Section 5 Transportation Plan Policies and Strategies

Transportation Plan Policies and Strategies

The overall goal of the M/RTP is:

"To develop and preserve a regional multimodal transportation system that:

- *provides for the safe and efficient movement of people and goods:*

- *supports the economic growth of the region; and,*

- *is compatible with land use plans and the environment."*

The priorities and framework for the M/RTP discussed in Section 4 provide the general guidance to help direct available funding for regional transportation improvements. Policies were defined to help guide the region in implementing the plan. The policies focus on the five regional priorities, as well as coordination and implementation of projects and programs. The policies are presented below. The priorities and policies lead to overall improvement strategies, which are summarized in this section.

Policies

YVCOG and its members will apply a range of policies in making decisions related to planning, funding, constructing, and operating the regional transportation system to meet the overall goal. These policies build off of the regional priorities discussed above. They also provide the regional interface between the transportation elements of local agency comprehensive plans and the Washington State Transportation Plan.

The policies cover the five priorities and other major elements of implementing the M/RTP. The policies are organized as follows:

- Agency Coordination and Public Involvement

- Preservation

- Safety

- Economic Development and Freight Mobility

- Congestion Relief

- Alternative Transportation Modes

- Environmental Quality

- Finance and Implementation

1. Agency Coordination and Public Involvement

YVCOG and its members are committed to working together and with affected stakeholders and the general public to successfully implement the M/RTP. This will occur as local, regional, and state transportation plans and improvement

programs are updated and implemented. The following policies will be used to assure agency coordination and public involvement:

1.1 – Provide for proactive public and stakeholder participation processes during the planning, design, and implementation of transportation projects and programs.

1.2 – Promote understanding of how the regional transportation system is constructed and operated by a range of agencies.

1.3 - Continue to coordinate planning, design, funding, and implementation of regional transportation projects and programs, based on the M/RTP priorities and policies.

1.4 – Develop and share land use and transportation data and resources to maintain a database to support regional transportation decisions.

1.5 – Coordinate with WSDOT to ensure consistency and compatibility of local and regional transportation plans with the Washington State Transportation Plan.

2. Preservation

Preservation of the region's existing transportation infrastructure and services is the highest priority of the M/RTP. The following policies are used to guide member agencies in achieving this element of the plan:

2.1 – Seek to ensure adequate funding to maintain and upgrade the existing transportation system to minimize life-cycle costs.

2.2 – Enhance transportation operations programs to assure the safe and efficient use of the transportation system.

2.3 – Seek opportunities to coordinate maintenance and operations programs between agencies to reduce total costs and to improve the system for users.

2.4 – Explore alternative processes for maintaining, operating, and upgrading the regional transportation system that can reduce costs or increase benefits.

3. Safety

Improving safety is a critical factor in the success of the regional transportation system. To meet this priority, Yakima Valley MPO/RTPO will apply the following policies:

3.1 – Promote education and enforcement of transportation rules and regulations.

3.2 – Support improvement projects and programs that resolve existing safety deficiencies, including area of congestion.

3.3 – Develop plans and transportation improvement projects that help minimize conflicts between different travel modes.

3.4 – Promote interaction between emergency response providers and transportation agencies to assist incident management, evacuation, or other emergency programs.

3.5 – Complete missing segments of the transportation system to provide alternative routes for all areas of the region.

3.6 – Implement improvements to ensure that bridges and other key transportation facilities will better withstand natural disasters.

3.7 – Maintain and expand traveler information systems.

3.8 – Support the collection and analysis of weather data for addressing snow and ice removal.

4. Economic Development and Freight Movement

The regional transportation system is used by all sectors of the MPO/RTPO economy. Planning, design, and implementation of transportation projects and programs will be guided by the following:

4.1 – Support improvements to the regional transportation system that serve movement of freight.

4.2 – Work to implement improvements to regional arterials and collector roadways that serve high volumes of freight, provide access to employment centers or serve regional commercial areas.

4.3 – Upgrade bridges to eliminate weight restrictions on significant freight routes.

4.4 – Implement transportation system improvements that increase the efficiency and opportunities for rail transportation serving the Yakima Valley region.

4.5 – Promote projects that reduce delays and improve safety at rail crossings.

4.6 – Explore the possible development of intermodal terminals to improve the efficiency of freight movement in the region.

4.7 – Implement transportation system improvements that provide regional accessibility to McAllister Field and its surrounding employment centers and other airports in the region.

4.8 – Improve transportation facilities that serve tourist destinations.

5. Congestion Relief

Congestion results in delays and added costs in the movement of people and goods. Resolving congestion problems can also resolve some types of safety problems. The following policies will guide the region in evaluating congestion relief in prioritizing transportation improvements:

5.1 – Define and implement improvements to provide level of service D or better, when feasible and cost effective.

5.2 – Construct intersection and interchange improvements to add capacity, reduce delays, and improve traffic operations.

5.3 – Preserve the capacity and throughput of regionally significant highways, arterials, and major collectors by managing and limiting direct access to these facilities.

5.4 – Enhance the operations and throughput of regional transportation corridors through application of intelligent transportation systems (ITS) technologies.

5.5 – Expand capacity of existing highways and arterials which serve high volumes of traffic and connect with other regional transportation facilities.

5.6 – Ensure that improvements that add capacity to the transportation system support alternative transportation modes.

5.7 – Work to complete missing links of the regional transportation system.

5.8 – Plan for, define, and preserve the right-of-way for future arterials.

6. Alternative Transportation Modes

The regional transportation system is comprised of several modes, including cars, trucks, transit, bicyclists, and pedestrians. In order to provide a multimodal transportation system, the M/RTP establishes the following policies:

6.1 – Encourage alternatives to driving alone such as transit, carpools, vanpools, walking, and bicycling.

6.2 – Support transportation investments that serve a range of travel modes.

6.3 – Expand fixed-route transit service within the Yakima metropolitan area and greater Yakima Valley region.

6.4 – Work to increase the frequency and hours of operation of transit services in the region.

6.5 – Expand demand-response transit services to developing areas outside of the metropolitan area.

6.6 – Improve transit services to educational and medical facilities.

6.7 – Support expansion of paratransit services for special needs populations.

6.8 – Monitor and expand on Commute Trip Reduction (CTR) programs for affected employers and voluntary worksites.

6.9 – Improve systems for pedestrian and bicycle travel as part of capital roadway projects and maintenance programs.

6.10 – Complete key links of the regional bicycle system, sidewalks, pathways, or trails.

6.11 – Ensure transportation facilities and services comply with the Americans with Disabilities Act (ADA).

7. Environmental Quality

The transportation system can have positive and negative impacts on the environment. The M/RTP supports enhancing the region's environment.

7.1 – Consider potential environmental impacts in the development of transportation projects to minimize possible adverse impacts in a cost-effective manner.

7.2 – Promote use of alternative travel modes and transportation demand strategies to reduce the need for widening or constructing new roadways.

7.3 – Support land use patterns that reduce travel demands for single-occupant vehicles.

7.4 – Pave gravel roads to reduce particulate matter air quality impacts.

7.5 – Continue to monitor and implement air quality conformance measures.

7.6 – Ensure that transportation projects and programs do not disproportionately impact minority and/or low income populations.

7.7 – Assure that federal and state environmental laws and processes are followed.

8. Finance and Implementation

The M/RTP will only be successful if its projects and programs are funded and implemented. The following policies will guide these decisions.

8.1 – Apply the M/RTP priorities as the basis for funding transportation system projects and programs.

8.2 – Promote transportation projects and programs that balance costs with benefits.

8.3 – Ensure that transportation systems operations, maintenance, and administrative programs are cost effective.

8.4 – Support state legislative funding for key transportation system improvements serving the Yakima Valley region.

8.5 – Cooperatively work to fund regional transportation improvements.

8.6 – Build upon prior investments to improve the transportation system.

8.7 – Jointly seek state and federal grants for the highest priority transportation system improvements.

8.8 – Apply developer mitigation programs to help fund local and regional transportation projects.

8.9 – Seek additional funding for transit, special needs transportation, and transportation demand management programs.

Strategies

The regional priorities and M/RTP policies provide the basis for the strategies and improvements that best meet the transportation objectives for the region. This section provides an overview of the strategies for each of the region's highest priorities:

- Preservation

- Safety

- Economic Development

- Freight Mobility

- Enhance Transit and Transportation Demand Management

Preservation

Preserving the existing transportation system is the foundation for the region's future transportation system. Preservation of the system includes resurfacing roadways, ensuring safe bridges, resolving drainage problems, and improving the overall operations through maintenance of traffic signs, markings, and signals. Many of these elements are addressed through annual maintenance programs and, therefore, are not identified as specific improvement projects.

Pavement

The regional arterial system continues to carry increasing traffic loads. The increased volume of traffic and the number of heavy vehicles results in significant wear on these critical transportation corridors. The wear, if not addressed in a timely manner, can result in a need for more costly reconstruction of the roadway. Poor pavement conditions can also result in a poor quality travel surface and safety concerns.

The M/RTP sets a high priority for projects and programs to resurface the regional and local roadways. Agencies within the RTPO have projects and annual programs established to maintain the roadway pavements.

Yakima County and its cities also have programs to pave local gravel roads. These help preserve the roadways and reduce maintenance. They also help reduce particulate matter (PM_{10} and $PM_{2.5}$) air quality impacts and support the air quality maintenance program for the Yakima metropolitan area.

Bridges

Rehabilitation of bridges is an important part of keeping the transportation system operating safely. In the Yakima Valley region, bridges cross rivers, streams, other roadways, railroads, and trails. A poorly maintained bridge could result in closure of the route to trucks or to all traffic.

Maintenance involves more than just the surface of the bridge. The bridge structure and foundation must be regularly evaluated and upgraded, as necessary, to serve the traveling public. When bridges cross rivers and streams, river scour and any buildup of floating debris must be addressed. Guardrails and other safety features on the approaches to the bridges also must be maintained and replaced when they become worn or old.

Drainage

Inadequate drainage on or near a roadway can damage pavement, the road bed and sideslopes. In freezing weather, poor drainage also can result in icy conditions which make surfaces slippery. Repairing locations where water can pond or where water runs over the roadways can significantly reduce these issues. Keeping storm drains cleaned also reduces these problems.

Operations

Operations is a broad category that supports the overall maintenance, development, and day-to-day operations of the transportation system. Related to preservation of the system, operations include street cleaning; repair of signs, markings, and other roadside appurtenances; maintenance of street lighting and traffic signals; maintaining sight distances; and similar activities.

A consistent operations program supports regional transportation by removing potentially unsafe conditions. It also helps ensure smoother operations on a day-to-day basis, reducing spot congestion problems. In addition, the program supports non-motorized and transit travel by keeping sidewalks, shoulders, and bus shelters maintained.

Safety

Improving the safety of the regional transportation system is paramount to the M/RTP strategies. Almost all of the improvement projects and preservation programs help address safety in some manner. Projects and programs primarily focused on preservation can improve safety by filling in potholes or upgrading signs that have lost their reflectivity. Safety problems are also reduced with improvement projects that add capacity to interchanges and intersections. Enforcement of traffic regulations is important to safe operations of the transportation system.

The following summarizes some of the M/RTP strategies to improve safety of the regional transportation system.

Highways

State highways are the core of the Yakima Valley regional transportation system. Many of the state highways carry the highest traffic volumes at the highest speeds. They also serve longer distance travel, both within and through the Yakima Valley region. The high volume of truck traffic also can adversely affect safety due to longer passing distances, differences in travel speeds, and wider turns.

The M/RTP includes a range of strategies to address existing and future safety issues along state highways. Interchange improvements, especially in the metropolitan area, will enhance safety by reducing congestion for traffic entering and exiting a freeway. They also will add capacity at the intersections of the on- and off-ramps. Constructing new interchanges or implementing improvements that shift traffic to alternate routes will also help reduce safety problems at existing interchanges.

Along more rural highway segments, the M/RTP supports improvements to construct passing lanes and to realign portions of highways that do not meet current standards. Upgrading bridges, repaving highways, and upgrading signing and markings also will improve safety on these rural state highways.

Regional Arterial and Collector Roadways

Projects to widen or upgrade existing arterials and regional collectors support the region's focus on transportation safety. Adding capacity or upgrading a road to current design standards can reduce the number of potential conflict points along a corridor. Such projects can include wider shoulders or the addition of sidewalks to better separate non-motorized travel from vehicular travel. Intersection improvements also address safety concerns by adding capacity, improving visibility, and/or controlling traffic flows. These projects also will address how best to manage access, which will improve safety and operations.

As previously noted, roadway maintenance and operations activities of local agencies also improve the safety of the regional transportation system.

Security and Evacuation

Planning for incident management and evacuation is important for the region. Natural disasters—including wild land fires, floods, landslides, earthquakes, or volcano eruptions—can potentially occur. A radiological emergency at Hanford or collisions involving hazardous materials on highways or railroads are other potential risks.

The M/RTP addresses the goal of enhancing transportation security with both institutional and operational strategies. At the institutional level, the plan helps increase the level of interaction between the emergency management and transportation planning agencies, and better integrates evacuation planning in the existing emergency plans.

The Yakima County Office of Emergency Management (OEM) is the lead agency for facilitating coordination among groups in the Yakima County Region with exception of the City of Yakima. The City of Yakima also has a Yakima OEM and has developed a City of Yakima Comprehensive Emergency Management Program (CEMP). Yakima County has a CEMP for all other Yakima County communities.

At the operational level, the M/RTP helps by creating new access and egress routes in some areas with limited options in emergency situations, and by rehabilitating and improving key transportation facilities such as bridges. Security and evacuation management also benefit from technological improvements and Intelligent Transportation Systems (ITS) investments that allow for more efficient use of the transportation system during emergencies and improve the quality and quantity of traveler information both en-route and pre-trip.

Non-Motorized Transportation

Many of the M/RTP improvement projects support safer non-motorized transportation in a variety of ways. Constructing new roadways, or widening and reconstructing existing roadways, typically includes provisions for pedestrians and/or bicyclists. Providing sidewalks, wider shoulders, and bike lanes separates the non-motorized travel from the vehicles, which increases safety of non-motorized travel. Construction of key links in the trail system also provides alternative corridors for pedestrians and bicyclists.

Signalization of intersections provides pedestrians with improved traffic control and visibility. At unsignalized intersections, improvements can enhance sight distances, thereby making pedestrians and bicyclists more visible to drivers.

Weather

Yakima County and WSDOT have implemented sensors and cameras to assist them in monitoring the impacts of inclement weather on transportation. This system helps determine when sanding and snow plow crews should be sent to certain areas. This allows a faster and more consistent approach for addressing snow and ice issues that could otherwise result in safety problems.

The monitoring systems and associated highway advisory radio improve safety by reducing the volume and speed of traffic during bad weather. WSDOT uses this information to close highways such as I-82, if needed. The information is available online for travelers and to the media and using 511 for statewide travel information.

Education and Enforcement

Although not directly tied to building transportation improvements, state and local enforcement of traffic and vehicle regulations are critical elements to the safety of the region's transportation system. Educational programs and enforcement of regulations related to seat belts, child seats, impaired driving, speeding, and construction zone traffic also are important elements of the safety of the region's transportation system.

Economic Development and Freight Mobility

Projects that support the economic development of the region come in many shapes and sizes. Some improvements are focused primarily on enhancing freight movement to serve agricultural and other industries. Other improvements are focused on addressing spot safety or operational problems. Many of the arterial and highway improvements also support economic development by reducing delays and providing access to developable commercial and industrial land.

Regional Freight Movement

The M/RTP includes a number of improvements along I-82 and other state highways. These highways serve access/egress for regional freight movements. Without good access and operations of the state highway system in the county, the region's economic growth will be adversely affected. Interchange and intersection improvements will reduce delays and enhance connectivity to the regional system for freight. They also provide regional access to the arterials that serve the airport, rail users, and regional commercial areas.

Local Freight Access and Circulation

While the regional highway system is the core of freight movement in the region, local arterials and collectors are critical for moving goods between businesses and the highways as well as serving freight movements within the region. Local deliveries between industries and final users are important for both large and small businesses. The local arterial system also provides direct access to the airports and rail facilities in the region.

The M/RTP supports projects that improve capacity, operations, and safety of key arterials. Improvements to the arterials that connect to the state highway system, commercial and industrial areas, agricultural uses, and to the air and rail facilities, are key strategies in the M/RTP. These projects include widening roadways, reconstructing arterials to current standards, and improving or enhancing intersection operations.

Extension of and improvements to existing arterial corridors are also needed to better serve freight mobility outside of the metropolitan area. These include bringing arterials up to standards and developing more direct freight routes that bypass local streets.

Rail System

Rail transportation is a critical component of the region's overall freight and goods mobility. Active rail spurs throughout the region connect numerous industrial and agricultural sites to rail lines serving the Puget Sound region and destinations to the east. The M/RTP supports improvements to maintain and enhance the region's rail lines to promote the safe and efficient movement of freight and goods to the marketplace. A summary of rail ownership and service providers is available in Appendix C.

Due to factors such as regional economic growth and Stampede Pass rail line improvements, increased rail traffic is anticipated to continue into the future. Planned improvements, such as railroad grade separation projects, remove impediments to both rail and vehicular traffic. In addition, developing regional trans-modal loading facilities at strategic locations is desired. Enhancing freight distribution capabilities is a regional priority.

Air Transportation

The air transportation system within the Yakima Valley region provides access to broader national and international air transportation systems. The general commercial and freight aviation needs for the region are primarily being met by the Yakima Air Terminal - McAllister Field. Other local airports in the region provide private and/or emergency air services.

The M/RTP supports future growth in commercial and freight air service by enhancing inter-modal connectivity to the regional airport. Improvements to the freeways and arterial roadways and transit systems serving the regional airport are integral to the plan. Direct and efficient access to the airport from I-82 is a regional priority was addressed with improvements to Valley Mall Boulevard and the I-82 interchange and reclassification of Valley Mall Boulevard as the primary route to the airport in the City of Yakima.

Congestion Relief

Relieving congestion along regional corridors or at spot locations enhances the efficiency and safety of all modes of transportation. Decreasing the delays on the arterial system also can reduce the use of the regional highway system for shorter, local trips. This, in turn, provides more available capacity on the regional state highways, reducing the need for, or delaying, expensive widening of the state highways.

New Corridors and Capacity Expansions

Construction of new corridors and widening of existing arterials and highways is needed primarily to serve growth in the metropolitan area. Lower cost operational improvements adequately address some significant capacity needs. Many of the existing arterials in the region started as two lane rural roads. The region and local agencies have successfully begun the process for widening arterials and state highways including Valley Mall Boulevard, Ahtanum Road, and SR 24. Completion of these and other major corridor projects support the continued growth of employment and households. Within the metropolitan area, the region has established a grid of north-south and east-west arterials to serve access to the highway system and to serve intra-regional travel needs.

Near the end of the 25-year planning horizon, forecast traffic on I-82 between US 12 and South Union Gap will be approaching the capacity of the freeway. Planning and developing strategies for funding additional capacity was addressed in the 16-year transportation bill passed by Washington State in a program titled *Connecting Washington*. Developing plans for the ultimate capacity expansion of the freeway earlier in the planning horizon, allows those concepts to be incorporated into interchange improvements identified in the M/RTP.

The M/RTP also supports the need for better connectivity in the western part of the region. Although not directly needed to relieve future capacity deficiencies, development of one or more arterial corridors west of the City of Yakima will help reduce future operational problems by providing more direct connections.

Interchanges and Intersections

In more urbanized areas, intersections typically control the available capacity along a corridor. This results from the need to serve multiple travel patterns with the same space. The M/RTP gives a high priority to intersection improvements including the addition of turn lanes and the installation of traffic signals. These can be along arterial corridors such as 40th Avenue or at spot intersections that serve regional travel patterns.

Intersection improvements are also identified in the communities outside of the Yakima metropolitan area. These improvements will help reduce delays and will improve safety for commuter travel, freight movement, and enhance local circulation within the community.

Improvements to existing interchanges and construction of new interchanges are key elements of the M/RTP. The existing interchanges in the metropolitan area are becoming more congested and require improvements to increase capacity.

Transportation Systems Management

Transportation Systems Management (TSM) includes a range of strategies to improve the efficiency and safety of the transportation system. These include controlling access to highways and arterials, improving traffic signals and timing, and implementing driver information systems.

As regional transportation projects are developed, WSDOT and local agencies evaluate opportunities to consolidate or reduce access points onto regional arterials. The number of access points and allowable turn movements within a corridor affects capacity and can result in safety problems. Strategies need to be evaluated for each corridor based on existing and forecast conditions.

A number of Intelligent Transportation Systems (ITS) applications have already been successfully deployed in the Yakima Valley by WSDOT, Yakima County, the City of Yakima and Yakima Transit. These applications focus on traffic management (WSDOT Union Gap Traffic Management Center, City of Yakima Traffic Control System), traveler information (weather stations, cameras, highway advisory radio, variable message signs), maintenance and construction management (bridge overload sensors, flood control), and transit management (on-board cameras, automatic vehicle location).

Plans for the future include improvements to the region's communications network such as extending the microwave system, interconnecting ITS devices, and developing fiber optic and wireless networks. Deployment of additional traveler information systems including expanding highway advisory radio, weather information system, dynamic message signs, and installing new camera locations also will serve the region in the future. Upgrades to the City of Yakima Traffic Control System are identified to improve operator efficiency, deployment of video detection for traffic signal control, and providing real-time transit information both on the buses and at bus stops.

Transit and Transportation Demand Management

Different agencies provide public transportation services within the region. Strategies to enhance transit and transportation demand management programs have been developed as part of the M/RTP to better serve the local community needs and reduce overall traffic volumes. These strategies are divided into different components including

fixed-route transit, rural mobility, paratransit, Transportation Demand Management (TDM) and Commute Trip Reduction (CTR).

Fixed-Route Transit

Suggested strategies for Yakima Transit and Union Gap Transit to continue meeting the transportation needs in the Greater Yakima-Selah-Union Gap Urbanized Area are to:

- Improve frequency of service.

- Improve speed and reliability on primary commuter corridors.

- Expand hours and days of service.

- Extend service to and develop a transit hub in East Valley.

- Add new service to developing areas of Moxee.

- Add demand response service for developing areas that cannot support fixed-route service.

- Invest in capital programs to acquire new buses as well as constructing benches and shelters at bus stops.

Rural Mobility

Transit services provide access to basic services for people who do not have other means to get around. Disabilities, age, and income are some of the barriers that prevent people from being able to transport themselves. For improving regional mobility, additional coordination between intra-city and inter-city transportation providers is necessary. Union Gap Transit and Yakima Transit should continue to coordinate with existing and expanded rural transit service to the community colleges, hospitals, and other regional facilities and attractions.

People for People provides a single-route Lower Yakima Valley connector service between the cities of Yakima, Wapato, Toppenish, Zillah, Granger, Sunnyside, Grandview, and Prosser. The service is very limited running only four times per day. This Community Connector service should be expanded to directly serve both medical and educational facilities.

Union Gap Transit operates a single-route service within the City of Union Gap.

The Confederated Tribes and Bands of the Yakama Nation has established and is planning to expand a fixed route Tribal Transit system called Pahto Public Passage. The service helps meet the rural transit needs of the lower valley by improving access to employment, health care, shopping, and other activities for persons living on the reservation and surrounding communities. The Yakama Nation Tribal Transit provides transportation to the communities of Toppenish, White Swan, Harrah, Brownstown, Wapato. The service provides one route on the Yakama Reservation and anticipates coordinating efforts to connect to three other transit service providers – Union Gap Transit, Yakima Transit and the Community Connector. The Yakama Nation has recently received a grant to explore coordination opportunities.

Paratransit

The existing paratransit services should be maintained to provide transportation access for special needs populations. Additional paratransit services are necessary to continue meeting the transportation needs of residents who require access to employment, health care, social services, education, shopping, and activities that improve their quality of life.

Transportation Demand Management

Transportation Demand Management (TDM) includes strategies that help to change travel behavior (how, when, and where people travel) in order to increase transportation system efficiency and achieve specific objectives such as reduced traffic congestion, road and parking infrastructure cost savings, improved mobility for non-drivers, energy conservation, and pollution emission reductions.

An important component of TDM at the regional and local level is Commute Trip Reduction (CTR). Under the 2006 Washington State Commute Trip Reduction Efficiency Act (RCW 70.94.521), major employers are required to offer trip reduction programs to help reduce automobile travel among their employees. This law requires employers of 100 or more employees who arrive between 6:00 a.m. and 9:00 a.m. to develop and implement a program to encourage their employees to reduce vehicle miles traveled and single-occupant vehicle trips.

The region should consider expanding the existing TDM programs by expanding existing transit services, purchasing more vehicles for vanpool programs, and constructing high priority missing links in the regional non-motorized system. Bicycle and pedestrian routes to and from the major employer worksites should be provided, and all facilities should comply with the Americans with Disabilities Act (ADA).