based on criteria established under this section
16 and prioritize and recommend projects with an appropriate level of
17 state funding for a project, ensuring that state funds are allocated
18 to leverage the greatest amount of partnership funding possible. The
19 board shall ensure that recommended projects are not more
20 appropriately funded with other federal, state, or local government
21 funding mechanisms or programs. The board shall not recommend those
22 projects that appear to improve overall general mobility with limited
23 enhancement for freight mobility; and

24 (g) Develop and recommend policies that address operational
25 improvements that primarily benefit and enhance freight movement((7))
26 including, but not limited to, policies that reduce congestion in
27 truck lanes at border crossings and weigh stations and provide for
28 access to ports during nonpeak hours.

29 NEW SECTION. Sec. 4. The freight mobility strategic investment
30 board must contract for a study of best practices for preventing or
31 mitigating the impacts of investments in and the operation of freight
32 systems in overburdened communities, with a focus on developing
33 common procedures and practices for use by jurisdictions developing
34 freight projects. The study must also make recommendations to the
35 board regarding methods to evaluate the threshold criteria requiring
36 projects to demonstrate a plan for engagement with overburdened
37 communities and mitigation of project impacts in those communities.
38 The recommended methods should not create duplicative burdens on
39 project sponsors. The board must work with the department of

1 enterprise services to ensure that a diverse group of potential
2 consultants are notified of the contracting opportunity. By December
3 1, 2024, the board must submit a report to the governor and
4 transportation committees of the legislature with its findings and
5 recommendations.

6 **Sec. 5.** RCW 47.06A.030 and 1999 c 216 s 2 are each amended to
7 read as follows:

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

10 (2) The board is composed of (~~twelve~~) 15 members. The following
11 members are appointed by the governor for terms of four years, except
12 that five members initially are appointed for terms of two years: (a)
13 Two members, one of whom is from a city located within or along a
14 strategic freight corridor, appointed from a list of at least four
15 persons nominated by the association of Washington cities or its
16 successor; (b) two members, one of whom is from a county having a
17 strategic freight corridor within its boundaries, appointed from a
18 list of at least four persons nominated by the Washington state
19 association of counties or its successor; (c) two members, one of
20 whom is from a port district located within or along a strategic
21 freight corridor, appointed from a list of at least four persons
22 nominated by the Washington public ports association or its
23 successor; (d) one member representing the office of financial
24 management; (e) one member appointed as a representative of the
25 trucking industry; (f) one member appointed as a representative of
26 the railroads; (g) the secretary of the department of transportation
27 or the secretary's designee; (h) one member representing the
28 steamship industry; (~~and~~) (i) one member representing the package
29 delivery industry; (j) one member representing environmental
30 protection interests; (k) one member representing the interests of
31 overburdened communities; and (l) one member of the general public.
32 In appointing the general public member, the governor shall endeavor
33 to appoint a member with special expertise in relevant fields such as
34 public finance, freight transportation, or public works construction.
35 The governor shall appoint the general public member as chair of the
36 board. In making appointments to the board, the governor shall ensure
37 that each geographic region of the state is represented.

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

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

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

9 **Sec. 6.** RCW 47.06.045 and 1998 c 175 s 10 are each amended to
10 read as follows:

11 The state-interest component of the statewide multimodal
12 transportation plan shall include a freight mobility plan which shall
13 assess the transportation needs to ensure the safe, reliable, and
14 efficient movement of goods within and through the state and to
15 ensure the state's economic vitality. The department shall coordinate
16 with the freight mobility strategic investment board throughout the
17 process of the department's periodic update of the state's freight
18 mobility plan and provide opportunities for the board to review and
19 provide feedback on the plan.

20 **Sec. 7.** RCW 47.06.070 and 1993 c 446 s 7 are each amended to
21 read as follows:

22 The state-interest component of the statewide multimodal
23 transportation plan shall include a state marine ports and navigation
24 plan, which shall assess the transportation needs of Washington's
25 marine ports, including navigation, and identify transportation
26 system improvements needed to support the international trade and
27 economic development role of Washington's marine ports. The
28 department shall coordinate with the freight mobility strategic
29 investment board throughout the process of the department's periodic
30 update of the state marine ports and navigation plan and provide
31 opportunities for the board to review and provide feedback on the
32 plan.

33 **Sec. 8.** RCW 46.68.300 and 2021 c 333 s 711 are each amended to
34 read as follows:

35 The freight mobility investment account is hereby created in the
36 state treasury. Money in the account may be spent only after
37 appropriation. Expenditures from the account may be used only for

1 freight mobility projects that have been (~~approved~~) recommended by
2 the freight mobility strategic investment board in RCW 47.06A.020 and
3 may include any principal and interest on bonds authorized for the
4 projects or improvements. (~~During the 2019-2021 and 2021-2023 fiscal~~
5 ~~biennia, the expenditures from the account may also be used for the~~
6 ~~administrative expenses of the freight mobility strategic investment~~
7 ~~board.~~)

8 **Sec. 9.** RCW 46.68.310 and 2020 c 219 s 702 are each amended to
9 read as follows:

10 The freight mobility multimodal account is created in the state
11 treasury. Money in the account may be spent only after appropriation.
12 Expenditures from the account may be used only for freight mobility
13 projects that have been (~~approved~~) recommended by the freight
14 mobility strategic investment board in RCW 47.06A.020 and may include
15 any principal and interest on bonds authorized for the projects or
16 improvements. (~~However, during the 2019-2021 fiscal biennium, the~~
17 ~~legislature may direct the state treasurer to make transfers of~~
18 ~~moneys in the freight mobility multimodal account to the multimodal~~
19 ~~transportation account.~~)

20 NEW SECTION. **Sec. 10.** The following acts or parts of acts are
21 each repealed:

- 22 (1) RCW 47.06A.045 (Board—Standing committee—Travel
23 reimbursement) and 2013 c 306 s 707;
- 24 (2) RCW 47.06A.050 (Allocation of funds) and 2016 c 23 s 1, 2013
25 c 104 s 2, & 1998 c 175 s 6; and
- 26 (3) RCW 47.06A.060 (Grants and loans) and 1998 c 175 s 7.

27 NEW SECTION. **Sec. 11.** (1) RCW 47.06A.080 is recodified as a
28 section in chapter 53.20 RCW.

29 (2) RCW 47.06A.090 is recodified as a section in chapter 47.04
30 RCW.

--- END ---