The Washington Division and WSDOT continue to provide substantial resources and effort to improve WSDOT’s DBE Program. An interagency Conciliation Agreement (March 2014), as well as more recent issues noted by representatives of the DBE community, have provided focus to WSDOT in implementing its DBE Program in good faith and complying with the Agreement. The Alaskan Division continues to engage WSDOT in numerous meetings and improvement efforts, and is conducting a “prompt payment assessment” to better understand and WSDOT’s process and how it complies with DBE program requirements (see below).

The Division’s emphasis, coupled with WSDOT’s commitment to its DBE program agency-wide, has resulted in several positive changes. WSDOT has improved its AWDB DBE goal attainment; revised its contract DBE goal-setting methodology; developed stronger DBE contract specifications and special provisions; engaged the DBE community in decisions and activities related to contract opportunities; and has made DBE program responsibility an element of many employees’ performance evaluation.

**NOISE ANALYSIS FOR TRANSIT PROJECTS IN THE INTERSTATE RIGHT-OF-WAY**

As transportation moves toward “multimodal transportation corridors,” new questions arise. For example, the current expansion of the Sound Transit (ST) Link Light Rail system proposes several projects with light rail construction within Interstate right-of-way (ROW). Rail/transit projects require modifying highway interchange and other highway project work.

FHWA and the Federal Transit Administration (FTA) evaluated their separate and differing requirements for noise analysis and needed clarification. The US DOT Chief Counsel’s office provided resolution to the issue. FHWA HQ added question A10 to the Noise Policy FAQ document (http://www.fhwa.dot.gov/environment/noise). The revision to the FAQ answers the question “What level of noise analysis is needed for a transit-only project requiring limited FHWA participation?”

The answer: When a project meets three criteria, it should follow FTA’s Transit Noise and Vibration Impact Assessment Manual procedures to consider noise associated with transit projects and any highway elements directly affected by the transit projects:

- where FTA is the NEPA lead agency and FHWA has limited participation as a cooperating agency,
- where the main transportation purpose of the project, as stated in the purpose and need statement of the NEPA document, is transit-related and not highway-related, and
- where no Federal-aid highway funds are being used to fund the project.

In this case, a proposed transit project that would share an existing highway ROW is not subject to FHWA’s noise regulation in 23 CFR 772, and should follow FTA’s Transit Noise and Vibration Impact Assessment Guidance Manual.

The focus and resolution of this issue created yet another national precedent, courtesy of Washington state.

For more information contact:
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**ENDEARING SPECIES ACT (ESA) PROGRAMMATIC CONSULTATION — SUCCESES!**

FHWA and WSDOT partnered on a new statewide ESA programmatic consultation (implemented August 2015) with the US Fish and Wildlife Service (USFWS), replacing separate programmatic consultations for eastern and western Washington. FHWA provided $72,000 in Every Day Counts grant funding for a transit-only project requiring limited FHWA participation.

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**TIMELINESS OF ER DAMAGE INSPECTION REPORTS**

This chart shows the timeliness of FHWA Washington Division approval for emergency relief (ER) damage inspection reports. Our goal is to approve 90% of these reports within 10 days of receipt. ER reports that exceed 16 days are delayed typically due to external permits, need for additional information, and other factors.

**WASHINGTON “EVERY DAY COUNTS” (EDC) STIC INNOVATIONS FUNDED**

The Washington State Transportation Innovation Council (WASTIC), formed in 2014, has funded three innovative projects through FHWA’s Every Day Counts STIC grant program. “STICs” encourage innovation and cooperation among a wide range of partners at the state and local levels. WASTIC members include WSDOT, FHWA, local public agencies, tribal agencies, and the Local/Tribal Technical Assistance Program (LTAP/TTAP), but WASTIC is open to additional advisory and subject matter experts.

**ER — FHWA PROVIDES WASHINGTON WITH MUCH-NEEDED FUNDING** (cont’d from front page)

At around $13.0 million. Total Costs: $13.2 million, including $12 million in FHWA funds, with at least 8 of 23 sites approved. Funding goes toward damage assessments and restoring traffic to normal as the state continues its work in assessing its repair needs.

**Federal Fiscal Year 2016 Quarters 1 & 2 (Oct. 1, 2015 through March 31, 2016)**

**APPROVALS / ACTIONS**

**Environmental Approvals:**
- Approved City of SeaTac 28th/24th St. Overpass CE.
- Reviewed and approved National Environmental Policy Act (NEPA) reevaluation for SR 509 Expansion Project.
- Approved a NEPA reevaluation for I-405 Tukwila to Renton Improvement Project – Phase 2, I-5 to SR 169. NEPA Finding of No Significant Impact (FONSI) approved for Colman Dock Project.
- Prepared the FHWA Record of Decision Lynnwood Link Light Rail.
- Reviewed and approved the Interchange Justification Report for modifications to the NE 145th Interchange for Lynnwood Link Light Rail.
- Reviewed and approved 4(f) de minimis for the City of Bellington’s Woodstock & James intersection Project.
- Approved Snohomish County’s Howard Creek Bridge project CE.
- Reviewed and approved 4(f) de minimis for the City of Everett’s Grand Ave. Park Pedestrian Bridge project.

**Design Approvals:**
- Reviewed and approved Project Analysis and Project Development Approval for I-5 NB Added Lane at Seneca.
- Reviewed and approved design variance documentation and the Design Approval Package for I-405 / SR 167 Direct Connector.
- Reviewed and approved the Interchange Justification Report for I-405 / SR 167 Direct Connector.
- Reviewed and approved design documents; coordinated with WSDOT HQ for I-405 Renton to Bellevue (RTB) Express Toll Lanes.
- Reviewed and approved design documents; coordinated with WSDOT HQ for I-405 Bellevue to Lynnwood (BTC) Express Toll Lanes.
- Reviewed and commented design documentation on La Center Road interchange improvements.
- Reviewed and approved Project Development Approval for I-5 Fisher Creek – Fish Passage.

**ROW ADMINISTRATIVE SETTLEMENT**

**E-LEARNING COURSE GOES LIVE!**

WSDOT and FHWA Washington Division created an e-Learning class on how to prepare Right-of-Way (ROW) Administrative Settlement Documentation in response to a FHWA process review that recommended improved training. The course provides free training for practitioners and decision makers to improve the quality of administrative settlement documentation for federal-aid projects. The course is housed on the WSDOT Local Programs ROW Services Training & Education webpage — [http://www.wsdot.wa.gov/LocalPrograms/ROWServices/Training.htm](http://www.wsdot.wa.gov/LocalPrograms/ROWServices/Training.htm).

**TIMELINESS OF AUTHORIZATIONs / MODIFICATIONS**

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The table above reflects the number of FHWA Washington Division authorizations / modifications approved within certain timeframes since FY2010. Since FY 2013, our overall approval within a two-week turnaround has been 99%-100%, far exceeding our goal of 90%! (Note: The Federal Fiscal Year is October 1 through September 30.)

**INACTIVE PROJECT PERCENTAGES AND TOTAL NUMBER OF INACTIVE PROJECTS**

A total of 185 projects were inactive in the first and second quarters of 2016 (85 and 100), representing an inactive percentage of 0.8 and 2.4 respectively. FHWA’s quarterly target is under 2% inactivity on obligated federal funds. The quarterly inactive percentage is found by dividing all projects inactive (no expenditures processed) for 12 months or more by each state’s annual portions. Last quarter’s higher inactive percentage was due to delays on a $14 million TIGER V project related to billing disagreements between WSDOT and Sound Transit, which kept it on the inactive list. The project was able to process an invoice and was removed from the inactive report the following quarter.