

HOUSE BILL REPORT

ESSB 6099

As Passed House - Amended:

April 13, 2007

Title: An act relating to the state route number 520 bridge replacement and HOV project.

Brief Description: Addressing the state route number 520 bridge replacement and HOV project.

Sponsors: By Senate Committee on Transportation (originally sponsored by Senator Murray).

Brief History:

Committee Activity:

Transportation: 3/26/07, 3/30/07 [DPA].

Floor Activity:

Passed House - Amended: 4/13/07, 74-23.

Brief Summary of Engrossed Substitute Bill (As Amended by House)

- Requires that the state move forward with a state route 520 (SR 520) bridge replacement project design that provides six total lanes, with four general purpose lanes and two lanes that are for high occupancy vehicle travel that could also accommodate high capacity transportation. Further requires that the bridge be designed to accommodate light rail in the future and to support a bus rapid transit system in the corridor.
- Directs the Office of Financial Management to hire a mediator and appropriate planning staff to develop a project impact plan for addressing the impacts of the project design. Establishes that the ultimate goal of the mediation is to develop a project impact plan agreed to by all appropriate parties, and directs the mediator to work with all interested parties.
- Requires that the mediator review the Department of Transportation's (Department) project design plans in the draft environmental impact statement for conformance with certain legislative goals.
- Permits the mediator to determine that additional alternative concept designs should be considered for the west end of the project.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- Directs the mediator to provide to the Joint Transportation Committee and Governor: a progress report by August 1, 2007, periodic status reports, and a final project impact plan by December 1, 2008.
- Prohibits the Department from beginning on-site construction on any part of the SR 520 project until it submits a finance plan to the Legislature that includes state funding, federal funding, at least \$1.1 billion dollars in regional contributions, and revenue from tolling.
- Directs the Governor's Office to work with the Department, Sound Transit, King County Metro, and the University of Washington to plan for high capacity transportation in the SR 520 corridor.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended. Signed by 18 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Jarrett, Ranking Minority Member; Appleton, Armstrong, Curtis, Hailey, Hankins, Lovick, Rodne, Rolfes, Sells, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

Minority Report: Do not pass. Signed by 3 members: Representatives Dickerson, Hudgins and Simpson.

Staff: Kathryn Leathers (786-7114).

Background:

The State Route 520 Evergreen Point Bridge (SR 520 bridge) is a one and a half mile, 42 year-old bridge that crosses Lake Washington in King County. The SR 520 bridge is in need of replacement due to its vulnerability to seismic activity and storm events. In addition to the deteriorating physical condition, the current bridge lacks shoulders for disabled and emergency vehicles, and experiences considerable amounts of congestion on a daily basis.

In 1997, the Trans-Lake Washington Study Committee was authorized by the Legislature to identify ways to improve transportation across and around Lake Washington. The Study Committee evaluated over 100 concepts for the corridor, and recommended beginning the development of a draft environmental impact statement (EIS) to further analyze those concepts, including a four-lane and an eight-lane replacement facility.

Under state and federal law, a determination that a transportation project could have potential adverse environmental impacts triggers the need to conduct an EIS under the National and State Environmental Policy Acts. The EIS review is required to include a review of all reasonable alternatives (not just the preferred alternative), and a plan for mitigating or avoiding impacts of those alternatives.

For purposes of the EIS process, the project was led by the Department of Transportation (Department), the Federal Highway Administration, and Sound Transit as co-lead agencies. Of the 100 concepts identified by the Study Committee, 19 alternatives were selected for further consideration. The first alternative EIS screening analysis for the SR 520 bridge replacement project was completed in 2000. The second screening, which focused on the potential for high capacity transit in the project corridor, was conducted in 2001. The second screening resulted in reducing the concepts to seven multi-modal alternatives, each with highway and high-capacity transit components. A draft EIS that lays out the various design options for the two alternative options -- a four-lane facility, and a six-lane facility consisting of four general purpose lanes and two high capacity lanes -- was published in August 2006.

As the project has moved through the environmental review process, significant public outreach has been conducted, through public meetings, community briefings, and other public events, and through emails and letters. During the public comment period, the Department received over 1,700 unique submissions.

Summary of Amended Bill:

Findings are made regarding the vulnerability of the state route 520 (SR 520) bridge and the urgent need to address the SR 520 replacement project. It is provided that the state must take the necessary steps to move forward with a SR 520 project design that provides six total lanes, with four general purpose lanes and two lanes that are for high occupancy vehicle travel that could also accommodate high capacity transportation. The project must also be designed to accommodate light rail in the future and to support a bus rapid transit system in the corridor.

The Office of Financial Management is directed to hire a mediator and appropriate planning staff to develop a project impact plan for addressing the impacts of the project design on Seattle city neighborhoods and parks, including the Washington park arboretum, and institutions of higher education.

It is established that the ultimate goal of the mediation and planning process is to develop a project impact plan agreed to by all appropriate parties. The mediator is directed to work with all interested parties, including representatives from each directly impacted neighborhood; local governments on both ends of the bridge; King county; the Washington park arboretum; the University of Washington; and Sound Transit. The impact plan must also be reviewed by the Mayor of Seattle and the Seattle City Council.

The mediator is directed to review the Department of Transportation's (Department) project design plans in the draft environmental impact statement for conformance with certain legislative goals, including the goals of minimizing the total footprint and width of the bridge and the project's impact on surrounding neighborhoods.

The mediator is permitted to determine that additional alternative concept designs should be considered for the west end of the project, and to contract with an engineering firm to conduct

an independent feasibility analysis of certain proposals. Any such independent analysis must be submitted to the Joint Transportation Committee (JTC) by September 1, 2007, and the mediator must hold a public hearing on the results.

The mediator is directed to provide to the JTC and the Governor: a progress report by August 1, 2007, periodic status reports, and a final project impact plan by December 1, 2008.

The Department is prohibited from beginning on-site construction on any part of the SR 520 project until it submits a finance plan to the Legislature that includes state funding, federal funding, at least \$1.1 billion dollars in regional contributions, and revenue from tolling.

The Governor's Office is directed to work with the Department, Sound Transit, King County Metro, and the University of Washington, to plan for high capacity transportation in the SR 520 corridor, and the parties are required to jointly develop a multimodal transportation plan that ensures the effective and efficient coordination of bus services and light rail services throughout the corridor.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) It is important to avoid the problems that occurred with the Alaskan Way viaduct, and to see the SR 520 bridge replacement project move forward. There are a large number of areas where there is agreement: on the use of quiet pavement, narrowing the lanes and shoulders, more sensitivity to the arboretum, early use of tolling, and making accommodations for transit and possibly fixed rail in the future. Early use of tolling could be very beneficial. For example, a \$5 toll could divert 15 to 20 percent of the traffic. If the toll revenues were put into an earmarked trust fund and invested, and the money was kept solely for purposes of funding trans-lake transportation, it would generate about \$2.3 to \$2.4 billion in five years. If tolls were imposed early on, it could have a significant, positive impact. There is probably no more sensitive issue than the tolling assumptions, but that is the one thing that could divert traffic. If tolling was done early, there would be an opportunity to adjust the toll up or down, and we would have a sound basis for moving forward. Right now it's all speculation.

There are some contentious issues related to this project; there is not total agreement. The important thing is that the assessment of all alternatives and impacts must be fair and neutral -- if they are fair and neutral, communities will probably be willing to live with those results. The interested parties want to work with the Department.

The bill should be modified to remove the word "impact" from the type of plan that should be developed, because the term "impact" has a very narrow meaning within the Federal Highway

Administration's vocabulary. Keeping design modification discussions open and engaged is important. It's also important to include the concept of conflict resolution in the bill.

The SR 520 bridge project provides us with a unique opportunity to design and construct a truly modern transportation corridor that is environmentally responsible, improves mobility for people and goods, and reconnects communities. For more than the past year, work has been ongoing to develop a common set of principles and goals, including work done with the Department. Four issues should be addressed as this project moves forward: reducing the footprint of the alternatives; carbon and air quality; mobility; and health and the natural environment. This bill could help guide the region to come to a better consensus, to a place where there can be success.

Although there is support for the general idea behind the bill, it should be noted that a mediator could be hired now without legislation. Also, this bill seems to deal with Seattle concerns only. The House version included consideration of concerns related to the east side and dealt with the whole corridor, which would get us to a better final decision. If this bill proceeds forward, the scope of the mediator's duties should be expanded to include everyone's input so that a final decision could be reached.

(Opposed) None.

Persons Testifying: Theodore Lane, Roanone Park/Portage Bay Community Council; Genesee Adkins, Transportation Choices Coalition; and Mike Doubleday, City of Bellevue.

Persons Signed In To Testify But Not Testifying: None.