
SENATE BILL 5941

State of Washington

58th Legislature

2003 Regular Session

By Senators Swecker, Haugen, Horn, Oke and Shin

Read first time 02/21/2003. Referred to Committee on Highways & Transportation.

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

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

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

14 (4) A new commerce corridor will provide an alternative to the
15 existing I-5 corridor and will provide new economic opportunities for
16 underdeveloped geographic areas of the state.

17 (5) A new commerce corridor can be built to minimize environmental
18 impacts and provide benefits to communities affected by the corridor.

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

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

7 (8) In order for the legislature to determine whether there are
8 benefits to the citizens of the state, a feasibility study is necessary
9 to identify the engineering, environmental, and economic issues. Such
10 a scoping effort is best led by the Washington state department of
11 transportation in consultation with private companies, communities, and
12 other stakeholders of the commerce corridor.

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

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

16 (2) "Department" refers to the Washington state department of
17 transportation;

18 (3) "Facility" means infrastructure and capital-related additions
19 to the state's transportation system, including but not limited to
20 highways, roads, bridges, park and ride lots, rail stations, and other
21 transportation-related investments;

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

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

26 The Washington commerce corridor will be an alternative route to
27 Interstate 5 that facilitates the movement of freight, goods, people,
28 and utilities.

29 (2) The Washington commerce corridor will be a north-south corridor
30 starting in the vicinity of Lewis county and extending northerly to the
31 vicinity of the Canadian border. The corridor must be situated east of
32 state route number 405 and west of the Cascades. The corridor must
33 provide to the extent possible the following accommodations:

34 (a) Ability to carry long haul freight;

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

36 (c) Freight rail;

1 (d) Passenger rail;
2 (e) Public utilities; and
3 (f) Other ancillary facilities as may be desired to maximize use of
4 the corridor.

5 (3) The Washington commerce corridor must be developed, financed,
6 designed, constructed, and operated by private sector consortiums. The
7 department may solicit proposals from private companies and enter into
8 agreements with selected companies, if authorized by the legislative
9 transportation committee.

10 (4) The Washington commerce corridor is subject to a joint
11 permitting process involving federal, state, and local agencies with
12 jurisdiction.

13 NEW SECTION. **Sec. 4.** CONCEPTUAL PROPOSAL. The department shall
14 submit to the 2005 legislature a conceptual corridor proposal that
15 identifies key elements and issues to include, but not be limited to:

16 (1) Definition of project features, including:

17 (a) Potential alignments;

18 (b) Estimate of the needed right of way requirements;

19 (c) A design level to accommodate the new corridor service. In
20 order to define the building standards for the corridor, the department
21 shall consult with private companies and other stakeholders to
22 recommend level of service standards and other requirements for the
23 construction and operation of the facility;

24 (d) Potential traffic projections;

25 (e) Potential environmental impacts;

26 (f) Potential economic impacts;

27 (g) Recommended designation of the corridor within the statewide
28 transportation system;

29 (2) Preliminary financial information, including:

30 (a) Estimated cost range to develop, construct, and operate the
31 corridor;

32 (b) Estimate of revenues that could be derived from tolls on the
33 corridor;

34 (c) Estimate of revenues that could be derived from other sources
35 including, but not limited to:

36 (i) Air space leases for commercial developments;

37 (ii) Facilities leases;

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

6 (d) Potential sources of revenues that could be leveraged to
7 provide funds for developing construction and operations of the
8 corridor;

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

13 (a) Terms and conditions of agreements necessary to implement the
14 proposal with a private company;

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

17 The department shall consult with legal experts to develop terms
18 and conditions of agreements that would be required in order to have
19 private companies develop, finance, construct, and operate the
20 corridor.

21 The department shall also consult with potential private partners
22 to examine the legal structure and desirable agreement provisions for
23 a successful partnership to develop the project;

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

25 (a) Initial assessment of known environmental impacts;

26 (b) Assessment and recommendations for an efficient approach to
27 environmental permitting;

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

30 The department may contract with expert consultant teams to develop
31 the corridor proposal necessary to conserve resources and get expertise
32 from the private sector.

33 NEW SECTION. **Sec. 5.** LEGISLATIVE APPROVAL. By December 1, 2004,
34 the department shall submit the conceptual corridor proposal to the
35 legislative transportation committee, which will recommend to the
36 legislature that the state embark on a solicitation of proposals from
37 private companies to develop the commerce corridor. The recommendation

1 must include recommended legislation that sets forth the framework of
2 provisions for the agreements that may be entered into by the
3 department for the project.

4 If the legislature does not enact legislation authorizing a
5 solicitation of proposals, the department may not pursue further
6 investigation of the commerce corridor.

7 NEW SECTION. **Sec. 6.** EXPIRATION. This act expires January 31,
8 2005.

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

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