
SUBSTITUTE SENATE BILL 5941

State of Washington 58th Legislature 2003 Regular Session

By Senate Committee on Highways & Transportation (originally sponsored by Senators Swecker, Haugen, Horn, Oke and Shin)

READ FIRST TIME 03/10/03.

1 AN ACT Relating to the Washington commerce corridor; creating new
2 sections; and providing an expiration date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** LEGISLATIVE INTENT. The legislature finds
5 that:

6 (1) The existing I-5 corridor in Western Washington regularly
7 experiences traffic congestion such that the efficient movement of
8 freight, goods, services, and people is impeded;

9 (2) The cost to improve the I-5 corridor in the urban areas is very
10 high and in some cases not possible due to a built-up environment
11 surrounding the existing freeway system;

12 (3) The state needs a long-range vision for improving, and
13 providing for, the north-south movement of freight, goods, services,
14 and people in and through the state in order to achieve economic
15 competitiveness;

16 (4) A new commerce corridor may provide an alternative to the
17 existing I-5 corridor;

18 (5) A new commerce corridor may be built to minimize environmental
19 impacts and provide benefits to communities affected by the corridor;

1 (6) A new commerce corridor might be efficiently funded and built
2 by private companies working in cooperation with the state and local
3 communities; and

4 (7) Funds for the project might be raised using an innovative
5 approach that can aid by leveraging tolls and raising revenues from
6 nontraditional transportation revenue sources.

7 NEW SECTION. **Sec. 2.** DEFINITIONS. As used in this act:

8 (1) "Corridor" refers to the Washington commerce corridor described
9 in section 3 of this act;

10 (2) "Department" refers to the Washington state department of
11 transportation;

12 (3) "Facility" means infrastructure and capital-related additions
13 to the state's transportation system, including but not limited to
14 highways, roads, bridges, park and ride lots, rail tracks, rail
15 stations, and other transportation-related investments;

16 (4) "Public utility facility" means a track, pipe, main, conduit,
17 cable, wire, tower, pole, or other item of equipment or an appliance of
18 a public utility.

19 NEW SECTION. **Sec. 3.** WASHINGTON COMMERCE CORRIDOR DEFINED. (1)

20 The Washington commerce corridor may be an alternative route to
21 Interstate 5 that facilitates the movement of freight, goods, people,
22 and utilities.

23 (2) The Washington commerce corridor must be a north-south corridor
24 starting in the vicinity of Lewis county and extending northerly to the
25 vicinity of the Canadian border. The corridor must be situated east of
26 state route number 405 and west of the Cascades. The corridor may
27 include any of the following features:

28 (a) Ability to carry long-haul freight;

29 (b) Ability to provide for passenger auto travel;

30 (c) Freight rail;

31 (d) Passenger rail;

32 (e) Public utilities; and

33 (f) Other ancillary facilities as may be desired to maximize use of
34 the corridor.

35 (3) The Washington commerce corridor must be developed, financed,
36 designed, constructed, and operated by private sector consortiums. The

1 department may solicit proposals from private companies and enter into
2 agreements with selected companies, if authorized by the legislative
3 transportation committee.

4 (4) The Washington commerce corridor, if further pursued by the
5 legislature, must be subject to a joint permitting process involving
6 federal, state, and local agencies with jurisdiction.

7 NEW SECTION. **Sec. 4.** CONCEPTUAL PROPOSAL. To aid the legislature
8 in its determination of whether a commerce corridor should be advanced
9 for further study and consideration, the department shall retain
10 outside experts to conduct an initial study to assess the key issues.
11 This study information is intended to be used by the legislature to
12 consider whether further investments for corridor development should be
13 pursued by either the public or private sectors. The department shall
14 submit to the 2005 legislature a study that identifies the key issues
15 involved with the corridor proposal. Issues that must be addressed in
16 the study include, but are not limited to:

- 17 (1) Definition of project features, including:
 - 18 (a) Potential alignments;
 - 19 (b) Estimate of the right of way requirements;
 - 20 (c) Estimate of operating standards. In order to arrive at an
21 estimate of operating standards, private companies and other
22 stakeholders must be consulted to recommend level of service standards
23 and other requirements for the construction and operation of the
24 facility;
 - 25 (d) Potential traffic projections;
 - 26 (e) Potential environmental impacts; and
 - 27 (f) Potential economic benefits and impacts;
- 28 (2) Preliminary financial information, including:
 - 29 (a) Estimated cost ranges to develop, construct, and operate the
30 corridor;
 - 31 (b) Estimate of revenues that could be derived from tolls on the
32 corridor;
 - 33 (c) Estimate of revenues that could be derived from other sources
34 including, but not limited to:
 - 35 (i) Air space leases for commercial developments;
 - 36 (ii) Facilities leases;
 - 37 (iii) Development rights;

1 (iv) Leases of right of way for commercial purposes;
2 (v) Other revenue-generating ideas; and
3 (vi) Eligibility of the corridor for federal and state sources of
4 funding; and

5 (d) Potential sources of revenues that could be leveraged to
6 provide funds for developing, constructing, and operating the corridor;

7 (3) Examination of the legal issues and necessary statutory
8 provisions to enter into an agreement with a private consortium to
9 carry out the corridor project. These issues include but are not
10 limited to:

11 (a) A discussion of the terms and conditions of agreements
12 necessary to implement the proposal with a private company; and

13 (b) Agreement provisions that may be required in order for the
14 private companies to finance, construct, and operate the corridor.

15 Legal experts must be consulted to develop preliminary terms and
16 conditions of agreements that would be required to have private
17 companies develop, finance, construct, and operate the corridor.
18 Potential private partners must be consulted to examine the legal
19 structure and desirable agreement provisions for a successful
20 partnership to develop the project;

21 (4) Identification of potential environmental issues, including:

22 (a) Initial assessment of known environmental impacts; and

23 (b) Assessment and recommendations for an efficient approach to
24 environmental permitting; and

25 (5) Identification of the potential community issues that might be
26 raised and strategies for addressing any potential concerns.

27 The department shall contract with expert consultant teams to
28 conduct the initial study and identification of issues. The department
29 shall assist with the study to the extent resources are appropriated
30 for this purpose.

31 NEW SECTION. **Sec. 5.** LEGISLATIVE APPROVAL. By December 1, 2004,
32 the department shall submit the study findings on the conceptual
33 corridor proposal to the legislative transportation committee. The
34 legislative transportation committee shall recommend to the legislature
35 whether the department shall seek proposals from private companies to
36 develop the corridor. The recommendation must include proposed
37 legislation that sets forth the framework for the agreements that the

1 department may enter into for the project. If the legislature does not
2 enact legislation authorizing a solicitation of proposals, the
3 department shall not pursue further investigation of the commerce
4 corridor.

5 NEW SECTION. **Sec. 6.** EXPIRATION. This act expires January 31,
6 2005.

7 NEW SECTION. **Sec. 7.** CAPTIONS. Captions used in this act are not
8 part of the law.

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