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**CLARK COUNTY**  
WASHINGTON

## COMMUNITY PLANNING

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May 25, 2016

On May 24, 2016 the Planning Commission and Board of County Councilors held a joint public hearing on the 2016 Comprehensive Plan Update. Following testimony, the question arose regarding the transportation projects that may be in jeopardy if the County's is out of compliance with the Growth Management Act (GMA). The following table was provided by Clark County Public Works, detailing the impacts on the 2016-2021 Transportation Improvement Program (TIP) if the County's is out of compliance with GMA.

Please contact me with any questions,

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## Compliance Issues relating to the 2016-21 Transportation Improvement Program

Comprehensive Plan Non-compliance Impacts:	Mandate(s)	Current Capital Project Potentially Impacted	Type of Money	Value
Risk abilities to <b>receive grants or loans</b>	<p>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.</p> <p>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</p>	Grants are 38-40% of the TIP Budget		~\$50M
Unable to apply for <b>Public Works Trust Funds</b> 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
Unable to execute funding contracts for <b>Transportation Improvement Board (TIB) Funds</b>	WAC 479-14-121: Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act.	<b>99/503 &amp; Hwy 99 Ped/Bike walkway (awarded/vested)</b> , 10th Avenue over WC, NE 179th Street Corridor, Highway 99 Corridor	fuel tax	\$2.2M Vested \$6-8M Projected
<b>Funding Risks: Comp Plan noncompliance not directly tied to TIP projects, but could impact them.</b>				
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

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	\$26M
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**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 basis 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
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