

**Benton, Franklin and Walla Walla Counties
Regional Transportation Planning Organization Interlocal Agreement**

THIS AGREEMENT is made and entered into by and between the undersigned member agencies of the State of Washington to facilitate coordination and cooperation among state and local jurisdictions in planning for regional transportation systems. The member agencies of the Benton, Franklin, Walla Walla RTPO acknowledge the need to create the Walla Walla Sub-RTPO due to changes in the 2010 Census, and to efficiently facilitate regional planning throughout the County.

This Interlocal Agreement, enacted pursuant to RCW 39.34: The Interlocal Cooperation Act, supersedes in all respects that certain Regional Transportation Planning Interlocal Agreement for the Benton, Franklin and Walla Walla Regional Transportation Planning Organization dated October 18, 1992.

Whereas, RCW 36.70A: The Growth Management Act, and RCW 47.80: Regional Transportation Planning Organizations, authorize Regional Transportation Planning Organizations (RTPOs) within the state; and

Whereas, according to the Growth Management Act, in counties with urbanized areas with at least 100,000 population, per RCW 47.80.020 – RTPOs Authorized, the Metropolitan Planning Organization (MPO) designated for federal transportation planning purposes is the lead agency for the RTPO; and

Whereas, the Benton-Franklin Council of Governments (BFCG) is designated as the Metropolitan Planning Organization (MPO) for the Kennewick-Pasco-Richland Urbanized Area, and the Walla Walla Valley Metropolitan Planning Organization (WWVMPO) is designated as the Metropolitan Planning Organization on March 27, 2013 for the Walla Walla, WA-OR urbanized area as delineated by the 2010 Census; and

Whereas, BFCG is the lead planning agency for the Benton-Franklin-Walla Walla Regional Transportation Planning Organization, and

Whereas, the Benton-Franklin-Walla Walla Regional Transportation Planning Organization (BFWWRTPO) includes the counties of Benton, Franklin, and Walla Walla, and

Whereas, BFWWRTPO chooses to create a sub-RTPO for the portion of the RTPO that is within Walla Walla County, and

Whereas, WWVMPO agrees to serve as the Walla Walla Sub-RTPO lead agency and assume all RTPO duties, and

Whereas, the Washington State Department of Transportation has reviewed and verified the BFCG and WWVMPO bylaws, and the current Benton-Franklin-Walla Walla RTPO Interlocal Agreement;

Now, therefore, the undersigned parties, having entered into this agreement by their signature, mutually agree as follows;

Section I – Walla Walla Sub-RTPO Created

The undersigned agencies have agreed to form a modified version of the association currently recognized as the Benton-Franklin-Walla Walla Regional Transportation Planning Organization (BFWWRTPO).

The structure of the BFWWRTPO shall be determined by the component entities' adopted Bylaws, with component entities consisting of a Regional Transportation Planning Organization and a Sub-Regional Transportation Planning Organization, and their respective Policy Boards. Such Bylaws, and future updates, are incorporated into this document by reference. The Benton-Franklin Council of Governments (BFCG) is the designated lead planning agency for the

Benton-Franklin RTPO, and the Walla Walla Valley MPO (WWVMPO) is the designated lead planning agency for Sub-RTPO in Walla Walla County.

Section II – RTPO Policy Making

The separate component entities of the Benton-Franklin-Walla Walla RTPO, the Benton-Franklin RTPO and the Walla Walla Sub-RTPO, shall provide policy advice on regional transportation planning to their respective boards. Each component entity of the Benton-Franklin-Walla Walla Regional Transportation Planning Organization shall allow representatives of its member agencies/organizations to participate in transportation policy making.

Section III – RTPO Duties

The Benton-Franklin Council of Governments, and the Walla Walla Valley Metropolitan Planning Organization, as designated lead agencies for their respective RTPO and Sub-RTPO, shall meet, in part, for the purposes of receiving recommendations from the RTPO and Sub-RTPO relating to:

- Certifying that the transportation elements of comprehensive plans adopted by the counties, cities, and towns within their respective regions conform to the requirements of RCW 36.70A.070: Comprehensive plans — Mandatory elements.
- Certifying that the transportation elements of comprehensive plans adopted by counties, cities and towns within each region are consistent with the regional transportation plans adopted by their respective Regional Transportation Planning Organization or Sub-Regional Transportation Planning Organization.
- Developing, adopting and reviewing the regional transportation plans for the Benton-Franklin region and the Walla Walla region.
- Submitting the adopted transportation plans for the region to the state department of transportation, along with the required documentation of the biennial review of the plan's currency.

Section IV – RCW and WAC References to Scope of the Regional Transportation Plan

The Transportation Plans for the Benton-Franklin region and the Walla Walla region shall address existing and planned transportation facilities and services that exhibit one or more of the following characteristics:

- Physically crosses member county lines.
- Is or will be used by a significant number of people who live or work outside of the jurisdiction in which the facility, service, or project is located.
- Has potentially significant impacts expected to be felt in more than one jurisdiction.
- Has potentially adverse impacts of the facility, service, or project that can be better avoided or mitigated through adherence to regional policies.
- Transportation needs addressed by a project have been identified by the regional transportation planning process and the remedy is deemed to have regional significance.

Section V – Fiduciary Roles and Responsibilities

The Benton-Franklin Council of Governments, as a Metropolitan Planning Organization for transportation planning purposes, has been designated the “lead planning agency” for the Benton-Franklin RTPO. Responsibilities as the lead planning agency include: to coordinate the preparation of the regional transportation plan, to provide staff support for the Board, Policy and Technical Advisory Committees, and to serve as the fiscal agent for the Benton-Franklin RTPO.

The Walla Walla Valley Metropolitan Planning Organization has been designated the “lead planning agency” for the Walla Walla Sub-RTPO. Responsibilities as the lead planning agency include: to coordinate the preparation of the regional transportation plan, to provide staff support for the Policy Board and the Technical Advisory Committee, and to serve as the fiscal agent for the Sub-Regional Transportation Planning Organization within the Walla Walla County region.

Section VI – Unified Planning Work Program (UPWP)

The Benton-Franklin RTPO and Walla Walla Sub-RTPO shall each adopt and update, as necessary, a separate and individual work program that sets forth the activities for the coordinated regional transportation planning process according to the guidance set forth by the Washington State Department of Transportation. The specific activities and budget estimates will be developed independently by BFCG staff and WWVMPO staff, in conjunction with their respective Policy Boards and Technical Advisory Committees, and then submitted to the Washington State Department of Transportation for approval according to the UPWP guidance.

Section VII – Documents

All products generated as an outcome of the Benton-Franklin RTPO work program and the Walla Walla Sub-RTPO work program shall go directly and separately to the Washington State Department of Transportation.

Section VIII – RTPO Planning Funding

The funding appropriated from the Washington State Department of Transportation to carry out the regional transportation planning program shall be distributed separately to each RTPO entity: to the BFCG, as lead planning agency for the Benton-Franklin RTPO for Benton and Franklin counties; and to the Walla Walla Valley Metropolitan Planning Organization, as lead planning agency for the Walla Walla Sub-RTPO for Walla Walla County. Member agencies of the Walla Walla Sub-RTPO shall not pay dues or fees to the Benton-Franklin RTPO, as of the effective date of this Interlocal Agreement.

Section IX – Federal Project Funding

Federal transportation funds through the MPOs shall be distributed separately to each RTPO entity: to the Benton-Franklin Council of Governments, as lead planning agency for the Benton-Franklin Regional Transportation Planning Organization for Benton and Franklin counties; and to the Walla Walla Valley Metropolitan Planning Organization, as lead planning agency for the Walla Walla Sub-Regional Transportation Planning Organization for Walla Walla County.

Section X – Effective Period

This Interlocal Agreement shall be binding upon the parties, effective July 1, 2013, and effective in perpetuity unless otherwise amended or terminated as provided herein. The BFCG shall make necessary documents, transportation data and RTPO related records available to the WWVMPO, and will make a good-faith effort to facilitate a smooth transition as the sub-RTPO is established.

Section XI – Amendments and Termination

The parties to this Interlocal Agreement shall have the right to amend or terminate this Agreement, with or without cause, by giving written notice of its intention to modify or cancel and the minimum expiration of ninety days following such notice.

If any parties to this Agreement should exercise their right of termination, the BFCG, as the designated lead agency of the Benton-Franklin-Walla Walla Regional Transportation Planning Organization, shall submit an amendment to the Agreement within sixty days to the remaining parties and to the Washington State Department of Transportation for concurrence and recertification, respectively.

Section XII - Severability

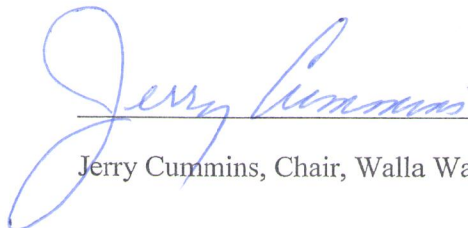
This Interlocal Agreement neither requires nor prejudices any further agreement between the parties. The invalidity, in whole or in part, of any provision of this Interlocal Agreement shall not affect the validity of any other provisions.

Section XIII – TMA Boundary

- 1) A small portion of western Walla Walla County in the Burbank area is, by census determination, within the Kennewick-Pasco-Richland urbanized area boundary. This portion of Walla Walla County is part of the Benton-Franklin RTPO and MPO.
- 2) A map of the Benton-Franklin-Walla Walla RTPO and its component entities is attached.

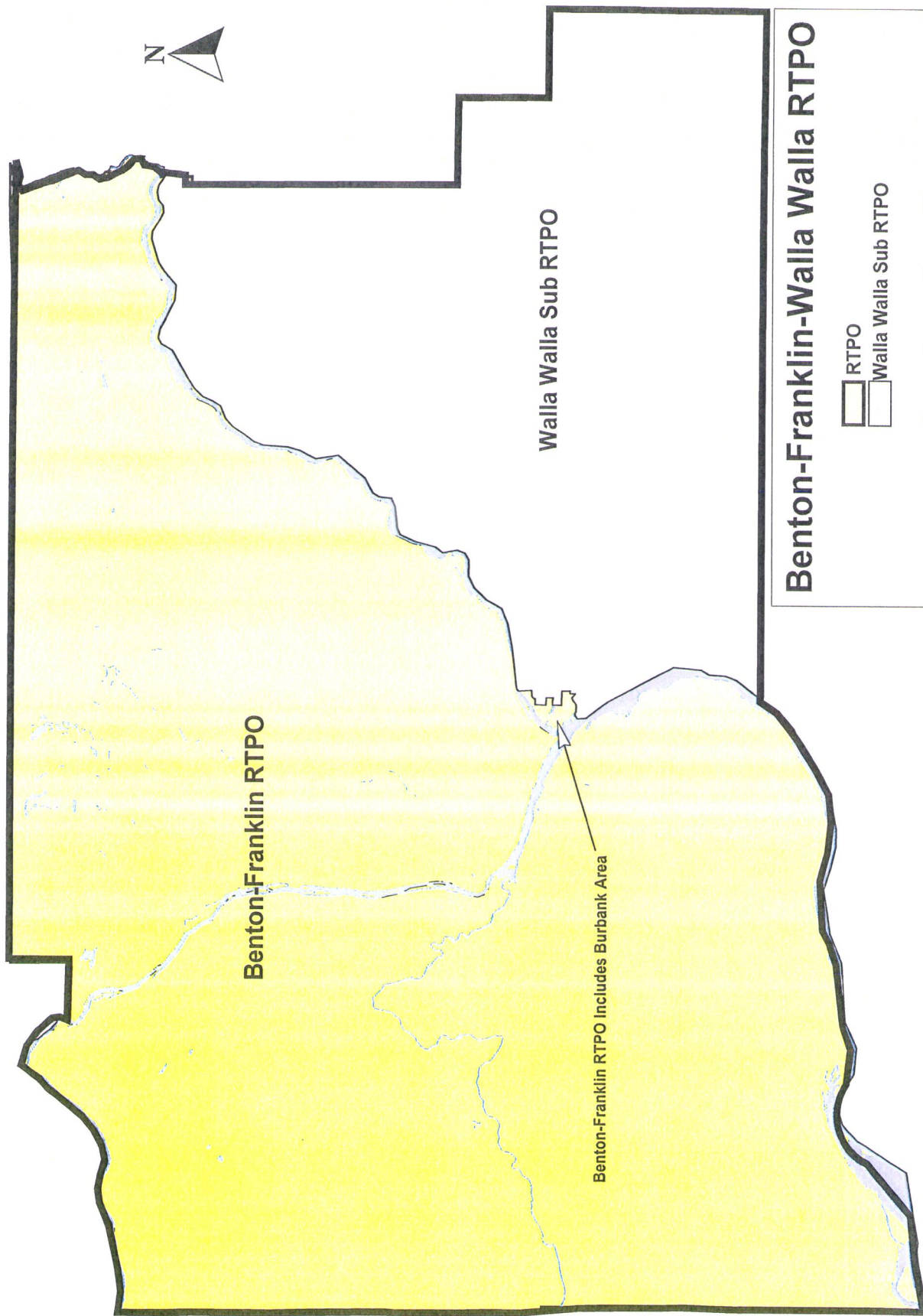


Date: 8/16/13
Bob Koch, Chair, Benton-Franklin Council of Governments



Date: 10/3/2013
Jerry Cummins, Chair, Walla Walla Valley Metropolitan Planning Organization

Benton-Franklin-Walla Walla RTPO



Benton-Franklin-Walla Walla RTPO

- RTPO
- Walla Walla Sub RTPO

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