



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** County Road Administration Board

- Preproposal Statement of Inquiry was filed as WSR 09-17-109 \_\_\_\_\_ ; or  
 Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_ ; or  
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice  
 Supplemental Notice to WSR \_\_\_\_\_  
 Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) WAC 136-130-050 Regional Prioritization of RAP Projects.

**Hearing location(s):** 2404 Chandler Court SW, Ste 240  
Olympia, WA 98504-0913

Date: January 21, 2010 Time: 2:00 PM

**Date of intended adoption:** January 21, 2010  
(Note: This is NOT the effective date)

**Submit written comments to:**

Name: Karen Pendleton  
Address: 2404 Chandler Court SW, Ste 240  
Olympia, WA 98504-0913  
e-mail Karen@crab.wa.gov  
fax (360) 586.0386 by (date) January 15, 2010

**Assistance for persons with disabilities:** Contact  
Karen Pendleton by January 19, 2010  
TTY (800) 833.6384 or (360) 753.5989

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Changing percentages in Categories 2, 3 and 4 for project prioritization of RAP projects in the Northeast Region. Adding paragraph for proposed 2R project points distribution.

**Reasons supporting proposal:**

**Statutory authority for adoption:** RCW 36.78

**Statute being implemented:**

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
 Federal Court Decision?  Yes  No  
 State Court Decision?  Yes  No  
 If yes, CITATION:

**DATE**  
November 9, 2009

**NAME** (type or print)  
Jay P. Weber

**SIGNATURE**

**TITLE**  
Executive Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: November 17, 2009  
TIME: 9:06 AM

**WSR 09-23-096**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**Name of proponent:** (person or organization) County Road Administration Board

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Randy Hart	2404 Chandler Court SW, Ste 240	(360) 753.5989
Implementation.... Karen Pendleton	2404 Chandler Court SW, Ste 240	(360) 753.5989
Enforcement..... Jay Weber	2404 Chandler Court SW, Ste 240	(360) 753.5989

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

N/A

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: N/A

AMENDATORY SECTION (Amending WSR 01-05-009, filed 2/8/01, effective 3/11/01)

**WAC 136-130-050 Project prioritization in northeast region (NER)**. Each county in the NER may submit projects requesting RATA funds not to exceed twenty-five percent of the forecasted NER biennial apportionment. Each project shall be rated in accordance with the NER RAP rating procedures. The NER biennial apportionment shall be divided into the following categories at the percentages shown, provided sufficient projects are submitted for prioritization in each category:

- Category 1 - Ten percent for bridge projects where RATA funds are used as a match for federal bridge ~~((replacement))~~ funds;
- Category 2 - ~~((Forty-five))~~ Thirty percent for reconstruction of rural collectors and arterials; ~~((and))~~
- Category 3 - ~~((Forty-five))~~ Thirty percent for resurfacing, restoration, rehabilitation (3R) type projects on rural collectors and arterials; and
- Category 4 - Thirty percent for resurfacing and restoration (2R) type projects on rural collectors and arterials.

In the event that no projects or an insufficient number of projects are submitted in any of the above categories to utilize the RATA funds set aside for the category, all remaining funds in that category or categories shall be divided among the remaining categories as the county road administration board deems appropriate. The intent is to divide all available funds into categories having a sufficient number of submitted projects to fully utilize the funds available at each allocation during the biennium.

Bridge projects may be submitted requesting RATA funds under one of the following conditions:

(1) Bridges must be approved for federal bridge ~~((replacement))~~ funding and RATA funds shall be used only as a match for such federal funding. Bridges will be ranked for RATA funding using the WSDOT priority list and may be added to the NER Category 1 priority array at any time during the biennium upon approval of the bridge for federal bridge ~~((replacement))~~ funding.

(2) A stand-alone bridge project may be submitted as an ordinary reconstruction or 3R RAP project provided that its priority rating has been computed by the bridge rating method in the NER RAP rating procedures. Such projects shall not be considered for funding from the bridge reserve described above.

(3) A RAP project may include a bridge when the cost of the bridge does not exceed twenty percent of the total project cost.

NER RAP rating points for reconstruction projects, 3R projects or ~~((non-federal))~~ nonfederal bridge ~~((replacement))~~ projects shall be assigned on the basis of one hundred points for a condition rating and fifty points for a service rating. The priority rating equals the sum of two and one half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing one hundred by the condition rating. A total of ten points representing local significance may be added to one project included in each county's biennial combined bridge, 3R and reconstruction submittal. A total of up to ten points representing missing links definition may also be added to one project included in each county's biennial combined bridge, 3R and reconstruction submittal. ~~((Prioritization of NER projects shall be on the basis of total NER RAP rating points shown on the appropriate project worksheet and the prospectus form of the project application.))~~

NER RAP rating points for 2R projects shall be assigned on the basis of five points for traffic volume, five points for traffic accidents, fifty points for structure, ten points for geometry, and fifteen points for roadside safety. A total of fifteen points representing local significance may be added to one 2R project included in each county's biennial submittal.

Prioritization of NER projects shall be on the basis of total NER RAP rating points shown on the appropriate project worksheet and the prospectus form of the project application.