PRTPO EXECUTIVE BOARD MEETING

October 15, 2021 | 10:00 – 12:00

Zoom Meeting – Login Below

1.	10:00 – 10:05	**Welcome and Introductions**	*Chair Bek Ashby*
2.	10:05 – 10:10	**Approval of Agenda**	ACTION
		Consent Calendar • *Minutes from August 20, 2021 (Attachment A)* • *Agreement with Kitsap Transit for Lead Planning Agency Services – Resolution 04-2021 (Attachment B)* • *Agreement with Jefferson Transit for Fiscal Agent Services – Resolution 05-2021 (Attachment C)* • *PRTPO UPWP Development Policy – Resolution 06-2021 (Attachment D)*	ACTION
3.	10:10 – 10:15	**Agreement between PRTPO and Kitsap Transit for HSTP Grant Administration** *(Attachment E)* *PRTPO was awarded $80,000 in federal funds to support its update of the Human Services Transportation Plan. Kitsap Transit offered to administer those funds on behalf of PRTPO. The Board is asked to approve Resolution 07-2021 authorizing an Agreement between Kitsap Transit and PRTPO for grant administration.*	ACTION
4.	10:15 – 10:25	**Approval of the 2022-2027 Regional TIP** *(Attachment F)* *As part of its responsibilities, PRTPO adopts a six-year Regional Transportation Improvement Program. The attached draft RTIP was recommended for approval by the TAC on September 16th. The Board is asked to approved Resolution 08-2021 adopting the 2022-2027 RTIP.*	ACTION
5.	10:25 – 10:35	**2040 RTP Follow-up – EV Readiness Activities** *(Attachment G)* *PRTPO has unassigned budget earmarked for activities over this next year to support greater EV readiness across the region. The Board is asked to consider work plan activities intended to support member efforts in expanding electric vehicle infrastructure and accessing funding, for action in December.*	1st Reading
6.	10:35 – 10:50	**2022 Legislative Session – Materials and Process** *(Attachment H)* *In August the Board reviewed and commented on draft messages for the legislative folio and in September, members helped develop a list of local projects. Resulting materials were reviewed and refined by the Legislative Work Group and the Executive Committee. The Board is asked to finalize and approve materials for use in legislative communications.*	ACTION
7.	10:50 – 11:35	**US 101 Elevation Project at Duckabush River** *(Attachment I)* *The Puget Sound Ecosystem Nearshore Restoration Project Master Plan identified 36 projects around the Puget Sound to restore nationally significant estuary habitat. The first of these to move forward into the implementation phase is elevation of US 101 and habitat restoration at the Duckabush River, on Hood Canal.*	PRESENTATION *Theresa Mitchell, WA Dept of Fish & Wildlife*

8.	11:40 – 11:45	**PRTPO Coordinator's Report** *(Attachment J)* *Short updates to keep the Executive Board apprised of PRTPO activities not addressed elsewhere on the agenda and opportunities of possible interest.*	BRIEFING
9.	11:45	**Public Comment Period** *This is an opportunity for anyone from the public to address the Board.*	
10.	11:50	**PRTPO Member Updates** *Information sharing among members on topics of general interest to the region and its partners.*	
	12:00	**Adjourn**	

Links to other information
2021 UPWP Annual Report
2021 Title VI Annual Report

Bek Ashby, Chair

Randy Neatherlin, Vice-Chair *Tammi Rubert, Secretary*

Next Executive Board Meeting – December 17, 2021, 10:00-12:00

ACTION – Extend Legal Services Contract
ACTION – Approve SFY 2022 1st Quarter Invoice
Legislative Session Updates
Draft 2040 RTP Biennial Review

Click here to download the updated 2021 PRTPO Resource Manual

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Join Zoom Meeting
https://us02web.zoom.us/j/3608780353?pwd=MFQvOHpjdENsMjdCQ3BEdFBKSHcxUT09

Meeting ID: 360 878 0353
Passcode: 4780
One tap mobile
+12532158782,,3608780353# US (Tacoma)

Dial by your location
+1 253 215 8782 US (Tacoma)
Meeting ID: 360 878 0353

PRTPO.org

Acronyms Used in This Agenda:

EV	Electric Vehicle
HSTP	Human Services Transportation Plan
PRTPO	Peninsula Regional Transportation Planning Organization
RTIP	Regional Transportation Improvement Program
SFY	State Fiscal Year
TAC	Technical Advisory Committee
UPWP	Unified Planning Work Program
WSDOT	Washington State Department of Transportation

ATTACHMENT A

Minutes of Meeting

PRTPO EXECUTIVE BOARD
August 20, 2021
10:00 – 12:00
Via Zoom
Meeting video available on YouTube

CALL TO ORDER

Chair Bek Ashby called the meeting to order at 10:00.

ATTENDEES

Executive Board:

Clallam County	Steve Gray *(alternate)*
Jefferson County	Kate Dean
Kitsap County	David Forte *(alternate)*
Mason County	Randy Neatherlin
City of Port Orchard	Bek Ashby
City of Port Townsend	Ariel Speser
City of Poulsbo	Ed Stern
City of Sequim	Rachel Anderson
City of Shelton	Joe Schmit
Port of Bremerton	Gary Anderson
Clallam Transit	Brendan Meyer
Jefferson Transit	Tammi Rubert
Kitsap Transit	John Clauson
Mason Transit	Amy Asher
WSDOT Olympic Region	Dennis Engel *(alternate)*
Jamestown S'Klallam Tribe	Annette Nesse

Staff:
Ed Coviello, PRTPO Coordinator, Kitsap Transit Lead Planning Agency
Thera Black, PRTPO Coordinator

Others:
Michael Bateman, City of Poulsbo
Wendy Clark-Getzin, TAC Chair, Jefferson County
Sara Crouch, PRTPO Fiscal Agent, Jefferson Transit
Casey Duff, Senator Cantwell's Office
Kate Fauver, WSDOT Olympic Region Planning
Cliff Hall, WSDOT Tribal and Regional Integrated Planning
Matt Klontz, City of Sequim
Steffani Lillie, Kitsap Transit
Elizabeth Safsten, Community Liaison, WSDOT Public Transportation Division

Welcome and Introductions
Chair Ashby welcomed attendees and provided a video-conference roll call.

Approval of Agenda

ACTION: Mr. Neatherlin moved, and Ms. Dean seconded to approve the agenda. The motion passed unanimously.

Chair Ashby requested that the Title VI Plan be pulled from the Consent Agenda and handled as a stand-alone action item.

Consent Agenda

ACTION: Mr. Neatherlin moved, and Ms. Anderson seconded to approve the Consent Agenda as revised. The motion passed unanimously.

- ***Corrected minutes from June 18, 2021 Executive Board Meeting***
- ***SFY 2021 4th Quarter Invoice***

Title VI Plan

Chair Ashby explained that she pulled the Title VI plan from the Consent Agenda due to the nature of the document. She wanted to be sure Executive Board members understand its function and have an opportunity to ask any questions. Ms. Black provided a summary overview of the document and its role in PRTPO's work program. She noted that after the Board reviewed the draft plan in June it was sent to WSDOT's Office of Employment Opportunity and posted on PRTPO's website for review and comment. No comments were received. Upon the Board's approval, the final will be sent to WSDOT.

ACTION: Mr. Meyer moved, and Mr. Stern seconded to approve the PRTPO Title VI Plan for the Peninsula Region. The motion passed unanimously.

Draft UPWP Development Policy – 1st Reading

This is the last of the operational policies and procedures identified in PRTPO's by-laws and completed throughout the transition period. The UPWP Development Policy lays out the procedures by which the Executive Board will develop a work plan and budget, and how it will be amended on both a regular and irregular basis. The Unified Planning Work Program, or UPWP, is PRTPO's adopted work plan and budget. Ms. Black noted this is a first reading and discussion by the Board. It will come back to the Board for approval in October. No changes were offered.

Update on SFY 2022-23 UPWP Funding

Chair Ashby briefed the Board on the status of $80,000 in work program funding for human services transportation planning that is identified in the adopted UPWP. She reminded Board members that in June PRTPO was notified this would be federal funding from FTA, not state funds as PRTPO had assumed. Federal funds entail different accounting and reporting responsibilities than state funds and raise a number of concerns for the Fiscal Agent. Because of timing, the Board approved the UPWP as presented in June with the understanding that work would be done to resolve this issue.

Effort is still underway to resolve outstanding concerns. A meeting is scheduled for August 23rd with representative from WSDOT's Public Transportation Division, which awarded PRTPO the funds, and the Tribal and Regional Integrated Planning (TRIP) Office, which oversees PRTPO's UPWP and awards it state funding for the on-going work program.

Chair Ashby explained that the cleanest resolution for PRTPO will be for WSDOT to convert the funds to state revenue and administer it through the TRIP Office. There may be other strategies for administering the funds

that can be considered. Key is to ensure that additional accounting and reporting requirements do not overburden the Fiscal Agent or jeopardize the ongoing working relationship with Jefferson Transit. There were no questions. Chair Ashby said the Executive Committee will report back in October.

Participation in US Bike Route System Designation
Ms. Black briefed the Board on early investigations by the TAC into potential designation of the Olympic Discovery Trail and other connecting facilities as part of the US Bike Route System (USBRS). She reported that two work sessions were convened for the TAC in May and July to explore what USBRS designation entails, potential benefits, responsibilities, liabilities, and other considerations local agencies must make before deciding whether to pursue USBRS designation now or in the future.

At the conclusion of the second work session, in July, TAC members determined that while there is some interest, city, county, and tribal members needed time to vet the idea internally with their respective organizations and determine if USBRS designation is a priority at this time. This will come back to the TAC for further discussion in the fall, at which time the Board will be briefed and if warranted, presented with a proposal to support local efforts at the regional level.

Ms. Dean pointed out alignment between USBRS and the Great American Rail-Trail (GART), another interstate trail initiative aiming to connect all fifty states via bike trails. Jefferson County is likely interested in USBRS designation but may not have time for this right now. Mr. Forte expressed concern about USBRS interests derailing local plans and project priorities and advocated for greater analysis at the local level.

WSDOT Projects Proposed for 2022-2027 RTIP
This was an annual review of WSDOT Olympic Region projects ahead of the Board's review and approval of the Regional Transportation Improvement Program in October. Mr. Engel introduced Kate Fauver, his planning colleague from Olympic Region who helped prepare the presentation. Mr. Engel provided the Board with a county-by-county overview of the various projects WSDOT will include in its next Transportation Improvement Program and expects to launch over the next four years. He responded to member questions about individual projects and schedules.

2022 Legislative Session – Materials and Process
Board members received a draft cover letter for the 2022 legislative folio. Chair Ashby explained that it reflected the work of a small Legislative Work Group that met in early July and provided edit reviews by email. It is based on last year's letter, updated and reformatted to make it more action oriented. Ms. Black reported that she will send out a request for updated project list information, which will be discussed by the TAC and brought back to the Board for final review and approval in October. The current infographics will be updated slightly.

When it met in July, the Work Group discussed the effectiveness of last year's forums and the level of participation. It was proposed that this year PRTPO convene one regional forum, not three, and organize the one forum around the availability of the region's legislators who serve on the House or Senate Transportation Committees, since these are the legislators who participated last year. All legislators would be invited but the schedule would target those most likely to be interested in transportation issues. Board members agreed that one forum is appropriate. Ms. Dean added that it would be good for those legislators who may be far apart on other issues to come together around those of regional importance.

Chair Ashby asked if the cover letter hits the right messages and if anything is missing. Ms. Dean observed that is makes no mention of ferries. Given the significance of the marine highway system to the region's overall mobility, it would be worthwhile to highlight the importance of vessel replacement. No other topics were suggested for inclusion.

Members expressed interest in updating projects. Ms. Black reported that she would send an email request out to members before Labor Day with a request for project information. Mr. Forte advised that members might want to identify projects that have not yet secured funding since this is a way of bringing attention to them. Mr. Neatherlin reminded members that funded projects get deferred sometimes or defunded, so in some cases it does make sense to include funding secured projects until they are actually underway.

Status Update on Federal Infrastructure Funding
Ms. Black reported to the Board on key elements of the Infrastructure Investment and Jobs Act of 2021 and provided a breakdown of the Surface Transportation Reauthorization Act that is embedded in the primary bill. Mr. Stern added more context to the broadband element and reported on activities underway in Washington state in preparation for this funding. Mr. Duff reported that Senator Cantwell championed several provisions of the infrastructure package including more funding for culvert replacements and habitat restoration. He provided a link to the Senator's press release on the infrastructure package in the Chat Log [https://www.cantwell.senate.gov/news/press-releases/cantwell-outlines-big-wins-for-washington-states-infrastructure-salmon-economy-]

PRTPO Meeting Format Post-COVID
Chair Ashby explained the Executive Committee and PRTPO Coordinators continue to monitor conditions in anticipation of returning to some in-person meetings in the future. The memo outlines the proposed approach, beginning in 2022, of conducting two meetings a year in person and Zoom video-conference meetings the rest of the year. The current spike in infections suggests that no in-person meetings will be held the rest of this year.

Coordinators Report
Ms. Black highlighted topics on the Coordinators Report and invited members or their staff or colleagues to follow up with her if there are questions on specific topics.

Public Comments
There were no public comments.

Member Updates
Members shared updates on activities of interest to the Board.

- Mr. Forte reported that the Gorst Coalition had its kick-off meeting the previous week. It was well-attended, including several people on the Board. Chair Ashby observed that the event timing and location – 4:00 pm at the Subaru dealership – impressed upon everyone attending how bad the problem is.
- Ms. Clark-Getzin reported that Jefferson County Public Works submitted a successful proposal for the Little Quilcene River Bridge Rehabilitation Project. The County received full funding for both the PE and CN phases of this work. She explained that weight restrictions are currently in place because of the bridge's poor condition. The funding package will enable Jefferson County to complete the bridge reconstruction and eliminate weight restrictions ahead of WSDOT's US 101 project.
- Ms. Dean, in her capacity as Chair of the Jefferson Transit Authority, reported on the new service that will connect Port Townsend to the Kingston Ferry Terminal with limited stop, fairly direct express service beginning on October 1st. This will provide an important connection between Port Townsend and the urban services and jobs accessible via the ferry.

Adjourn
There being no other business, Chair Ashby adjourned the meeting at 11:50.

ACTION ITEM

To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 8, 2021
Subject: Agreement with Kitsap Transit for Lead Planning Agency Services – 2022-2023

REQUESTED ACTION:

Adopt Resolution 04-2021 approving the agreement with Kitsap Transit for Lead Planning Agency services for state fiscal years 2022 and 2023.

Background:

PRTPO obtained Lead Planning Agency services from Kitsap Transit via an Interlocal Agreement. In this capacity Kitsap Transit has provided planning and administrative support services for PRTPO since July 1, 2019, when PRTPO became independent from WSDOT Olympic Region.

The original contract for services expired on June 30th, the end of state fiscal year (SFY) 2021. Kitsap Transit has expressed its willingness to continue serving PRTPO in this capacity for another two-year term of service, retroactive to July 1, 2021. This aligns with the time frame of the SFY 2022-2023 Unified Planning Work Program (UPWP).

The UPWP is the work program and budget adopted by the Executive Board for the current biennium and provides the framework for Kitsap Transit's services. This Agreement with Kitsap Transit is how the Board will deliver that work program and fulfill its responsibilities to WSDOT.

A copy of the Agreement and adopting resolution is attached.

The Board is asked to renew its Agreement with Kitsap Transit via resolution.

Attachments:

- *Resolution 04-2021*
- *Agreement with Kitsap Transit for Lead Planning Agency Services*

For More Information:

Thera Black | 360.878.0353 | TheraB@PeninsulaRTPO.org

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 04-2021

Approving the SFY 2022-2023 Lead Planning Agency Agreement with Kitsap Transit

Recitals

WHEREAS, the Peninsula Regional Transportation Planning Organization (PRTPO) is the state-designated Regional Transportation Planning Organization (RTPO) for the Peninsula region, established through an Interlocal Agreement and Bylaws in 1990 that were updated and reaffirmed by its members in 2019 when the PRTPO became independent from the Washington State Department of Transportation; and

WHEREAS, the PRTPO desires to appoint a Lead Planning Agency with certain administrative and financial duties as provided for in the PRTPO's Interlocal Agreement and Bylaws; and

WHEREAS, Kitsap Transit possesses the necessary qualifications to serve as the Lead Planning Agency and is willing to serve in this capacity to the PRTPO; and

WHEREAS, an Agreement for Lead Planning Agency services for State Fiscal Years 2022-23 has been reviewed by both parties and found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE EXECUTIVE BOARD OF THE PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION:

THAT the Lead Planning Agency Agreement with Kitsap Transit be approved as per the attached document to provide authorized planning and support services to the PRTPO in delivering its State Fiscal Year 2022-23 Unified Planning Work Program; and

THAT the Lead Planning Agency is authorized to submit necessary invoices and reports to the WSDOT and administer financial activities on behalf of PRTPO.

APPROVED, this 15th day of October 2021.

ATTEST:

_____

Bek Ashby, Chair

ATTEST:

_____

Randy Neatherlin, Vice-Chair

AGREEMENT FOR LEAD PLANNING AGENCY SERVICES

between

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION

and

KITSAP TRANSIT

THIS AGREEMENT is made between the Peninsula Regional Transportation Planning Organization and Kitsap Transit for the provision of Lead Planning Agency services.

Recitals

WHEREAS, the Peninsula Regional Transportation Planning Organization (PRTPO) is a voluntary regional transportation planning organization made up of various transportation-oriented public agencies in the counties of Clallam, Jefferson, Kitsap, and Mason. The PRTPO is authorized by chapter 47.80 RCW and formed as a separate legal entity under an Interlocal Agreement (ILA) pursuant to chapter 30.34 RCW;

WHEREAS, Kitsap Transit is a public transportation benefit area formed pursuant to chapter 36.57A RCW and is a member of the PRTPO;

WHEREAS, RCW 47.80.023 authorizes and requires the PRTPO to designate a Lead Planning Agency to coordinate preparation of the Regional Transportation Plan and to assist the PRTPO in carrying out its other duties identified in RCW 47.80.023;

WHEREAS, the PRTPO ILA identifies other duties required of the Lead Planning Agency;

WHEREAS, Kitsap Transit possesses the necessary qualifications and is willing to serve as the Lead Planning Agency of the PRTPO.

Agreement

NOW THEREFORE, in consideration of mutual promises and covenants herein it is hereby agreed:

1. Lead Planning Agency Designation

The parties agree that Kitsap Transit shall be the Lead Planning Agency (LPA) for the Peninsula Regional Transportation Planning Organization. The LPA shall act on behalf of the PRTPO Executive Board and only as directed by the Executive Board.

2. Responsibilities of Kitsap Transit

Kitsap Transit shall be responsible for carrying out the following duties in accordance with the ILA, Bylaws, and any applicable policies or procedures of the PRTPO, as well as applicable federal, state, and local law.

A. Provide staff support and coordination for the PRTPO Executive Board, the Transportation Policy Board, and the Technical Advisory Committee.

B. Hire, supervise, and administer personnel, contractors and consultants as directed by the Executive Board.

C. Provide information, data, inventories, and services as may be necessary to carry out the purposes of the PRTPO.

D. Coordinate with the PRTPO to develop and implement the Unified Planning Work Program (UPWP) in conformance with the UPWP Guidance from the Washington State Department of Transportation (WSDOT) and any policies and procedures of the PRTPO.

E. Coordinate with the PRTPO to prepare a budget for the PRTPO in accordance with the mission of the PRTPO, as expressed in the UPWP, and based on WSDOT allocations and other revenues.

F. Provide regular budget reports to the Executive Board.

G. Coordinate with the PRTPO to develop and implement the Regional Transportation Plan, the Regional Transportation Improvement Program, and the Human Services Transportation Plan in conformance with any WSDOT guidance and any policies and procedures of the PRTPO.

H. On behalf of the PRTPO and at its request, apply for any federal, state, or private funding of any nature that may be available to assist the PRTPO in carrying out its goals and policies.

I. Coordinate the purchase of goods and procurement of services on behalf of PRTPO consistent with applicable laws and any policies and procedures of the PRTPO.

J. Serve as the public records officer of the PRTPO in accordance with chapter 42.56 RCW and policies of the PRTPO. Kitsap Transit shall identify by name the individual to whom all public records requests shall be directed and shall ensure such information is clearly on the website of the PRTPO.

K. Accept and manage any claim for damages made under chapter 4.96 RCW. Upon receipt of a claim for damages, or any other claim, a copy of the claim will be provided to the PRTPO Executive Committee. Kitsap Transit shall identify by name the individual to whom claims shall be directed and shall ensure such information is clearly on the website of the PRTPO.

L. Perform such other duties as may be assigned by the PRTPO.

3. Responsibilities of the Peninsula Regional Transportation Planning Organization

The PRTPO agrees that it shall cooperate and assist Kitsap Transit in carrying out its responsibilities identified above.

4. Compensation

A. Amount

Kitsap Transit will be compensated for its actual direct and related indirect costs for performing the duties and responsibilities under this Agreement. The rate and total compensation under this Agreement shall not exceed the budgeted amounts approved in the adopted UPWP. All costs must be consistent with the cost principals contained in 2 CFR 200 when federal funds are used.

All out-of-state travel must have prior written approval of the PRTPO to be eligible for reimbursement. Current WSDOT travel regulations and rates shall apply to all in-state and out-of-state travel for which reimbursement is claimed during the term of the Agreement.

Any equipment purchased under the Agreement must be purchased, managed, and disposed of in accordance with 2 CFR 200 when federal funds are used.

B. Invoices

Kitsap Transit shall prepare an invoice for all service performed for the PRTPO not more frequently than once a month and at least once a quarter. The invoice shall be submitted to the PRTPO Fiscal Agent on the RTPO Planning Invoice Voucher form along with the accompanying RTPO UPWP Activity Detail form. Kitsap Transit will maintain back up documentation for the invoiced amounts. The Fiscal Agent will finalize the RTPO Planning Invoice Voucher and submit it to the PRTPO Executive Committee for approval prior to submission to WSDOT. The PRTPO shall review and approve each invoice in an expeditious manner.

C. Payment

Payment to Kitsap Transit will be made promptly upon receipt of payment from WSDOT.

5. Records

A. Maintenance

Kitsap Transit shall maintain all records in support of all costs incurred and actual expenditures made unmder this Agreement in accordance with procedures prescribed by the Division of Municipal Corporations of the State Auditor's Office, the U.S. Department of Transportation (USDOT), and WSDOT. All such recores shall be retained as required by state or federal law or grant agreements. The Copies of records shall be furnished to the PRTPO or WSDOT if requested.

B. Access

All files and other documents maintained by Kitsap Transit under this Agreement shall be files of the PRTPO and both the PRTPO and WSDOT, and any of their agents or representatives, shall have full access to and the right to examine, during normal business hours and as often as they deem necessary, all records with respect to all matters covered by the Agreement. Both the PRTPO and WSDOT, and any of their agents or representatives, shall be permitted to audit, examine, and make excerpts or transcripts from such records and to make audits of all contracts, invoices, materials, payrolls, and other matters covered by this Agreement.

C. Audits

Kitsap Transit shall cooperate with and respond to any independent audit conducted.

6. Indemnification and Liability

Each party to this Agreement shall be responsible for damage to persons or property resulting from the negligence on the part of itself, its employees, its agents, or its officers. Neither party assumes any responsibility to the other party for the consequences of any act or omission of any person, firm, or corporation not a party to this Agreement.

Solely for the purposes of this provision, each party waives its immunity under Title 51 (Industrial Insurance) of the Revised Code of Washington and acknowledges that this waiver was mutually negotiated by the parties.

No liability shall attach to either party or to WSDOT by reason of entering into this Agreement except as expressly provided herein.

7. Insurance

Prior to and during the performance of this Agreement, Kitsap Transit shall provide the PRTPO with evidence that it has obtained and maintains in full force and effect during the term of this Agreement a policy of liability insurance, an or errors and omissions insurance, providing coverage of at least $1,000,000 for liability or errors and omissions in connection with the work to be performed by Kitsap Transit under this Agreement. Kitsap Transit shall furnish the PRTPO with a certificate of insurance and endorsement for review by the PRTPO. The PRTPO shall also be provided 30 days' written notice of any cancellation of such liability insurance.

8. Dispute Resolution

If any dispute arises under this Agreement, the parties shall first engage in an informal attempt to find a mutual resolution to the dispute. If no informal resolution is accomplished, the parties may engage a mediator or a dispute resolution process that is mutually agreeable.

9. Termination

Either party may terminate this agreement with or without cause upon six (6) months written notice to the other party. Termination shall not affect any of the rights or obligations of any party to the other accruing prior to the termination date.

10. Amendment

This Agreement may be amended only in writing and only by agreement by both parties.

11. Notice

Any notice required by this Agreement shall be made in writing to the representatives below:

PRTPO	Kitsap Transit
PRTPO Chair	Kitsap Transit Executive Director

12. Miscellaneous

A. Compliance

Kitsap Transit shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Agreement, including but not limited to the following:

1. Equal Employment Opportunity. Kitsap Transit agrees to abide by all State and Federal regulations with respect to employment. This includes, but is not limited to, equal opportunity employment, nondiscrimination assurances, project record keeping, audits, inspection, and retention of records.

2. Title 6, Civil Rights Act of 1964. Kitsap Transit will comply with 49 CFR Part 21, which are regulations of the US Department of Transportation relative to nondiscrimination in federally assisted programs. As provided therein:

   i. Kitsap Transit shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment.
   ii. Kitsap Transit shall not participate either directly or indirectly in prohibited discrimination, including employment practices when the contract covers a program set forth in Appendix A-11 of 49 CFR Part 21.
   iii. In all solicitations, either by competitive bidding or negotiation and including for procurements of materials or equipment, Kitsap Transit shall notify each potential subcontractor or supplier of the obligations under this Agreement and 49 CFR Part 21 relative to nondiscrimination on the grounds of race, color, or national origin.
   iv. Kitsap Transit shall provide all information and reports required by 49 CFR Part 21 or any orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined necessary by WSDOT or USDOT or the Federal Highway Administration (FHWA) to ascertain compliance with such regulations, orders, and instructions. Where any information required of Kitsap Transit is in the exclusive possession of another who fails or refuses to furnish this information, Kitsap Transit shall so certify to WSDOT, or FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.

v. Any noncompliance with the nondiscrimination provisions of this contract, WSDOT shall impose such contract sanctions as it or the FHWA may determine to be appropriate.

vi. Kitsap Transit shall include the above provision in every subcontract unless otherwise except by 49 CFR Part 21 or any orders or instructions issued pursuant thereto. Kitsap Transit shall also take such action as directed by WSDOT or the FHWA to enforce these provisions against any subcontractor, including sanctions for noncompliance. Provided, however, that in the event Kitsap Transit becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, Kitsap Transit may request the state to enter into such litigation to protect the interest of the United States.

B. Assignment

Kitsap Transit shall not assign, sublet, or transfer any of the work provided for under this Agreement without prior written approval from the PRTPO, and the PRTPO shall review and approve any consultant agreement prior to execution. Kitsap Transit shall comply with all federal and state laws and regulations governing the selection and employment of consultants. The PRTPO reservices the right to appoint a representative to serve on the Consultant Selection Committee. Subcontracts greater than $10,000 must contain all the required provisions of this contract.

C. Independent Contractor

Kitsap Transit shall be deemed an independent contractor for all purposes and the employees of Kitsap Transit or any of its contractors, subcontractors, and the employees thereof, shall not in any manner be deemed to be employees of the PRTPO.

D. Severability

If any provisions of this Agreement are deemed illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

13. Effective Date and Duration

This Agreement shall be effective July 1, 2021. This agreement shall remain in effect for two (2) years unless terminated earlier in accordance with Section 9 or extended by written agreement as set forth in Section 10.

14. Authorization

Each party signing below warrants to the other party that they have the full power and authority to execute this Agreement on behalf of the party for whom they sign.

KITSAP TRANSIT	**PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION**
_____	_____
John Clauson, Executive Director	Bek Ashby, Chair

ATTEST

_____

Jill A. Boltz, MMC
Clerk of the Board

ACTION ITEM

To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 8, 2021
Subject: Agreement with Jefferson Transit for Fiscal Agent Services – 2022-2023

REQUESTED ACTION:

Adopt Resolution 05-2021 approving the agreement with Jefferson Transit for Fiscal Agent services for state fiscal years 2022 and 2023.

Background:

PRTPO obtained Fiscal Agent services from Jefferson Transit via an Interlocal Agreement. In this capacity Jefferson Transit has provided financial and accounting services for PRTPO since July 1, 2019, when PRTPO became independent from WSDOT Olympic Region.

The original contract for services expired on June 30th, the end of state fiscal year (SFY) 2021. Jefferson Transit has expressed its willingness to continue serving PRTPO in this capacity for another two-year term of service, retroactive to July 1, 2021. This aligns with the time frame of the SFY 2022-2023 Unified Planning Work Program (UPWP).

The UPWP is the work program and budget adopted by the Executive Board for the current biennium and provides the framework for Jefferson Transit's services. This Agreement with Jefferson Transit is essential to the Board's delivery of that work program and the ability to fulfill its responsibilities to WSDOT.

A copy of the Agreement and adopting resolution is attached.

The Board is asked to renew its Agreement with Jefferson Transit via resolution.

Attachments:

- *Resolution 05-2021*
- *Agreement with Jefferson Transit for Fiscal Agent Services*

For More Information:

Thera Black | 360.878.0353 | TheraB@PeninsulaRTPO.org

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 05-2021

Approving the SFY 2022-2023 Fiscal Agent Agreement with Jefferson Transit

Recitals

WHEREAS, the Peninsula Regional Transportation Planning Organization (PRTPO) is the state-designated Regional Transportation Planning Organization (RTPO) for the Peninsula region, established through an Interlocal Agreement and Bylaws in 1990 that were updated and reaffirmed by its members in 2019 when the PRTPO became independent from the Washington State Department of Transportation; and

WHEREAS, the PRTPO desires to appoint a Fiscal Agent with certain administrative and financial duties as provided for in the PRTPO's Interlocal Agreement and Bylaws; and

WHEREAS, Jefferson Transit Authority possesses the necessary qualifications to serve as the Fiscal Agent and is willing to serve in this capacity to the PRTPO; and

WHEREAS, an Agreement for Fiscal Agent services for State Fiscal Years 2022-23 has been reviewed by both parties and found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE EXECUTIVE BOARD OF THE PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION:

THAT the Fiscal Agent Agreement with Jefferson Transit be approved as per the attached document to provide authorized administrative and financial services to the PRTPO in delivering its State Fiscal Year 2022-23 Unified Planning Work Program; and

THAT the Fiscal Agent is authorized to submit necessary invoices and reports to the WSDOT and administer financial activities on behalf of PRTPO.

APPROVED, this 15th day of October 2021.

ATTEST:

_____

Bek Ashby, Chair

ATTEST:

_____

Randy Neatherlin, Vice-Chair

AGREEMENT FOR FISCAL AGENT SERVICES

between

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION
and
JEFFERSON TRANSIT AUTHORITY

THIS AGREEMENT is made between the Peninsula Regional Transportation Planning Organization and Jefferson Transit Authority for the provision of fiscal agent services.

Recitals

WHEREAS, the Peninsula Regional Transportation Planning Organization (PRTPO) is a voluntary regional transportation and planning organization made up of various transportation-oriented public agencies in the counties of Clallam, Jefferson, Kitsap, and Mason. The PRTPO is authorized by chapter 47.80 RCW and formed as a separate legal entity under an lnterlocal Agreement (ILA) pursuant to chapter 39.34 RCW;

WHEREAS, Jefferson Transit Authority (JTA) is a public transportation benefit area formed pursuant to RCW 36.57A and is a member of the PRTPO;

WHEREAS, the ILA authorizes the PRTPO to designate a fiscal agent to perform certain administrative and financial duties as identified in the ILA and Bylaws of the PRTPO; and

WHEREAS, Jefferson Transit Authority possesses the necessary qualifications to serve and is willing to serve as the fiscal agent of the PRTPO.

Agreement

NOW THEREFORE, in consideration of mutual promises and covenants herein it is hereby agreed:

1. Fiscal Agent designation

The parties agree that Jefferson Transit Authority shall be the Fiscal Agent for the Peninsula Regional Transportation Planning Organization. The Fiscal Agent shall act on behalf of the PRTPO Executive Board and only as directed by the Executive Board.

2. Responsibilities of Jefferson Transit Authority

JTA shall be responsible for carrying out the following duties in accordance with the ILA, the PRTPO Bylaws, and any applicable policies or procedures of the PRTPO, as well as applicable federal, state and local law.

A. Maintain a fund known as the PRTPO Fund for the deposit and withdrawal of PRTPO moneys in accordance with RCW 43.09.210.

B. Collect money and make deposits into such fund as provided and directed by the PRTPO.

C. Issue warrants, electronic payments, cash transmittals or other disbursements on behalf of PRTPO and upon PRTPO's instruction for such payments in accordance with the approved Unified Planning Work Program and Budget (UPWP).

D. Prepare monthly invoices for expenses incurred for the review and approval of the PRTPO before submission to WSDOT.

E. Ensure that the PRTPO Fund is maintained in accordance with the Budgeting Accounting & Reporting System (BARS) and RCW 43.09.200.

F. Maintain software adequate to track PRTPO finances.

G. Make regular reports to the PRTPO regarding PRTPO finances at least yearly or monthly as requested by the PRTPO. The reports shall include a summary of work performed during the course of the year and costs incurred.

H. Maintain correct and complete financial books and records related to the PRTPO Fund.

I. Cooperate with and responding to any independent audit conducted on the PRTPO Fund in coordination with PRTPO.

J. Provide all information, data, and services as may be necessary to carry out the financial obligations of the PRTPO.

K. Perform such other financial duties as may be assigned by the PRTPO.

All invoices for services and other PRTPO-related deposits and withdrawal direction from the PRTPO should be addressed to Jefferson Transit Authority for processing at the following address:

Jefferson Transit
Tammi Rubert, General Manager
63 Four Corners Road
Port Townsend, WA 98368

3. Responsibilities of the Peninsula Regional Transportation Planning Organization

The PRTPO agrees that it shall be responsible for:

A. Submitting proper documentation for deposits and withdrawals of PRTPO moneys into and from the PRTPO Fund as approved by the PRTPO.

B. Complying with any and all laws, regulations, ordinances and grant funding requirements, including but not limited to RCW 43.09.210, fiscal reporting, monitoring and record retention.

C. Cooperating with and responding to any independent audit conducted on the PRTPO fund in coordination with JTA.

4. Compensation

A. Amount

JTA will be compensated for its actual direct and related indirect costs for performing the duties and responsibilities under this Agreement. The rate and total compensation under this Agreement shall not exceed the budgeted amounts approved in the adopted UPWP. All costs must be consistentwith the cost principals contained in 2 CFR 200 when federal funds are used.

All out-of-state travel must have prior written approval of the PRTPO to be eligible for reimbursement. Current Washington State Department of Transportation (WSDOT) travel regulations and rates shall apply to all in-state and out-of-state travel for which reimbursement is claimed during the term of this Agreement.

Any equipment purchased under this Agreement must be purchased, managed, and disposed of in accordance with 2 CFR 200 when federal funds are used.

B. Invoices

At least once a quarter and not more than once a month, JTA will receive a RTPO Planning Invoice Voucher and RTPO Unified Planning Work Program (UPWP) Activity Detail form from the Lead Planning Agency (LPA) detailing LPA work and request for payment. JTA shall amend the Invoice Voucher and Activity Detail to include any charges incurred by JTA for services they performed on behalf of the PRTPO. JTA shall maintain back up documentation for any charges they include on the Invoice Voucher.

JTA shall then submit the consolidated RTPO Planning Invoice Voucher and Activity Detail to the Executive Committee for approval prior to submission to WSDOT. The PRTPO shall review and approve each invoice in an expeditious manner. Promptly following PRTPO approval, JTA shall submit the invoice for payment to TRCOfiscal@wsdot.wa.gov.

C. Payment

JTA shall maintain appropriate accounting records for the amounts invoiced by the LPA and the FA. Upon receipt of payment from WSDOT, JTA shall promptly disburse funds in accordance with the approved invoice.

5. Records

A. Maintenance

JTA shall maintain all records in support of all costs incurred and actual expenditures in accordance with procedures prescribed by the Division of Municipal Corporations of the State Auditor's Office, the U.S. Department of Transportation (USDOT), and WSDOT. All such records shall be retained by JTA as required under state or federal law or grant agreements. Copies thereof shall be furnished to the PRTPO or WSDOT if requested.

B. Access

All files and other documents maintained by JTA under this Agreement shall be files of the PRTPO and both the PRTPO and WSDOT, and any of their agents or representatives, shall have full access to and the right to examine, during normal business hours and as often as they deem necessary, all records with respect to all matters covered by this Agreement. Both the PRTPO and WSDOT, and any of their agents or representatives, shall be permitted to audit, examine, and make excerpts or transcripts from such records and to make audits of all contracts, invoices, materials, payrolls, and other matters covered by this Agreement.

C. Audits

If the applicability of 2 CFR 200 is triggered, JTA shall arrange for audit of funds expended under this Agreement consistent therewith.

6. Indemnification and liability

Each party to this Agreement shall be responsible for damage to persons or property resulting from the negligence on the part of itself, its employees, its agents, or its officers. Neither party assumes any responsibility to the other party for the consequences of any act or omission of any person, firm, or corporation not a party to this Agreement.

Solely for the purposes of this provision, each party waives its immunity under Title 51 (Industrial Insurance) of the Revised Code of Washington and acknowledges that this waiver was mutually negotiated by the parties.

No liability shall attach to either party or to WSDOT by reason of entering into this Agreement except as expressly provided herein.

7. Insurance

Prior to and during the performance of this Agreement, JTA shall provide the PRTPO with evidence that it has obtained and maintains in full force and effect during the term of this Agreement a policy of liability insurance, and or errors and omissions insurance, providing coverage of at least $1,000,000 for liability or errors and omissions in connection with the work to be performed by JTA under this Agreement. JTA shall furnish the PRTPO with a certificate of

insurance and endorsement for review by the PRTPO. The PRTPO shall also be provided 30 days'written notice of any cancellation of such liability insurance.

8. Dispute Resolution

If any dispute arises under this Agreement, the parties shall first engage in an informal attempt to find a mutual resolution to the dispute. If no informal resolution is accomplished, the parties may engage a mediator or a dispute resolution process that is mutually agreeable.

9. Termination

Either party may terminate this agreement with or without cause upon six (6) months written notice to the other party. Termination shall not affect any of the rights or obligations of any party to the other accruing prior to the termination date.

10. Amendment

This Agreement may be amended only in writing and only by agreement by both parties.

11. Notice

Any notice required by this Agreement shall be made in writing to the representatives below:

PRTPO Peninsula RTPO Chair c/o Kitsap Transit 60 Washington Street Bremerton, WA 98337	JTA Jefferson Transit Tammi Rubert, General Manager 63 Four Corners Road Port Townsend, WA 98368

12. Miscellaneous

A. Compliance

JTA shall comply with all federal, state and local laws and ordinances applicable to the work to be done under this Agreement, including but not limited to the following:

1. Equal Employment Opportunity. JTA agrees to abide by all State and Federal regulations with respect to employment. This includes, but is not limited to, equal opportunity employment, nondiscrimination assurances, project record keeping, audits, inspection, and retention of records.

2. Title 6, Civil Rights Act of 1964. JTA will comply with 49 CFR Part 21, which are regulations of the US Department of Transportation relative to nondiscrimination in federally assisted programs. As provided therein:

i. JTA shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment.

ii. JTA shall not participate either directly or indirectly in prohibited discrimination, including employment practices when the contract covers a program set forth in Appendix A-11 of 49 CFR Part 21.

iii. In all solicitations, either by competitive bidding or negotiation and including for procurements of materials or equipment, JTA shall notify each potential subcontractor or supplier of the obligations under this Agreement and 49 CFR Part 21 relative to nondiscrimination on the grounds of race, color, or national origin.

iv. JTA shall provide all information and reports required by 49 CFR Part 21 or any orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined necessary by WSDOT or USDOT or the Federal Highway Administration (FHA) to ascertain compliance with such regulations, orders, and instructions. Where any information required of JTA is in the exclusive possession of another who fails or refuses to furnish this information, JTA shall so certify to WSDOT, or FHA as appropriate, and shall set forth what efforts it has made to obtain the information.

v. Any noncompliance with the nondiscrimination provisions of this contract, WSDOT shall impose such contract sanctions as it or the FHA may determine to be appropriate.

vi. JTA shall include the above provision in every subcontract unless otherwise exempt by 49 CFR Part 21 or any orders or instructions issued pursuant thereto. JTA shall also take such action as directed by WSDOT or the FHA to enforce these provisions against any subcontractor, including sanctions for noncompliance. Provided, however, that in the event JTA becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, JTA may request the state to enter into such litigation to protect the interest of the United States.

B. Assignment

JTA shall not assign, sublet, or transfer any of the work provided for under this Agreement without prior written approval from the PRTPO, and the PRTPO shall review and approve any consultant agreement prior to execution. JTA shall comply with all federal and state laws and regulations governing the selection and employment of consultants. The PRTPO reserves the right to appoint a representative to serve on any consultant selection committee. Subcontracts greater than $10,000 must contain all the required provisions of this contract.

C. Independent Contractor

JTA shall be deemed an independent contractor for all purposes and the employees of JTA or any of its contractors, subcontractors, and the employees thereof, shall not in any manner be deemed to be employees of the PRTPO.

D. Integration

This Agreement constitutes the entire agreement between the parties. No other understanding or representations, oral or written, regarding the subject matter of this Agreement, unless expressly referenced herein, will be deemed to exist or bind the parties.

E. Severability

If any of the provisions of this Agreement are deemed illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

13. Effective date and duration

This Agreement shall be effective on July 1, 2021. This agreement shall remain in effect for 2 years unless terminated earlier in accordance with Section 9 or extended by written agreement as set forth in Section 10.

14. Authorization

Each party signing below warrants to the other party, that they have the full power and authority to execute this Agreement on behalf of the party for whom they sign.

JEFFERSON TRANSIT AUTHORITY	**PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION**
Tammi Rubert **General Manager**	**Bek Ashby** **Chair**

ACTION ITEM

To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 8, 2021
Subject: **UPWP Development Policy**

REQUESTED ACTION:

Adopt Resolution 06-2021 approving the PRTPO UPWP Development Policy.

Overview

When conducting its first biennial review of the adopted bylaws last spring, PRTPO identified one remaining operating policy that had not yet been developed. This is the policy describing how PRTPO will develop its work program and budget. This work program and budget is known as the Unified Planning Work Program, or UPWP. In June, the Board directed that this UPWP development policy be drafted.

PRTPO operates on a state fiscal year basis with budgets that correspond to the state biennium. The draft policy attached to this memo lays out the process by which PRTPO develops and adopts its two-year work program, an Annual Amendment midway through the biennium, and any other amendment processes needed outside of that cycle. It reflects the processes that PRTPO has put into practice since its transition to an independent organization including development of the current UPWP that went into effect July 1.

The Executive Board reviewed the draft policy at its August 20th meeting and made no changes at that time.

Attachment:
- *Resolution 06-2021*
- *PRTPO UPWP Development Policy*

For More Information:
Thera Black | 360.878.0353 | TheraB@PeninsulaRTPO.org

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 06-2021

Approving PRTPO's UPWP Development Policy

Recitals

WHEREAS, the Peninsula Regional Transportation Planning Organization (PRTPO) is the designated Regional Transportation Planning Organization (RTPO) for the Peninsula region and is in good standing with the Washington State Department of Transportation (WSDOT) in its agreements and certifications; and

WHEREAS, the Unified Planning Work Program (UPWP) is the document that codifies the planning activities, budget, and revenue sources for RTPOs in Washington State; and

WHEREAS, the PRTPO is responsible for developing and approving a UPWP for the Peninsula region; and

WHEREAS, the UPWP is the framework used by the Lead Planning Agency and Fiscal Agent to fulfill their administrative responsibilities to the PRTPO and as such, is fundamental to the day-to-day and on-going PRTPO operations and planning activities; and

WHEREAS, the PRTPO Executive Board is the governing body responsible for developing the work program and budget on which the UPWP is based, and updating it periodically as needed to reflect changes in work, budget, or both; and

WHEREAS, the PRTPO bylaws specify the need for a policy to guide development and updates to the UPWP work program activities and budget over time to ensure public accountability and transparency.

NOW, THEREFORE, BE IT RESOLVED BY THE EXECUTIVE BOARD OF THE PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION:

THAT the procedures described in the UPWP Development Policy are appropriate for timely and accountable management of PRTPO's work program and budget and will serve as the standard operating policy for developing and amending a UPWP for the Peninsula region.

APPROVED, this 15th day of October 2021.

ATTEST:

_____

Bek Ashby, Chair

ATTEST:

_____

Randy Neatherlin, Vice-Chair

5. UPWP Development Policy

Purpose
This policy outlines how PRTPO will develop and amend its annual work program and budget, hereinafter referred to as its Unified Planning Work Program (UPWP). Developing and managing a UPWP is a requirement of Regional Transportation Planning Organizations (RTPO) to fulfill terms of their Regional Transportation Planning Organization Agreement, also known as the funding agreement, with the Washington State Department of Transportation (WSDOT). The UPWP is the framework the Executive Board uses to conduct its regional transportation planning process.

Objectives
Objectives of PRTPO's UPWP Development Policy are to:

- Maintain responsible and transparent use of public funds awarded to PRTPO for the purposes of regional transportation planning
- Articulate how PRTPO will develop and amend its UPWP
- Establish clear direction and budget guidance for Lead Planning Agency (LPA) and Fiscal Agency (FA) representatives in carrying out PRTPO's approved work program
- Ensure effective and accountable program management that achieves PRTPO's policy objectives within its existing resources while fulfilling all state requirements

Policy
PRTPO will develop and maintain a Unified Planning Work Program (UPWP) that satisfies all requirements of its funding agreement with WSDOT, as directed by WSDOT's Tribal and Integrated Regional Planning Office.

It is PRTPO's policy to adopt a two-year UPWP at the start of a new biennium and to manage it on an on-going basis. At a minimum, PRTPO will conduct a review and Annual Amendment of the UPWP midway through the biennium.

All funds received by PRTPO for regional planning, regardless of source, will be included in the UPWP with a description of the work to be accomplished. PRTPO will only undertake work included in its adopted UPWP. It will amend the UPWP if necessary to reflect approved changes to the adopted work program.

Procedures
These procedures describe how PRTPO will develop a two-year UPWP and Annual Amendment.

1. The PRTPO Executive Committee, in consultation with the LPA and FA, will review UPWP guidance distributed by WSDOT in December of even numbered years as well as the funds

available for purposes of regional planning during the next biennium. This review extends to any other funds secured by PRTPO for specific work. The purpose of the review is to establish a general framework for UPWP development for the Executive Board to consider at its first meeting of the calendar year.

2. The Executive Board will receive an overview in February from the PRTPO Coordinator outlining work program requirements and revenue resources for the ensuing biennium or funding period. The Board will identify potential opportunities for other regional planning activities in the event resources are available during the biennium. The Executive Board will provide direction to the PRTPO Coordinator in the development of a draft UPWP for review.

3. The PRTPO Coordinator will develop a draft UPWP incorporating Executive Board direction and that satisfies requirements of WSDOT's RTPO funding agreement and reflects its annual guidance. The draft UPWP will document the proposed scope of work and associated budget and revenues for the Executive Board to review in April.

4. To the extent practicable, the Executive Board will review and refine the draft UPWP prior to its submittal to WSDOT for review. Representatives of the Executive Committee, the LPA, and/or the FA will participate in an annual review of the draft UPWP with WSDOT.

5. The Executive Board will receive a final draft UPWP for review and adoption by resolution in June. The final adopted UPWP will be transmitted to WSDOT by the LPA. Adoption of the UPWP authorizes the PRTPO Chair, LPA, and FA to execute all necessary funding agreements and reimbursements with WSDOT necessary to carry out the adopted UPWP.

6. PRTPO will repeat Procedures 1-5 during alternate years to produce an Annual Amendment to the UPWP adjusted to the needs and budget of Year 2 of the biennium.

From time to time, PRTPO will need to amend the UPWP outside of the development and Annual Amendment process. This may be to address changes in work program priorities, to reallocate funds between tasks, or to add additional work and revenue to the UPWP. These procedures describe how PRTPO will amend the UPWP on an as-needed basis.

7. The Executive Board will receive a briefing from the PRTPO Coordinator on the need for an amendment and will review the proposed changes, making any revisions deemed necessary.

8. To the extent practicable, the Executive Board will receive a draft of the proposed amendment at its subsequent meeting for adoption by resolution. The final amended UPWP will be transmitted to WSDOT by the LPA. Adoption of the amended UPWP authorizes the PRTPO Chair, LPA, and FA to execute all necessary funding agreements and reimbursements with WSDOT necessary to carry out the amended UPWP.

9. In the event of unforeseen circumstances that necessitate a faster amendment process, the PRTPO Coordinator will work with the Executive Committee to review the proposed changes and obtain its recommendation that the Executive Board take action upon its first reading of the proposed amendment instead of deferring action to a second meeting.

ACTION ITEM

To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 14, 2021
Subject: **Agreement with Kitsap Transit for HSTP Grant Administration**

REQUESTED ACTION:

Adopt Resolution 07-2021 approving the Agreement between PRTPO and Kitsap Transit regarding grant administration and performance.

Overview

In August the Executive Board was briefed on a situation regarding $80,000 awarded to PRTPO from WSDOT to update its Human Services Transportation Plan (HSTP). This funding was included in the recently adopted Unified Planning Work Program budget as state revenue; however, over the summer PRTPO learned that this was instead federal revenue.

Organizationally, PRTPO is not structured to manage federal funds and comply with the associated administrative requirements. When the Board met in August it was unclear how this would be resolved, but a meeting between various offices within WSDOT, the Executive Committee, and the Lead Agencies was scheduled to work it out. Worst case scenario, PRTPO would return the grant and scale back its approach with a much-reduced budget.

When WSDOT was unable to exchange federal funds for state revenue, Kitsap Transit offered to handle the federal administrative and reporting requirements associated with the grant on behalf of PRTPO. Kitsap Transit routinely manages several federal grants at one time and advised it could accommodate this grant for PRTPO. This would be to provide financial and reporting services only; PRTPO would be responsible for managing and delivering its work.

Board members were polled in early September to gage support for assigning this HSTP grant to Kitsap Transit for administration. Respondents were unanimous in their support with several expressions of appreciation to Kitsap Transit in their responses. At Chair Ashby's request, WSDOT has initiated the process of assigning the grant to Kitsap Transit.

To close the loop in this process PRTPO needs to establish an Interlocal Agreement with Kitsap Transit documenting the terms of the arrangement. An Agreement, attached, was developed in cooperation with Steffani Lillie at Kitsap Transit. It clarifies that PRTPO is responsible for complying with WSDOT requirements about the planning process and deliverables while Kitsap Transit is responsible for invoicing and financial reporting. An overview of the approach and scope of work was developed to facilitate the financial tracking and reporting that Kitsap Transit will have to do.

WSDOT's schedule of deliverables is ambitious. The Board will review a draft of the updated plan in August and must adopt it one year from now, in October 2022, to meet WSDOT's timeline. That updated plan will inform the next Consolidated Grants prioritization process which will commence shortly after the updated HSTP adoption next October and which concludes the HSTP update process.

Will PRTPO still direct most of the HSTP funds to transit agencies as originally envisioned?
When the UPWP was developed last spring and the $80,000 award was presumed to be state funds, the intent had been to direct $60,000 to the region's four transit agencies to support community outreach activities for the update process. The federal nature of the actual funding and other grant compliance terms released this past summer make that impractical. The scope included in Exhibit A of the Agreement reflects an updated strategy that would obtain consultant support for some elements of the outreach but conduct other elements in-house by PRTPO Coordinators.

For that reason, the Board is asked to forego the typical process of reviewing the draft agreement this month and approving it in December. This agreement is needed so that PRTPO can begin the planning work necessary to meet WSDOT's HSTP requirements and timeline in a manner that fully supports Kitsap Transit's documentation and reporting needs for grant administration.

Questions and discussion about the HSTP approach described in Exhibit A of the Agreement are welcome. We plan to come back to the Board in December with more details on the approach. Policy maker input at this time is helpful as we flesh out details of the implementation plan and prepare to initiate early outreach.

Next Steps:
Upon Board approval the agreement between PRTPO and Kitsap Transit will be executed and work will commence. The attached agreement and resolution have been reviewed for legal sufficiency with Lisa Nickel and is undergoing final review within Kitsap Transit. Minor revisions to the final language may be made as a result of that review.

Attachments: ***Updated 14 October 2021***

- *Resolution 07-2021*
- *Agreement between PRTPO and Kitsap Transit Regarding Grant Administration and Performance*
    - *Exhibit A – HSTP Scope of Work*
    - *Exhibit B – PRTPO Assignment Letter*

For More Information:
Thera Black | 360.878.0353 | TheraB@PeninsulaRTPO.org

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 07-2021

Approving an Agreement with Kitsap Transit regarding Administration and Performance of the 2021-2025 Coordinated Public Transit-Human Services Transportation Planning Award

Recitals

WHEREAS, the Peninsula Regional Transportation Planning Organization (PRTPO) is a separate legal entity established in 1990 and re-established in 2019 by Interlocal Agreement, and encompasses the physical territory lying within the counties of Clallam, Jefferson, Kitsap, and Mason as authorized by chapter 47.80 RCW and chapter 468-86 WAC; and

WHEREAS, Kitsap Transit is the Lead Planning Agency and Jefferson Transit is the Fiscal Agent for the PRTPO as authorized by Interlocal Agreements; and

WHEREAS, PRTPO was awarded $80,000 in federal funds by the Washington State Department of Transportation (WSDOT) to support an update of the Human Services Transportation Plan (HSTP) and which is included in the adopted 2022-2023 Unified Planning Work Program; and

WHEREAS, the regular PRTPO Fiscal Agent accounting structure is not suitable for the administration of federal transportation funds; and

WHEREAS, Kitsap Transit regularly administers federal transportation funds for a variety of its projects and has capacity to administer this grant for PRTPO; and

WHEREAS, PRTPO Executive Board members agreed that allowing Kitsap Transit to administer the HSTP Grant is beneficial to the PRTPO and to carrying out the Unified Planning Work Program; and

WHEREAS, the PRTPO Chair directed the Washington State Department of Transportation (WSDOT) to assign the $80,000 grant award to Kitsap Transit for administration by letter dated August 27, 2021; and

WHEREAS, WSDOT has agreed with the assignment and has entered into, or will soon enter into, a grant agreement directly with Kitsap Transit where Kitsap Transit will administer the funds and the PRTPO will perform the work required under the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE EXECUTIVE BOARD OF THE PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION:

THAT the Agreement with Kitsap Transit regarding administration and performance of the 2021-2025 Coordinated Public Transit-Human Services Transportation Planning Award (attached hereto) be approved; and

THAT Kitsap Transit is authorized to submit necessary invoices and reports to the WSDOT on behalf of PRTPO.

APPROVED, this 15th day of October 2021.

ATTEST:

_____

Bek Ashby, Chair

ATTEST:

_____

Randy Neatherlin, Vice-Chair

AGREEMENT REGARDING ADMINISTRATION AND PERFORMANCE OF 2021-2025 COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLANNING AWARD

between

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION

and

KITSAP TRANSIT

THIS AGREEMENT is made between the Peninsula Regional Transportation Planning Organization (PRTPO) and Kitsap Transit pursuant to the provisions of the Interlocal Cooperation Act, chapter 39.34 RCW and as authorized by PRTPO Resolution 07-2021.

Agreement

1. Purpose

The purpose of this Agreement is to define the roles and responsibilities of both the PRTPO and Kitsap Transit regarding the administration and performance of an $80,000 federally funded grant by the Washington State Department of Transportation (WSDOT) for coordinated human services transportation planning (HSTP Grant). The HSTP Grant was initially awarded to the PRTPO in June 2021 but has been assigned to Kitsap Transit for administration purposes. The agreement between WSDOT and Kitsap Transit for the HSTP funds will be established under a separate contract.

2. PRTPO Responsibilities

PRTPO will complete an update of the Human Services Transportation Plan (HSTP) in accordance with guidance issued by the Public Transportation Division of the WSDOT, as described in **Exhibit A.** PRTPO is responsible for satisfying WSDOT requirements in its delivery of the planning process and HSTP products. PRTPO will work with Kitsap Transit to ensure the HSTP scope of work and invoicing procedures support Kitsap Transit's grant administration responsibilities. PRTPO will invoice Kitsap Transit once per month for eligible expenses. PRTPO will maintain back up documentation for any charges invoiced. If funds remain at the completion of this work, PRTPO may work with Kitsap Transit to develop a supplemental Scope of Work for additional tasks to support human services transportation planning and coordination in the Peninsula region.

3. Kitsap Transit Responsibilities

Kitsap Transit will administer the HSTP Grant and complete invoicing and reporting requirements in compliance with the HSTP Grant, federal standards and WSDOT guidance. Upon receipt of payment from WSDOT, Kitsap Transit shall disburse funds in accordance with invoiced expenses. Kitsap Transit will hire any consultants needed for this project in accordance with the HSTP Grant, federal procurement processes and consistent with PRTPO policies. Kitsap Transit also agrees that it can meet all other requirements set forth in the HSTP Grant, e.g., insurance and records retention, and will not look to the PRTPO for satisfaction except for the provision of documentation and good faith cooperation.

4. Amendments

This Agreement may be amended only in writing and only by agreement of both parties.

5. Limitations

This agreement is for the 2021 HSTP Grant only. This agreement does not extend to other grants.

6. Compensation

Kitsap Transit will be compensated for its actual direct and related indirect costs for performing the duties and responsibilities under this Agreement. All costs must be consistent with the cost principals contained in 2 CFR 200.Kitsap Transit will invoice for its administration costs in accordance with the terms of its grant agreement with WSDOT.

7. Effective Date and Duration

This Agreement shall be effective on October 15, 2021. It is valid until the $80,000 grant is fully expended or until the grant expires on June 30, 2025, whichever comes first.

8. Dispute Resolution

If any dispute arises under this Agreement, the parties shall first engage in an informal attempt to find a mutual resolution to the dispute. If no informal resolution is accomplished, the parties may engage a mediator or a dispute resolution process that is mutually agreeable.

9. Termination

This agreement may be terminated by either party, with or without cause, upon six (6) months written notice to the other party.

10. Severability

If any of the provisions of this Agreement are deemed illegal, invalid, or unenforceable, the remaining provisions shall remain in full force and effect.

11. Authorization

Each party signing below warrants to the other party that they have the full power and authority to execute this Agreement on behalf of the party for whom they sign.

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION	**KITSAP TRANSIT**
Bek Ashby, Chair	John Clauson, Executive Director
ATTEST	
Jill A. Boltz, MMC Clerk of the Board	

EXHIBIT A

PRTPO 2022-23 Human Services Transportation Plan

PROCESS SUMMARY

Purpose

Complete an update of the 2019 Human Services Transportation Plan to identify service gaps for people with special mobility needs and recommend priority strategies and projects that can address those needs.

Overview

This update will entail an assessment of the mobility needs of targeted population groups, an inventory of all transportation services available to support those mobility needs, identification of service gaps, and review and prioritization of strategies for addressing those gaps in service. It will conclude with an Executive Board recommendation of priority projects to support human services transportation and mobility in the four-county Peninsula Region. It will build on existing assessments, plans, and strategies developed and refined over previous processes. Work is funded through an $80,000 HSTP grant from WSDOT-Public Transportation.

Engagement

The approach entails extensive outreach and engagement with targeted communities of interest.

- Needs assessment will include input from representatives of system user groups and individuals as well as evaluation of key socio-economic and demographic characteristics from the Census and other sources.
- Inventory of services will rely on input from transit, tribal transit, non-profit, for-profit and other providers of specialized transportation services that support people with special mobility needs.
- Review and prioritization of strategies will entail input from user representatives, service providers, and general public to inform the PRTPO Executive Board HSTP adoption process.
- Prioritization of projects will be conducted by a Consolidated Grants Advisory Group, for recommendation to the PRTPO Executive Board.
- Recommendation of projects for funding will be completed by the Executive Board with opportunity for public comment on the proposed recommendation.

The process will include participation by seniors; people with disabilities; people with low income; service providers for these population groups and others; representatives of public, private, and nonprofit transportation and human services providers; and other members of the public. Engagement will include some assessment of the effects of COVID-19 on mobility needs and availability of services. The plan will document details of the engagement process and findings that shaped plan development and recommendations.

Data

In addition to qualitative and quantitative input from the engagement process, the approach includes analysis of key socio-economic and demographic characteristics of the region which help to describe the overall regional context and needs assessment.

Deliverables

This process will produce an updated Human Services Transportation Plan and Consolidated Grants project list. Ancillary products include surveys and results from communities of interest and online web materials.

Schedule

A draft Human Services Transportation Plan will be released for review in September 2022 with adoption by the PRTPO Executive Board in October 2022.

EXHIBIT A

Scope of Work

This scope of work will be delivered by the PRTPO Coordinators with contracted support for needs assessment engagement and for web-application development. The PRTPO Executive Board oversees the work and approves final products.

Task 1: Needs Assessment [Nov-March]

a. Recruit and manage consultant to conduct needs assessment outreach. Activities to be conducted by consultant:
    i. Develop objectives, approach, and outreach list
    ii. Design outreach tools and input collection framework
    iii. Conduct and document needs assessment
b. Complete regional data profile and web-mapping tools that provide socio-economic and demographic context for the plan

Task 2: Inventory of Services [Nov-March]

a. Develop objectives, approach, and outreach list
b. Design outreach tools and input collection framework
c. Conduct and document an inventory of services by engaging transit, tribal transit, private and non-profit service providers

Task 3: Gap Analysis [March-April]

a. Evaluate and document needs assessment and inventory of mobility services to identify gaps in currently available services

Task 4: Strategy Evaluation [April-June]

a. Review existing HSTP strategies with service providers in light of gap analysis
b. Develop priority array of strategies best suited to address known service gaps
c. Review priority array with Executive Board specific to its use in the Consolidated Grants process [June]

Task 5: Plan Update [June-August, for Board review of draft in August and adoption in October]

a. Develop updated HSTP document elements that satisfy WSDOT requirements
b. Contract for GIS support services to develop web application for “perpetual” online HSTP
    i. GIS contractor will develop a story map that conveys regional context, needs, available services, and gaps in the human services transportation system, and which serves as a useful tool for service providers, system users, members, and granting agencies.
c. Conduct public review of the final draft plan

Task 6: Project Review and Recommendation [November - February 2023]

a. Conduct a call for Consolidated Grants projects that supports strategic priorities identified by the Board
b. Convene a Consolidated Grants Advisory Group to evaluate project proposals and forward a recommendation to the Board
c. Complete the Consolidated Grants call for projects with review and approval of project recommendations by the Technical Advisory Committee and the Executive Board [Jan-Feb 2023]

Budget

Budget for all work not to exceed $80,000

PENINSULA RTPO

Serving the communities of the Clallam-Jefferson-Kitsap-Mason County Region

August 27, 2021

Mr. Don Chartock
Deputy Director
WSDOT Public Transportation Division
PO Box 47387
Olympia, WA 98504-7387

RE: 2021-2025 Coordinated Public Transit-Human Services Transportation Planning Award

Dear Mr. Chartock,

The Peninsula Regional Transportation Planning Organization (PRTPO) acknowledges and appreciates the $80,000 planning grant award by the Washington State Department of Transportation (WSDOT) as outlined in the letter dated June 10, 2021 from Jillian Nordstrom.

Please accept this letter as a request from the PRTPO to assign this award to Kitsap Transit. Kitsap Transit has agreed to manage this grant on behalf of the PRTPO.

If additional information or documentation is required, please let us know.

We appreciate your support and look forward to completing the plan update.

Sincerely,

Bek Ashby, Chair
Peninsula RTPO

ACTION ITEM

To: PRTPO Executive Board
From: Edward Coviello
Subject: **Approval of 2022-2027 Regional Transportation Improvement Program**

REQUESTED ACTION:

Approve Resolution 08-2021 adopting the 2022-2027 Regional Transportation Improvement Program for the Peninsula Region.

Overview

One of PRTPO's annual responsibilities is to develop a six-year Regional Transportation Improvement Program (RTIP) in cooperation with WSDOT, local jurisdictions, and transit agencies.[1]

Certain projects in the first four years of the Regional TIP move automatically into the Statewide TIP (STIP) by virtue of their inclusion in the RTIP. Those projects include:

a) Local agency or transit projects that have any federal funds AND are funding secured for that phase
b) All WSDOT projects

Inclusion in the STIP is a prerequisite for agencies before they can obligate federally funded projects obtained through a grant or an earmark, and inclusion in the RTIP is a prerequisite for inclusion in the STIP. Obligation is the process of getting federal funds that have been awarded to a project committed to that project contractually for ten years and is a critical step in securing federally funded projects.

Other local projects in the first four years of the RTIP don't move automatically to the STIP. This includes any local projects showing only local or state funds, or those showing federal funds, but the projects are still planned and not yet secured. Inclusion in the RTIP for those projects anticipating federal funds is good because they can be amended into the required STIP more efficiently if they receive funds unexpectedly. It takes longer to add brand new projects to the STIP if they receive federal funds when they have not already been vetted through local, regional, and state TIP reviews.

The RTIP report is can be found here and includes 154 projects from PRTPO members in three of the four counties. Kitsap County projects are included in the Puget Sound Regional Council RTIP.

Upon the Board's approval the RTIP will be forwarded to WSDOT where it will be aggregated with those from other RTPOs across the state, and a STIP derived as described above.

Attachment:

Resolution 08-2021

For More Information:

Edward Coviello | 360.824.4919 | EdwardC@KitsapTransit.com

[1] RCW 47.80(5)

PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 08-2021

Approving the SFY 2022-2027 Regional Transportation Improvement Program for the Peninsula Region

Recitals

WHEREAS, the Peninsula Regional Transportation Planning Organization (PRTPO) is the designated Regional Transportation Planning Organization (RTPO) for the Peninsula region and is in good standing with the Washington State Department of Transportation (WSDOT) in its agreements and certifications; and

WHEREAS, WSDOT requires a Regional Transportation Improvement Program (RTIP)developed by the PRTPO that describes projects that have planned or secured funding within the counties of Clallam, Jefferson and Mason, by WSDOT and any PRTPO member within the for mentioned three counties; and

WHEREAS, Kitsap County members develop their RTIP through the Puget Sound Regional Council (PSRC); and

WHEREAS, the SFY 2022-2027 Regional Transportation Improvement Program for the Peninsula Region addresses state and federal compliance requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE EXECUTIVE BOARD OF THE PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION:

THAT the Regional Transportation Improvement Program (RTIP) for SFY 2022-2027 be approved as per the attached report listing one-hundred and forty-five planned transportation projects from PRTPO members; and

THAT members may request amendments to the RTIP using the PRTPO approved RTIP Amendment process.

THAT PRTPO staff will submit projects with secured funds to the WSDOT for inclusion in the 2022 State Transportation Improvement Program (STIP) upon approval of the PRTPO 2022-2027 RTIP.

APPROVED, this 15th day of October, 2021.

ATTEST:

_____

Bek Ashby, Chair

ATTEST:

_____

Randy Neatherlin, Vice-Chair

ATTACHMENT G

1st Reading

To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 8, 2021
Subject: **Regional Support for EV Readiness Through PRTPO Work Program**

REQUESTED ACTION:

This is a first review of proposed PRTPO work program activities to support electric vehicle readiness in the Peninsula region. This is identified as a follow-up implementation activity for the 2040 Regional Transportation Plan. The Board will be asked to approve these work program activities in December.

Overview

Public review and comment on the 2040 Regional Transportation Plan in late 2019 and subsequent work by the TAC and direction by the Executive Board in 2020 resulted in two focus areas for work program activities as funding and opportunity allows – climate response and regional resilience. These two planning topics are identified in Task 2 of the adopted 2022-2023 Unified Planning Work Program as placeholders for specific activities directed by the Board.

The first of these to move forward, building on a little momentum late in SFY 2021, is a climate response strategy intended to increase the capacity of the region to support electric vehicles (EV) or other zero emissions vehicles (ZEV). PRTPO launched this with an end-of-biennium micro-services contract with Mike Usen of DKS. A summary of the work program activities resulting from that effort is attached.

One objective of that initial EV work was to assess the state of practice across the region and identify activities PRTPO can undertake as a part of its work program to support EV readiness. The rest of this memo outlines specific PRTPO work program activities that can support efforts to expand EV infrastructure. The Board will discuss proposed work program activities in October and be asked to approve them in December.

Regional Work Program Activities Proposed for SFY 2022

The EV initiative this past spring was intended to identify ways that PRTPO can advance its long-range climate response objectives with meaningful actions that align with existing efforts; PRTPO does not have resources to develop a stand-alone regional EV planning program. That said, the information shared by members through polling and insights gained in working with Mike Usen at DKS, Tonia Buell at WSDOT, and others deeply involved in "electromobility" point to a few useful measures that PRTPO can do as a part of its work program, within the budget available for RTP support:

- EV Infrastructure Coordinating Group – Maintain a list of stakeholder interests working on EV and ZEV issues throughout the region. Use this as the primary vehicle for sharing information about opportunities and new resources and helping forge new partnerships.
- Grant Funding Information and Education – Maintain awareness of state and federal grant opportunities to support EV planning, infrastructure, and other implementation activities and distribute relevant information through the regional EV Infrastructure Coordinating Group.
- EV Information Portal – Keep an eye out for new resources that respond to needs members identify to support their planning and implementation efforts as well as innovative practices that are particularly well-suited to rural

or small community applications. The pending federal infrastructure package will create new opportunities for rural and tribal communities interested in facilities for zero emission vehicles and clean energy.

- Convene Periodic Coordination Meetings – Periodically invite stakeholders interested in EV coordinating opportunities to meet and strategize over funding opportunities or other coordination needs. This would be occasional, perhaps a few times a year, with PRTPO participating in the role of regional convener. See note below about an early effort related to this activity.
- State EV Action Plan – WSDOT is expected to update its 2015-2020 EV Action Plan soon. PRTPO should work to ensure the updated plan recognizes the needs of communities and traveling public across the Peninsula Region.

The activities described above will help PRTPO fulfill its objective of advancing EV readiness in support of a long-range regional climate response. This work will support on-going activities by PRTPO members and other stakeholders, contributing to those efforts by helping to fill some gaps in coordination and information sharing.

Budget for Proposed Activities

Cost for the activities described above is estimated at $4,000 for SFY 2022. Funding for this is included in the unassigned Task 2 budget earmarked for RTP follow-up activities in the UPWP the Board adopted in June. Task 2 includes $14,000 in SFY 2022 for activities identified by the Board that support the RTP. Funding the proposed work program activities will leave about $10,000 for other activities throughout the year, with another $14,000 earmarked for SFY 2023.

October 26th Work Session Scheduled

The Board will be asked to approve the proposed activities in December. Prior to that approval, PRTPO is proceeding with a work session on October 26th to support members interested in pursuing a ZEVIP grant which will likely be announced in November. Timing is such that this work session should not wait until after the Board's action in December unless there is concern with proposed activities.

The Executive Committee was briefed on September 30th about an opportunity to convene an informational work session for EV infrastructure stakeholders in late October. It will feature representatives from at least two different charging companies who will explain the public-private partnership opportunities associated with EV infrastructure broadly and answer questions. There is a general lack of familiarity among many members and stakeholders regarding how and when to engage charging companies when assessing infrastructure needs, how to evaluate various business models for public-use charging facilities, or what these companies can bring to the table when competing for infrastructure grants. New carbon offset credits approved by the Legislature this past year will go into effect in 2023, creating additional opportunities for EV stakeholders that may influence how they approach upcoming grants; this will also be covered.

Given the Board's previous support for a similar event and likely approval of the proposed work program activities in December, the Executive Committee authorized us to proceed with the session. This work session is scheduled for October 26th from 10:00 – 11:30. Invites have been sent to all members of the EV infrastructure stakeholder group. A list of the current EV infrastructure stakeholder group is attached. Anyone interested in attending who is not on the EV infrastructure distribution list can contact me by email or phone to get a meeting invite.

Next Steps

The Board will be asked in December to approve the proposed work program activities. Work will proceed with the October 26th work session.

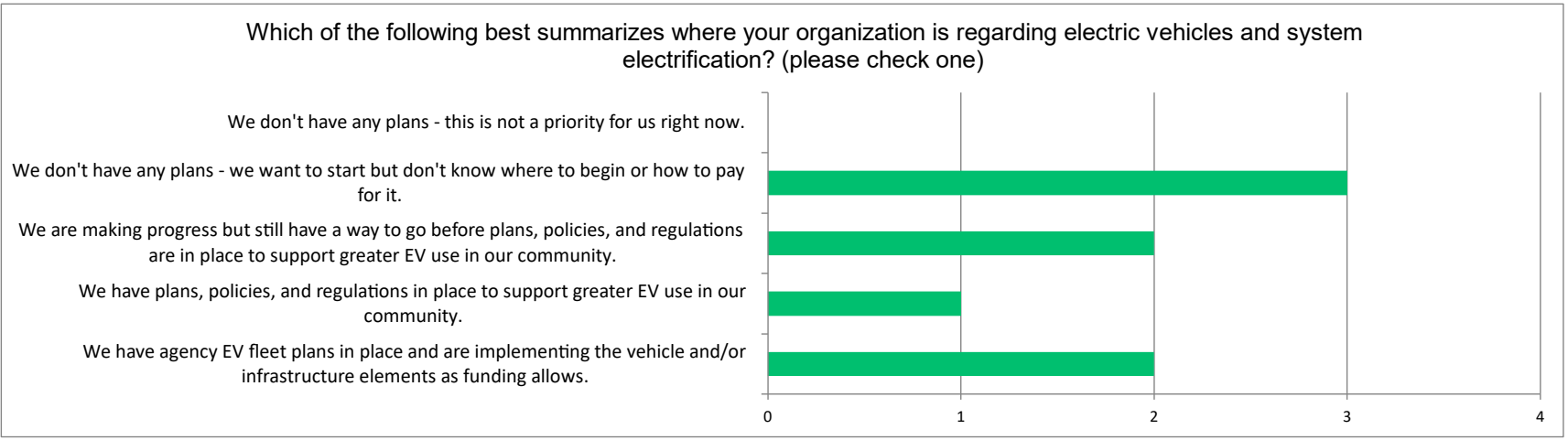
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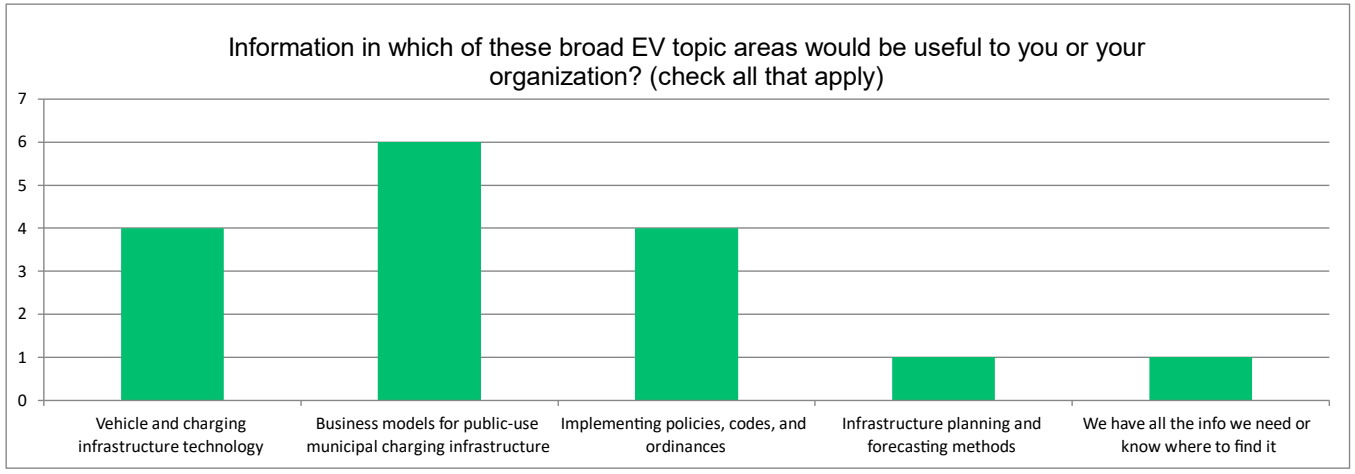
EV Readiness Self-Assessment – PRTPO Member Poll
EV Infrastructure Exchange Group [as of 10.8.2021]
Summary of Initial EV Work Activities Supported by SFY 2021 Work Program

For More Information:
Thera Black | 360.878.0353 | TheraB@PeninsulaRTPO.org

PRTPO Member Summary Responses
Member Agency EV Readiness Poll
Responses as of 08.30.21

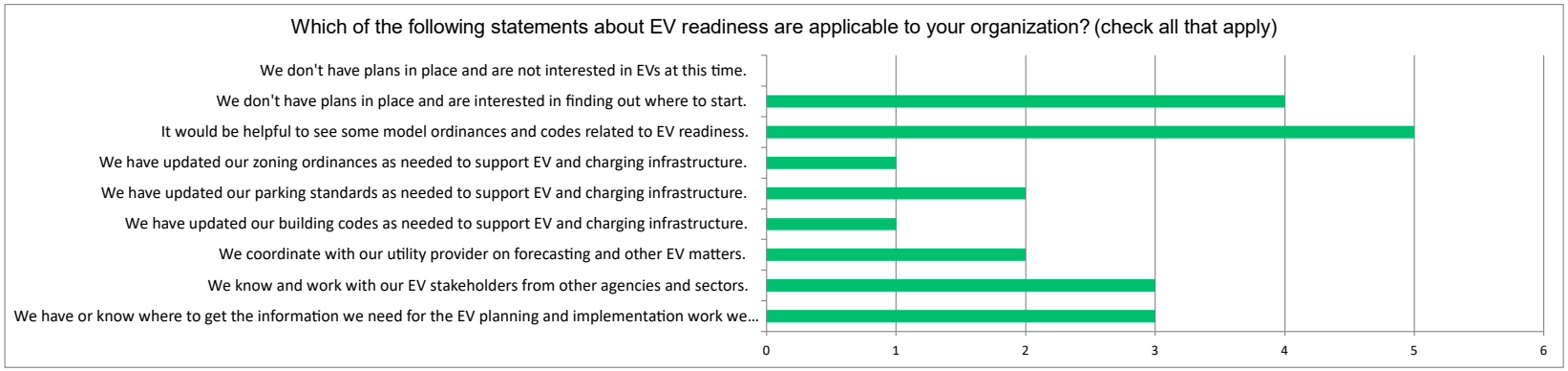
Respondents as of 8.30.21 include: Jefferson County; Makah Tribe; Poulsbo; Port Orchard; Sequim; Port of Port Angeles; Clallam Transit, and Kitsap Transit. This is an open poll. Please consider sharing your responses or forward to the appropriate person in your organization. Thank you!

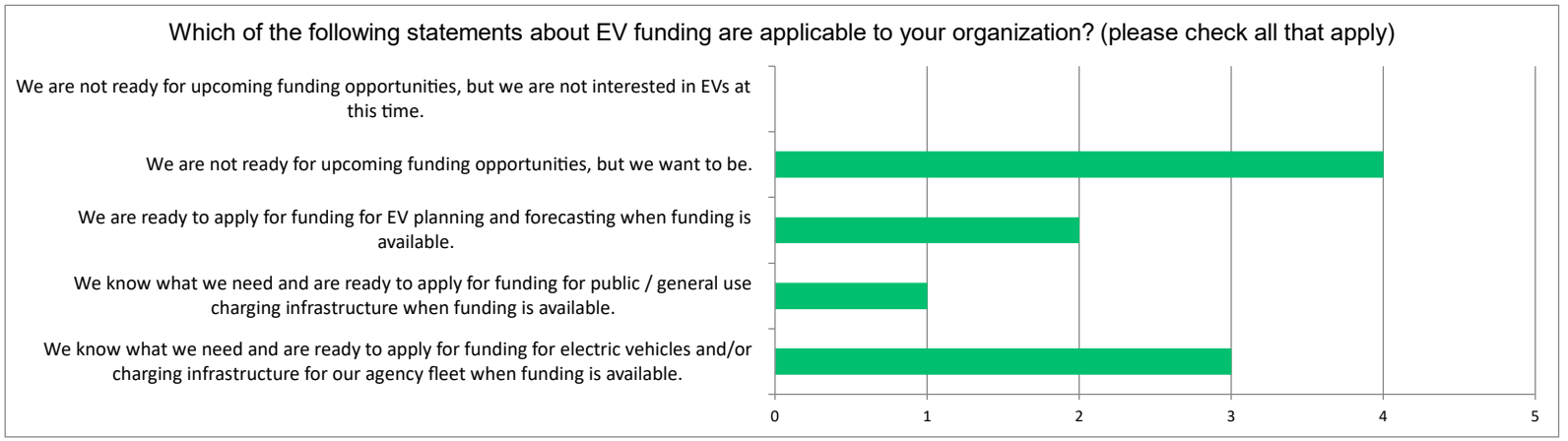




Other:

- Hard-core benefit cost analysis with Asset management replacement costs included.
- Basic cost effectiveness and practicality/limitations





Other Observations:

- Climate Action Committee has a grant team. NODC is willing to share a portion of an environmental grant to explore EV opportunities in jurisdictions.
- We are not sure what sorts of information would be requested in a grant funding application. We may have this information or we may not.
- There are some in our organization who are not interested in EVs at this time.
- We have applied for 3 electric HD buses and infrastructure. We are also looking into and further researching Hydrogen Electric Fuel Cell buses for future consideration. Our one public charging station has not been a success and we really aren't interested in this in the near future.



Other Obstacles:

- Jefferson County will pursue voluntarily. The "as practicable" rules from DOC apply here.
- Combine that with lack of funding available for planning/staff time. But the overloaded staff is currently probably the biggest obstacle
- The city is growing rapidly and everyone is stretched thin at this time.
- Lack of interest comes from lack of awareness - my answer is in between the two choices.
- Lack of range, practicability and increased costs.

Peninsula Region EV Infrastructure Exchange Group [10.8.21]

List of organizations and individuals interested in EV infrastructure and partnership opportunities on the Kitsap and Olympic Peninsulas.

First	Last	Organization	Organizational Role
Rachel	Anderson	City of Sequim	City Council
Arne	Bakker	Port of Bremerton	Director of Business Development
Angela	Bennink	Kitsap PUD	Telecom Director
Tony	Billera	Olympic Climate Action / CATES	EV Education and Advocacy / CATES Associate
Thera	Black	Peninsula RTPO	PRTPO Coordinator
Tonia	Buell	WSDOT Innovate Partnerships Office	Innovative Partnerships Project Development Manager
Janis	Burger	Citizen	Retired ONP
Ed	Chadd	Olympic Climate Action	OCA member
Wendy	Clark-Getzin	Jamestown S'Klallam Tribe	Transportation Planning Manager
Lary	Coppola	Port of Allyn	Executive Director
Sarah	Creachbaum	Olympic National Park	Superintendent
Sara	Crouch	Jefferson Transit	Accounting manager
Vicki	Cummings	Grays Harbor COG	Executive Director
Zana	Dennis	Grays Harbor COG	Grant Coordinator
Tricia	DePoe	Makah Nation	Transportation and Land Use Planning
Mike	Doherty	Citizen	Former Clallam County Commissioner, NODC President
Dan	Gase	Port of Port Angeles, Fairchild Airport	Airport Manager
Ted	Jackson	Port of Allyn	Port Commissioner
Sheree	Jankowski	Mason County	Public Works
Mattias	Jarvegren	Clallam County PUD #1	Utility Services Supervisor
Cindy	Jayne	PT/JeffCo Climate Action Committee	Chair, Climate Action Committee
Steve	King	City of Port Townsend	Public Works Director, EV lead for Climate Action Committee
Mara	Machulsky	NW Solutions	Contract lobbyist, renewable energy, broadband
Carrie	Merrill	The Beaver Grocery Store	Grocery store owner, on 101 between PA and Forks
Melissa	Mohr	Kitsap County	Public Works
Andy	Nelson	Kitsap County	Public Works Director
Will	O'Donnell	Jefferson County PUD	Communications Director
Matt	Pahs	WSDOT Olympic Region	Multimodal Planning
Tracy	Parker	Squaxin Island Tribe	Community and Transportation Planning
Laura	Parsons	City of Port Townsend	Public Works
Melanie	Roberts	Pacific NW National Labs	Director, State and Regional Affairs
Tammi	Rubert	Jefferson Transit	General Manager
Katharine	Shaffer	Kitsap County	Policy Analyst, BOCC
Jeff	Shea	Kitsap County	Public Works
Jill	Silver	10,000 Years Institute	Executive Director
Ann	Soule	City of Sequim	Resource Manager
Sid	Sridhar	Pacific NW National Labs	Power Systems Research Engineer
Kevin	Streett	Jefferson County PUD	General Manager
Loretta	Swanson	Mason County	Public Works Director
Keith	Swearingen	Kitsap County	Equipment Services Manager
Lee	Taylor	Olympic National Park	Deputy Superintendent
Mike	Usen	DKS	Electromobility Manager
Claire	Ward	NW Open Access Network [NoaNet]	Telecom Director
Katie	Wolf	Pacific NW National Labs	Advisor

PRTPO Work Program Activities to Advance Regional Readiness for Electric Vehicles
Summary of Initial EV Activities Conducted by PRTPO

In April 2021 the PRTPO Executive Board authorized a $4,500 micro-services contract with Mike Usen from DKS to help develop an inventory of resources and assess future opportunities for PRTPO to advance the region's readiness for a greater share of electric vehicles. The following recap summarizes that work and its products, which informed recommendations the Board will consider for follow-up activities to support EV readiness.

PRTPO launched an EV information portal on its website. Its contents include plans and policies provided by members during the initial information sweep in late spring as well as links to funding sources, data, studies, model ordinances, and more provided by Mike Usen.

During this same time, PRTPO conducted a self-assessment poll to get a sense of where members feel they are in their EV readiness. Input is useful in helping identify what resources or services PRTPO might be able to offer. It provides a quick snapshot of issues and opportunities member agencies face in trying to better accommodate electric vehicles. That poll remains open.

Responses to the self-assessment poll shaped content sourced for the PRTPO website. For example, several members commented they don't know where to start in planning for EVs. Mike provided a simple scope of work local agencies can use to think through how to put together an agency fleet conversion plan. Whether doing the planning internally or hiring a consultant to do the work, it lays out the tasks needed for an organization to assess the situation and develop a plan for implementation. Agencies need an implementation plan to be competitive for most funding sources.

Another need identified by members was information on business models for public-use municipal charging infrastructure. The new website portal includes a couple of recommended documents that look at different business models for different circumstances, the role that private entities are increasingly playing in this public sector commodity, and trade-offs between different approaches. These are just two examples of how member responses shaped website content.

Just before Mike's contract expired at the end of June, PRTPO hosted an informational work session with stakeholders from across the region interested in the upcoming Zero Emissions Vehicle Infrastructure Partnership grant program, or ZEVIP. ZEVIP is the first of several EV infrastructure grants coming out of the state transportation budget over the next few months, with more grants expected through the federal infrastructure package. ZEVIP was initially due to be released in August but was delayed to November.

PRTPO's role in convening this stakeholder group was a natural fit with the organization's primary functions. In addition to many PRTPO members, other stakeholders include various PUDs, the Climate Action Committee, Olympic National Park, Grays Harbor Council of Governments, Pacific Northwest National Laboratory, private business, former elected officials, and others interested in expanding electric vehicle charging infrastructure on the Olympic and/or Kitsap Peninsulas.

Awareness of this EV infrastructure group expands by word of mouth as more people get involved. People continue to contact PRTPO with requests to be included in any future activities or notifications and express appreciation for the regional coordination. Anyone interested in being included on the distribution list is asked to contact Thera Black, PRTPO Coordinator, at TheraB@PeninsulaRTPO.org or call 360.878.0353.

New – October 26 Work Session

An informational work session is now scheduled for October 26th from 10-11:30, via Zoom. The purpose of this session is for members of the EV infrastructure group to hear from charging company representatives about how and when to engage with them in project development, factors they look at when considering whether to participate in projects, and what resources they can bring to a competitive project proposal. How to engage and work with private charging companies is a recurring question from members and is often a make-or-break element of grant proposals. A delay in the ZEVIP grant release creates an opportunity to help address this information gap and generate more competitive proposals.

ACTION ITEM

To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 8, 2021
Subject: **Transportation Outlook 2022 – Final Draft Legislative Folio**

REQUESTED ACTION:

Approve the final draft version of the Transportation Outlook 2022 legislative folio for distribution to PRTPO legislators and other stakeholders.

Overview

In August the Executive Board reviewed and commented on draft content for PRTPO's Transportation Outlook 2022, the region's annual legislative outreach piece. In September members submitted projects for inclusion on the regional project list and the TAC reviewed draft materials. A final review was conducted by the Legislative Work Group and the Executive Committee.

Attached to this memo is a final draft of the 2022 Transportation Outlook communications piece for Board review and approval. It will be shared with the region's legislators and aides as well as other stakeholders with an interest in PRTPO's regional priorities.

Work is underway to schedule PRTPO's annual legislative forum, preferably in the first two weeks of November. As a reminder, PRPTO will host one forum scheduled around the availability of legislators with House or Senate transportation committee assignments. As of this writing that includes Representative Chapman (24th), Senator Randall (26th), Senator Sheldon (35th), and Representative Griffey (35th). All legislators will be invited and will receive a copy of PRTPO's final *Transportation Outlook 2022.*

PRTPO will again prepare an overview presentation to frame the regional issues for discussion in the forum. The presentation and the folio itself also provide useful content for various other PRTPO communications besides legislative engagement throughout the year.

Members are asked to review and approve the final Transportation Outlook 2022 and to discuss ideas for the forum presentation and legislative conversation.

Attachment:
Final Draft Transportation Outlook 2022 Legislative Folio

For More Information:
Thera Black | 360.878.0353 | TheraB@PeninsulaRTPO.org

PRTPO Members

Clallam County

Jefferson County

Kitsap County

Mason County

Bainbridge Island

Bremerton

Forks

Port Angeles

Port Orchard

Port Townsend

Poulsbo

Sequim

Shelton

Clallam Transit

Jefferson Transit

Kitsap Transit

Mason Transit

Port of Allyn

Port of Bremerton

Port of Port Angeles

Port of Shelton

WSDOT Olympic Region

Jamestown S'Klallam Tribe

Lower Elwha Klallam Tribe

Makah Nation

Squaxin Island Tribe

Skokomish Tribe

www.PRTPO.org

To our legislators in the 23rd, 24th, 26th, and 35th Districts,

Thank you for your support through difficulties and uncertainties this past year. As ex officio members of Peninsula RTPO and valued state partners, your support helps ensure projects and policy objectives that benefit mobility on the Olympic and Kitsap Peninsulas get fair consideration at the state level. Regional collaboration and cooperation make PRTPO strong. Our partnership with you is important to our success.

We see some key opportunities on the near horizon where we can work together to benefit communities across the region.

- **Support for a fair and balanced transportation revenue package**
  Cities and counties haven't had an increase in their share of direct gas tax revenue – the only non-competitive state revenue they receive for transportation – since 2005-06. And our transit agencies provide essential rural mobility, lifeline, and intercity bus service on shoestring budgets. Our members must compete for useful but unpredictable grants to support core programs as well as major improvements and retrofits. Let's mitigate those effects and create more sustainable, predictable local revenue streams with a comprehensive multimodal transportation revenue package.

- **Advocate for more WSDOT funding authority**
  Our regional transportation system depends on the state highway and ferry system. WSDOT has discretion over just 16% of gas tax collected. This is not enough to do the preservation and retrofits to ensure facilities continue to function as intended and avoid expensive disruptions. WSDOT is not at the table when big funding decisions are made. We support participation by the Secretary of Transportation early and often during legislative discussions about transportation revenue.

- **Harness a rare opportunity presented by Federal infrastructure packages**
  We have long faced severe funding deficits for core programs and project needs. An unprecedented infusion of federal funds can kickstart action on large projects and support important local, state, and tribal needs that have languished for lack of funding. We have both. The PRTPO can be a partner in helping identify multimodal project and programmatic needs for the legislature to consider for these new funds and vet potential delivery mechanisms to ensure rural equity and efficiency.

- **Make better use of existing transportation revenue**
  Washington requires rural counties to allocate small amounts of federal funds to priority projects across jurisdictions. This is an inefficient use of existing revenue. Small pots of federal funds inflate local project costs and slow delivery. It increases WSDOT Local Programs administration and overhead. Swapping federal funds with state funds for small local projects is smart and efficient and is standard practice in other states. We want to help you make it standard practice here, too.

These are priority areas where we can work together to make a difference for our communities. Action in these areas will have ripple effects throughout the region as communities have more certainty about transportation funding and can prioritize and budget in ways that keep life cycle costs low while making efficient use of scarce resources.

There are other regional concerns we will track with interest this session.

- We continue to **advocate for completion of *Connecting Washington* projects** and the funding commitments made to local, state, and tribal projects back in 2015. The SR 3 Freight Corridor / Belfair Bypass project is a case in point. Let's complete this project and keep these long-standing commitments to our local communities and the traveling public.

- **Ferry vessel replacement is essential** to the safe and reliable operation of our marine highway system. Over half of all ferry trips begin or end in the Peninsula Region. Old vessels and deferred maintenance have led to service disruptions felt by business, freight, individual travelers, and the ferry terminal communities themselves. Effective state action can grow state revenues and tap new federal funding to get more vessel replacements underway.

- We are coordinating with stakeholders throughout the Olympic and Kitsap Peninsulas to **expand EV readiness of our rural routes.** Rural communities have the same needs for electric vehicle infrastructure as urban communities but lack the densities, resources, and economies of scale of those places. For Washington to meet its EV goals, and for the Peninsula region to keep up, we need charging stations all along US 101 and other key regional corridors.

- We need to **improve the resilience of our regional transportation system** and the communities it serves. Olympic and Kitsap Peninsula geographies limit us to just a few critical lifeline routes. A disruption on one is felt throughout the region, isolating communities and interrupting commerce. Innovative partnerships and projects combined with proactive measures help us better withstand future shocks, respond more quickly when disruptions occur, and adapt to a changing world.

PRTPO is pleased to see **broadband access** getting the attention and funding it deserves. This is what can happen when local, regional, state, and federal agencies along with their private sector partners lean into an issue of such paramount importance. We appreciate your support in ensuring communities throughout the Peninsula region are not overlooked during rollout of these investment programs.

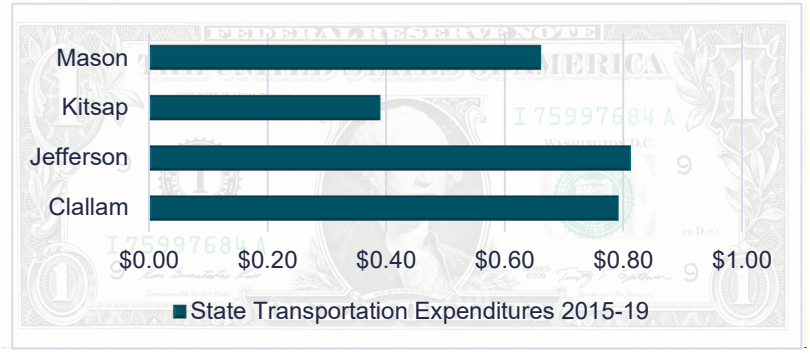
The work we face is daunting but doable with your continued support and partnership. We look forward to working with you to improve mobility throughout the Peninsula region and keep travel safe, reliable, and sustainable.

Peninsula RTPO Key Contacts
www.PRTPO.org

Chair	Bek Ashby	bashby@cityofportorchard.us	360.731.0778
Vice-Chair	Randy Neatherlin	randyn@co.mason.wa.us	360.427.9670 x419
Secretary	Tammi Rubert	trubert@jeffersontransit.com	360.385.3020 x107
Lead Planning Agency	John Clauson	johnc@kitsaptransit.com	360.478.6223
PRTPO Coordinator	Thera Black	therab@peninsulartpo.org	360.878.0353
PRTPO Coordinator, LPA	Edward Coviello	edwardc@kitsaptransit.com	360.824.4919

Residents Pay More than Their Fair Share

For every dollar residents paid in state transportation taxes and fees from 2015-2019, they only got back anywhere from 81¢ to just 39¢ in state transportation investments.

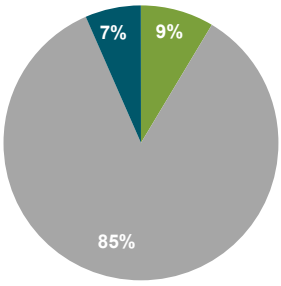


Source: WSDOT 2019 County by County Analysis, 2015-2019 Historical Analysis

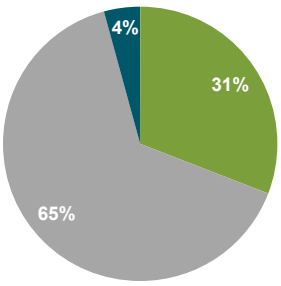
Lifeline Services Expensive to Provide

Demand-response services are a lifeline for our most vulnerable residents and, on a per-trip basis, are also the most expensive service provided by transit. **Reliable funding for rural mobility and intercity bus travel ensures people with special mobility needs can access essential services.**

Share of Transit Trips



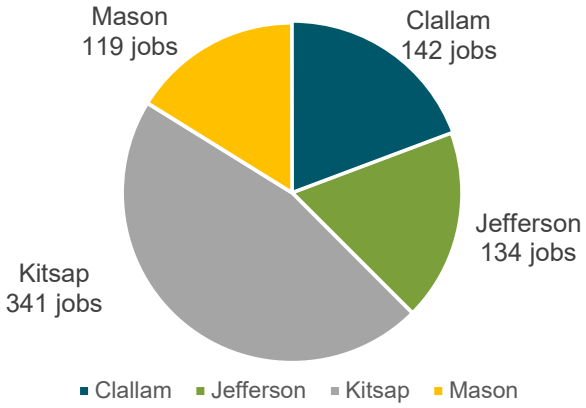
Share of Operating Expense



Source: National Transit Database, 2017 data for Clallam, Jefferson, Kitsap, and Mason Transit.

Transportation Projects = Jobs

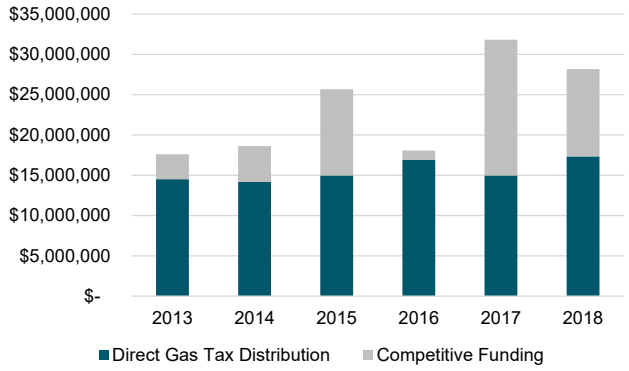
This chart shows the estimated growth in 2018-19 jobs, by county, attributed to WSDOT transportation investments.



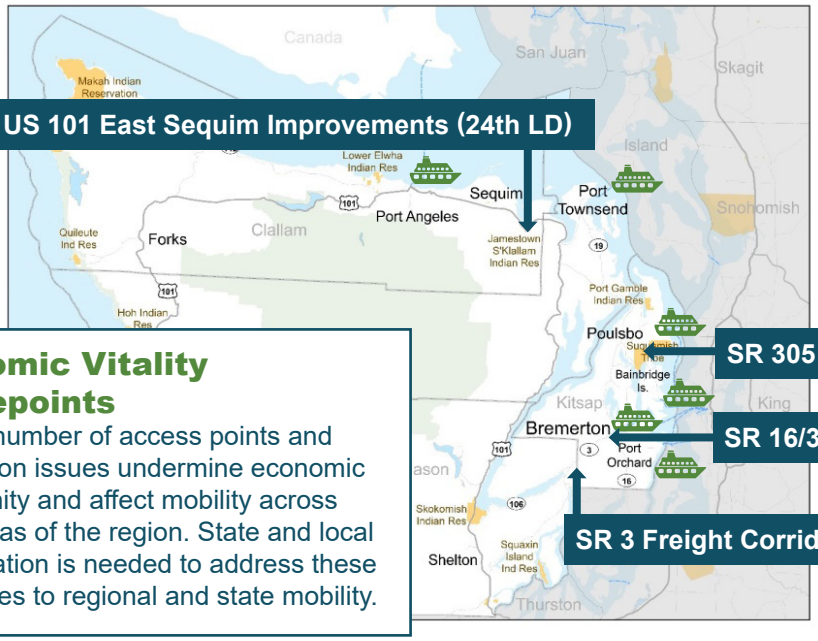
Source: WSDOT 2019 County by County Analysis - Return per dollar contributed by citizens within each county, state and federal transportation funds – 2019 analysis

Roller Coaster Budgets for Locals

Local agencies must rely on competitive grants for a large share of their transportation revenue. Agencies need more funding discretion. **Local agency shares of gas tax distribution haven't increased since 2005-06.**



Source: County Road and City Street Revenues and Expenditures, for Clallam, Jefferson, Kitsap, and Mason Counties and their respective cities.



Essential Marine Highway System

The majority of ferry trips in Washington begin or end in our region and the Coho is an international gateway for the State. This marine highway system is essential to our regional mobility and economic health.

Economic Vitality Chokepoints

A small number of access points and congestion issues undermine economic opportunity and affect mobility across wide areas of the region. State and local collaboration is needed to address these challenges to regional and state mobility.

Transportation Outlook 2022
Peninsula RTPO Investment Priorities

Project	Agency	LD#	PRTPO Priority Project Characteristics: Multiple Modes	Shovel-ready	Economic Chokepoint	System Preservation	Improve Safety	Special Needs Mobility	Increase Resiliency	Connecting WA	Local TIP	Total Cost	Already Secured
SR 104 Kingston Congestion Mitigation *Realign and improve SR 104 and holding capacity, manage ferry traffic in Kingston*	Kitsap County	23	*	*	*		*	*			*	$20 M	$2.76 M
Noll Road Corridor Improvements *Three phases of corridor projects will improve multimodal mobility, increase system safety, and improve traffic flow along SR 305 corridor*	Poulsbo	23	*		*		*		*	*	*	$28.3 M	$21.4 M
Elwha River Bridge Replacement *Replace deficient 1926 bridge with new structure designed to current standards*	Clallam County	24	*	*		*			*		*	$30.3 M	$30.3 M
Olympic Discovery Trail - Forks to La Push *Complete next 13 mile segment of ODT connecting Forks to La Push and the Quileute Nation, Olympic National Park coastal trailheads*	Clallam County	24	*				*	*	*		*	$21 M	$7.6 M
SR 19 Chimacum Rhody Drive Ped-Bike Improvements *Build Safe Routes to School and active transportation facilities on a Tourist Corridor from Anderson Lake Rd to Beaver Valley Rd*	Jefferson County	24	*	*			*	*	*		*	$1.7 M	$0.3 M
Olympic Discovery Trail - Larry Scott Trail to US101 S Discovery Bay *Construct accessible 10.12 mile segment of the ODT and Pacific NW National Scenic Trail systems (East Olympic Peninsula)*	Jefferson County	24	*				*	*	*		*	$15.6 M	$3.8 M
Peabody Creek/Lincoln Street Culvert Repair *Critical culvert repair to minimize potential for collapse and property damage, and improve fish passage*	Port Angeles	24		*		*	*		*		*	$3.5 M	$0.3 M
SR 20 Improvements at Mill Road and at Kearny Road *Joint project with WSDOT to replace signals and improve SR 20 intersections at Mill Road and at Kearny Road.*	Port Townsend	24	*				*				*	$1.7 M	
US 101 East Sequim Corridor *Complete Simdars Rd/US 101 interchange, build frontage road connector*	Sequim	24	*		*		*		*		*	$37 M	$1.9 M
SR 112 Repair and Repaving Project - Clallam Bay to Neah Bay *Complete repairs and repaving of 23 mile state highway from Clallam Bay to Neah Bay, the only road access to the Makah Reservation*	WSDOT / Makah Nation	24	*	*		*	*	*	*			$30 M	
Bay Street Pedestrian Pathway *Complete pathway construction between Port Orchard Boulevard and Annapolis ferry terminals for 1.2 mile waterfront pathway*	Port Orchard	26	*	*			*	*			*	$3.0 M	$3.0 M
Sedgwick Rd/SR 160 Corridor Improvements *Design and construct near-term improvements described in WSDOT's 2018 SR 16 Corridor Congestion Relief Study.*	Port Orchard	26	*		*		*		*		*	$6.0 M	
SR 3/16 Gorst Project - Resiliency, Mainline Capacity, & Non-Motorized Connectivity *Improve SR 3/16 in Gorst*	Kitsap County	26, 35	*		*		*		*			$425 M	
7th Street Preservation and Signal Upgrade - Alder to Park Street *Pavement preservation project with a signal upgrade at 7th and Railroad Avenue*	Shelton	35	*		*	*	*				*	$1.5 M	
SR 3 Freight Corridor *(Belfair Bypass)* *Construct new corridor parallel to SR 3 in Belfair, providing alternate route and improved freight access*	Mason County	35	*		*		*		*	*	*	$66.9 M	$66.9 M

Pavement Preservation and Transit State of Good Repair

PRTPO stands with its local, state, and tribal partners in emphasizing the need for adequate funding to preserve and maintain the existing transportation system - streets and highways, bridges, ferry terminals and vessels, transit infrastructure, trails and pathways, sidewalks, and technology. Existing revenues are insufficient to maintain a State of Good Repair which increases the funding deficit.

Presentation and Discussion Item

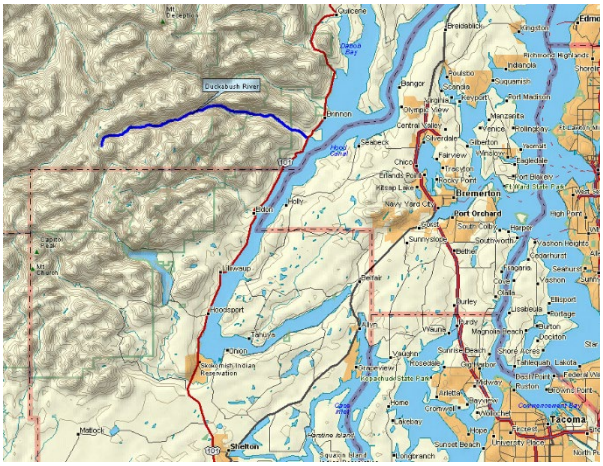
To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 8, 2021
Subject: **Duckabush Estuary Restoration Project – US 101 Relocation and Elevation**

REQUESTED ACTION:

No action is requested. This is a guest presentation on a project to relocate and elevate US 101 at the Duckabush River and restore critical estuary habitat on Hood Canal.

Overview

The WA Department of Fish and Wildlife (WDFW) approached PRTPO in July to review a project it was proposing for a major federal grant. The project will elevate US 101 where the Duckabush River meets Hood Canal south of Brinnon and reestablish critical estuary habitat that supports five salmon species. WDFW is pursuing construction funding through a federally competitive RAISE grant[1], in partnership with the US Army Corp of Engineers (USACE) and the Hood Canal Salmon Enhancement Group. Design is funding secured and about 35% complete. WSDOT Olympic Region is leading that work with expected completion mid-2022. USACE is handling permitting components.



After reviewing the project and researching its background, PRTPO submitted a letter of support (attached) and invited WDFW to provide the Executive Board with an overview of the project. This is the first project to emerge from the congressionally authorized Puget Sound Nearshore Ecosystem Restoration Project (PSNERP), an initiative of the WDFW in partnership with the US Army Corp of Engineers. That work made projects such as the Duckabush Estuary Restoration Project eligible for federal funds available only for nationally significant waterbodies such as the Everglades, Chesapeake Bay, and the Great Lakes. This project is also eligible for transportation grants such as the RAISE program.

Theresa Mitchell, Environmental Planner with the WA Department of Fish and Wildlife, will brief the Board on the Duckabush project and community engagement activities, and answer questions. Members can find out more about the Duckabush Estuary Restoration Project on the WDFW website. The PT Leader published a terrific article on the project on October 6. A copy is attached.

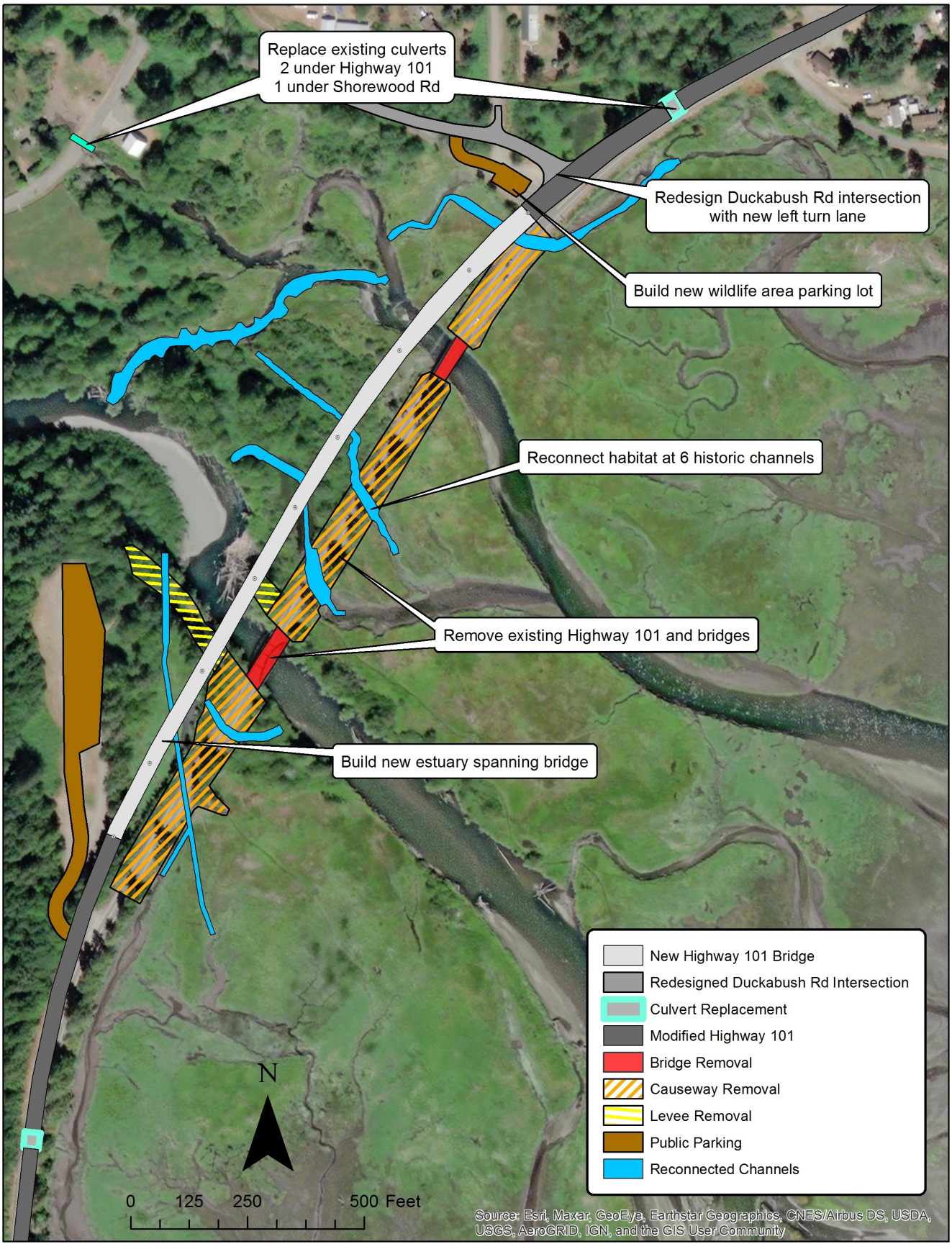
Attachments:
Duckabush Estuary Restoration Preliminary Project Design
PRTPO Letter of Support for Duckabush Project (July 2021)

For More Information:
Thera Black | 360.878.0353 | TheraB@PeninsulaRTPO.org

[1] Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants, formerly known as BUILD and TIGER grants, is a highly competitive national transportation funding program administered by the US Dept. of Transportation. $1 billion in funding will be awarded in 2021.

Washington Department of FISH and WILDLIFE

Duckabush Estuary Restoration
Preliminary Project Design



July 9, 2021

Secretary Pete Buttigieg
US Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Secretary Buttigieg,

The Peninsula Regional Transportation Planning Organization (PRTPO) is pleased to submit this letter in support of the Washington Department of Fish & Wildlife's project, **US 101 Highway Relocation and Bridge Replacement at Duckabush River.**

This project, developed in collaboration with the Washington State Department of Transportation and the US Army Corp of Engineers, will restore estuarine habitat that supports salmon and the entire Salish Sea ecosystem while at the same time increasing the resiliency of the US 101 corridor in this highly rural region. The RAISE grant will be used to relocate and elevate a section of US 101 over the Duckabush River estuary south of the hamlet of Brinnon, WA. These funds will be used to remove the old highway, bridges, causeway, and levees and replace them with a higher facility that allows restoration of habitat connectivity and is less subject to washout as our weather conditions grow more extreme.

This is the only through-route serving the Olympic Peninsula, bounded by the Olympic Mountains to the west and the Salish Sea to the east. Washouts have devastating consequences felt throughout the region. A RAISE grant will allow us to increase resiliency of the only roadway that connects our communities and keeps our economy moving with an elevated structure that minimizes impacts on the environment and allows for important habitat remediation. A RAISE grant for this project will generate public benefit for decades to come.

This project is fully consistent with the 2040 Regional Transportation Plan. Upon notification of funding, PRTPO will assist the Department of Fish & Wildlife in getting the project secured in the Statewide Transportation Improvement Program.

On behalf of PRTPO and communities throughout the Peninsula Region, I urge support for this important project.

Sincerely,

Bek Ashby
Chair, Peninsula Regional Transportation Planning Organization

Cc: Representative Derek Kilmer, US House of Representatives
Senator Patty Murray, US Senate
Senator Maria Cantwell, US Senate

PORT TOWNSEND & JEFFERSON COUNTY

The Leader

October 6, 2021
Issue 40 / Vol. 132

IN DEPTH • IN TOUCH • INDEPENDENT • SINCE 1889

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CEMETERY DAMAGE MAY PROMPT LEGAL ISSUES A3 • RANGERS IN A BLOWOUT A9 • KITCHEN TO KITCHEN B2



An aerial view of the Duckabush Estuary showing US Highway 101 and the two bridges that will be replaced. *Photo courtesy of the Washington Department of Ecology*

Preliminary design work continues on Duckabush Estuary restoration project

Plans include removal, replacement of US 101 bridges and highway through critical habitat

Brian Kelly
BKELLY@PTLEADER.COM

Washington state continues to refine design plans for replacing the US Highway 101 bridge that spans the Duckabush Estuary. A new and taller span, officials say, will improve wildlife habitat while reducing flooding in the network of channels and streams that flow into Hood Canal.

At a recent online update of the state and federal highway reconstruction project, officials said some of the land that's needed to remove and replace the existing lanes of US 101 and bridges that cross the estuary has already been purchased.

What's envisioned is a massive do-over of the highway and bridges that cross the Duckabush Estuary, a natural area of tidal wetlands of national significance.

The project includes a new 1,600-foot-long elevated bridge across the estuary, along with wider shoulders along US 101 and a re-designed intersection at Duckabush Road.

Officials noted the Duckabush Estuary is currently impacted by fill, dikes, and road infrastructure that was built in the 1930s, which blocks water channels and limits critical habitat for fish and wildlife, including endangered salmon species.

The project would reconnect the Duckabush River to neighboring floodplains and wetlands by modifying local roads and elevating Highway 101 onto a bridge spanning the area where freshwater from the Duckabush River meets saltwater of Hood Canal.

Officials stressed that the existing bridge, along with the fill and dikes that were put in place when the span was built, has blocked historic water channels and has reduced the habitat in the estuary. Removing the existing bridges and building a raised span across the estuary will benefit Hood Canal summer chum, as well as Mid-Hood Canal Chinook, two salmon species that are listed under the Endangered Species Act.

During the project update meeting Sept. 22, officials said completing the Duckabush River estuary would add to the Puget Sound-wide objective to restore river deltas and their wetlands.

The Duckabush Estuary project is eligible for federal restoration funding, said Theresa Mitchell, manager of the project for the Washington Department of Fish and Wildlife.



This illustration shows the preliminary design of the new US Highway 101 span across the Duckabush Estuary. *Image courtesy of the Washington State Department of Fish and Wildlife*



The saltwater marsh below US 101 will be restored following construction of the new span. *Image courtesy of the Washington State Department of Fish and Wildlife*

"Congress has created a limited time opportunity to direct federal funding to this location that supports broader Puget Sound recovery goals," Mitchell said.

"There are feasible steps that can be taken here to improve the condition of the estuary," she added.

The primary challenge to the estuary is the massive amount of dirt fill supporting the highway, Mitchell explained.

"The placement of this fill, along with associated levees and other local roads, has locked the two main river channels in place to pass," she said.

There are also six places where smaller channels have been completely blocked by the fill or forced into small culverts.

That's completely changed where water flows and sediment moves in the estuary, Mitchell said, which impacts what type of vegetation can grow and how fish and wildlife use the habitat.

"The fill also creates a bathtub effect during high river flows," she added.

Most people don't notice the amount of fill that's been used to create the highway crossing through the estuary.

"It is a bit hard to fully appreciate this impact because most of us experience the fill by driving on top of it on Highway 101," she said.

Tidal wetlands provide habitat for fish, shellfish, birds, and other wildlife, while also giving space for tidal and floodwaters to be absorbed.

State officials noted that more than half of Puget Sound's historical wetlands in its 16 largest river deltas — roughly 57,823 acres – have

see ***DUCKABUSH***, Page A16

Three finalists for top county position

Brian Kelly
BKELLY@PTLEADER.COM

Jefferson County announced the three finalists for the position of county administrator Monday.

The three candidates are Martin Casey, Ethan Raup, and Richard Kuhns.

Two of the finalists are from Washington state, while the third is from California.

County commissioners will interview the trio during a special meeting Friday.

The meeting, to be held online via Zoom, is planned for 2 to 3:30 p.m. Oct. 8.

The new administrator will take over the county's top non-elected position from Mark McCauley, who has served as interim administrator since the resignation of Philip Morley in April.

"We are excited to bring new leadership at this time of change and uncertainty in the county," County Commissioner Kate Dean said in an announcement Monday.

"We hope to find an applicant with a shared vision of innovation and livability for our unique, rural county," said Dean, the chair of the board of commissioners that will appoint the next administrator.

see ***COUNTY***, Page A16

Three more die of COVID in county

Brian Kelly
BKELLY@PTLEADER.COM

Two more Jefferson County residents have died from the coronavirus and the total number of COVID-19 cases in Jefferson County hit 1,000 late last week, according to Jefferson County Public Health.

Another fatality was reported Monday, and the three deaths raised the death toll from the virus in Jefferson County to 16.

Jefferson County Health Officer Dr. Allison Berry said the two COVID deaths last week involved a resident in his 70s and a woman in her 60s.

"One was a man in his 70s who was immunosuppressed due to cancer and fully immunized," Berry said.

"Deaths like these unfortunately drive home how important it is for all of us to get vaccinated so we can protect those around us who cannot fully respond to their vaccines," she added.

see ***THREE***, Page A16

inside this issue... 24 pages

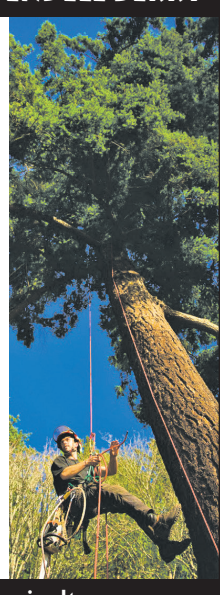
A: FRONT
Opinion Forum A7
Jefferson County Sheriff's Log A8
Sports A9-A11
Community Record A14-A15

B: This WEEK & CLASSIFIEDS
Arts & Entertainment B1-B4
Community Calendar B3
Classifieds & Legal Notices B5-B8

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County: Interim administrator to stay on staff

continued from Page A1

According to county officials, the three finalists will take part in small group interviews with community members throughout Friday.

The Zoom presentation planned for Friday afternoon will give the public a chance to hear from the candidates.

"This is a challenging time to provide the kind of public, transparent process that we like to see when hiring an important position such as this," Dean noted.

Approximately 15 people applied for the job, she said.

"One of my biggest priorities was to produce a diverse pool of candidates, which we did not end up with, unfortunately," she added.

"I would love to see more women and people of color in the mix," Dean said.

The candidates have been throughly vetted, the commissioner said, though final reference checks are still pending.

Casey was the city manager in Sunnyside from January 2019 through August, and announced his departure in June.

Prior to taking the job in Sunnyside, he was director of Thurston County's Central Services Department from 2013 through 2018.

He also worked for the state of Washington from 1997 to 2013, and served in management and leadership positions in the departments of Early Learning, General Administration, and Enterprise Services.

Casey holds a master's degree in political science from the University of California, Santa Barbara, and a bachelor's degree in International Relations from the University of California.

Raup is currently the chief operating officer and chief of staff at KEXP, a public radio station in Seattle.

He has been with the radio station since 2014, and before that, worked for the city of Seattle as director of policy and operations. He also was deputy chief of staff and director of the Office of Regional Policy & Planning for King County from 1998 through 2003.

Early in his career, Raup was a special assistant to the mayor of Seattle from 1994 to 1998.

Raup earned a master's degree in sociology of law from Cambridge University in Cambridge, United Kingdom, and a bachelor's degree in history and political science from Brown University.

Kuhns is the county administrative officer for Trinity County, California, and has served in that position since 2017.

He was also regional director of the Shasta, Siskiyou, Trinity, Modoc County Housing Authority and executive director for the Shasta County Community Action Agency from 2006 to 2017.

Kuhns has also worked as a psychologist in private practice and for county government, and was previously the director of the Office of Emergency Services for Del Norte County, California.

He was awarded a doctorate in psychology from California Southern University, a master's degree in behavioral science from California State University, Dominguez Hills, and a bachelor's degree in business management from Brigham Young University.

Jefferson County commissioners have not indicated if they will make a final choice on the administrator's position at the close of Friday's sessions.

Dean said her ideal candidate is someone who shares the vision that commissioners have of the future of the county.

"Rural counties have struggled for the last 25 years," Dean said.

"My fellow commissioners and I are all interested in someone who is excited about being innovative in rural counties like ours," she said.

> "My fellow commissioners and I are all interested in someone who is excited about being innovative in rural counties like ours."
>
> **Commissioner Kate Dean**
> JEFFERSON COUNTY BOARD OF COMMISSIONERS

"That we can balance things like protecting the environment with business opportunities, that can find a way to allow for development while still protecting the rural quality of life"she added.

Dean indicated commissioners will need to be in full agreement about who to hire as the next county administrator.

That person needs to be a great fit for Jefferson County, she said.

"It's really about whether we have the right candidate in the mix or not," she said. "If we are not in enthusiastic agreement about the right candidate, then we could choose to continue our search."

McCauley did not apply for the position, and the county's interim administrator will assist during the transition in the position.

McCauley is expected to return to his position as director of the county's Central Services Department after a new county administrator is hired. It's also hoped that McCauley will become deputy administrator.

For more information on the special meeting and public presentation, visit www.co.jefferson.wa.us.

To join the presentation via Zoom, go to https://zoom.us/j/93777841705.

Three: COVID death toll climbs to 16 in JeffCo

continued from Page A1

Berry said the other person who died was a woman in her 60s who was not vaccinated.

Details were not immediately available for the most recent COVID-19 death in Jefferson County.

A total of 30 residents were still in active isolation Monday.

There have been 32,479 tests for COVID-19 in Jefferson County since the start of the pandemic.

A total of 64 residents have been hospitalized in the county due to coronavirus.

Berry said two residents were being treated Monday at Jefferson Healthcare in Port Townsend. A third resident was in an out-of-county hospital.

Duckabush: Bridge replacement to take 3 to 4 years

continued from Page A1

disappeared due to development. That means less space for natural habitat for fish and other wildlife.

Officials noted the estuary project is a collaborative effort between Fish and Wildlife, the U.S. Army Corps of Engineers and the Hood Canal Salmon Enhancement Group, with support from the Washington State Department of Transportation.

Officials said removing the existing bridges and fill, and reestablishing the marsh under the new bridge, will mean greatly improved habitat for fish and other wildlife. And that's important for the salmon population that relies on the estuary to survive.

Removing the two old bridges, levee, and causeway would allow six historic channels of the Duckabush River to reconnect with other habitat areas of the estuary.

"Estuary habitat is considered extremely important for summertime salmon populations," explained Mendy Harlow, executive director of the Hood Canal Salmon Enhancement Group. "And this is because salmon need to go through a physiological change when they go from freshwater to saltwater as juveniles, and from saltwater to freshwater as adults."

"The mix of fresh and saltwater provides a good place to do that for both adults and juveniles. Estuaries are also important to juvenile salmon, because they need a high amount of edge habitat along riverbanks in order to avoid predation and forage for food," she added. "More estuary channels means an increase of edge habitat to ensure their safety and their growth."

The Duckabush Estuary is also important to salmon that are making their way out of Hood Canal from other watersheds further south, Harlow said.

The project also includes significant restoration efforts for the saltwater marsh along the highway. Large woody debris will be placed to improve habitat, and officials said any areas disturbed by construction will be replanted.

With the tidal channels reconnected, officials with the Corps of Engineers estimate that flood depths upstream of US 101 will be reduced during 100-year flood events.

Depths will be increased, however, at places where the levee and causeway for the existing bridges are removed.

A left turn lane from Highway 101 onto Duckabush Road is also in the project plans, along with additional public parking next to the wildlife area along Duckabush Road at the north end of the new bridge.



This photo from the 1930s shows the riprap wall that underlies US Highway 101 through the Duckabush Estuary under construction. *Photo courtesy of the Washington State Department of Transportation*

> Estuary habitat is considered extremely important for summertime salmon populations."
>
> **Mendy Harlow**
> EXECUTIVE DIRECTOR OF THE HOOD CANAL SALMON ENHANCEMENT GROUP

The new bridge will be roughly 6 feet higher than the existing span, which officials said would give greater room for high tides and flood conditions.

Two existing culverts under US 101, and one under Shorewood Road, are also in the plans for the preliminary design. The new culverts would allow for better fish passage at both ends of the new 1,600-foot-long bridge.

Officials said Duckabush Road would also be raised and realigned as it approaches the estuary bridge.

Plans for the new bridge include 12-foot-wide lanes, with shoulders 5 feet wide on both sides.

The Hood Canal Salmon Enhancement Group has been working with Fish and Wildlife to acquire land needed for the project, and has also done community outreach on estuary restoration efforts.

Harlow said property acquisition started in 2018 with the purchase of the old fire station building, and the enhancement group has coordinated the removal of the building from the land.

Earlier this year, the group acquired a parcel needed for the project near the highway's intersection with Duckabush Road.

"We are currently in the process of acquiring the last major parcel for the project, which will bridge the gap between WDFW-owned parcels in the estuary," Harlow added.

The preliminary design for the project was created by the Washington State Department of Transportation and the U.S. Army Corps of Engineers.

Design work on the project is expected to be finished by 2023.

Construction is estimated to take three to four years.

Preliminary plans predict some impacts to travelers during construction.

Officials said temporary signals will be installed and vehicles will be limited to one-way traffic.

Nighttime closures are also expected at Duckabush Road as the final tie-ins to the new bridge are finished.

INFORMATION ITEM

To: PRTPO Executive Board
From: Thera Black, PRTPO Coordinator
Date: October 8, 2021
Subject: **PRTPO Coordinator Report**

This update is for your information. Links to additional resources are provided where appropriate. Some information in this report may have value to others in your organization and is intended to be shared. My contact information is at the end if anyone has follow-up questions.

Since the Board's August 20 Meeting:

Other PRTPO Meetings

- Meeting on August 23rd between Executive Committee, WSDOT Public Transportation Division, WSDOT Tribal and Regional Integrated Planning office, and Lead Agencies to resolve federal HSTP funding issues. PRTPO assigned the grant to Kitsap Transit. At its October meeting the Board is asked to approve the administrative agreement between Kitsap Transit and PRTPO for completing the work.
- Technical Advisory Committee meeting on September 16th – TAC members provided input on the project list for legislative folio, recommended the RTIP for approval by the Board, discussed proposed EV work program activities, recommended that any agency or tribe indicate to PRTPO if it is interested in pursuing USBRS designation in the future, and discussed hybrid meeting options for 2022.
- Executive Committee meeting on September 30th - EC members reviewed draft legislative materials and authorized final drafts for EB approval, reviewed the status of agreement updates for Lead Planning Agency and Fiscal Agent services for Board approval in October, discussed details of the HSTP administration agreement with Kitsap Transit for Board approval in October, discussed schedule and logistics for 2022-23 officer elections, reviewed EV work program proposal and authorized early implementation activity for informational work session, reviewed draft UPWP Annual Report and draft Title VI Annual Report and approved for submittal, and approved October Executive Board agenda.

Other Staff Activities of Possible Interest to Members:

- **GIS Services Contract:** Ed and I continue to work with the GIS consultants on the data mapping portal for PRTPO and the Peninsula Region. Ed is collecting coordinates from member agency staff to populate the project map, which will support the Regional Transportation Improvement Program process. We also scoped the array of public engagement tools in the suite of GIS tools available to us. Several have good potential for use in the upcoming human services transportation planning process the Board will discuss in December.
- **Annual Reports:** We submitted two administrative annual reports in this time period. One is the SFY 2021 UPWP Annual Report, which summarizes the work accomplished in SFY 2021, the budget to do that work, and actual expenditures. All information is pulled from the quarterly invoices the Executive Board reviews and approves. The other is the 2021 Title VI Annual Report. This year's annual report comes on the heels of Board approval in August of the 2021 Title VI Plan. As with that plan, this annual report adheres to the template recommended by the WSDOT Title VI Coordinator. Both reports were reviewed for form by the Executive Committee prior to submitting. They

have been added to Version 2.2 of the 2021 PRTPO Resource Manual. Let me know if you have questions or comments about either.

Other Information of Interest:

- **TAP Obligation Targets:** All project phases awarded Transportation Alternatives Program funding by the Board and expected to proceed in 2021 met their obligation targets! It is a big effort to get federally funded projects through the obligation process. None of PRTPO's TAP funds were sanctioned by WSDOT in this process. Congratulations to all four project sponsors. PRTPO will conduct its next call for TAP projects in 2022.

- **Local Interest in US Bike Route Designation:** At its September meeting the TAC discussed local and tribal levels of interest in pursuing USBRS designation now. No TAC member indicated an interest in pursuing designation at this time for a variety of reasons, most having to do with time commitments. Several members indicated this may be of interest in the future though. The TAC recommended that any local agency express interest to PRTPO in the future if it decides to pursue a designation request. Until that time there is no need for further regional discussion.

- **WA State Broadband Office Infrastructure Acceleration Grants Available - *Pre-applications due October 18!!*** *NOFO attached.* On October 4th the Department of Commerce announced a call for projects to construct broadband infrastructure designed to deliver high speed service where it is currently not available. Awards are expected to range from $1 million to $25 million per project, with $266 million available to award. Eligible entities include local governments, tribes, nonprofit organizations, nonprofit cooperative organizations, and multiparty entities that include at least one public partner. Applicants need to pre-qualify. Pre-applications for this first round of funding are due October 18 . Qualified applicants will be notified by November 8 and will have until November 29 to complete the full application. The Notice of Funding Opportunity for this first round of funding is attached and provides very detailed information about what Commerce is looking for in a project proposal. *Note that Commerce will announce a second round of funding for this same program in April 2022.*

- **State Matching Funds Grant for Federal Broadband Funding Proposals:** In addition to the Infrastructure Acceleration Grant above, Commerce is accepting proposals for state matching funds for federal broadband grant applications. Commerce is awarding up to $5 million or 25% of the federal amount sought, whichever is less, to projects they deem strong candidates for federal funding. Guidance on the program webpage explains what makes a compelling proposal. Applications are due November 15th with announcements expected by December 1st.

- **WA State Recreation and Conservation Plan Update:** The Recreation and Conservation Office (RCO) is updating the statewide Recreation and Conservation Plan and intends to conduct some of its outreach through the PRTPO members. Funding from the RCO has been instrumental in building large segments of the Olympic Discovery Trail and several other important facilities around the region. The plan update will inform future investments in trails and access to other recreational opportunities vital to the region's economy and quality of life. We expect to receive a survey from the RCO in the next few weeks and will distribute it to the PRTPO Executive Board and TAC members to ensure interests of the Kitsap and Olympic Peninsulas are fully considered.

As always, please get in touch if you have questions or need help tracking down information. Thank you!!

For More Information:
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Washington State Broadband Office

Notice of Funding Opportunity

Infrastructure Acceleration Grants - Round One

October 4, 2021

Background

The Washington State Broadband Office (WSBO) will award approximately $266 million in broadband infrastructure grants in at least two funding rounds planned for October 2021 and April 2022. Each funding round will have approximately $131-135 million in funding available to award.

Fund Source

Funds to implement the American Rescue Plan Act (ARPA) were appropriated to the WSBO in the 2021-23 Washington State Capital Budget. The funding sources are the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) and the Coronavirus Capital Projects (CCP) Fund. Funding Round One will award funds from the CSLFRF. Funding Round Two will likely include funds from both CSLFRF and the CCP fund. Contracts for grants awarded from these fund sources will include related provisions to comply with federal rules, including Title 2, Subtitle A, Chapter II, Part 200 of the Code of Federal Regulations (CFR).

1. Funding Details:

- The WSBO maximum grant award is $25 million. Grant awards may range from $1 million to $25 million. Applicants may be offered a grant award that is less than the requested amount.

- The required minimum secured cash match is 10% of the total project cost, however this requirement may be waived in cases where the applicant can demonstrate financial need. Projects with secured match exceeding the 10% minimum will be given additional priority in the selection process. In kind is acceptable for match beyond the 10% required.

2. Eligible Applicants

- Entities eligible to apply for funds are units of local government (including public ports and public utility districts), federally recognized Tribes, nonprofit organizations, nonprofit cooperative organizations, and multiparty entities. A multiparty entity must include at least one public partner.
- An applicant that is a multiparty entity must provide the WSBO with a copy of the operating agreement between the parties as part of the application. The operating agreement must address the requirement for at least 25 years of site control and broadband service.

Local Coordination

Applicants must coordinate with the county or counties in which the project area is located. If the project area is on federally recognized Tribal lands, applicants must coordinate with the Tribe**.** A letter of support from the County and/or affected Tribe is required. **Counties and Tribes are strongly encouraged to act as lead applicants for regional projects on behalf of a consortium of eligible entities.**

If there is a Broadband Action Team (BAT) in the project area, a letter of support from the BAT is required. Applicants must seek public input from the affected communities on the project plans and the affordability of resulting broadband service. The BAT support letter may satisfy this public input requirement. Visit www.broadband.wa.gov for a list of BATs and contact information.

3. Eligible Projects – Minimum Requirements

Broadband infrastructure projects designed to deliver broadband service, as part of a contiguous network, that:

- At **minimum,** delivers transmission speeds of 100 megabits per second download and 100 megabits per second upload (**100/100**) unless impracticable due to geography, topography, or financial cost in which case speeds of 100/20 are acceptable if scalable to 100/100.
- Is deployed in unserved areas, defined as areas lacking access to reliable (wireline connection) service at speeds of at least 25/3.
    - The application must include evidence of consultation with incumbent service providers in the area and the incumbent's position on the project (support, neutral, opposed). Consultation will be considered completed if the applicant can demonstrate a good-faith effort to consult with the incumbent (at least two attempts) and the incumbent has not responded within 30 days of the inquiry.

Site Control

- The project site must be under the applicant's control for at least 25 years, either through ownership or a long-term lease.
- The infrastructure funded by the grant must be used to provide broadband connectivity for at least 25 years.

Internet Service Provider:

- Applications must demonstrate commitment by at least one internet service provider (ISP) to provide broadband service using the infrastructure funded. A signed contingency agreement from an ISP is required.

Pricing Structure

- The anticipated pricing structure for the broadband service must be included as part of the application. Affordable pricing is a priority, as is an income-based service plan for all customers.

4. Project Prioritization (in order of priority)

A. Project Readiness

Costs reimbursed by SBO grant funds must be incurred by December 31, 2024. Therefore, project readiness is of the highest priority. Examples of readiness include:

- Funds necessary to complete the project are secured.
- Required permits are obtained or will be within 6 months of award.
- Tribal or Bureau of Indian Affairs consultation has been initiated if required.
- Network design is complete and provided with the application.
- Engineering will be complete within 6 months of award.
- Materials and supplies necessary to construct the project are in hand or readily available.

B. Service to Underserved Areas

Percentage of households, anchor institutions, and businesses in the project area that currently lack access to service at reliable speeds of 100/20 as identified by WSBO mapping tools.

C. Regional Proposals

Projects that involve a consortium of partners representing a regional approach, with the County or a Tribe as the lead, will receive priority consideration.

D. Last Mile Connections

Projects consisting of at least 75% last mile connections will be prioritized. Last mile connection is defined as the delivery the final connection from a broadband service provider's network to the end-use customer's on-premises telecommunications equipment.

E. Affordability and Equity

- Affordable pricing tiers for customers in the proposed service area and the provision of at least one income based plan are considered as competitive criteria.

    - Low-cost plan options must be offered at speeds that are sufficient for a household with multiple users to simultaneously telework and participate in remote learning.
    - Participation in the Emergency Broadband Benefit or successor program is strongly encouraged.
- Projects incorporating digital equity into the project design and plan will receive additional priority. The SBO working definition of digital equity means the project incorporates factors supporting access, affordability, and supporting digital literacy skills.

F. Speeds and Technology
Service speeds of at least 150 mbps symmetrical are encouraged. The WSBO prioritizes projects deploying fiber infrastructure, but will allow other technologies to be funded if fiber is impracticable due to geography, topography, or financial cost. A description of the terrain or other factors prohibitive to fiber will be required in the application.

G. Cost per Pass
The WSBO will consider cost per pass by dividing the grant amount requested by the combined number of households, businesses, and anchor institutions served by the project. Projects with costs of less than $10,000 per pass will be prioritized.

H. Match
Projects committing 20% of the project cost or more in cash match will be prioritized. Match contributions by private partners are highly encouraged.

5. Restrictions:
- No more than **one application per lead entity** will be considered per funding round.
- Funds **may not** be used for projects where a provider currently provides, or has begun construction to provide, reliable wireline service to end users in the proposed project areas at speeds equal to or greater than 150/150 mbps by 2028.

  Please avoid requesting funds for projects in areas in which there are existing agreements to build reliable wireline service with minimum speeds of 100/20 by December 2024.

6. Network Access Policy
The SBO recognizes that ISPs incur costs for buildout and maintenance of broadband networks that can be significant in deeply rural areas. Therefore, the SBO is not strictly requiring networks built with SBO grant funds to be immediately open access in order to give providers the opportunity to recover some of the build out cost before opening the network to other providers.

ISPs partnering with SBO grantees may retain exclusive rights to the network constructed with grant funds upon contract execution for a maximum of three years after WSBO funded project construction is completed. After three years the network must be open access for the remainder of the useful life of the project constructed. Open access means access to broadband services and infrastructure on transparent terms that are offered at fair market price and do not discriminate among users of the network.

7. Application Process and Timeline
The grant application is a two part process. First, applicants will complete an abbreviated eligibility and readiness survey as a pre-application. The WSBO staff will review completed readiness surveys and invite eligible projects to complete the second, more detailed, part of the application.

Step	Application opens	Pre-Application – Eligibility and Readiness Survey due	WSBO review of Readiness Surveys and issuance of invitations to applicants eligible to complete full application	Full Application due	WSBO select projects
Date	Open 10/4/21	Due 10/18/21	Decisions and Invitations from WSBO by 11/8/21	Due 11/29/21	By or before 12/31/21

To apply, visit www.broadband.wa.gov.

8. Eligible and Ineligible Costs

The WSBO capital appropriation is available through June 30, 2023. The WSBO will request a re-appropriation for the 2023-2025 biennium from the state Legislature for any projects under contract in June 2023. The Treasury requires projects funded with the CSLFRF to incur costs by December 31, 2024 and allows the project performance period to extend to December 31, 2026.

Eligible	Ineligible
Pre-Construction Activities (up to 5% of grant award), including: • Design, architectural, and engineering work; • Building permits/fees; • Archaeological/historical review; • Tribal consultation. Costs of labor and materials for repair, rehabilitation, and construction; Demolition/site preparation; Information technology infrastructure and material; Construction management (from external sources only)*; Capitalized equipment;** Real property when purchased specifically for the project, and associated costs.*** The purchase of equipment, materials, and real property must be consistent with 2CFR Part 200. * Construction management and observation is on-site management and/or supervision of the work site and workers thereon. This is an eligible project cost. Construction management does not include work typically performed by offsite consultants or consultant organizations, grant writers, project managers, or employees of the grantee, unless the employee is hired solely and specifically to perform on-site construction management as defined above. ** Equipment is considered an eligible project cost as long as the average useful life of the item is 13 years or more. *** Costs directly associated with property acquisition include appraisal fees, title opinions, surveying fees, real estate fees, title transfer taxes, easements of record, and legal expenses.	**Our grants are intended to fund broadband infrastructure construction**. The following costs are not eligible for reimbursement and cannot be used to match state funds: Internal administrative activities; Project management (from any sources); Fundraising activities; Feasibility studies; Computers or office equipment; Rolling stock (such as vehicles); Lease payments for rental of equipment or facilities; Mortgages and property leases (including long-term); Moving of equipment, furniture, etc., between facilities; and Regular maintenance costs.

9. Pre-Contract Requirements

Grantees must complete pre-contract requirements before beginning construction and within 6 months of the grant award notification. Extensions may be approved, on a case-by-case basis, by the WSBO Director. Pre-contract requirements include completion of activities such as project engineering, securing required permits, and completing Tribal consultation and cultural resource review pursuant to Governor's Executive Order 21-02.

10. Reporting Requirements

Quarterly project reports are required after contract execution through the end of the project performance period (anticipated to be December 31, 2026). The WSBO reserves the option to modify reporting criteria in future. At a minimum, grant recipients will be required to report on:

- Location (geospatial location data)
- Speeds/pricing tiers to be offered, including the speed/pricing of its affordability offering
- Technology to be deployed
- Miles of fiber
- Cost per mile
- Cost per passing
- Number of households (broken out by households on Tribal lands and those not on Tribal lands) projected to have increased access to broadband meeting the minimum speed standards in areas that previously lacked access to service of at least 25 Mbps download and 3 Mbps upload
    - Number of households with access to minimum speed standard of reliable 100 Mbps symmetrical upload and download
    - Number of households with access to minimum speed standard of reliable 100 Mbps download and 20 Mbps upload
- Number of institutions and businesses (broken out by institutions on Tribal lands and those not on Tribal lands) projected to have increased access to broadband meeting the minimum speed standards in areas that previously lacked access to service of at least 25 Mbps download and 3 Mbps upload, in each of the following categories: business, small business, elementary school, secondary school, higher education institution, library, healthcare facility, and public safety organizations. Grant recipients must:
    - Specify the number of each type of institution with access to the minimum speed standard of reliable 100 Mbps symmetrical upload and download; and
    - Specify the number of each type of institution with access to the minimum speed standard of reliable 100 Mbps download and 20 Mbps upload.

11. Federal requirements (2 CFR Part 200)

Funds are subject to provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (2 CFR Part 200).

12. Contact Information

Tammy Mastro
Broadband Office Contracts Specialist
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Visit www.broadband.wa.gov to apply.