

Compliance Issues relating to the 2016-21 Transportation Improvement Program

Comprehensive Plan noncompliance Impacts:	Mandate(s)	Current Capital Project Potentially Impacted	Type of Money	Value
1 Risk abilities to receive grants or loans	RCW 43.17.250: A county or city that is fewer than twelve months out of compliance with the schedules in this section for development regulations that protect critical areas is making substantial progress towards compliance. Only those counties and cities in compliance with the schedules in this section may receive preference for grants or loans. RCW 43.155(2): Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations	Grants are 38-40% of the TIP Budget		~\$50M
2 Unable to apply for Public Works Trust Funds Loans (PWTF)	RCW 36.70A.040: may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required.	10th Avenue over WC.	State Leg PWAA Account (RCW 43.155)	\$7-9M
3 Unable to execute funding contracts for Transportation Improvement Board (TIB) Funds	WAC 479-14-121: Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act.	99/503 & Hwy 99 Ped/Bike walkway (awarded/vested) , 10th Avenue over WC, NE 179th Street Corridor, Highway 99 Corridor.	fuel tax	\$2.2M Vested \$6-8M Projected
Funding Risks: Comp Plan noncompliance not directly tied to TIP projects, but could impact them.				
4 Rural Arterial Preservation (RAP) and County Arterial Preservation Program (CAPP) Funds	There isn't a direct tie between GMA and the RAP program, but the Governor has the authority to suspend all direct gas tax distributions to a county, which would include the general distribution, CAPP, and the MVA for preservation. The Governor has used this authority in the past on out-of-compliance counties.		fuel tax, RATA	\$4-9M
5 Could risk abilities to receive Federal Funding (FedAid money)	As long as the County's projects are consistent with the Regional Transportation Plan and other federal requirements, the County would be qualified to seek funding thru RTC. RTC Approved County's comp plan for consistency for the Regional Transportation Plan .	Every large capital and ITS project: 119th Corridor, 10th Avenue, Highway 99 Corridor, ITS.	FedAid, does not include other MAP21 funds	\$26M
TIP Noncompliance (not Adopted before Budget)				
The adopted ACP provides budget authority for capital transportation projects. If the ACP/TIP is not adopted on an annual bases before the budget adoption, authority to spend money on Capital Road Projects is void.	RCWs: 36.81.121, 36.81.130, 36.70A WACs: 136.16.010, 136.14.050, 136.20.060	ALL Capital Transportation Projects		\$169M