

SKAGIT COUNCIL OF GOVERNMENTS TRANSPORTATION POLICY BOARD MEETING

March 15, 2023 – 9:00 a.m.

In Person: [Burlington City Council Chambers](#), 833 South Spruce Street, Burlington, WA 98233

Remote: [GoToMeeting](#)

Dial In: [1 \(877\) 309-2073](#)

Access Code: 425-739-941

AGENDA

1. Call to Order and Roll Call
2. Written Public Comments – *Mark Hamilton*
3. Consent Agenda
 - a. Approval of [February 15, 2023 Transportation Policy Board Meeting Minutes](#)
4. Action Items
 - a. [March Regional Transportation Improvement Program Amendments](#) – *Mark Hamilton*
 - b. [Appeal to Reprogram Project Phase in Regional Transportation Improvement Program](#) – *Mark Hamilton*
 - i. Burlington Project Phase – *Marv Pulst, City of Burlington*
 - c. [2023 Regional Project Selection Evaluation Process](#) – *Mark Hamilton*
 - d. [Professional Services Agreement Execution](#) – *Mark Hamilton*
5. Chair's Report
6. Executive Director's Report
7. Roundtable and Open Topic Discussion
8. Next Meeting: April 19, 2023, 9:00 a.m., *Burlington City Council Chambers and GoToMeeting*
9. Adjourned

Information Items:

[March 2, 2023 Technical Advisory Committee Meeting Minutes](#)

[Sedro-Woolley Letter of Support](#)

[Skagit Transit Letters of Support](#)

[Monthly Financial Update](#)

[Meeting Packet](#)

TRANSPORTATION POLICY BOARD OFFICERS

Chairman Tom Wooten..... Chair

Commissioner Ron Wesen Vice-Chair

TRANSPORTATION POLICY BOARD MEMBERSHIP AND VOTES

- Anacortes..... 1
- Burlington 1
- Mount Vernon 1
- Sedro-Woolley 1
- Skagit County 3
- WSDOT 1
- Ports 1
 - Port of Anacortes
 - Port of Skagit
- Towns..... 1
 - Concrete
 - Hamilton
 - La Conner
 - Lyman
- Tribes 1
 - Swinomish Indian Tribal Community
 - Samish Indian Nation

- NON-VOTING MEMBERS**
- Major Employer Representative
 - Skagit PUD
 - State Representatives
 - State Senators

QUORUM REQUIREMENT

A quorum consists of a simple majority (6) of the total votes (11), provided there is at least one Skagit County representative present.

Title VI Notice to the Public: The Skagit Council of Governments fully complies with Title VI of the federal Civil Rights Act of 1964 and related statutes, and does not discriminate on the basis of race, color or national origin. For more information, or to obtain a Title VI Complaint Form, visit SCOG’s website at <http://scog.net/about/nondiscrimination/>.

Aviso resumido del Título VI al público: El Consejo de gobiernos de Skagit cumple plenamente con el Título VI de la Ley federal de derechos civiles de 1964 y los estatutos relacionados, y no discrimina por motivos de raza, color u origen nacional. Para mayor información, o para obtener un Formulario de queja del Título VI, visite el sitio web del SCOG en <http://scog.net/about/nondiscrimination/>.

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SKAGIT COUNCIL OF GOVERNMENTS TRANSPORTATION POLICY BOARD MEETING MINUTES

February 15, 2023

Burlington City Council Chambers and GoToMeeting

MEMBERS PRESENT

Chairman Tom Wooten, Samish Indian Nation, Chair; Mayor Jill Boudreau, City of Mount Vernon; Commissioner Peter Browning, Skagit County (arrived 9:13 a.m.); Treasurer Jackie Brunson, Skagit County; Chris Damitio, Washington State Department of Transportation (WSDOT); Mayor Ramon Hayes, Town of La Conner; Commissioner Mahlon Hull, Port of Skagit; Commissioner Lisa Janicki, Skagit County; Mayor Julia Johnson, City of Sedro-Woolley; Mayor Matt Miller, City of Anacortes (arrived 9:03 a.m.); Mayor Marla Reed, Town of Concrete (arrived 9:15 a.m.); and Commissioner Jon Ronngren, Port of Anacortes.

STAFF PRESENT

Kevin Murphy, Executive Director; Debbie Carter, Executive Assistant and Clerk of the Board; Mark Hamilton, Senior Transportation Planner; and Grant Johnson, Associate Planner.

OTHERS PRESENT

Two members of the public attended the meeting.

AGENDA

1. Call to Order: Chairman Wooten called the meeting to order at 9:00 a.m.

Roll Call: Roll was taken with a quorum present.

2. Written Public Comments: Mr. Hamilton stated that a public comment period for the meeting was held from February 8-14, and that no comments were received during that timeframe.
3. Consent Agenda
 - a. Approval of January 18, 2023 Transportation Policy Board Meeting Minutes: Commissioner Janicki moved to approve the January 18, 2023 meeting minutes, and Mayor Boudreau seconded the motion. The motion carried unanimously.
4. Action Items
 - a. February Regional Transportation Improvement Program Amendment: Mr. Hamilton provided the staff presentation for this agenda item. He explained that SCOG received one request to amend the Regional Transportation Improvement Program (RTIP) for February. The request was received from Skagit County for the Fisher Creek Restoration at Cedardale and Starbird project. Funding for this project comes from the federal Promoting Resilient Operations for Transformative, Efficient and Cost-Saving Transportation (PROTECT) program.

Funding is 100% federal with no match requirement and total project cost is \$5,985,026. Right-of-way and construction phases are programmed for 2023. Mr. Hamilton concluded his staff presentation by stating that a project data sheet for the RTIP amendment is included in the meeting packet.

Mayor Boudreau moved to approve the February RTIP as presented, and Mayor Johnson seconded the motion. The motion carried unanimously.

- b. Resolution 2023-01 to Set 2023 Regional Highway Safety Performance Targets: Mr. Hamilton provided the staff presentation for this agenda item. He explained this was a discussion item last month and now an action item for this month. Statewide and regional highway safety data is included in the material packet, along with an updated folio from WSDOT describing the process for establishing safety performance targets across Washington state, including statewide targets for 2023. Metropolitan planning organizations (MPO), such as SCOG, have been implementing a performance-based approach to transportation decision-making over the past few years that was introduced through the 2012 Moving Ahead for Progress in the 21st Century federal transportation law. There are two options for the Board to consider, and historically the Board has chosen the first option of agreeing to plan and program projects so that they contribute toward the accomplishment of WSDOT safety targets for the performance measures.

Board members asked Mr. Hamilton clarifying questions and discussed the process setting highway safety targets on an annual basis. Mr. Hamilton answered questions related to the two options before the Board and the process followed by WSDOT to set statewide targets every year.

Commissioner Janicki moved to approved Resolution 2023-01 to Set Regional Highway Safety Performance Targets as presented, continuing the regional practice of agreeing to plan and program projects to contribute toward the accomplishment of statewide highway safety targets. Commissioner Browning seconded the motion and it carried unanimously.

5. Chair's Report: Chairman Wooten discussed how the annual transportation meeting with WSDOT and said it went well. Chairman Wooten also made mention of the first Samish Indian Nation housing project (Xwch'ángteng) breaking ground in Anacortes and thanked Mayor Miller for attending.
6. Executive Director's Report: Mr. Murphy described actions being taken by the Washington state legislature and Governor's office, moving forward proposals on highway safety this legislative session.
7. Roundtable and Open Topic Discussion: Mayor Miller said the Tommy Thompson trestle should be open no later than March following repairs after a recent fire on the facility. Commissioner Janicki asked about two projects scheduled to be deprogrammed March 1 in the 2023 Obligation Authority Plan, which was included in the meeting materials. Mr. Hamilton updated the Board on the status of the two projects in question.
8. Next Meeting: The next meeting is March 15, 2023, at 9:00 a.m., in the Burlington City Council Chambers and GoToMeeting.
9. Adjourned: Chairman Wooten adjourned the meeting at 9:21 a.m.

Information Items: The Board was provided the February 2, 2023 Technical Advisory Committee Meeting



Minutes; Washington State Transportation Commission 2022 Annual Report; Swinomish Indian Tribal Community Letter of Support; 2023 Obligation Authority Plan; and Monthly Financial Update.

Approved,

Kevin Murphy, Executive Director
Skagit Council of Governments

Date: _____

Chairman Tom Wooten, Samish Indian Nation
Transportation Policy Board Chair
Skagit Council of Governments

Date: _____

DRAFT

ACTION ITEM 4.A. – MARCH REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENTS

Document History

MEETING	DATE	TYPE OF ITEM	STAFF CONTACT	PHONE
Technical Advisory Committee	03/02/2023	Review and Recommendation	Mark Hamilton	(360) 416-7876
Transportation Policy Board	03/15/2023	Action	Mark Hamilton	(360) 416-7876

RECOMMENDED ACTION

Skagit Council of Governments (SCOG) staff and Technical Advisory Committee recommend approval of the following Regional Transportation Improvement Program (RTIP) amendments:

- Mount Vernon
 - Riverside Drive Improvements - 1: this amendment adds this project to the RTIP. The \$150,000 right-of-way phase is programmed in 2023 and funded entirely with local funds. Funding for the construction phase has not yet been secured. This project was programmed in the 2022–2027 RTIP, prior to funds being obligated for the preliminary engineering phase.
 - Riverside Drive Improvements - 2: this amendment adds this project to the RTIP. The \$100,000 right-of-way phase is programmed in 2023 and funded entirely with local funds. Funding for the construction phase has not yet been secured. This project was programmed in the 2022–2027 RTIP, prior to funds being obligated for the preliminary engineering phase.
 - 30th Street Improvements - 1: this amendment adds this project to the RTIP. The \$30,000 right-of-way phase is programmed in 2023 and funded entirely with local funds. Funding for the construction phase has not yet been secured. This project was programmed in the 2022–2027 RTIP, prior to funds being obligated for the preliminary engineering phase.
- Sedro-Woolley
 - John Liner Road, Reed to Township Bicycle/Pedestrian Improvements: this amendment moves the construction phase of the project from 2023 to 2027. Sedro-Woolley staff concurred with making this change to help SCOG maintain fiscal constraint by year for years 2023–2026, which became an issue when the allocation received by SCOG in February 2023 was much lower for Surface Transportation Block Grant Program (STBG) funds than the 2022 allocation. SCOG and Sedro-Woolley staffs expect that this project will be reprogrammed next year and obligate funding in 2024.
- Skagit Council of Governments
 - SCOG Admin 2022-2025: this amendment revises 2023 funding for this project and moves two years of funding from 2024–2025 to 2027–2028. Regional funding for STBG was much

lower in 2023 than in 2022, which lowered the amount available for this project in 2023, consistent with RTIP programming procedures. The 2023 reduction is from \$319,595 to \$261,176, with the latter equaling 15% of the STBG allocation for the region this year. Total project cost has been revised to \$1,261,206 to reflect the reduced funding. Moving funding to years 2027–2028 will help maintain fiscal constraint by year, along with the amendment to the Sedro-Woolley project. SCOG staff expects that 2024–2025 funding will be reprogrammed next year, with 2024 STBG funding obligating next year as planned.

- Skagit County
 - Skagit River Marblemount Bridge¹: this amendment increases the total project cost from \$15,417,555 to \$18,592,865, increases the cost of the preliminary engineering phase from \$3,093,000 to \$3,718,573, increases the cost of the construction phase from \$12,324,555 to \$14,874,292, and provides 100% federal funding for the project. Washington State Department of Transportation’s (WSDOT) Local Programs Division notified Skagit County that this project is eligible for 100% federal funding through the Local Bridge program if phases obligate funding by September 2026.
- Washington State Department of Transportation
 - SR 9/Lake Creek Bridge – Replacement: this amendment revises funding levels for the project. Total project cost is elevated to \$10,837,590 from \$3,132,189. Costs for preliminary engineering, right-of-way and construction phases are all adjusted. This project is eligible for toll credits and therefore has greater than 86.5% federal fund participation.

FISCAL CONSTRAINT

The Regional Transportation Improvement Program is fiscally constrained in the 2023–2026 program years.

PUBLIC PARTICIPATION

A public comment period began on February 23 and ended on March 3. No comments were received.

¹ This amendment was processed as an administrative modification by SCOG in January. Due to differences in interpretation between what constitutes an [amendment vs. administrative modification](#) in Appendix C of Statewide Transportation Administration Improvement Program (STIP) documents, WSDOT and the Federal Highway Administration treated the project revisions as rising to the level of an amendment and not an administrative modification because the project cost increased over \$3 million, even though the change to the total programmed amount was less than 30%. As the amendment has already been approved and is included in the STIP, this action would result in an after-the-fact amendment to the RTIP to make it consistent with what has been programmed in the STIP. SCOG staff plans on clearly displaying differences between amendments and administrative modifications in regional programming documents to make the threshold determination clearer in the future to local, tribal and regional staffs.

Agency Mount Vernon

Project Title Riverside Drive Improvements - 1

Description Rehabilitate pavement, repair sidewalk, correct ADA deficiencies, improve sight distance, and underground overhead utilities.



Road Name Riverside Drive

Begin Termini Cedar Street

End Termini College Way

Total Project Length 0.56

Improvement Type Reconstruction, No Added Capacity

Functional Class Other Principal Arterial

Environmental Type Categorical Exclusion

Priority Number 2

Amendment Number

Amendment Date

Total Project Cost \$3,673,145

Regionally Significant **Right-of-Way Required**

STIP ID WA-13503

WSDOT PIN

Federal Aid Number 7323(006)

SCOG ID

Agency ID

Hearing Date 4/28/2021

Adoption Date 4/28/2021

Resolution Number 992

Phase Obligation Schedule

Phase	Phase Start	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total	Date Programmed
RW	2023		\$0		\$0	\$150,000	\$150,000	3/15/2023
Total			\$0		\$0	\$150,000	\$150,000	

Agency Mount Vernon

Project Title Riverside Drive Improvements - 2

Description Rehabilitate pavement, repair sidewalk, correct ADA deficiencies, improve sight distance, implement data traffic data collection capability and underground overhead utilities.

Road Name Riverside Drive

Begin Termini College Way

End Termini Skagit River Bridge

Total Project Length 0.56

Improvement Type Reconstruction, No Added Capacity

Functional Class Other Principal Arterial

Environmental Type Categorical Exclusion

Priority Number 2

Amendment Number

Amendment Date

Total Project Cost \$3,103,000



Regionally Significant **Right-of-Way Required**

STIP ID WA-13533

WSDOT PIN

Federal Aid Number 7323(007)

SCOG ID

Agency ID T-20-01

Hearing Date 4/28/2021

Adoption Date 4/28/2021

Resolution Number 992

Phase Obligation Schedule

Phase	Phase Start	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total	Date Programmed
RW	2023		\$0		\$0	\$100,000	\$100,000	3/15/2023
Total			\$0		\$0	\$100,000	\$100,000	

Agency Mount Vernon

Project Title 30th Street Improvements - 1

Description Rehabilitate pavement, add sidewalk, shared use path, drainage improvements, and fish passage culvert.



Road Name 30th Street

Begin Termini Paul Place

End Termini College Way

Total Project Length 0.27

Improvement Type Reconstruction, No Added Capacity

Functional Class Major Collector

Environmental Type Categorical Exclusion

Priority Number 3

Amendment Number

Amendment Date

Total Project Cost \$2,832,214

Regionally Significant **Right-of-Way Required**

STIP ID WA-13504

WSDOT PIN

Federal Aid Number 7339(001)

SCOG ID

Agency ID

Hearing Date 4/28/2021

Adoption Date 4/28/2021

Resolution Number 992

Phase Obligation Schedule

Phase	Phase Start	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total	Date Programmed
RW	2023		\$0		\$0	\$30,000	\$30,000	3/15/2023
Total			\$0		\$0	\$30,000	\$30,000	

Agency Sedro Woolley

Project Title John Liner Road, Reed to Township
Bicycle/Pedestrian Improvements

Description Construct paved, separated trail with physical buffer between pedestrians and roadway on the north side of John Liner Road from Reed to Township, including drainage and additional lighting.

Road Name John Liner Road

Begin Termini Reed Street

End Termini SR9/Township Street

Total Project Length 0.37

Improvement Type Facilities for Pedestrians and Bicycles

Functional Class Minor Arterial

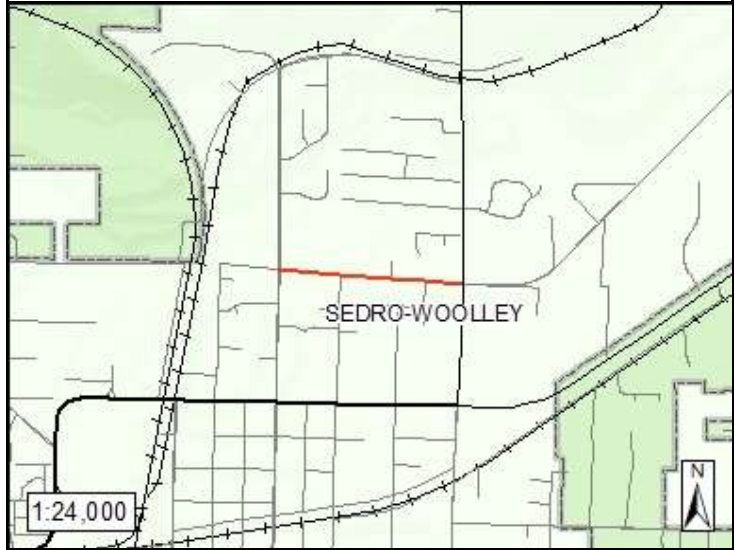
Environmental Type Categorical Exclusion

Priority Number 6

Amendment Number

Amendment Date

Total Project Cost \$579,000



Regionally Significant **Right-of-Way Required**

STIP ID SW08A

WSDOT PIN

Federal Aid Number

SCOG ID

Agency ID C1C

Hearing Date 7/14/2021

Adoption Date 7/28/2021

Resolution Number 1073-21

Phase Obligation Schedule

Phase	Phase Start	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total	Date Programmed
CN	2023	STBG(UM)	\$442,015		\$0	\$68,985	\$511,000	10/19/2022
Total			\$442,015		\$0	\$68,985	\$511,000	

Amendment would move construction phase from 2023 to 2027

Agency SCOG

Project Title SCOG Admin 2022-2025

Description SCOG Administration for FFY 2022-2025

Road Name N/A

Begin Termini N/A

End Termini N/A

Total Project Length 0.00

Improvement Type Planning

Functional Class No Functional Classification

Environmental Type Categorical Exclusion

Priority Number 1

Amendment Number

Amendment Date

Total Project Cost \$1,261,206



Regionally Significant **Right-of-Way Required**

STIP ID SCOG 22-25

WSDOT PIN

Federal Aid Number

SCOG ID

Agency ID

Hearing Date 9/21/2022

Adoption Date 9/21/2022

Resolution Number

Phase Obligation Schedule

Phase	Phase Start	Federal Fund Code	FederalFunds	State Fund Code	StateFunds	LocalFunds	Total	Date Programmed
PL	2023	STBG(UM)	\$261,176		\$0	\$40,762	\$301,938	3/15/2023
Total			\$261,176		\$0	\$40,762	\$301,938	

Agency Skagit Co.

Project Title Skagit River Marblemount Bridge

Description Rehabilitate the Marblemount Bridge. Includes but not limited to strengthening, minor repairs, cleaning, and painting.



Road Name Cascade River Road

Begin Termini .03

End Termini .16

Total Project Length 0.13

Improvement Type Systematic Preventative Maintenance

Functional Class Minor Collector

Environmental Type Categorical Exclusion

Priority Number 1

Amendment Number

Amendment Date

Total Project Cost \$18,592,865

Regionally Significant **Right-of-Way Required**

STIP ID WA-11800

WSDOT PIN

Federal Aid Number

SCOG ID

Agency ID

Hearing Date 9/6/2022

Adoption Date 9/19/2022

Resolution Number R20220180

Phase Obligation Schedule

Phase	Phase Start	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total	Date Programmed
PE	2023	BR	\$3,718,573		\$0	\$0	\$3,718,573	1/18/2023
CN	2025	BR	\$14,874,292		\$0	\$0	\$14,874,292	1/18/2023
Total			\$18,592,865		\$0	\$0	\$18,592,865	

Agency WSDOT - NW

Project Title SR 9/Lake Creek Bridge - Replacement

Description The SR 9 bridge over Lake Creek is structurally deficient. Construct a new bridge to replace the existing bridge to preserve the structural integrity of this section of highway. NOTE: The project funding is eligible for Toll Credits.

Road Name SR 9

Begin Termini SR 9 MP 42.76

End Termini SR 9 MP 42.97

Total Project Length 0.21

Improvement Type Bridge Replacement, No Added Capacity

Functional Class Major Collector

Environmental Type Categorical Exclusion

Priority Number 1

Amendment Number

Amendment Date

Total Project Cost \$10,837,590



Regionally Significant **Right-of-Way Required**

STIP ID WA-14656

WSDOT PIN 100942B

Federal Aid Number 0009(085)

SCOG ID

Agency ID

Hearing Date

Adoption Date

Resolution Number

Phase Obligation Schedule

Phase	Phase Start	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total	Date Programmed
PE	2023	STBG(S)	\$1,076,849	MVA	\$106,501	\$0	\$1,183,350	3/15/2023
RW	2024	STBG(S)	\$302,820	MVA	\$6,180	\$0	\$309,000	3/15/2023
CN	2025	STBG(S)	\$9,158,335	MVA	\$186,905	\$0	\$9,345,240	3/15/2023
Total			\$10,538,004		\$299,586	\$0	\$10,837,590	

Financial Feasibility Table

Funding Program	Carryover	2023			2024			2025			2026			4-Year Allocation	4-Year Programmed	4-Year Difference
		Estimated Allocation	Available	Pro-programmed	Estimated Allocation	Available	Pro-programmed	Estimated Allocation	Available	Pro-programmed	Estimated Allocation	Available	Pro-programmed			
Regionally Managed Federal Funds	\$1,155	\$1,979	\$3,135	\$1,356	\$1,979	\$3,758	\$1,453	\$1,979	\$4,285	\$2,044	\$1,979	\$4,220	\$2,085	\$9,073	\$6,938	\$2,135
STBG	\$1,111	\$1,741	\$2,852	\$1,195	\$1,741	\$3,398	\$1,412	\$1,741	\$3,728	\$1,822	\$1,741	\$3,647	\$2,085	\$8,076	\$6,514	\$1,562
TA	\$44	\$238	\$283	\$161	\$238	\$360	\$41	\$238	\$557	\$222	\$238	\$573	\$0	\$997	\$424	\$573

Other Federal Funds & State Funds	\$0	\$126,893	\$126,893	\$126,893	\$57,333	\$57,333	\$57,333	\$59,713	\$59,713	\$59,713	\$29,087	\$29,087	\$29,087	\$273,026	\$273,026	\$0
5307	\$0	\$5,494	\$5,494	\$5,494	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$15,994	\$15,994	\$0
5339	\$0	\$104	\$104	\$104	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$104	\$104	\$0
BR	\$0	\$5,677	\$5,677	\$5,677	\$1,490	\$1,490	\$1,490	\$14,874	\$14,874	\$14,874	\$4,612	\$4,612	\$4,612	\$26,654	\$26,654	\$0
DEMO	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,740	\$1,740	\$1,740	\$1,740	\$1,740	\$0
FBP	\$0	\$0	\$0	\$0	\$638	\$638	\$638	\$0	\$0	\$0	\$0	\$0	\$0	\$638	\$638	\$0
FTA Discretionary	\$0	\$2,500	\$2,500	\$2,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,500	\$2,500	\$0
HSIP	\$0	\$1,550	\$1,550	\$1,550	\$8,775	\$8,775	\$8,775	\$0	\$0	\$0	\$0	\$0	\$0	\$10,325	\$10,325	\$0
NHFP	\$0	\$2,415	\$2,415	\$2,415	\$1,754	\$1,754	\$1,754	\$389	\$389	\$389	\$4,506	\$4,506	\$4,506	\$9,064	\$9,064	\$0
NHPP	\$0	\$239	\$239	\$239	\$12,158	\$12,158	\$12,158	\$5,064	\$5,064	\$5,064	\$8,112	\$8,112	\$8,112	\$25,572	\$25,572	\$0
PROTECT	\$0	\$5,449	\$5,449	\$5,449	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,449	\$5,449	\$0
STBG(S)	\$0	\$2,005	\$2,005	\$2,005	\$6,412	\$6,412	\$6,412	\$18,240	\$18,240	\$18,240	\$108	\$108	\$108	\$26,764	\$26,764	\$0
TTP	\$0	\$49	\$49	\$49	\$0	\$0	\$0	\$0	\$0	\$0	\$1,155	\$1,155	\$1,155	\$1,204	\$1,204	\$0
CRAB	\$0	\$839	\$839	\$839	\$7,821	\$7,821	\$7,821	\$0	\$0	\$0	\$0	\$0	\$0	\$8,660	\$8,660	\$0
CSRF	\$0	\$78,708	\$78,708	\$78,708	\$12,724	\$12,724	\$12,724	\$16,809	\$16,809	\$16,809	\$4,667	\$4,667	\$4,667	\$112,908	\$112,908	\$0
CWA	\$0	\$201	\$201	\$201	\$121	\$121	\$121	\$160	\$160	\$160	\$50	\$50	\$50	\$531	\$531	\$0
MAW	\$0	\$14,000	\$14,000	\$14,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$14,000	\$14,000	\$0
MVA	\$0	\$4,580	\$4,580	\$4,580	\$1,941	\$1,941	\$1,941	\$678	\$678	\$678	\$242	\$242	\$242	\$7,440	\$7,440	\$0
Other	\$0	\$3,085	\$3,085	\$3,085	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,085	\$3,085	\$0
TIB	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$395	\$395	\$395	\$395	\$395	\$0

Matching Funds	\$0	\$18,809	\$18,809	\$18,809	\$5,282	\$5,282	\$5,282	\$4,277	\$4,277	\$4,277	\$4,964	\$4,964	\$4,964	\$33,332	\$33,332	\$0
Local	\$0	\$18,809	\$18,809	\$18,809	\$5,282	\$5,282	\$5,282	\$4,277	\$4,277	\$4,277	\$4,964	\$4,964	\$4,964	\$33,332	\$33,332	\$0

Total	\$1,155	\$147,682	\$148,837	\$147,058	\$64,595	\$66,374	\$64,068	\$65,969	\$68,275	\$66,034	\$36,030	\$38,271	\$36,136	\$315,431	\$313,296	\$2,135
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ACTION ITEM 4.B. – APPEAL TO REPROGRAM PROJECT PHASE IN REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

Document History

Meeting	Date	Type of Item	Staff Contact	Phone
Transportation Policy Board	03/15/2023	Action	Mark Hamilton	(360) 416-7876

RECOMMENDED ACTION

There is no recommendation on this action. The Transportation Policy Board may choose to approve/deny appeal for the following project phase:

- [City of Burlington](#)
 - SR20/Skagit Street Signalization Project, Construction Phase

FISCAL IMPACT

Skagit Council of Governments (SCOG) staff conducted a fiscal-constraint analysis on the proposed reprogramming of the Burlington project phase consistent with the [Obligation Authority Process](#) adopted by the Board. Results of the analysis are included in the following table.

Agency	Project	Phase	STIP ID	Federal Funding Source	Amount of Federal Reprogramming Request	Fiscal Constraint Maintained by Reprogramming
City of Burlington	SR20/Skagit Street Signalization Project	Construction	WA-03951	STBG-Urban Medium	\$1,513,750	Yes
Total					\$1,513,750	Yes

SCOG may program up to a total of **\$3,287,516** in federal Surface Transportation Block Grant (STBG) funding for 2023 and remain fiscally constrained for the year. Currently, SCOG has **\$1,195,338** programmed for 2023 in STBG project funding. Up to **\$2,092,178** in additional STBG funds may be programmed for projects this year (\$3,287,516 programming limit - \$1,195,338 already programmed = \$2,092,178 available to program)¹.

The additional \$2.1 million available to program is primarily due to a February deobligation from another Burlington project for \$1.7 million.

¹ Funding assumptions are contingent upon the Transportation Policy Board approving the March Regional Transportation Improvement Program Amendments, particularly projects that reduce the amount of STBG funds programmed from 2023–2026.

DISCUSSION

The 2023–2028 Regional Transportation Improvement Program (RTIP) includes an Obligation Authority Process adopted by the Transportation Policy Board. Included within the process is an opportunity to appeal project deprogramming, with appeals decided by the Board.

The SR20/Skagit Street Signalization Project construction phase was granted an extension by SCOG in 2022, following receipt of Burlington’s extension request, consistent with the Obligation Authority Process. Obligation of the phase did not occur by the end of calendar year 2022. Lack of obligation for this phase led to it being deprogrammed when last year’s RTIP expired. Therefore, this phase is no longer programmed in the RTIP.

If the Transportation Policy Board decides to reprogram the project phase, reprogramming would place the phase in 2023, giving Burlington until the end of this calendar year to get the phase through the federal authorization process (i.e. federal funding is obligated for the construction phase).

NEXT STEPS

If the Transportation Policy Board approves any appeal to reprogram a project phase in the 2023–2028 Regional Transportation Improvement Program, SCOG must follow the RTIP amendment process for the project phase. An agency representative must submit the project phase to SCOG through the monthly RTIP amendment process, followed by a public comment period and Technical Advisory Committee recommendation, with any RTIP amendment considered in April by the Board, before submitting the project phase to the Statewide Transportation Improvement Program after approval.

ACTION ITEM 4.c. – 2023 REGIONAL PROJECT SELECTION EVALUATION PROCESS

Document History

Meeting	Date	Type of Item	Staff Contact	Phone
Technical Advisory Committee	12/01/2022	Discussion	Mark Hamilton	(360) 416-7876
Transportation Policy Board	01/18/2023	Discussion	Mark Hamilton	(360) 416-7876
Technical Advisory Committee	03/02/2023	Review and Recommendation	Mark Hamilton	(360) 416-7876
Transportation Policy Board	03/15/2023	Release for Public Comment	Mark Hamilton	(360) 416-7876

RECOMMENDED ACTION

Skagit Council of Governments (SCOG) staff and Technical Advisory Committee recommend releasing the proposed [Regional Project Selection Evaluation Process](#) for public review and comment.

DISCUSSION

One of the tasks in the Skagit Council of Governments unified planning work program for this state fiscal year is to conduct a regional selection of projects to receive federal funds from the Surface Transportation Block Grant Program (STBG), Transportation Alternatives (TA) set-aside and Carbon Reduction Program (CR). SCOG staff, Technical Advisory Committee and Non-Motorized Advisory Committee have discussed this task over the past several months as the process is being developed to select projects for funding. A selection of projects to receive funding under these programs is a decision made by the Transportation Policy Board, and is expected later this year.

SCOG staff estimates that **\$8.41 million** will be available through this call for projects, which includes estimates of funds available for the 2023 project selection derived using past allocations and obligations for the Skagit region. Future anticipated allocations through the Surface Transportation Block Grant Program (2028 & 2029), Transportation Alternatives (2024–2029) and Carbon Reduction Program (2024–2028) are estimated to be available. The Federal Highway Administration has fact sheets on their website which provide overviews of these federal funding programs:

- [Surface Transportation Block Grant Program](#);
- [Transportation Alternatives](#); and
- [Carbon Reduction Program](#).

After transportation projects are selected by the Transportation Policy Board, they will be programmed in the 2024–2029 Regional Transportation Improvement Program – anticipated for adoption in October 2023 by the Transportation Policy Board. All actions made relating to project evaluation, project selection and programming of projects are made by the Transportation Policy Board. There may be opportunities to program projects in the current Regional Transportation Improvement Program, though fiscal constraint by year needs to be maintained for each of the first four years, 2023–2026.

STBG, TA and CR funds are available to projects in the following categories:

- “Urban Medium Area” funding for areas with minimum 50,000 population but less than 200,000, which is three of the four cities (Burlington, Mount Vernon, Sedro-Woolley) and some surrounding unincorporated areas;
- “Urban Small Area” funds for areas with minimum 5,000 population but less than 50,000, which is Anacortes and some surrounding unincorporated areas;
- “Rural Area” funding for areas with fewer than 5,000 population, which is the four towns (Concrete, Hamilton, La Conner, Lyman) and most unincorporated areas; and
- “Any Area” funding that can be used in any of the urban or rural areas.

Prior to issuing a call for projects, SCOG must prepare and approve a regional project evaluation process. The evaluation process is prepared with advice from the Technical Advisory Committee and is approved by the Transportation Policy Board.

There must be a minimum of two public comment periods prior to project selection as described on Page 19 of SCOG’s [Public Participation Plan](#): (1) on the proposed regional project evaluation process; and (2) on the proposed project selection. In addition, projects go through separate local and tribal processes with the regional public participation process supplementing outreach done and input received at those other levels.

Project selection is a work activity included on pages 16–17 of the current [Unified Planning Work Program](#) for SCOG.

ADDITIONAL CONSIDERATIONS

Following are some considerations discussed about the project selection evaluation process by SCOG staff and advisory committees:

- **Cost Estimates**
Project application cost estimates was a point of disagreement among project sponsors and others during the 2021 project selection. SCOG staff presented on this subject in January 2023 to the Transportation Policy Board, and was directed to not require cost estimates prepared by a Professional Engineer with project applications. Subsequently, application materials have been revised from “Professional Engineer’s Estimate (if applicable)”, which was what appeared on application materials in 2021, to “Cost Estimate” for 2023 project application materials. No instructions are included in application materials on cost estimating, and SCOG staff will not be evaluating the accuracy of any cost estimates submitted with project application materials. Other elements of project cost will be evaluated by SCOG staff as is done in each project selection, including funding sources, funding requests, matching funds and private funding. Project sponsors are free to submit cost estimates prepared by a Professional Engineer if they so choose, but it is not a SCOG requirement that cost estimates be prepared by a Professional Engineer as part of the 2023 project selection process.

Recommendation:

The Technical Advisory Committee did not have a recommendation on this subject.

- **Non-Roadway Funding Set-aside**

The Transportation Policy Board has historically set aside 10% of STBG funding for non-roadway projects, though this percentage was revised to 5% in 2021. SCOG staff expects that this practice will be revisited this year, with the Board determining whether or not to continue this practice. This 5% is not a federal nor state requirement, but has been a regional decision in past project selections using STBG funds. Examples of eligible non-roadway projects in the 2023 selection included: transit capital projects; ferry boats and terminals; and safe routes to school programs.

With the new Carbon Reduction Program also funding similar projects at approximately \$300,000 per year for the region, the Transportation Policy Board may consider whether or not they desire to continue setting aside funds in this manner for non-roadway projects.

Recommendation:

The Technical Advisory Committee recommends continuing the practice of setting aside a minimum 5% of STBG funding to non-roadway projects.

- **Criteria and Weights**

There are seven categories of criteria and weights from the 2021 project selection process. SCOG staff and advisory committees have been discussing the seven categories and the continuation of criteria and weights, or potential revision for 2023.

Recommendation:

The Technical Advisory Committee recommends providing maximum points for each project as follows, which do not differ from the 2021 project selection process:

- Safety: 25 points
- Economic Vitality: 15 points
- Mobility: 15 points
- Preservation & Maintenance: 15 points
- Regional Nature: 10 points
- Project Funding & Readiness: 10 points
- Technical Advisory Committee Priority: 10 points

Total: 100 points

- **Bonus Points**

There are bonus points available under Regional Transportation Improvement Program obligation authority procedures, with one jurisdiction eligible for additional project selection points based on 2021 & 2022 project delivery – assisting SCOG meet our regional obligation authority target by volunteering to move a project forward early, and delivering by obligating federal funding. During the 2021 project selection process, Anacortes, Mount Vernon and Samish Indian Nation were eligible and were awarded bonus points. Mount Vernon is the only eligible organization to receive bonus points for the 2023 project selection process.

Recommendation:

The Technical Advisory Committee recommends continuing with the practice that was utilized in the 2021 project selection, awarding 5 bonus points to any project sponsor utilizing gap strategy #1 or 2 and delivering on obligating federal funds before the Regional Transportation Improvement Program obligation authority deadline.

- **Contingency List**

The contingency list created during the 2021 project selection was heavily relied upon to help meet the obligation authority target in 2022. Though no substantive changes are proposed for 2023, emphasis is placed by SCOG staff on submitting more projects for the contingency list at varying funding levels. For example, seven of eight projects on the contingency list moved forward and obligated funds in 2022. This left only one project available to advance from the contingency list in 2023 – limiting the potential effectiveness of the list this year. Additionally, 2021 funding requests for the contingency list range from \$42,000–\$411,000; including a variety of projects with higher dollar values may benefit the region in the future depending upon the size of the obligation authority gap, which is unknown until after each calendar year begins.

Though no changes are proposed for how the contingency list is created, SCOG staff encourages project sponsors to submit more projects for the contingency list with higher funding requests, to assist with filling large obligation authority gaps if necessary.

Recommendation:

The Technical Advisory Committee recommends creating a new contingency list in 2023, following the same process that was used during the 2021 project selection.

- **Combined Project Selection Process**

A reason for combining project selection for the Surface Transportation Block Grant Program, Transportation Alternatives set-aside and Carbon Reduction Program is administrative efficiency: undertaking one project selection for all funds SCOG has regional authority over instead of separate project selections based on funding type. As the Carbon Reduction Program is new as of late 2021, this would be the first time SCOG selects for these federal funds and includes it in the combined selection process. SCOG combined the selection of projects for STBG and TA funds for the first time in 2021; prior to that year, projects were selected through separate selection processes for each federal funding source.

Recommendation:

The Technical Advisory Committee recommends combining selection for the three federal funding sources into one process in 2023.

- **Parallel Prioritization Process for Transportation Alternatives Set-Aside Projects**

The federal Infrastructure Investment and Jobs Act, enacted in November 2021, imposed new requirements on projects selected to receive Transportation Alternatives set-aside funds. Statewide guidance from the Washington State Department of Transportation suggests that SCOG utilize the Washington State Department of Health’s Washington Tracking Network program to assist with prioritizing projects for TA funds. There is not guidance about how the prioritization should occur, only the tool to utilize.

Recommendation:

The Technical Advisory Committee recommends using the seven Socioeconomic Factors from the [Washington Tracking Network](#) webmap for projects that are eligible for TA funds. Score projects from 7 (lowest) to 70 (highest) based on their location, and maintain results separately from project application scores (i.e. approved criteria and weights).

- **Source of Federal Funds**

Assuming that SCOG continues with a combined project selection process, there are three federal funding sources for which projects may be eligible. In past project selection processes, SCOG has not included the federal funding sources on application forms for applicants to indicate eligibility for their projects.

Recommendation:

The Technical Advisory Committee recommends including an area on application forms where applicants are provided the option of identifying which federal funding source the project is eligible for: Surface Transportation Block Grant Program; Transportation Alternatives set-aside; and/or Carbon Reduction Program funding.

OTHER RESOURCES

SCOG staff prepared an [overview document](#) that describes regional project selection and programming processes. Frequently asked questions are included at the end of the document.

REGIONAL CALL FOR PROJECTS

SURFACE TRANSPORTATION BLOCK GRANT PROGRAM

TRANSPORTATION ALTERNATIVES SET-ASIDE

CARBON REDUCTION PROGRAM

The Skagit Council of Governments (SCOG) Transportation Policy Board will select projects for funding in the Skagit region at their meeting in July 2023. The funding decision will select projects for Surface Transportation Block Grant Program (STBG), an STBG set-aside called Transportation Alternatives Set-Aside (TA) and Carbon Reduction Program (CR) federal funds. For this project selection, each project will be evaluated based on approved criteria and weights.

The Skagit Council of Governments, as the metropolitan planning organization (MPO) for Skagit County, has been given the authority by Washington state to select projects for funding using these sources of federal funds. The Washington State Department of Transportation (WSDOT) has a summary of these funding sources on their website, along with the funding formula used statewide to allocate funds and the role of MPOs in the process. Following are links to each WSDOT webpage for these funding programs:

- [Surface Transportation Block Grant Program](#)
- [Transportation Alternatives Set-Aside](#)
- [Carbon Reduction Program](#) (Federal Highway Administration link; WSDOT webpage pending)

SCOG last selected projects for federal funding in 2021. At that time, the Transportation Policy Board selected projects for \$3.2 million in funding through STBG and TA, with additional projects totaling \$1.5 million selected for the contingency list. There was no selection for CR, as the program was not created until late 2021.

FUNDING AVAILABILITY

Funding levels to the Skagit region change year to year as federal allocations change, projects obligate or deobligate funds, and projects are deprogrammed. Future funding available is estimated with every project selection process at SCOG, with project-selection decisions based on these estimates. Selection decisions are contingent upon federal authorizations and appropriations.

Estimates of funds available for the 2023 project selection are derived using past allocations and obligations for the Skagit region. Future anticipated allocations through the Surface Transportation Block Grant Program (2028–2029), Transportation Alternatives Set-Aside (2024–2029) and Carbon Reduction Program (2024–2028) are estimated to be available through the Call for Projects. Programming projects after selection is expected to align with the ranges of years for each program identified in this paragraph, though may be adjusted to other years in SCOG’s Regional Transportation Improvement Program if practicable.

SURFACE TRANSPORTATION BLOCK GRANT PROGRAM

For Surface Transportation Block Grant Program funding, a total of \$5.50 million should be selected for projects. A minimum of \$2,090,000 should be selected in the Urban Medium Area, a minimum of \$570,000 should be selected in the Urban Small Area, and a minimum of \$640,000 should be selected in the Rural

Area. \$2,200,000 may be selected in any area (urban areas or Rural Area). Thresholds for all urban and rural areas are estimated based on anticipated funding that must be used in these geographies, per federal requirements.

Estimated Surface Transportation Block Grant Program funding available through the Call for Projects is included in the following table.

Urban Medium Area (minimum)	Urban Small Area (minimum)	Rural Area (minimum)	Any Area (Urban Areas or Rural Area)	Total Available
\$2,090,000	\$570,000	\$640,000	\$2,200,000	\$5,500,000

TRANSPORTATION ALTERNATIVES SET-ASIDE

For Transportation Alternatives Set-Aside funding, a total of \$1.42 million should be selected for projects. A minimum of \$300,000 should be selected in the Urban Medium Area, a minimum of \$0 should be selected in the Urban Small Area, and a minimum of \$440,000 should be selected in the Rural Area. \$680,000 may be selected in any area (urban areas or Rural Area). Thresholds for all urban and rural areas are estimated based on anticipated funding that must be used in these geographies, per federal requirements.

Estimated Transportation Alternatives Set-Aside funding available through the Call for Projects is included in the following table.

Urban Medium Area (minimum)	Urban Small Area (minimum)	Rural Area (minimum)	Any Area (Urban Areas or Rural Area)	Total Available
\$300,000	\$0	\$440,000	\$680,000	\$1,420,000

CARBON REDUCTION PROGRAM

For Carbon Reduction Program funding, a total of \$1.49 million should be selected for projects. A minimum of \$560,000 should be selected in the Urban Medium Area, a minimum of \$380,000 should be selected in the Urban Small Area, and a minimum of \$550,000 should be selected in the Rural Area. Unlike STBG and TA, there is no Any Area funding that can be used in any urban or rural areas. Thresholds for all urban and rural areas are estimated based on anticipated funding that must be used in these geographies, per federal requirements.

Estimated Carbon Reduction Program funding available through the Call for Projects is included in the following table.

Urban Medium Area (minimum)	Urban Small Area (minimum)	Rural Area (minimum)	Total Available
\$560,000	\$380,000	\$550,000	\$1,490,000

NON-ROADWAY FUNDING SET-ASIDE

At the discretion of the Transportation Policy Board, a minimum of 5% of STBG funding is anticipated to be set-aside for non-roadway projects. Examples of eligible non-roadway projects include: transit

capital projects; ferry boats and terminals; and safe routes to school programs. A complete list of eligible STBG projects, including non-roadway projects, is located at [23 USC 133\(b\)](#).

This set-aside is not specific to any one mode of transportation and is intended to ensure a minimum level of funding to projects that may not otherwise be competitive with roadway projects due to the criteria and weights used in the evaluation process. Non-roadway projects may also be eligible for funding through Transportation Alternatives Set-Aside and/or Carbon Reduction Program if they meet eligibility requirements of these other funding sources.

There is no federal nor state requirement that funds be reserved in this way for non-roadway projects. The 5% set-aside is a regional decision consistent with past project selection processes at SCOG to set aside funding in this manner.

FEDERAL FUNCTIONAL CLASSIFICATION AND CRITICAL RURAL FREIGHT CORRIDORS

Most roadway projects can only be funded using STBG funds if the roadway has a federal functional classification. Projects on roads classified as Rural Minor Collectors or local roads can only receive up to 15% of the Rural Area funding (\$96,000) and Urban Small Area funding (\$85,500) per the special rule at [23 USC 133\(g\)](#), and [Critical Rural Freight Corridors](#) designated under [23 USC 167\(e\)](#) also qualify.

Transportation Alternatives and Carbon Reduction Program projects do not require federal functional classification.

APPLICATION FORMS

Application forms include project details for each project that will be considered for funding. Each project being submitted requires a separate application form. There is no limit to how many forms applicants submit to SCOG.

- [Project Application Form](#)
- [Contingency List Project Application Form](#)
- [Project Endorsement Form](#) (required for every project)

TIMEFRAME TO SUBMIT

Applications will be accepted by SCOG from April 21–May 12. Any incomplete applications will be flagged by SCOG staff and applicants will be notified as soon as possible of any required materials not submitted. May 26 is the final deadline to submit any application materials to complete application packets.

HOW TO SUBMIT

Application materials must be submitted to Mark Hamilton at SCOG, by email only, at markh@scog.net. Paper application materials will not be accepted. All applicants will receive confirmation of materials received via email.

PROJECT EVALUATION CRITERIA & WEIGHTS

Projects submitted will be evaluated from May 15–24. Project evaluations will be based on approved criteria and weights. These criteria and weights were approved by the Transportation Policy Board at their April 19 meeting.

The categories for the evaluation criteria, and their associated points, are listed below:

- Economic Vitality – **15 points**
- Safety – **25 points**
- Mobility – **15 points**
- Regional Nature – **10 points**
- Project Funding & Readiness – **10 points**
- Preservation & Maintenance – **15 points**
- Technical Advisory Committee Priority – **10 points**

TOTAL: 100 POINTS
BONUS¹: +5 POINTS

Evaluation criteria, and points available per criterion, are included in the Project Application Form. Technical Advisory Committee members are not permitted to evaluate any project from the government they represent. The final action of selecting projects for funding will be taken by the Transportation Policy Board at their July 19 meeting.

CONTINGENCY LIST

A contingency list of projects will be prepared for projects that can easily move forward if the Skagit region is expected to fall short of its annual obligation target. Inclusion of any project on the contingency list does not guarantee the project will be funded. Projects on the contingency list must be able to obligate funding quickly, often in less than six weeks. Sponsors of contingency list projects may also submit the proposed project as part of the general Call for Projects.

Contingency list submissions will be prioritized according to the following criteria:

- What is the regional issue the project will address?
- What is the desired outcome from the project?
- Does the project address an issue identified in the Skagit 2045 Regional Transportation Plan?
- What is the project's expected level of regional impact?
- Can the project reasonably obligate funding in six weeks if necessary?

Projects proposed for the contingency list will be distributed to the Technical Advisory Committee for evaluation. A prioritized contingency list, with rank-ordered projects, will be recommended to the

¹ Bonus applies to project sponsors that utilized SCOG Obligation Authority Procedures in 2021 or 2022, strategies #1 or #2, by moving projects forward and obligating federal funds by August 1 of the respective calendar year.

Transportation Policy Board for consideration. Technical Advisory Committee members are not permitted to evaluate any project from their own organization.

QUESTIONS

Any questions about the Call for Projects should be submitted in writing to Mark Hamilton at markh@scog.net. Written questions received, if any, will be posted to the SCOG website with staff responses.

SCHEDULE

February 28, 2023:.....	Non-Motorized Advisory Committee recommendations (if any) to Technical Advisory Committee on evaluation process
March 2, 2023:.....	Technical Advisory Committee recommends evaluation process, including evaluation criteria and weights, to Transportation Policy Board
March 15, 2023:.....	Transportation Policy Board discusses Technical Advisory Committee recommendation on proposed evaluation process and releases evaluation process for public review and comment
March 17-29, 2023:.....	Tentative public comment period on proposed evaluation process
April 19, 2023:.....	Transportation Policy Board approves evaluation process, after consideration of any public comments received
April 21-May 12, 2023:.....	Applications submitted to SCOG
May 15-24, 2023:.....	Evaluation of applications
May 23, 2023:.....	Project presentations to Technical Advisory Committee from project sponsors
May 24, 2023:.....	Project evaluations due to SCOG from Technical Advisory Committee
May 30, 2023:.....	Non-Motorized Advisory Committee recommendations (if any) to Technical Advisory Committee on project selection
June 1, 2023:.....	Technical Advisory Committee recommends project selection to Transportation Policy Board

- June 21, 2023: Transportation Policy Board discusses Technical Advisory Committee recommendation on proposed project selection and releases project selection for public review and comment

- June 23–July 5, 2023: Tentative public comment period on recommended project selection from Technical Advisory Committee

- July 19, 2023: Transportation Policy Board makes project-selection decision, after consideration of any public comments received

DRAFT

REGIONAL PROJECT SELECTION AND PROGRAMMING AT THE SKAGIT COUNCIL OF GOVERNMENTS

The Skagit Council of Governments (SCOG) is the federal designated metropolitan planning organization and state designated regional transportation planning organization in Skagit County. SCOG has many transportation duties in accordance with federal and state requirements. One SCOG duty is selecting projects to receive federal funding – determining which projects are competitively “selected” to receive certain federal funds allocated by the Washington State Department of Transportation (WSDOT). Another duty of SCOG is maintaining a six-year list of projects programmed in a Regional Transportation Improvement Program.

This memorandum describes the applicable federal funding sources and regional project selection programming processes. Also included are a series of frequently asked questions about project selection and programming at SCOG.

FEDERAL FUNDING SOURCES

There are three federal funding sources that SCOG utilizes to select projects. A local match is typically required of 13.5%, with 86.5% of a project federally funded. The funding sources are as follows:

- **Surface Transportation Block Grant Program (STBG)**

By far the largest source of federal funds available for project selection, the Surface Transportation Block Grant Program is also an extremely flexible funding source which provides for a wide variety of transportation projects.

The 2023 STBG allocation in the Skagit region is \$1,741,172. Allocations vary year to year, but have been approximately \$2 million the last several years.

Examples of eligible STBG projects include: roadway maintenance and preservation; roundabouts; bridges; tunnels; signalized intersections; new roadways; ferry boats and terminals; bicycle and pedestrian improvements; Americans with Disabilities Act transition plan implementation activities; natural infrastructure; wildlife crossings; travel and tourism enhancements; and electric vehicle charging infrastructure.

A fact sheet for STBG is located [here](#).

- **Transportation Alternatives Set-Aside (TA)**

Transportation Alternatives is a set-aside from the Surface Transportation Block Grant Program, and is much more limited than STBG in the level of funding and types of eligible projects. TA projects are often focused on nonmotorized transportation and tend to be small scale given the limited funding.

The 2023 TA allocation in Skagit County is \$238,149. Allocations vary year to year, but have been approximately \$250,000 the last couple years. Prior to 2021, TA allocations had averaged

approximately \$150,000 for several years, but the federal Infrastructure Investment and Jobs Act, enacted in 2021, increased funding substantially for this program starting in 2022.

Examples of eligible TA projects include: pedestrian and bicycle facilities; turnouts, overlooks and view areas; conversion of abandoned railroad to nonmotorized uses; historic preservation; vegetation management; archeological activities relating to transportation project impacts; Americans with Disabilities Act transition plan implementation activities; environmental mitigation activities; and safe routes to school.

A fact sheet for TA is located [here](#).

- **Carbon Reduction Program (CR)**

The Carbon Reduction Program was introduced in 2021 via the federal Infrastructure Investment and Jobs Act, and is much newer than the other two federal funding sources. SCOG has never selected projects under this program since it is so new. CR projects support the reduction of transportation emissions, and like TA projects are small scale due to limited funding available through this program.

The 2023 CR allocation in Skagit County is \$266,813. The only other allocation received under this program was for \$306,972 in 2022.

Examples of eligible CR projects include: replacing street lighting and traffic control devices with energy-efficient alternatives; electric vehicle charging infrastructure; purchase of zero-emission construction vehicles; advancement of port electrification; infrastructure-based intelligent transportation systems capital improvements; reducing impacts of freight movement; and TA projects, including facilities for pedestrians, bicyclists and other nonmotorized forms of transportation.

A fact sheet for CR is located [here](#).

REGIONAL PROJECT SELECTION PROCESS

SCOG does not award funds to transportation projects. SCOG selects projects for funding, and the “award” occurs later when project sponsors enter into an agreement with WSDOT to utilize the funds. These local agency agreements are necessary for local governments to utilize funding for any particular transportation project. The agreement process for tribal governments can vary.

In order to be selected by SCOG, projects go through a regional competitive process where they are evaluated against other projects in the Skagit region. The Transportation Policy Board, a governing body of SCOG, selects projects for funding through this process. These funds may not be moved to another project of a project sponsor. Any federal funding that is not utilized is returned to the regional project selection process (regional funding pot) to be allocated to other transportation projects.

SCOG typically selects projects for funding every two years and programs projects in the Regional Transportation Improvement Program following project selection.

REGIONAL PROGRAMMING PROCESS

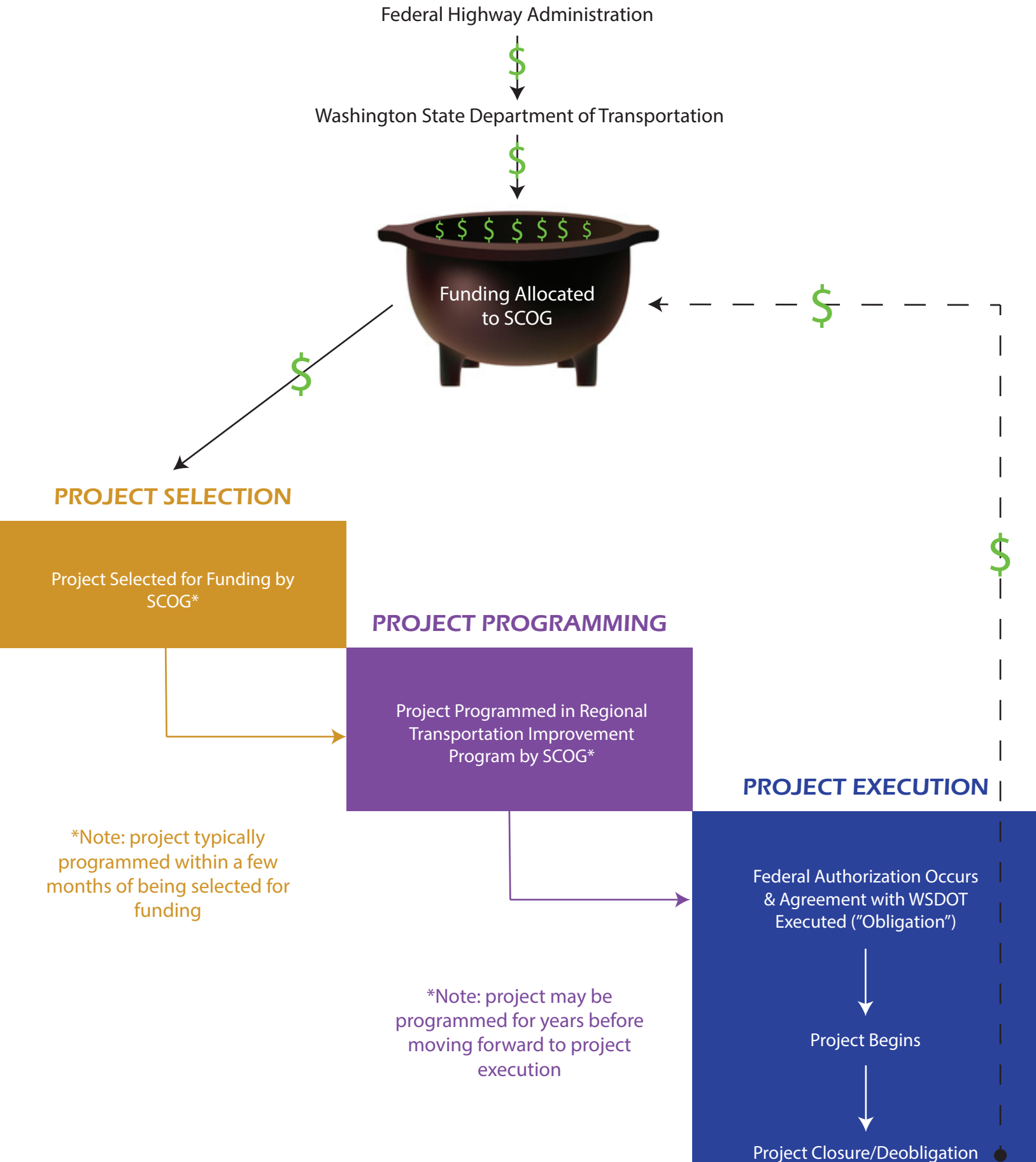
In addition to project selection, another duty of SCOG is to prepare and regularly amend a Regional Transportation Improvement Program (RTIP). The RTIP is a six-year list of projects that is “fiscally constrained by year” in the first four years – meaning funds programmed to projects in the RTIP cannot exceed what SCOG reasonably anticipates will be available in the Skagit region during the first four years of the six-year period. The last two years of the RTIP are not required to be fiscally constrained by year.

Once projects are programmed, they can “obligate” funding – which for local governments means they enter into an agreement with WSDOT to utilize the funds after federal authorization. Projects can be deprogrammed (removed from the RTIP) by the Transportation Policy Board and funding for projects can be deobligated, which most often occurs when a project sponsor turns back funds or closes a project. Returning federal funds often occurs when a project is completed and did not require all federal funding anticipated. Deobligation can also occur if a project remains inactive for too long or is canceled by the project sponsor. Deobligated or returned funds go back to the regional project selection process.

The RTIP is primarily composed of projects that have federal funding from the Federal Highway Administration or Federal Transit Administration. Projects that are deemed “Regionally Significant” by SCOG are also programmed in the RTIP. SCOG prepares a new RTIP every year and amends the RTIP nearly every month. Amendments provide the opportunity to add, remove or revise projects that are programmed.

Figure 1 is a graphic representation of the project selection and programming processes at SCOG.

Figure 1: Regional Project Selection and Programming Processes



FREQUENTLY ASKED QUESTIONS

Frequently asked questions follow. These questions are often received by SCOG staff and are related to the project selection and programming processes.

- **Question: If our local priorities change, can a project sponsor move federal funds to another project from the project that was selected by SCOG?**

Answer: No, funding for projects selected by SCOG for federal funding cannot move that funding to another project. The project was selected through a competitive process with other projects, and was selected for funding by SCOG's Transportation Policy Board.

- **Question: If a project is no longer a local priority, what happens to the federal funds obligated for the project?**

Answer: If the project is no longer a local priority, the project sponsor should coordinate with WSDOT to deobligate the federal funds. After deobligation, those federal funds would return to the regional pot and may adversely affect the region's ability to meet its obligation target. Coordination with SCOG staff on timing of deobligation would be important to limit negative impacts to the Skagit region, including the potential loss of federal funding.

- **Question: What are potential consequences for a project sponsor if a project is no longer a local priority?**

Answer: The project sponsor loses federal funding for the project, and may have to repay federal funds that have already been spent on the project to WSDOT. The applicable local agency agreement with WSDOT should dictate what occurs with federal funding for the project, including any repayment. Project sponsor repayment could include repaying federal funds used for any earlier phase of the project.

- **Question: What are potential consequences for the Skagit region if a project sponsor returns federal funding?**

Answer: Returning federal funds could result in the Skagit region losing federal funding, depending primarily on the timing of any deobligations and the ability of other projects to move forward and obligate federal funding quickly, covering any gap that is created when a project has federal funds turned back.

- **Question: If my jurisdiction obligates funding for a project phase, how long do I have to obligate the next phase?**

Answer: See the applicable local agency agreement with WSDOT for the answer to this question. Typically, after a preliminary engineering phase receives federal authorization, it has ten years to obligate the next phase¹ (i.e. right of way if applicable, or construction). Not obligating future

¹ Changes in federal law made through the Infrastructure Investment and Jobs Act eliminated a requirement for states to repay federal funds under 23 USC 102(b) "Engineering Cost Reimbursement". Project sponsors should reach out to WSDOT to ascertain applicability to any specific project.

phase(s) in time could mean that federal funds need to be repaid to WSDOT by the project sponsor. Repaid funds return to the regional pot.

- **Question: What are the local match requirements for a project?**

Answer: Match varies by federal funding source, and often varies between different federal operating administrations (e.g. Federal Highway Administration vs. Federal Transit Administration). The federal funding that SCOG uses to select projects for funding requires a 13.5% local match as a minimum, with the remaining 86.5% federal funds. In limited circumstances, other state or federal sources can be used to fulfill match requirements.

An example of the federal/local split, using a \$100,000 project, is \$86,500 federal (86.5%) and \$13,500 local (13.5%).

- **Question: What happens if my local jurisdiction finishes a project and does not utilize all the federal funds allocated to the project?**

Answer: If the project was selected by SCOG to utilize federal funds, STBG/TA/CR funds return to the regional pot to be used by other projects. Future project selections utilize these returned funds for projects competitively selected by SCOG in the Skagit region.

- **Question: What is an obligation authority target, and how does that relate to my jurisdiction's project?**

Answer: SCOG is provided a regional obligation authority target every year by WSDOT for STBG, TA and CR funds. The target consolidates funding available for these three programs for the federal fiscal year, and is often received by SCOG early each calendar year. The Skagit region is expected to obligate no less than this target every year. Not exceeding this target every year puts the Skagit region at risk of losing federal funds.

Washington state also has a target that needs to be achieved every year in order to not lose federal funds. Any funds lost by Washington could be reallocated among other states. This target setting process applies statewide and many different organizations coordinate to deliver projects to help meet regional targets and the overall statewide target.

Each project in the Skagit region that obligates STBG, TA or CR funds contributes toward meeting this regional obligation authority target. Projects that deobligate funding, which can occur due to the project being closed out or due to inactivity of the project, can contribute toward SCOG not meeting the regional obligation authority target.

ACTION ITEM 4.D. – PROFESSIONAL SERVICES AGREEMENT EXECUTION

Document History

MEETING	DATE	TYPE OF ITEM	STAFF CONTACT	PHONE
Transportation Policy Board	03/15/2023	Action	Mark Hamilton	(360) 416-7876

RECOMMENDED ACTION

Skagit Council of Governments (SCOG) staff recommend authorizing the Executive Director, Kevin Murphy, to execute a professional services agreement for growth projections and allocations services.

FISCAL IMPACT

The agreement will not exceed \$50,000. The project and project costs are included in SCOG’s 2023 operating budget, and unified planning work program for state fiscal year 2023.

DISCUSSION

A request for proposals was issued on January 13 for growth projections and allocations services. Notice of the proposal was published in the Skagit Valley Herald on January 17 and 24. The notice also appeared on SCOG’s website from January 13 through February 10 – the due date for proposals. State and national websites of the American Planning Association also posted the notice in January and continued their display through the due date. Consulting firms with expertise in growth projections and allocations were emailed the notice as well.

Three consultants submitted proposals by the deadline:

1. A/R360 Consultants, LLC and Geodetic Analysis, LLC;
2. Amarach Planning Services; and
3. Community Attributes, Inc.

A selection committee composed of staffs from SCOG and Skagit County evaluated proposals, and met on February 28 to discuss the proposals and determine whether or not to conduct interviews. The committee determined not to hold interviews and made a recommendation to the Executive Director at the meeting on which consultant to select for the professional services agreement.

A staff recommendation of which consultant to enter into contract negotiations with will be presented at the March 15 Transportation Policy Board meeting.

SKAGIT COUNCIL OF GOVERNMENTS TECHNICAL ADVISORY COMMITTEE MEETING MINUTES

March 2, 2023
SCOG Conference Room
Mount Vernon, WA

AGENCIES REPRESENTED

- City of Anacortes.....Tim Hohmann
- City of Burlington Brian Dempsey
- City of Mount Vernon Bill Bullock
- Samish Indian Nation.....Jon Barrett
- Skagit County Tom Weller
- Skagit PUD.....Mark Semrau
- Skagit Transit.....Brad Windler
- Washington State Department of Transportation John Shambaugh, Mehrdad Moini,
Mike Davis, Kate Poon, Richard Souders

STAFF PRESENT

- Skagit Council of Governments Kevin Murphy, Mark Hamilton, Grant Johnson

OTHERS PRESENT

No one else was present at the meeting.

AGENDA

1. Call to Order: 1:34 p.m.

Roll Call: Roll was taken with a quorum present.
2. February 2, 2023 Technical Advisory Committee Meeting Minutes: Mr. Dempsey moved to approve the February 2, 2023 Technical Advisory Committee meeting minutes, and Mr. Windler seconded the motion. The motion carried unanimously.
3. March Regional Transportation Improvement Program Amendments: Mr. Hamilton presented this agenda item. He explained that seven proposed Regional Transportation Improvement Program (RTIP) amendments were submitted for March: three by the City of Mount Vernon, one by the City of Sedro-Woolley, one by the Skagit Council of Governments (SCOG), one by Skagit County and one by the Washington State Department of Transportation (WSDOT). He stated that the reason for many of the amendments this month is due to a lower-than-expected regional allocation, resulting in the need to revise programming for two projects to maintain fiscal constraint by year for the first four years of the RTIP. The Skagit County amendment was previously approved as an administrative

modification by SCOG, but WSDOT processed it as an amendment, so it should go through the Transportation Policy Board as an after-the-fact amendment for consistency. He then went through the list of amendments and gave a brief description of each project and the financial constraint information.

Mr. Bullock motioned to recommend approval of the March Regional Transportation Improvement Program Amendments to the Transportation Policy Board, as presented. Mr. Weller seconded the motion and it carried unanimously.

4. **Obligation Authority Gap Strategies:** Mr. Hamilton presented this agenda item. He gave a summary and background of the obligation authority gap strategies and explained that there is currently a \$1 million gap, and a \$1.7 million deobligation occurred in late February which pushed the gap to \$2.7 million. Mr. Hamilton explained that gap strategies are employed when any gap occurs to ensure the region exceeds our obligation authority target for the federal fiscal year, which ends in September. He then went through three gap strategies at the meeting and no project sponsors offered to move any projects forward, which means that staff will have to utilize Gap Strategy #4 to add funds to projects that have already been awarded funding in the past. This fourth gap strategy was utilized for the first time in 2022 and staff expects to utilize a similar process, consistent with adopted RTIP procedures for closing an obligation authority gap.

Mr. Hamilton stated that SCOG staff will now start looking at previously awarded projects that have been federalized using SCOG managed funds, and reach out to project sponsors about potentially awarding additional funds to close the gap.

5. **2023 Regional Project Selection Evaluation Process:** This agenda item was presented by Mr. Hamilton. He explained that it is currently estimated that \$8.41 million will be available through the project selection process via three federal funding sources: Surface Transportation Block Grant Program (STBG), Transportation Alternatives Set-Aside (TA) and the new Carbon Reduction Program (CR). He stated that a major change from the last project selection cycle is that the urban and rural funding geography categories are now "Urban Medium", "Urban Small", "Rural" and "Any Area". He then briefed the proposed project selection process, application forms and timeline. Mr. Hamilton stated that STBG is the largest funding category, but that project sponsors are strongly urged to submit projects for TA and CR as well because last cycle there were few applications for TA and now with the new CR program there will be even more funding available. He went over the proposed scheduled for the process and stated that there will be in-person presentations on projects to the Committee on May 23.

Mr. Moini inquired about the requirements for a cost estimate as part of the application process. Mr. Hamilton responded that the Transportation Policy Board has directed staff not to require that cost estimates be prepared by a Professional Engineer, though project sponsors could still utilize such an estimate and Technical Advisory Committee members will have the opportunity to review and questions estimates of cost as part of their review process. He also highlighted the in-person presentations as an opportunity to ask any questions about project cost.

Mr. Hamilton explained that the Non-Motorized Advisory Committee (NMAC), which advises the Committee, reviewed the proposed 2023 Regional Project Selection Process and made several recommendations. These recommendations were: (1) to retain the 5% minimum STBG set-aside for non-roadway projects; (2) use the same evaluation criteria and weights as 2021; (3) continue to award 5 bonus points to qualifying jurisdictions consistent with RTIP procedures for obligation; (4) create a

contingency list of projects using the same process as 2021; (5) combine project selection for all three federal funding sources and do not conduct separate selection processes for each; and (6) utilize Socioeconomic Factors from the Washington Tracking Network to address new TA guidance prepared by the Federal Highway Administration and WSDOT, and maintain results separately from the other project selection scores, resulting in two scores for all TA projects. Committee members concurred with all NMAC recommendations.

Mr. Windler asked if contingency-list projects could be made eligible for award of additional funds through Gap Strategy #4. Mr. Hamilton stated that there would need to be changes to adopted obligation authority procedures in the RTIP for that to be possible, but it is something that could be considered in the future. Mr. Murphy stated that there may need to be changes made to the obligation authority gap strategies as the long-term impacts of using the strategies become apparent. He stated that there are policy tradeoffs that come with using the gap strategies, and awarding additional funding to past selected projects adds funds to those projects, but at the same time makes less funding available for future projects.

6. In-person Project Presentations by Project Sponsors on May 23, 2023: Mr. Hamilton reminded Committee members that as part of the 2023 Regional Project Selection Evaluation Process there will be in-person presentations by applicants on May 23, 2023. Mr. Windler offered Skagit Station as a venue for the project presentations.
7. Roundtable and Open Topic Discussion: Technical Advisory Committee members provided project updates for their jurisdictions.
8. Next Meeting: April 6, 2023, 1:30 p.m.
9. Adjourned: 3:18 p.m.

Attest:

Mark Hamilton, Senior Transportation Planner
Skagit Council of Governments

Date: _____



315 South Third Street, Suite 100 • Mount Vernon • WA • 98273

www.scog.net

February 23, 2023

City of Sedro-Woolley
Mark Freiberger, PE
Director of Public Works
325 Metcalf Street
Sedro-Woolley, WA 98284

Re: Letter in Support of City of Sedro-Woolley Jones/John Liner/Trail Road Corridor projects

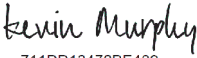
Dear Mr. Freiberger:

On behalf of the Skagit Council of Governments, I am writing to express our support for the Jones/John Liner/Trail Road Corridor projects in the City of Sedro-Woolley, which is being submitted for funding consideration. The transportation system improvements included with this corridor project are important improvements to Skagit County's transportation system. The corridor improvements are also vital for the planned revitalization of the former Northern State Hospital property, which has been included in local as well as regional plans.

Due to its importance to the region, the Skagit Council of Governments Transportation Policy Board included this project in the Skagit Regional Transportation Priorities that was adopted on December 21, 2022. Additionally, this project is included in the Skagit 2045 Regional Transportation Plan, which was adopted in March 2021.

We appreciate consideration and support for funding this important project.

Sincerely,

DocuSigned by:

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Kevin Murphy
Executive Director
Skagit Council of Governments

March 3, 2023

Nuria Fernandez, Administrator
Office of the Administrator
Federal Transit Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Support for Skagit Transit's Maintenance Operations and Administration Facility Project

Dear Administrator Fernandez:

I am writing in support of Skagit Transit's request for \$5 million in Federal Transit Administration's Bus and Bus Facilities, and Low or No Emission grant programs to complete their Maintenance Operations and Administration Facility Project.

The project will replace the current facility which serves as Skagit County's only public transportation base of operations. A new facility is vital to maintain current levels of transit service and prepare the agency for Skagit County's transportation needs of the future. Skagit Transit services benefit Skagit County's low-income, youth, senior, veteran and disabled populations - providing safe, reliable transportation services to education opportunities, employment and other vital services that make for a better quality of life.

Skagit Transit serves Skagit County's four major population centers: Mount Vernon, Sedro-Woolley, Burlington and Anacortes. Their services also link Skagit County with Bellingham and Everett through their network of direct, expedient commuter bus operations - providing low-cost regional transportation to university students and employees commuting beyond Skagit County's borders.

The Skagit Council of Governments has identified the Maintenance Operations and Administration Facility project as a high-priority regionally significant project, with the project included in both the Skagit 2045 Regional Transportation Plan and 2022 regional list of high-priority transportation projects. The project is shovel ready and addresses barriers with the current facility by eliminating constraints in space for staff and equipment, removing the transit fleet from the Skagit River floodplain and maintaining a state of good repair.

The Skagit Council of Governments fully supports Skagit Transit services and recognizes the need for this vital facility, which will enable the transit system to support long-term growth and future transportation needs in Northwest Washington.

Sincerely,

DocuSigned by:

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Kevin Murphy
Executive Director
Skagit Council of Governments

March 7, 2023

U.S. Representative Rick Larsen
Wall Street Building
2930 Wetmore Avenue, Suite 9F
Everett, WA 98201

Re: Support for Skagit Transit's Maintenance Operations and Administration Facility Project

Dear Representative Larsen:

I am writing in support of Skagit Transit's \$5 million request in 2024 Community Project Funding for their Maintenance Operations and Administration Facility project. The project will replace the current facility which serves as Skagit County's only public transportation base of operations. A new facility is vital to maintain current levels of transit service and prepare the agency for Skagit County's transportation needs of the future. Skagit Transit services benefit Skagit County's low-income, youth, senior, veteran and disabled populations - providing safe, reliable transportation services to education opportunities, employment and other vital services that make for a better quality of life.

Skagit Transit serves Skagit County's four major population centers: Mount Vernon, Sedro-Woolley, Burlington and Anacortes. Their services also link Skagit County with Bellingham and Everett through their network of direct, expedient commuter bus operations - providing low-cost regional transportation to university students and employees commuting beyond Skagit County's borders.

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The Skagit Council of Governments fully supports Skagit Transit services and recognizes the need for this vital facility, which will enable the transit system to support long-term growth and future transportation needs in Northwest Washington.

Sincerely,

DocuSigned by:

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Kevin Murphy
Executive Director
Skagit Council of Governments

Dates		Total Funding Available	FHWA (13.5%)	STBG (13.5%)	FTA (13.5%)	FTA 5310 HSTP	RTPO	STP HHTS (13.5%)	Resilience Improvement Project (13.5%)
06/30/2022 Carryforward		\$ 336,465	\$ 168,214	\$ -	\$ 56,313	\$ 33,100	\$ 60,039	\$ 18,800	\$ -
STBG	Jul 1, 2022 to Jun 30, 2023	320,327	-	190,577	-	-	-	-	129,750
FHWA	Oct 1, 2022 to Dec 16, 2022	55,186	55,186	-	-	-	-	-	-
FHWA	Dec 17, 2022 to Sep 30, 2023	206,410	206,410	-	-	-	-	-	-
		-	-	-	-	-	-	-	-
Authorized		\$ 918,388	\$ 429,810	\$ 190,577	\$ 56,313	\$ 33,100	\$ 60,039	\$ 18,800	\$ 129,750
Expenditures									
July 2022		\$ 69,528	\$ 17,702	\$ 12,859	\$ 15,492	\$ 12,237	\$ 6,190	\$ 5,048	\$ -
August		40,829	9,682	12,896	9,052	6,941	2,258	-	-
September		55,264	15,242	14,809	11,497	8,820	4,898	-	-
October		52,334	13,819	20,938	11,382	-	5,778	-	416
November		47,651	19,498	18,669	4,440	-	4,780	-	264
December		48,382	11,684	23,667	4,122	5,003	3,906	-	-
January 2023		47,245	11,560	25,449	58	-	9,767	-	411
February		-	-	-	-	-	-	-	-
March		-	-	-	-	-	-	-	-
April		-	-	-	-	-	-	-	-
May		-	-	-	-	-	-	-	-
June		-	-	-	-	-	-	-	-
Expenditures to Date		\$ 361,235	\$ 99,187	\$ 129,288	\$ 56,044	\$ 33,001	\$ 37,577	\$ 5,048	\$ 1,091
Balances									
		\$ 557,154	\$ 330,623	\$ 61,289	\$ 270	\$ 99	\$ 22,462	\$ 13,752	\$ 128,659