

2 HB 3117 - S COMM AMD
3 By Committee on Transportation

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 47.06.040 and 1994 c 258 s 5 are each amended to read
8 as follows:

9 The department shall develop a state-wide multimodal transportation
10 plan under RCW 47.01.071(3) and in conformance with federal
11 requirements, to ensure the continued mobility of people and goods
12 within regions and across the state in a safe, cost-effective manner.
13 The state-wide multimodal transportation plan shall consist of:

14 (1) A state-owned facilities component, which shall guide state
15 investment for state highways including bicycle and pedestrian
16 facilities, and state ferries; and

17 (2) A state-interest component, which shall define the state
18 interest in aviation, marine ports and navigation, freight rail,
19 intercity passenger rail, bicycle transportation and pedestrian
20 walkways, and public transportation, and recommend actions in
21 coordination with appropriate public and private transportation
22 providers to ensure that the state interest in these transportation
23 modes is met.

24 The plans developed under each component must be consistent with
25 the state transportation policy plan and with each other, reflect
26 public involvement, be consistent with regional transportation
27 planning, high-capacity transportation planning, and local
28 comprehensive plans prepared under chapter 36.70A RCW, and include
29 analysis of intermodal connections and choices. A primary emphasis for
30 these plans shall be the relief of congestion, the preservation of
31 existing investments, the improvement of traveler safety, the efficient
32 movement of freight and goods, and the improvement and integration of
33 all transportation modes to create a seamless intermodal transportation
34 system for people and goods.

35 In the development of the state-wide multimodal transportation
36 plan, the department shall identify and document potential affected

1 environmental resources, including, but not limited to, wetlands, storm
2 water runoff, flooding, air quality, fish passage, and wildlife
3 habitat. The department shall conduct its environmental identification
4 and documentation in coordination with all relevant environmental
5 regulatory authorities, including, but not limited to, local
6 governments. The department shall give the relevant environmental
7 regulatory authorities an opportunity to review the department's
8 environmental plans. The relevant environmental regulatory authorities
9 shall provide comments on the department's environmental plans in a
10 timely manner. Environmental identification and documentation as
11 provided for in RCW 47.01.300 and this section is not intended to
12 create a private right of action or require an environmental impact
13 statement as provided in chapter 43.21C RCW.

14 **Sec. 2.** RCW 47.06.050 and 1993 c 446 s 5 are each amended to read
15 as follows:

16 The state-owned facilities component of the state-wide
17 transportation plan shall consist of:

18 (1) The state highway system plan, which identifies program and
19 financing needs and recommends specific and financially realistic
20 improvements to preserve the structural integrity of the state highway
21 system, ensure acceptable operating conditions, and provide for
22 enhanced access to scenic, recreational, and cultural resources. The
23 state highway system plan shall contain the following elements:

24 (a) A system preservation element, which shall establish structural
25 preservation objectives for the state highway system including bridges,
26 identify current and future structural deficiencies based upon analysis
27 of current conditions and projected future deterioration, and recommend
28 program funding levels and specific actions necessary to preserve the
29 structural integrity of the state highway system consistent with
30 adopted objectives. This element shall serve as the basis for the
31 preservation component of the six-year highway program and the two-year
32 biennial budget request to the legislature;

33 (b) A capacity and operational improvement element, which shall
34 establish operational objectives, including safety considerations, for
35 moving people and goods on the state highway system, identify current
36 and future capacity, operational, and safety deficiencies, and
37 recommend program funding levels and specific improvements and
38 strategies necessary to achieve the operational objectives. In

1 developing capacity and operational improvement plans the department
2 shall first assess strategies to enhance the operational efficiency of
3 the existing system before recommending system expansion. Congestion
4 relief must be a primary emphasis of the capacity and operational
5 improvement element. Strategies to enhance the operational
6 efficiencies include but are not limited to access management,
7 transportation system management, demand management, and high-occupancy
8 vehicle facilities. The capacity and operational improvement element
9 must conform to the state implementation plan for air quality and be
10 consistent with regional transportation plans adopted under chapter
11 47.80 RCW, and shall serve as the basis for the capacity and
12 operational improvement portions of the six-year highway program and
13 the two-year biennial budget request to the legislature;

14 (c) A scenic and recreational highways element, which shall
15 identify and recommend designation of scenic and recreational highways,
16 provide for enhanced access to scenic, recreational, and cultural
17 resources associated with designated routes, and recommend a variety of
18 management strategies to protect, preserve, and enhance these
19 resources. The department, affected counties, cities, and towns,
20 regional transportation planning organizations, and other state or
21 federal agencies shall jointly develop this element;

22 (d) A paths and trails element, which shall identify the needs of
23 nonmotorized transportation modes on the state transportation systems
24 and provide the basis for the investment of state transportation funds
25 in paths and trails, including funding provided under chapter 47.30
26 RCW.

27 (2) The state ferry system plan, which shall guide capital and
28 operating investments in the state ferry system. The plan shall
29 establish service objectives for state ferry routes, forecast travel
30 demand for the various markets served in the system, and develop
31 strategies for ferry system investment that consider regional and
32 state-wide vehicle and passenger needs, support local land use plans,
33 and assure that ferry services are fully integrated with other
34 transportation services. The plan shall assess the role of private
35 ferries operating under the authority of the utilities and
36 transportation commission and shall coordinate ferry system capital and
37 operational plans with these private operations. The ferry system plan
38 must be consistent with the regional transportation plans for areas

1 served by the state ferry system, and shall be developed in conjunction
2 with the ferry advisory committees.

3 **Sec. 3.** RCW 47.39.010 and 1967 ex.s. c 85 s 1 are each amended to
4 read as follows:

5 There is hereby created a scenic and recreational highway system.
6 Highways in this system shall be developed and maintained in accordance
7 with general standards for state highways of comparable classification
8 and usage.

9 Recognizing that the Intermodal Surface Transportation Efficiency
10 Act of 1991 establishes a national "scenic byway" program that could
11 benefit state and local roadways, a Washington state scenic byway
12 designation program is created. Byways in this program must be
13 designated and maintained in accordance with the criteria developed by
14 the department under this chapter. However, a highway so designated
15 under section 6 of this act does not become part of the scenic and
16 recreational highway system unless approved by the legislature.

17 **Sec. 4.** RCW 47.39.030 and 1984 c 7 s 207 are each amended to read
18 as follows:

19 (1) The department shall pay from motor vehicle funds appropriated
20 for construction of state highways, the following costs of developing
21 and constructing scenic and recreational highways: (a) Acquisition of
22 the right of way necessary for state highway purposes; (b) construction
23 of the portion of the highway designed primarily for motor vehicle
24 travel; (c) exit and entrance roadways providing access to scenic
25 observation points; (d) safety rest areas; (e) roadside landscaping
26 within the portion of the highway right of way acquired by the
27 department for state highway purposes; (f) the uniform signs and
28 markers designating the various features and facilities of the scenic
29 and recreational highways; and (g) any additional costs of constructing
30 and developing the scenic and recreational highways, including property
31 acquisition adjacent to highways as authorized by RCW 47.12.250, for
32 which the department shall receive reimbursement from the federal
33 government or any other source.

34 (2) The parks and recreation commission shall pay the costs of
35 developing and constructing the scenic and recreational highways not
36 provided for in subsection (1) of this section from any funds
37 appropriated for such purposes.

1 (3) The costs of maintaining the scenic and recreational highway
2 system shall be allocated between the department and the parks and
3 recreation commission in the same manner that costs of developing and
4 constructing such highways are allocated in subsections (1) and (2) of
5 this section.

6 (4) The city, town, county, regional transportation planning
7 organization, federal agency, federally recognized tribe, or any other
8 such party that nominates a roadway not located on a state-owned right
9 of way for designation as a scenic byway shall bear all costs relating
10 to the nomination and designation of the byway, such as costs for
11 developing, maintaining, planning, designing, and constructing the
12 scenic byway.

13 **Sec. 5.** RCW 47.39.060 and 1984 c 7 s 209 are each amended to read
14 as follows:

15 The department and the parks and recreation commission shall on any
16 maps, or in any relevant descriptive material they may prepare at state
17 expense, include reference to those portions of highways designated in
18 RCW 47.39.020 and may include those designated byways by appropriate
19 color or code designation.

20 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.39 RCW
21 to read as follows:

22 (1) The department, in consultation with the department of
23 community, trade, and economic development, the department of natural
24 resources, the parks and recreation commission, affected cities, towns,
25 and counties, federally recognized tribes, regional transportation
26 planning organizations, state-wide bicycling organizations, and other
27 interested parties, shall develop by December 31, 1998, criteria for
28 assessing scenic byways and local and regional byways and an
29 appropriate method of nomination and application for the designation
30 and removal of the designation of the byways. Factors the department
31 may take into consideration, but is not limited by, are: (a) Scenic
32 quality of the byway; (b) natural aspects, such as geological
33 formations, water bodies, vegetation, and wildlife; (c) historic
34 elements; (d) cultural features such as crafts, music, customs, or
35 traditions of a distinct group of people; (e) archaeological features;
36 (f) recreational activities; (g) roadway safety including
37 accommodations for bicycle and pedestrian travel, tour buses, and

1 automobiles; and (h) scenic byway and local and regional byway
2 management plans.

3 (2) Any person may nominate a roadway, path, or trail for inclusion
4 in the scenic byway program. The department shall assess nominations
5 in accordance with the criteria developed under subsection (1) of this
6 section. The department shall submit its recommendations for scenic
7 byway and local and regional byway designations to the commission for
8 its approval and official designation of the roadway, path, or trail as
9 a scenic byway or a local and regional byway. All decisions made by
10 the commission relating to scenic byway and local and regional byway
11 designations are final.

12 (3) Once the commission has designated a roadway as a scenic byway,
13 the department may submit an individual nomination to the Federal
14 Highway Administration for its consideration of whether the roadway
15 qualifies to be designated as a national scenic byway or an all-
16 American roadway.

17 NEW SECTION. **Sec. 7.** A new section is added to chapter 47.39 RCW
18 to read as follows:

19 The department shall develop a scenic byway management plan for a
20 state highway nominated to be part of the scenic byway program. Local,
21 regional, or other governmental bodies shall develop a scenic byway
22 management plan for nominated scenic byways that are under their
23 jurisdiction.

24 NEW SECTION. **Sec. 8.** A new section is added to chapter 47.39 RCW
25 to read as follows:

26 (1) The commission may remove the designation of a byway if the
27 byway no longer possesses the intrinsic qualities nor meets the
28 criteria that supported its designation.

29 (2) The department shall determine whether a roadway designated as
30 a national scenic or all-American roadway is being properly maintained
31 in accordance with the roadway's byway management plan, including
32 preserving the intrinsic qualities that originally supported the
33 designation. When the department determines that the intrinsic
34 qualities of a national scenic byway or all-American roadway have not
35 been maintained sufficiently to retain its designation, the department
36 shall notify the party responsible for maintaining the designation of
37 the finding and allow the party an opportunity, under federal

1 regulations, for corrective action before formal removal of the
2 designation of the roadway."

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6 On page 1, line 1 of the title, after "plan;" strike the remainder
7 of the title and insert "amending RCW 47.06.040, 47.06.050, 47.39.010,
8 47.39.030, and 47.39.060; and adding new sections to chapter 47.39
9 RCW."

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