

VETO MESSAGE ON ESSB 6099

May 15, 2007

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Sections 4 and 5,
Engrossed Substitute Senate Bill 6099 entitled:

"AN ACT Relating to the state route number 520
bridge replacement and HOV project."

This bill is an important step in making progress on the replacement of the State Route 520 bridge. The bill declares that the bridge should be replaced with four general purpose lanes and two high occupancy vehicle lanes. It also creates a mediation process for resolving concerns regarding community impacts caused by the bridge replacement.

Section 4 of this bill permits the project's mediator to ask an engineering firm to conduct an independent review of tubes and tunnels under Lake Washington, a partial tunnel from Interstate 5 to the west end of the SR 520 bridge, and a proposal to move SR 520 from its current alignment through the Arboretum. The bill requires that the mediator submit a report to the Joint Transportation Committee and the Governor regarding the results of the independent review by September 1, 2007.

I have decided to veto Section 4 due to the permissive nature of the bill language and the insufficient amount of time available to conduct the independent design review. Instead, the contract for the mediator will require the mediator to ask an engineering firm to conduct an independent review of the three alternative designs for the project, rather than simply permitting the mediator to conduct the review. Additionally, the contract will require completion of the independent review by December 1, 2007. Mandating the review while providing additional time for the work will provide sufficient time for an engineering firm to perform a thorough review of the proposed alternative designs.

Section 5 of the legislation prohibits any on-site construction of the SR520 project. This section has good intentions, but could inadvertently prevent the Department of Transportation (Department) from moving forward on projects outside of the actual bridge replacement. While I have vetoed Section 5, I am directing the Department not to commence any

bridge construction until the mitigation and finance plans are submitted to the Governor and Legislature by 2008.

For these reasons, I have vetoed Sections 4 and 5 of Engrossed Substitute Senate Bill 6099.

With the exception of Sections 4 and 5, Engrossed Substitute Senate Bill 6099 is approved.

Respectfully submitted,
Christine O. Gregoire
Governor