

SSB 5975 - CONF REPT
By Conference Committee

HOUSE ADOPTED 03/10/2022; SENATE ADOPTED 03/10/2022

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) An additive omnibus transportation
4 budget of the state is hereby adopted and, subject to the provisions
5 set forth, the several amounts specified, or as much thereof as may
6 be necessary to accomplish the purposes designated, are hereby
7 appropriated from the several accounts and funds named to the
8 designated state agencies and offices for employee compensation and
9 other expenses, for capital projects, and for other specified
10 purposes, including the payment of any final judgments arising out of
11 such activities, for the period ending June 30, 2023.

12 (2) Except as otherwise provided in this act, it is the intent of
13 the legislature that the funding levels specified in LEAP
14 Transportation Document 2022-A as developed March 9, 2022, represents
15 a commitment to provide climate commitment act-related appropriations
16 to the agencies, programs, and activities at the amounts identified
17 therein through fiscal year 2038.

18 (3) Except as otherwise provided in this act, it is the intent of
19 the legislature that the funding levels specified in LEAP
20 Transportation Document 2022-B as developed March 9, 2022, represents
21 a commitment to provide move ahead WA-related appropriations to the
22 agencies, programs, and activities, at the amounts identified
23 therein, through fiscal year 2038.

24 (4) Unless the context clearly requires otherwise, the
25 definitions in this subsection apply throughout this act.

26 (a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending
27 June 30, 2022.

28 (b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending
29 June 30, 2023.

30 (c) "FTE" means full-time equivalent.

31 (d) "Lapse" or "revert" means the amount shall return to an
32 unappropriated status.

1 (e) "Provided solely" means the specified amount may be spent
2 only for the specified purpose. Unless otherwise specifically
3 authorized in this act, any portion of an amount provided solely for
4 a specified purpose that is not expended subject to the specified
5 conditions and limitations to fulfill the specified purpose shall
6 lapse.

7 (f) "Reappropriation" means appropriation and, unless the context
8 clearly provides otherwise, is subject to the relevant conditions and
9 limitations applicable to appropriations.

10 (g) "LEAP" means the legislative evaluation and accountability
11 program committee.

12 **2021-2023 FISCAL BIENNIUM**
13 **GENERAL GOVERNMENT AGENCIES—OPERATING**

14 **Sec. 101.** 2021 c 333 s 110 (uncodified) is amended to read as
15 follows:

16 **FOR THE HOUSE OF REPRESENTATIVES**

17 Motor Vehicle Account—State Appropriation. (~~(\$3,210,000)~~)
18 \$1,577,000

19 **Sec. 102.** 2021 c 333 s 111 (uncodified) is amended to read as
20 follows:

21 **FOR THE SENATE**

22 Motor Vehicle Account—State Appropriation. (~~(\$3,085,000)~~)
23 \$1,518,000

24 **Sec. 103.** 2021 c 333 s 103 (uncodified) is amended to read as
25 follows:

26 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

27 Motor Vehicle Account—State Appropriation. (~~(\$1,441,000)~~)
28 \$1,034,000

29 Puget Sound Ferry Operations Account—State
30 Appropriation. \$126,000

31 Multimodal Transportation Account—State
32 Appropriation. \$250,000

33 TOTAL APPROPRIATION. (~~(\$1,817,000)~~)
34 \$1,410,000

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 \$250,000 of the multimodal transportation account—state
4 appropriation is provided solely for the office of financial
5 management, in collaboration with the Washington department of
6 transportation and the office of the chief information officer, to
7 conduct an evaluation of short term and long term facility and
8 information technology needs. In conducting the evaluation, the
9 office of financial management may contract with an entity with
10 direct expertise in this area. The office of financial management
11 must submit a final report of their evaluation by October 1, 2022.
12 The evaluation must be coordinated with any legislatively directed
13 study regarding leased space. The evaluation must include, but is not
14 limited to:

15 (1) Development of a status quo scenario based on current policy
16 and projections and two alternative scenarios of the number of people
17 and percentage of staff in telework status on a permanent basis with
18 one alternative being the minimum feasible level of teleworking and
19 one alternative being the maximum feasible level of teleworking;

20 (2) Current and projected facility needs by location and function
21 for the scenarios in subsection (1) of this section;

22 (3) The specific number of employees and percentage of the
23 workforce expected to be teleworking by location and function and the
24 anticipated impact on facility space needs for the scenarios in
25 subsection (1) of this section;

26 (4) Analysis of opportunities to colocate with other state,
27 local, and other public agencies to reduce costs and improve cost-
28 efficiency;

29 (5) Detailed information on any increased costs, such as end-user
30 devices, software, technology infrastructure, and other types of
31 assistance needed to meet the teleworking levels in each of the
32 scenarios in subsection (1) of this section;

33 (6) Detailed information on any reduced costs, such as leases,
34 facility maintenance, and utilities, resulting from the projected
35 teleworking levels for the scenarios in subsection (1) of this
36 section; and

37 (7) Cost-benefit analysis detailing the net impact of teleworking
38 on facility and total costs for the scenarios in subsection (1) of
39 this section.

1 department of children, youth, and families to provide driver's
2 license support to a larger population of foster youth than is
3 currently being served. Support services include reimbursement of
4 driver's license issuance costs, fees for driver training education,
5 and motor vehicle liability insurance costs.

6 (2) \$569,000 of the move ahead WA flexible account—state
7 appropriation and \$103,000 of the agency financial transaction
8 account—state are provided for estimated implementation costs
9 associated with new revenues.

10 (3) \$141,000 of the move ahead WA flexible account—state
11 appropriation is provided solely for chapter . . . (Engrossed
12 Substitute Senate Bill No. 5815), Laws of 2022 (homeless identicard).

13 NEW SECTION. **Sec. 202. FOR THE TRANSPORTATION COMMISSION**

14 Within the parameters established by RCW 47.56.880, the
15 commission shall review toll revenue performance on the Interstate
16 405 and state route number 167 corridor and adjust Interstate 405
17 tolls as appropriate to increase toll revenue to provide sufficient
18 funds for payments of future debt pursuant to RCW 47.10.896 and to
19 support improvements to the corridor. The commission may consider
20 adjusting maximum toll rates, minimum toll rates, time-of-day rates,
21 restricting direct access ramps to transit and HOV vehicles only, or
22 any combination thereof, in setting tolls to increase toll revenue.

23 NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF COMMERCE**

24 Move Ahead WA Flexible Account—State Appropriation. \$10,000
25 Multimodal Transportation Account—Federal
26 Appropriation. \$350,000
27 TOTAL APPROPRIATION. \$360,000

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 (1)(a) \$10,000 of the move ahead WA flexible account—state
31 appropriation is provided solely for development of a process to
32 select projects to advance the research, development, or
33 manufacturing of sustainable aviation technologies. The purpose is to
34 support adoption of zero emissions aircraft and sustainable aviation
35 fuels, reduce harmful aviation-related emissions, and reduce the
36 aviation industry's reliance on fossil fuels. Sustainable aviation
37 projects may include, but are not limited to, the development of:

- 1 (i) Batteries;
- 2 (ii) Electric motors;
- 3 (iii) Sustainable fuels;
- 4 (iv) Hydrogen electrolyzers and storage; and
- 5 (v) Activities that support the supply chain of (a)(i) through
- 6 (iv) of this subsection.

7 (b) In developing the project selection process, the department
 8 may consult industry representatives, members of historically
 9 underrepresented and unserved communities, and federally recognized
 10 tribes, and may seek additional funds for this purpose. The
 11 department shall submit a report to the transportation committees of
 12 the legislature by December 1, 2022, identifying the selected
 13 sustainable aviation projects for funding by the legislature.

14 (2) \$350,000 of the multimodal transportation account—federal
 15 appropriation is provided solely for staff support for the
 16 interagency electric vehicle coordinating council created in
 17 chapter . . . (Engrossed Substitute Senate Bill No. 5974), Laws of
 18 2022, in order to help implement the national electric vehicle
 19 program funded in the federal infrastructure investment and jobs act
 20 (P.L. 117-58).

21 NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF TRANSPORTATION—**
 22 **AVIATION—PROGRAM F**

23	Aeronautics Account—State Appropriation.	\$1,000,000
24	Move Ahead WA Flexible Account—State Appropriation	\$10,000
25	TOTAL APPROPRIATION.	\$1,010,000

26 The appropriations in this section are subject to the following
 27 conditions and limitations:

28 (1) \$10,000 of the move ahead WA flexible account—state
 29 appropriation is provided solely for the creation of a sustainable
 30 aviation grant program for airports. The purpose of the grant program
 31 is to support adoption of zero emissions aircraft and sustainable
 32 aviation fuels, reduce harmful aviation-related emissions, and reduce
 33 the aviation industry's reliance on fossil fuels. Sustainable
 34 aviation projects may include, but are not limited to: (a)
 35 Sustainable aviation fuel storage; (b) electrification of ground
 36 support equipment; (c) electric aircraft charging infrastructure; (d)
 37 airport clean power production; or (e) electric vehicle charging
 38 stations whose infrastructure also supports ground support equipment

1 and electric aircraft charging. The department must select projects,
2 which may include planning, to propose to the legislature for
3 funding. The department shall submit a report to the transportation
4 committees of the legislature by December 1, 2022, identifying the
5 initial selection of sustainable aviation projects for funding by the
6 legislature and recommended changes to modify and sustain the
7 program.

8 (2) \$1,000,000 of the aeronautics account—state appropriation is
9 provided solely for move ahead WA aviation grants.

10 NEW SECTION. **Sec. 205. FOR THE DEPARTMENT OF TRANSPORTATION—**
11 **PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

12 Multimodal Transportation Account—Federal
13 Appropriation \$9,822,000

14 The appropriation in this section is subject to the following
15 conditions and limitations: \$9,822,000 of the multimodal
16 transportation account—federal appropriation is provided solely to
17 implement the national electric vehicle program, established in the
18 federal infrastructure investment and jobs act (P.L. 117-58), as
19 directed by the interagency electric vehicle coordinating council
20 created in chapter . . . (Engrossed Substitute Senate Bill No. 5974),
21 Laws of 2022. The amounts provided in this subsection include staff
22 support for the council. The funding provided in this subsection may
23 be used to support the publicly available mapping and forecasting
24 tool under RCW 47.01.520, but only to the extent not funded in the
25 omnibus appropriations act.

26 NEW SECTION. **Sec. 206. FOR THE DEPARTMENT OF TRANSPORTATION—**
27 **HIGHWAY MAINTENANCE—PROGRAM M**

28 Move Ahead WA Account—State Appropriation \$47,000,000

29 NEW SECTION. **Sec. 207. FOR THE DEPARTMENT OF TRANSPORTATION—**
30 **TRAFFIC OPERATIONS—PROGRAM Q**

31 Move Ahead WA Account—State Appropriation \$1,850,000

32 The appropriation in this section is subject to the following
33 conditions and limitations: \$1,850,000 of the move ahead WA—state
34 appropriation is provided solely for traffic operations enhancements.

1 It is the intent of the legislature, over the 16-year move ahead WA
2 investment program, to provide \$30,000,000 for this purpose.

3 NEW SECTION. **Sec. 208. FOR THE DEPARTMENT OF TRANSPORTATION—**
4 **TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

5 Move Ahead WA Flexible Account—State Appropriation \$2,000,000

6 The appropriation in this section is subject to the following
7 conditions and limitations: \$2,000,000 of the move ahead WA flexible
8 account—state appropriation is provided solely for efforts to
9 increase diversity in the transportation construction and maritime
10 workforce. Of this amount:

11 (1) \$500,000 of the move ahead WA flexible account—state
12 appropriation is provided solely for: (a) The preapprenticeship
13 support services (PASS) program, which aims to increase diversity in
14 the highway construction workforce and prepare individuals interested
15 in entering the highway construction workforce. In addition to the
16 services allowed by RCW 47.01.435, the PASS program may provide
17 housing assistance for youth aging out of the foster care and
18 juvenile rehabilitation systems in order to support the participation
19 of these youth in a transportation-related preapprenticeship program;
20 and (b) assisting minority and women-owned businesses to perform work
21 in the highway construction industry. This assistance shall include
22 technical assistance, business training, counseling, guidance, prime
23 to subcontractor relationship building, and a capacity building
24 mentorship program.

25 (2) \$1,500,000 of the move ahead WA flexible account—state
26 appropriation is provided solely for expansion of the PASS program to
27 support apprenticeships and workforce development in the maritime
28 industry through preapprenticeship training for inland waterways
29 trades and support services to obtain necessary documents and coast
30 guard certification.

31 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—**
32 **TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T**

33 Move Ahead WA Flexible Account—State Appropriation. . . . \$1,500,000
34 Move Ahead WA Flexible Account—Federal Appropriation. . . \$1,000,000
35 TOTAL APPROPRIATION. \$2,500,000

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) \$1,500,000 of the move ahead WA flexible account—state
4 appropriation and \$1,000,000 of the move ahead WA flexible account—
5 federal appropriation are provided solely for an Interstate 5
6 planning and environmental linkage study. This study will serve as a
7 next step toward a statewide Interstate 5 master plan, building upon
8 existing work underway in the corridor. It is the intent of the
9 legislature to direct \$40,000,000 to complete the planning and
10 environmental linkage study over the course of the 16-year move ahead
11 WA investment program.

12 (2) The study must meet planning and environmental linkages
13 requirements to assess strategies and actions to address preservation
14 and safety needs; climate change; improve corridor efficiency and
15 person-throughput; and operate managed lanes effectively in the long-
16 term. The study must include a robust public engagement program; and
17 must assess multimodal transportation system impacts as well as
18 economic, revenue and equity considerations. The outcome of this work
19 will provide a basis for preliminary project planning, design, and
20 environmental work.

21 (3) The department shall conduct initial stakeholder listening
22 sessions and submit an interim report on the Interstate 5 planning
23 and environmental linkage study to the joint transportation committee
24 by June 30, 2023. The interim report will set study limits; outline
25 milestones and deliverables for environmental analysis; define
26 committee structure and equitable engagement approaches; define
27 subsequent phases of the study; and determine final scope, budget,
28 and workforce needs.

29 (4) As an initial element of the study, the department must
30 identify and prepare recommendations for near-term actions to improve
31 HOV lane system-wide performance. The study should identify steps
32 required to convert HOV lanes to a different managed lane operating
33 concept such as express toll lanes, including detailed analysis and
34 environmental process. The recommendations must include the planning,
35 design, environmental review, equity considerations, community
36 engagement, traffic and revenue analysis, rate setting, and related
37 engineering considerations necessary for a full I-5 HOV system
38 conversion. The department shall submit an interim report on near-

1 term recommendations to the legislative transportation committees by
2 June 30, 2023.

3 (5) By December 1, 2022, the department must also submit a
4 recommended approach and funding request to:

5 (a) Assess the seismic risk of the I-5 causeway from Boeing field
6 to Lake City Way; and

7 (b) Recommendations for future work to mitigate seismic risk on
8 the causeway, including estimated costs.

9 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—**
10 **CHARGES FROM OTHER AGENCIES—PROGRAM U**

11 Move Ahead WA Flexible Account—State Appropriation . . . \$2,000,000

12 The appropriation in this section is subject to the following
13 conditions and limitations: \$2,000,000 of the move ahead WA flexible
14 account—state appropriation is provided solely for enhanced funding
15 to the office of minority and women's business enterprises to
16 increase the number of certified women and minority-owned contractors
17 in the transportation sector.

18 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—**
19 **PUBLIC TRANSPORTATION—PROGRAM V**

20 Climate Transit Programs Account—State Appropriation . . \$53,436,000

21 The appropriation in this section is subject to the following
22 conditions and limitations:

23 (1) \$14,120,000 of the climate transit programs account—state
24 appropriation is provided solely for newly selected special needs
25 grants. Of this amount:

26 (a) \$3,248,000 of the climate transit programs account—state
27 appropriation is provided solely for grants to nonprofit providers of
28 special needs transportation. Grants for nonprofit providers must be
29 based on need, including the availability of other providers of
30 service in the area, efforts to coordinate trips among providers and
31 riders, and the cost-effectiveness of trips provided.

32 (b) \$10,872,000 of the climate transit programs account—state
33 appropriation is provided solely for grants to transit agencies to
34 transport persons with special transportation needs. To receive a
35 grant, the transit agency must, to the greatest extent practicable,
36 have a maintenance of effort for special needs transportation that is

1 no less than the previous year's maintenance of effort for special
2 needs transportation. Grants for transit agencies must be prorated
3 based on the amount expended for demand response service and route
4 deviated service in calendar year 2019 as reported in the "Summary of
5 Public Transportation - 2019" published by the department of
6 transportation. No transit agency may receive more than 30 percent of
7 these distributions.

8 (2) \$33,606,000 of the climate transit programs account—state
9 appropriation is provided solely for transit support grants. To be
10 eligible for transit support grant distribution, transit agencies
11 must submit documentation of fare-free policy for 18 years and under
12 by October 1, 2022, to be eligible for the 2023-2025 biennium.
13 Transit agencies that submit fare policy documentation following the
14 October 1, 2022, deadline shall become eligible for the next biennial
15 distribution.

16 (3) \$4,710,000 of the climate transit programs account—state
17 appropriation is provided solely for newly selected green
18 transportation grants.

19 (4) \$1,000,000 of the climate transit programs account—state
20 appropriation is provided solely for newly selected transit
21 coordination grants. The department shall give priority to grant
22 proposals that promote the formation of joint partnerships between
23 transit agencies or merge service delivery across entities.

24 (5) It is the intent of the legislature that \$520,000 will be
25 provided for the Sauk-Suiattle Commuter Bus Project (L1000318) in the
26 2023-2025 fiscal biennium.

27 (6) The department shall submit the projects on LEAP
28 Transportation Document 2022 NL-3 as developed March 9, 2022, in
29 three tiers to the transportation committees of the legislature and
30 the office of financial management by December 1, 2022, prioritizing
31 projects based on community impacts to overburdened communities as
32 defined in RCW 70A.02.010.

33 **TRANSPORTATION AGENCIES—CAPITAL**

34 NEW SECTION. **Sec. 301. FOR THE TRANSPORTATION IMPROVEMENT BOARD**
35 Move Ahead WA Account—State Appropriation. \$10,000,000
36 Climate Active Transportation Account—State
37 Appropriation \$3,000,000

1 TOTAL APPROPRIATION. \$13,000,000

2 The appropriations in this section are subject to the following
3 conditions and limitations:

4 (1) The entire climate active transportation account—state
5 appropriation is provided solely for newly selected complete streets
6 grants.

7 (2) The entire move ahead WA account—state appropriation is
8 provided solely for additional preservation funding to cities.

9 NEW SECTION. **Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

10 Move Ahead WA Account—State Appropriation \$10,000,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The entire move ahead WA account—state
13 appropriation is provided solely for additional preservation funding
14 allocations to counties through the county arterial preservation
15 program.

16 NEW SECTION. **Sec. 303. FOR THE DEPARTMENT OF TRANSPORTATION—**
17 **IMPROVEMENTS—PROGRAM I**

18 Move Ahead WA Account—State Appropriation \$32,000,000

19 The appropriation in this section is subject to the following
20 conditions and limitations:

21 (1) Except as otherwise provided in this section, the entire move
22 ahead WA account—state appropriation is provided solely for the state
23 highway projects and activities as listed in LEAP Transportation
24 Document 2022 NL-1 as developed March 9, 2022.

25 (2) (a) It is the intent of the legislature, over the 16-year move
26 ahead WA investment program, to provide \$2,435,000,000 for fish
27 passage barrier removal with the intent of fully complying with the
28 federal *U.S. v. Washington* court injunction by 2030. Furthermore, it
29 is the intent of the legislature that appropriations for this purpose
30 may be used to jointly leverage state and local funds for match
31 requirements in applying for competitive federal aid grants provided
32 in the infrastructure investment and jobs act for removals of fish
33 passage barriers under the national culvert removal, replacement, and
34 restoration program. State funds used for the purpose described in
35 this subsection must not compromise fully complying with the court
36 injunction by 2030.

1 (b) The department shall coordinate with the Brian Abbott fish
2 passage barrier removal board and local governments to use a
3 watershed approach by replacing both state and local culverts guided
4 by the principle of providing the greatest fish habitat gain at the
5 earliest time. The department shall deliver high habitat value fish
6 passage barrier corrections that it has identified, guided by the
7 following factors: Opportunity to bundle projects, tribal priorities,
8 ability to leverage investments by others, presence of other
9 barriers, project readiness, culvert conditions, other transportation
10 projects in the area, and transportation impacts.

11 (3) (a) \$10,000,000 of the move ahead WA state—appropriation is
12 provided solely for the stormwater retrofits and improvements project
13 (L4000040). It is the intent of the legislature, over the 16-year
14 move ahead WA investment program, to provide \$500,000,000 for this
15 project.

16 (b) The department shall ensure that \$6,000,000 is provided to
17 the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot
18 (Seattle) project from the \$500,000,000 provided from stormwater
19 retrofits and improvements over the 16-year move ahead WA investment
20 program.

21 (c) The funding provided for stormwater retrofits and
22 improvements must enhance stormwater runoff treatment from existing
23 roads and infrastructure with an emphasis on green infrastructure
24 retrofits. Projects must be prioritized based on benefits to salmon
25 recovery and ecosystem health, reducing toxic pollution, addressing
26 health disparities, and cost-effectiveness. The department of
27 transportation must submit progress reports on its efforts to reduce
28 the toxicity of stormwater runoff from existing infrastructure,
29 recommendations for addressing barriers to innovative solutions, and
30 anticipated demand for funding each biennium.

31 (4) \$1,000,000 of the move ahead WA account—state appropriation
32 is provided solely for the SR 522 Widening project (L4000031). The
33 department must consider reserving portions of state route 522,
34 including designated lanes or ramps, for the exclusive or
35 preferential use of public transportation vehicles, privately owned
36 buses, motorcycles, private motor vehicles carrying not less than a
37 specified number of passengers, or private transportation provider
38 vehicles pursuant to RCW 47.52.025.

1 (5) \$3,000,000 of the move ahead WA—state appropriation is
2 provided solely for the US 2 Trestle Capacity Improvements &
3 Westbound Trestle Replacement project (L4000056). It is the intent of
4 the legislature, over the 16-year move ahead WA investment program,
5 to provide \$210,541,000 for planning, design, right-of-way
6 acquisition, interim improvements, and initial construction. It is
7 the further intent of the legislature that this project enhance
8 multimodal mobility options on the US 2 Trestle. The planning, design
9 and engineering work must consider options to enhance transit and
10 multimodal mobility, including bus rapid transit. The department must
11 report to the legislature with its preliminary analysis of these
12 options by June 30, 2023.

13 (6) It is the intent of the legislature, over the 16-year move
14 ahead WA investment program, to provide \$74,298,000 for the SR 3/
15 Gorst Area - Widening project (L4000017). Tribal consultation with
16 the Suquamish Tribe must begin at the earliest stage of planning,
17 including without limitation on all funding decisions and funding
18 programs, to provide a government-to-government mechanism for the
19 tribe to evaluate, identify, and expressly notify governmental
20 entities of any potential impacts to tribal cultural resources,
21 archaeological sites, sacred sites, fisheries, or other rights and
22 interests in tribal lands and lands within which the tribe possesses
23 rights reserved or protected by federal treaty, statute, or executive
24 order. The consultation is independent of, and in addition to, any
25 public participation process required by state law, or by a state
26 agency, including the requirements of Executive Order 21-02 related
27 to archaeological and cultural resources, and regardless of whether
28 the agency receives a request for consultation from the Suquamish
29 Tribe. Regularly scheduled tribal consultation meetings with the
30 Suquamish Tribe must continue throughout the duration of any funding
31 program and proposed project approval.

32 (7) \$10,000,000 of the move ahead WA account—state appropriation
33 is provided solely for the I-5 Columbia River Bridge (L4000054). The
34 legislature finds that the replacement of the I-5 Columbia River
35 Bridge is a project of national significance and is critical for the
36 movement of freight. One span is now 104 years old, at risk for
37 collapse in the event of a major earthquake, and no longer satisfies
38 the needs of commerce and travel. Replacing the aging Interstate
39 Bridge with a modern, seismically resilient, multimodal structure
40 that provides improved mobility for people, goods and services is a

1 high priority. Therefore, the legislature intends to support the
2 replacement of the I-5 Columbia River Bridge with an investment of
3 \$1,000,000,000 over the 16-year move ahead WA investment program.

4 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—**
5 **PRESERVATION—PROGRAM P**

6 Move Ahead WA Account—Federal
7 Appropriation \$140,000,000

8 The appropriation in this section is subject to the following
9 conditions and limitations: \$140,000,000 of the move ahead WA account
10 —federal appropriation is provided solely for highway preservation
11 (L4000057). The department must use funding provided in this
12 subsection, along with other funds at its discretion, for the
13 following preservation projects:

- 14 (1) I-5/SB Denny Way-Lakeview Viaduct;
- 15 (2) I-5/SB&NB Concrete and Joint Replacement;
- 16 (3) SR 529/NB Snohomish River - Bridge Rehabilitation and
17 Painting;
- 18 (4) I-5/SB Snohomish River Bridge Painting.

19 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—**
20 **TRAFFIC OPERATIONS—PROGRAM Q**

21 Move Ahead WA Account—State Appropriation \$1,250,000

22 The appropriation in this section is subject to the following
23 conditions and limitations:

- 24 (1) \$1,250,000 of the move ahead WA account—state appropriation
25 is provided solely for the department to establish a reducing rural
26 roadway departures program (L2021122) to provide funding for safety
27 improvements specific to preventing lane departures in areas where
28 the departure is likely to cause serious injuries or death pursuant
29 to section 433 of chapter . . . (Substitute Senate Bill No. 5974),
30 Laws of 2022 (transportation resources).
- 31 (2) It is the intent of the legislature, over the 16-year move
32 ahead WA investment program, to provide \$20,000,000 for this project.

33 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—**
34 **WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

35 Puget Sound Capital Construction Account—State

1 Appropriation \$10,000,000

2 The appropriation in this section is subject to the following
3 conditions and limitations: \$10,000,000 of the Puget Sound capital
4 construction account—state appropriation is provided solely for
5 vessel and terminal preservation projects.

6 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION—**
7 **RAIL—PROGRAM Y**

8 Move Ahead WA Flexible Account—State Appropriation . . . \$10,000,000

9 Carbon Emissions Reduction Account—State

10 Appropriation \$50,000,000

11 TOTAL APPROPRIATION. \$60,000,000

12 The appropriation in this section is subject to the following
13 conditions and limitations:

14 (1) The entire move ahead WA flexible account—state appropriation
15 in this section is provided solely for the rail projects and
16 activities as listed in LEAP Transportation Document 2022 NL-1 as
17 developed March 9, 2022.

18 (2) \$50,000,000 of the carbon emissions reduction account—state
19 appropriation is provided solely for state match contributions to
20 support the department's application for pending federal grant
21 opportunities for a new ultra high-speed ground transportation
22 corridor. These funds are to remain in unallotted status and are
23 available only upon award of federal funds. The department must
24 provide draft applications for federal grant opportunities to the
25 transportation committees of the legislature for review and comment
26 prior to submission.

27 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—**
28 **LOCAL PROGRAMS—PROGRAM Z**

29 Move Ahead WA Account—State Appropriation \$131,900,000

30 Move Ahead WA Flexible Account—State Appropriation. . . . \$5,000,000

31 Climate Active Transportation Account—State

32 Appropriation \$20,182,000

33 TOTAL APPROPRIATION. \$157,082,000

34 The appropriations in this section are subject to the following
35 conditions and limitations:

1 (1) The entire move ahead WA account—state appropriation is
2 provided solely for the local road projects and activities as listed
3 in LEAP Transportation Document 2022 NL-1 as developed March 9, 2022.

4 (2) The department shall submit the projects on LEAP
5 Transportation Document 2022 NL-2 as developed March 9, 2022, in
6 three tiers to the transportation committees of the legislature and
7 the office of financial management by December 1, 2022, prioritizing
8 projects based on community impacts to overburdened communities as
9 defined in RCW 70A.02.010.

10 (3) \$10,686,000 of the climate active transportation account—
11 state appropriation is provided solely for newly selected safe routes
12 to school grants.

13 (4) \$9,496,000 of the climate active transportation account—state
14 appropriation is provided solely for newly selected pedestrian and
15 bicycle grants.

16 (5) It is the intent of the legislature that up to \$14,000,000
17 will be provided for the Guemes Ferry Boat Replacement Project
18 (L4000124).

19 (6) \$5,000,000 of the move ahead WA flexible account—state
20 appropriation is provided solely for railroad crossing grant awards
21 which match federal funds for city and county projects which
22 eliminate at-grade highway-rail crossings.

23 (7) It is the intent of the legislature that \$25,000,000 will be
24 provided as part of the move ahead WA investment package in a future
25 biennium, as indicated on the list identified in subsection (1) of
26 this section, for the Ballard and Magnolia bridge project (L4000123).
27 As part of the project, the Seattle department of transportation
28 (SDOT) must consult with an independent engineering firm to verify
29 that the costs for the type, size, and location preliminary design
30 report (TS&L), environmental impact statement (EIS), and 60 percent
31 design work are within industry cost range standards in advance of
32 moving forward with construction. SDOT must ensure that funds are
33 maximized by limiting the percentage for TS&L, EIS, and 60 percent
34 design work to 10 percent of the total cost of the project. Of the
35 \$25,000,000, \$12,500,000 must remain in unallotted status, and may be
36 distributed to SDOT only upon determination by the office of
37 financial management that SDOT's cost estimates have been verified by
38 an independent engineering firm as within industry cost range

1 standards, and SDOT has secured the additional matching funding
2 needed to complete the TS&L, EIS, and 60 percent design work.

3 (8) (a) It is the intent of the legislature, over the first five
4 years of the move ahead WA program, that \$50,000,000 will be provided
5 to SDOT to implement Aurora Avenue North Safety Improvements
6 (L4000154). Under this program, SDOT will be required to implement
7 strategic transportation investments for the Aurora Ave N Corridor
8 from N 90th St to N 105th St that ensure slow vehicle speeds,
9 walkability, multimodal mobility, safe routes to local schools, and
10 safety for residents, which will demonstrate the benefits of similar
11 transportation investments for other locations along Aurora Avenue
12 and elsewhere. SDOT must convene a neighborhood oversight board
13 consisting of residents of communities of the Aurora Ave N Corridor
14 to prioritize investments and monitor project implementation. The
15 oversight board should be composed of an equitable representation of
16 local communities along the Aurora Ave N Corridor, including
17 residents with disabilities. SDOT will ensure that the oversight
18 board is consulted on a bimonthly basis during the prioritization
19 process.

20 (b) The legislature intends, upon completion of the State Route
21 99/Aurora Avenue North Planning Study, that projects recommended in
22 the study will be funded by this program. A specific focus must be on
23 access management to consolidate driveways and improve safety for
24 vulnerable users. This work must also include installation of full
25 curb and sidewalks to improve safety, mobility, transit ridership,
26 equity, and work towards the goals set forth in vision zero, target
27 zero, and the Washington state active transportation plan. SDOT must
28 ensure the design and implementation of an accessible sidewalk
29 network to support users with mobility limitations, convenient and
30 accessible transit stops, all-ages-and-abilities bicycle facilities,
31 and safe pedestrian-activated crosswalks that puts safety over speed,
32 balances the needs of different modes, reduces the level of traffic
33 stress experienced by pedestrians and cyclists, connects to existing
34 bicycle and transit networks, creates safe walking and bicycling
35 routes to local schools including crosswalks, improves human and
36 environmental health, and supports the surrounding neighborhoods.
37 SDOT must coordinate with the Washington state department of
38 transportation and King county metro in implementing the investments.
39 SDOT must ensure that funds are maximized by limiting the percentage

1 for planning, predesign, design, permitting, and environmental review
2 to 10 percent of the total cost of each project.

3 (c) The legislature intends that all Aurora Avenue North Safety
4 Improvement projects funded in this program be completed by December
5 31, 2029, and that no funds may be expended for this purpose after
6 this date.

7 **TRANSFERS AND DISTRIBUTIONS**

8 NEW SECTION. **Sec. 401. FOR THE STATE TREASURER—ADMINISTRATIVE**
9 **TRANSFERS**

10 (1) Carbon Emissions Reduction Account—State Appropriation:
11 For transfer to the Puget Sound Ferry
12 Operations Account—State. \$600,000

13 The amount transferred in this subsection represents an estimate
14 of fare replacement revenue to account for the implementation of 18
15 and under fare-free policies.

16 (2)(a) Multimodal Transportation Account—State Appropriation:
17 For transfer to the Carbon Emissions Reduction
18 Account—State. \$127,000,000

19 (b) It is the intent of the legislature that this transfer is
20 temporary, for the purpose of ensuring a positive account balance for
21 the remainder of the 2021-2023 fiscal biennium. An equivalent
22 reimbursing transfer is to occur in the 2023-2025 fiscal biennium.

23 (3) Motor Vehicle Account—State Appropriation: For
24 transfer to the Move Ahead WA Account—State. \$3,607,000

25 (4) Electric Vehicle Account—State Appropriation:
26 For transfer to the Move Ahead WA Flexible
27 Account—State. \$16,064,000

28 (5) Carbon Emissions Reduction Account—State
29 Appropriation: For transfer to the Climate
30 Active Transportation Account—State. \$23,182,000

31 (6) Carbon Emissions Reduction Account—State
32 Appropriation: For transfer to the Climate
33 Transit Programs Account—State. \$53,436,000

34 **MISCELLANEOUS**

1 **Sec. 501.** RCW 82.44.200 and 2021 c 300 s 5 are each amended to
2 read as follows:

3 The electric vehicle account is created in the transportation
4 infrastructure account. Proceeds from the principal and interest
5 payments made on loans from the account must be deposited into the
6 account. Expenditures from the account may be used only for the
7 purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and
8 the support of other transportation electrification and alternative
9 fuel related purposes, including RCW 47.01.520. Moneys in the account
10 may be spent only after appropriation. During the 2021-2023 fiscal
11 biennium, the legislature may direct the state treasurer to make
12 transfers of moneys in the electric vehicle account to the move ahead
13 WA flexible account.

14 NEW SECTION. **Sec. 502.** If any provision of this act or its
15 application to any person or circumstance is held invalid, the
16 remainder of the act or the application of the provision to other
17 persons or circumstances is not affected.

18 NEW SECTION. **Sec. 503.** This act is necessary for the immediate
19 preservation of the public peace, health, or safety, or support of
20 the state government and its existing public institutions, and takes
21 effect immediately."

SSB 5975 - CONF REPT
By Conference Committee

HOUSE ADOPTED 03/10/2022; SENATE ADOPTED 03/10/2022

22 On page 1, line 2 of the title, after "appropriations;" strike
23 the remainder of the title and insert "amending RCW 82.44.200;
24 amending 2021 c 333 ss 110, 111, and 103 (uncodified); creating new
25 sections; making appropriations; and declaring an emergency."

(End of Bill)

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