



WHATCOM TRANSPORTATION POLICY BOARD

**Wednesday, March 9, 2022, 3:30 p.m.**

Gordon W. Rogers Conference Room  
314 East Champion Street  
Bellingham, Washington

Click [here](#) to join using Zoom  
Or join by phone: (253) 215-8782

**AGENDA**

PAGES

- A. CALL TO ORDER – Chairman Korthuis
- B. PUBLIC COMMENT  
Citizens may speak informally to the Board on matters pertinent to its statutory responsibilities and which are not the subject of a public hearing. *Each speaker is allowed a maximum of three minutes.*
- C. AGENDA APPROVAL\*
- 3-6 D. APPROVAL OF MINUTES\*  
Meeting of January 19, 2022
- 7-8 E. PUBLIC HEARING  
Amendment No. 22-03 to the 2022 WCOG Transportation Improvement Program
  1. Staff Presentation – Lethal Coe
  2. Open Public Hearing – Citizens may address the Board on the subject of the hearing *for a maximum of three minutes each*
  3. Close Public Hearing\*
  4. Board Discussion and Vote\*
- F. OLD BUSINESS (if any)
- G. NEW BUSINESS (if any)
- H. OBLIGATION STATUS UPDATE – Mr. Coe
- I. PLANNING DIRECTOR'S REPORT – Hugh Conroy
- J. CORRESPONDENCE (if any)
- K. BOARD OPEN FORUM
- L. ADJOURN

\* Action item



## **Notice to the Public Regarding Title VI of the Civil Rights Act of 1964**

WCOG hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, Executive Order 13166 on Limited English Proficiency, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which WCOG receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with WCOG. Any such complaint must be in writing and filed with the WCOG Title VI Coordinator within one-hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the WCOG at no cost and are available on WCOG's website.

## **Aviso al Público Sobre Título VI de la Ley de Derechos Civiles de 1964**

Por medio de la presente, el WCOG notifica de manera pública que la política del organismo es garantizar el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Recuperación de Derechos Civiles de 1987, el Decreto Presidencial 12898 sobre Justicia Ambiental, el Decreto Presidencial 13166 sobre Dominio Limitado del Idioma Inglés, así como los estatutos y reglamentos relacionados en todos los programas y actividades. De acuerdo con lo estipulado en el Título VI, ningún individuo de los Estados Unidos de América deberá, con fundamento en su raza, color, sexo o nacionalidad, ser excluido de participar en, que se le nieguen los beneficios de, o ser víctima de discriminación en virtud de cualquier programa o actividad por el cual el WCOG reciba fondos federales.

Toda persona que se considere agraviada por una práctica discriminatoria e ilícita en virtud del Título VI tiene derecho a presentar una denuncia formal ante el WCOG. Cualquier denuncia de este tipo debe presentarse por escrito ante el coordinador del Título VI del WCOG en un periodo de 180 días naturales a partir de la fecha de la presunta discriminación. El WCOG pone a disposición del público los formularios de denuncia del Título VI de manera gratuita en su página web.

WHATCOM TRANSPORTATION POLICY BOARD  
MINUTES – DRAFT  
JANUARY 19, 2022

IN ATTENDANCE (IN PERSON OR VIA ZOOM):

MEMBERS VOTING: **Bellingham:** Seth Fleetwood, Kristina Martens; **Blaine:** Richard May; **Everson:** Kevin Hester; **Ferndale:** Greg Hansen (2<sup>nd</sup> Vice Chairman); **Lummi Nation:** William Jones, Jr.; **Lynden:** Scott Korthuis (Chairman); **Nooksack:** Kevin Hester; **Port of Bellingham:** Bobby Briscoe; **Sumas:** Bruce Bosch; **WSDOT:** Chris Damitio; **Whatcom County:** Satpal Sidhu, Kaylee Galloway; **WTA:** Michael Lilliquist (1<sup>st</sup> Vice Chairman) *EX-OFFICIO:* Chris Comeau, TTAG; Chris Roselli, Western Washington University

GUESTS Todd Carlson, WSDOT; Todd Citron, LWWS; Kathy Kershner, Whatcom County Council; Les Reardanz, WTA; Terry Terry, CTAG; Kirk Vinish, Lummi Nation

STAFF Bob Wilson (Secretary), Ron Cubellis, Hugh Conroy, Melissa Fanucci, Lethal Coe

A. CALL TO ORDER

Secretary Wilson determined that there was a quorum, and Chairman Korthuis called the meeting to order at 3:32 p.m.

B. PUBLIC COMMENT

No members of the public were in attendance.

C. AGENDA APPROVAL

**APPROVED AS PRESENTED BY UNANIMOUS CONSENT**

D. APPROVAL OF MINUTES OF OCTOBER 13, 2021

**MOTION:** Mr. Lilliquist moved, seconded by Mr. Hansen, to approve the minutes of October 13, 2021, as presented.

**MOTION PASSED**

E. PUBLIC HEARING

Amendment No. 22-01 to the 2022 Transportation Improvement Program (TIP)

Mr. Coe described the proposed amendments to the 2022 TIP:

- Remove WSDOT project *State Route 546/Pepin Creek and Duffner Ditch Fish Passage* that obligated construction funding in November 2021. This project will correct the existing fish passage barrier at this location.
- Amend the Lummi Nation's *Mackenzie Road Sidewalk Safety Project* to add Bureau of Indian Affairs funding, increase the programmed amount and change the Safe Routes to School program from the federal code to the state code. This project will install sidewalks with crosswalks, lighting and curb ramps that comply with the Americans with Disabilities Act. The construction cost is increased to \$773,000, and construction is planned to begin in 2022.
- Add new Whatcom County project *Birch Bay-Lynden Road/Kickerville Road Intersection Safety Improvements*. This project was recently awarded \$939,000 of federal Highway Safety Improvement Program funds and will add left-turn lanes and lighting at the intersection. Construction is currently planned to begin in 2026.

**PUBLIC HEARING OPENED AT 3:39 P.M.**

No members of the public were present either in the conference room or online. Mr. Wilson informed the Board that a Notice of Public Hearing had been published in *The Bellingham Herald* on January 8, 2022, which provided detailed instructions on how to submit comments or register to speak.

**PUBLIC HEARING CLOSED AT 3:39 P.M. BY UNANIMOUS CONSENT**

**MOTION:** Mr. Fleetwood moved, seconded by Mr. Hansen, to approve Amendment No. 22-01 to the 2022 WCOG Transportation Improvement Program.

**MOTION PASSED**

F. NEW BUSINESS

1. Updating Regional Transportation Goals

Mr. Conroy explained the methodology used and the rationale for updating the regional transportation goals.

**MOTION:** Mr. Fleetwood moved, seconded by Mr. Hansen, to update the Whatcom Metropolitan Planning Area's regional transportation goals as presented in the discussion paper dated October 29, 2021, by integrating public comment as well as comments from the Transportation Technical Advisory Group, as follows:

1. Safety
2. A multimodal transportation system
3. Climate and environmental quality
4. Preservation

5. Mobility (all modes, trip capacity)
6. Access (incorporating equity and economic vitality)
7. Freight (incorporating economic vitality)

**MOTION PASSED**

2. Adopting Washington's 2021 Safety Performance Targets

Mr. Conroy reminded the Board that it was required by the U.S. Department of Transportation to adopt safety performance targets annually, and he described the five targets.

**MOTION:** Mr. Briscoe moved, seconded by Mr. Lilliquist, to approve Whatcom Transportation Policy Board Resolution No. 22-01-1, "Adopting Statewide Safety Performance Targets," thereby agreeing to plan and program projects that contribute to the attainment of the adopted target.

**MOTION PASSED**

3. 2022 Cost Allocation Plan (CAP)

Mr. Cubellis described the proposed CAP and how WCOG uses it.

**MOTION:** Mr. Briscoe moved, seconded by Mr. Hansen, to approve the Whatcom Council of Governments' 2022 Cost Allocation Plan, as presented.

**MOTION PASSED**

G. OBLIGATION STATUS UPDATE

Mr. Coe briefed the Board on the region's current progress toward meeting its Federal Fiscal Year 2022 obligation target.

H. PLANNING DIRECTOR'S REPORT

Mr. Conroy briefed the Board on recent transportation planning activities.

I. CORRESPONDENCE

No correspondence was included in the meeting packet or distributed at the meeting.

K. BOARD OPEN FORUM

No comments were offered.

L. ADJOURNMENT

There being no further business, the meeting adjourned at 4:38 p.m.

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Robert H. Wilson, AICP  
Secretary

Approved March 9, 2022

DRAFT



## MEMORANDUM

To: Whatcom Transportation Policy Board  
From: Lethal Coe, Senior Planner  
Date: February 28, 2022  
Subject: WCOG 2022 TIP Amendment

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**Amendment #2 (22-03)** of the WCOG 2022 Transportation Improvement Program (TIP) includes the following:

1. Remove Blaine project *Peace Portal Community Trail Phase III* from the 2022 TIP. The Federal Highway Administration (FHWA) notified Washington State Department of Transportation (WSDOT) with a request to review or cancel this project and de-obligate Transportation Alternative funds due to inactivity (23 CFR 630). After consultation with WSDOT and WCOG, Blaine decided to remove the project and pursue it at a future date. The result will be a de-obligation of \$25,000 in preliminary engineering funds and a return of the remaining \$150,000 of construction funds, for a total of \$175,000 back into the regional Transportation Alternatives (TA) program funding allocation.

Additionally, for information purposes - Blaine's *ADA Transition Plan* will also de-obligating \$80,000 of TA for the same reasons above, and the project may also be re-pursued at a future date. This project is currently not programmed in the 2022 TIP.

2. Remove Blaine project *Bell Rd and Peace Portal Lane Improvements*. This project is being consolidated with legislative awarded funding to create a single project that will be managed under WSDOT contract. The result will be a de-obligation of \$30,578 and the return of the remaining \$354,422, for a total of \$385,000 back into the regional Surface Transportation Block Grant (STBG) program funding allocation.
3. Add new WSDOT project at Bell Rd and Peace Portal Lane intersection to include STBG funds with legislative funds. This project will change the lead agency from Blaine and the original *Bell Rd and Peace Portal Lane Improvements* project. The updated project under WSDOT will add the Legislative 2021-23 Biennium funding and increase the project scope to improve the traffic operations of the intersection by installing a traffic signal with corresponding channelization. The project will be funding with \$385,000 of awarded STBG funding and \$2,200,000 million in legislative funding for a total estimated cost of \$2,585,000 million. The \$385,000 of STBG funds will apply to preliminary engineering and is planned to obligate funds before July 31<sup>st</sup>.

**WCOG TIP Amendment #2 (22-03) Table**

#	Agency	Project Title	Amended TIP Action	Added Funds	Total Cost	Source
1	Blaine	<i>Peace Portal Community Trail Phase III</i>	Remove Project	-286,351	356,351	TA
2	Blaine	<i>Bell Rd and Peace Portal Lane Improvements</i>	Remove Project	-440,000	475,350	STBG
3	WSDOT	Bell Rd and Peace Portal Lane Improvements – (from Blaine, project title to be determined)	Add New Project	2,585,000	2,585,000	STBG / WA (21-23)

Formal TIP Amendments require review and resolution from the Policy Board to amend the current TIP and make federal funding accessible.

**Suggested motion:**

“Approve Amendment #2 for the Whatcom Council of Governments 2022 Transportation Improvement Program.”

No Policy Board Action Required for the following Administrative Modifications

**Recent Administrative Modifications** - administrative modifications are less substantial project changes and are administered by WCOG staff.

Agency	Project	Modification Administered	Total Costs	Federal Source
Whatcom	<i>Goshen Road/Anderson Creek Bridge No. 248 Replacement</i>	Modify federal funding to include required local match	4,509,960	Bridge
Whatcom	<i>Birch Bay Lynden Rd &amp; Blaine Rd Intersection Improvements</i>	Add awarded Highway Safety funds to replace local funds	5,050,000	STBG, HSIP