

Spokane County

As written verbatim, the Pavement Maintenance Projects exemption is too restrictive. Restricting agencies from making safety improvements to roadways when maintaining the pavement area is bad policy. The following does not allow for retrofitting ADA ramps as required by ADA or any other safety improvement that is most easily accomplished during a road maintenance project. Additionally, you are restricting agencies from combining efforts to save tax and rate payers money. A large portion of utilities that exist in road rights of way are third party franchisees operating facilities in the road right of way as allowed by state law. The best time for them to make significant repairs or replacements to their facilities is during what would otherwise be a "Pavement Maintenance Project" to take advantage of cost savings associated with not having to replace pavement. Additionally, cost savings are realized when the road project sponsor makes an agreement with the utility to bid the two projects as combined work to be completed by one contract. Economy of scale is realized, and impacts to travelling public are lessened by a coordinated effort. The following policy doesn't stop the work from happening, and it doesn't force either sponsor to retrofit substandard flow control or treatment facilities, it just forces the sponsor of a utility project to pursue their exempt utility project independent from the road project sponsor's pavement maintenance project, and eliminates the ability to save the tax and rate payer money, and reduce travel impacts that are realized by allowing the work to be combined. Any other work that can be completed during a pavement maintenance project that replaces existing impervious surfaces with in-kind materials should be allowed and encouraged. When roads are widened and additional lanes are added, these exemptions obviously shouldn't apply. But policy that discourages agencies from making safety improvements during maintenance projects just to avoid triggering full stormwater treatment and flow control retrofit is bad policy. When the existing stormwater management characteristics are unchanged by a project, that project should not be subject to all core elements.

At a minimum, please clarify that other work associated with pavement maintenance projects that does not increase capacity or impervious areas is allowed. Work such as

- ADA Ramp retrofits
- Traffic Signal retrofits (i.e. pedestrian push button upgrades, ped crossing countdowns, etc.)
- Roadway illumination
- Guardrail and Barrier installation
- Traffic signing addition and replacement
- Pavement markings and legends addition and replacement
- Roadway narrowing to repurpose existing paved lanes for bike and pedestrian or other use (i.e. 4 through lanes converted to 2 through lanes with center turn lane and bicycle lanes Road Diet)
- Third party utility work that could otherwise be completed as a separate exempt project
- First party utility work to repair, replace or expand utility facilities that could otherwise be completed as a separate exempt project that are simply most convenient to be done prior to, or in conjunction with a pavement maintenance project (i.e. extending sanitary sewer or municipal water under a roadway when the utility work could or would be completed in the future as an exempt project, but by being coordinated with a road maintenance project, prevents cuts and patches in a recently repaved roadway).
- Other similar work

Policy Excerpt

"The exemptions described below may only be applied to an entire project. The entire project must be for the sole purpose of maintaining a pavement area. Pavement maintenance projects do not involve redevelopment work beyond the pavement maintenance. Pavement maintenance projects do not change the characteristics of a roadway (e.g. changing a four-way intersection to a roundabout is not a pavement maintenance project). Projects that are not solely for pavement maintenance work are not exempt from the Core Elements, and must consider any pavement maintenance areas within the project as new or replaced hard surfaces when determining the applicable Core Elements.

The following pavement maintenance projects are exempt from all Core Elements:

- pothole and square cut patching,
- overlaying existing asphalt or concrete pavement with bituminous surface treatment (BST or "chip seal"), asphalt, or concrete without expanding the area of coverage,
- shoulder grading,
- reshaping/regrading drainage systems,
- crack sealing, and
- vegetation maintenance.

The following pavement maintenance projects are subject to only 2.4.1 CE1: Preparation of a Stormwater Site Plan and 2.4.2 CE2: Construction Stormwater Pollution Prevention Plan (SWPPP):

- Removing and replacing a concrete or asphalt roadway to base course or subgrade or lower without expanding the impervious surfaces.
- Repairing the roadway base or subgrade.
- Overlaying existing gravel with bituminous surface treatment (BST or "chip seal"), asphalt, or concrete without expanding the area of coverage, or overlaying BST with asphalt, without expanding the area of coverage. For this type of project, this partial exemption applies under the following conditions only:
 - o For roads, these practices are exempt from additional Core Elements only if the traffic surface will be subject to an average daily traffic (ADT) volume of < 7,500 on an urban road or an ADT volume of < 15,000 vehicles on a rural road, freeway, or limited access control highway. If these thresholds are exceeded, these are considered new hard surfaces.
 - o For parking areas, these practices are exempt from additional Core Elements only if the traffic surface will be subject to < 40 trip ends per 1,000 square feet of building area or 100 total trip ends. If either of these thresholds is exceeded, these are considered new hard surfaces"