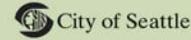
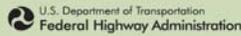


Alaskan Way Viaduct & Seawall Replacement Program



Responses to Questions from 619 Western Building Tenants

Below are questions asked by Western Building tenants about the future of the building and how the relocation process will affect them, and answers by WSDOT staff. If you have questions about any of the information provided, please contact KaDeena Yerkank at 206-805-2846 or yerkank@consultant.wsdot.wa.gov.

1. What is being condemned/torn down?

A couple of weeks ago, we announced our recommendation to demolish the Western Building before tunnel construction begins. This recommendation came after months of investigation and analysis, and coordination with the building owners and State and City historic preservation officials. After we made the announcement, we met with several Seattle City Council members as well as organizations interested in the preservation of the building. Their advice was perhaps there's a third option – one that is not demolition or a significant retrofit of the building. We are currently looking into this third option and should have more details in February. No matter which option is chosen, tenants will still need to be relocated by March 2012.

2. What is the remuneration to the owners for?

WSDOT is obligated to provide fair and equitable compensation (i.e. market value) to the owners for the property rights needed. Where the bored tunnel would pass beneath the Western Building property, WSDOT would negotiate with the property owners for the right to construct and operate the highway tunnel below the surface, and the right to demolish or retrofit the structure. To protect the interests of both the owners and WSDOT, the negotiations would be confidential until completed.

3. What are the rights of the owners to the property after the tunnel construction?

This depends on whether WSDOT purchases the building only or the building and the property. If WSDOT were to purchase the building only, the current owners would retain the rights to the property. If WSDOT were to purchase the building and the property, the owners would sell all of their rights.

4. What led to the decision to tear down vs. retrofit? Were there negotiations with the owners?

Last year structural engineers examined buildings above and near the tunnel route, to see how these structures could be affected by tunnel construction. In February the project team contacted property owners along the tunnel route, including the Western Building owners, to begin providing information regarding tunnel construction and the purchase of underground property rights.

The project's Supplemental Draft EIS, released in October, discussed the potential effect of the bored tunnel on historic structures, including the Western Building. In this document, we discussed that the Western Building may experience very severe impacts during the tunnel boring process.

Because of the existing poor structural condition of the building, the estimated settlement may cause further extensive structural damage and the possibility of collapse.

The project team later completed analysis of four options to address the Western Building's issues – three structural rehabilitation options and a demolition option. We found that the cost to retrofit the building would be substantial. A retrofit would also reduce the building's functionality and economic viability. This led to our recommendation to demolish the Western Building before tunnel construction begins.

The Western Building's owners have been a part of this process since the initial building inspections through our early January recommendation to demolish the building.

5. **What is the date that the Western Building's owner was notified about WSDOT's plans (to excavate the tunnel under the building, requiring either a retrofit or demolition, and requiring building-wide evacuation) and how was the owner notified?**

In February 2010 the project team contacted property owners along the tunnel route, including the Western Building owners, to begin providing information regarding tunnel construction and the purchase of underground property rights.

We met with 619 Western owners again in March 2010 to inform them that both retrofit and demolition options were being evaluated. After further study, we informed them in July 2010 that either option would likely require relocation of at least some 619 Western tenants.

6. **What coordination has happened with the City of Seattle?**

WSDOT and the City of Seattle have been partners in replacing the Alaskan Way Viaduct since 2001. The State and City have worked together closely through the development of replacement alternatives to determine how the project would affect all aspects of the environment, including properties like the 619 Western Building.

7. **What is the estimated cost of the demolition? They have released the retrofit as being \$30 million dollars.**

Demolition would cost approximately \$2.5 million.

8. **The lawyer at the artists' meeting last week said artists could let the state condemn the building to take it out of the hands of the owners, then the state would be more open to retrofitting because they're not interested only in profit. Is this possible?**

The state could purchase the building and property from the current owner. Under this scenario, a variety of factors, including cost, would be considered as part of any decision about the future of the building.

9. **Can interviews be conducted with groups as well as individuals? If so, what are the requirements and restrictions? Could one be interviewed in a group AND as an individual? Do these groups need to form an official entity? (i.e., do the groups need to be a registered non-profit group, a group with a business license, a group registered officially with the state, etc...)**

WSDOT relocation experts have begun meeting with tenants individually and in groups. There is no added benefit for individuals who choose to form an official entity. Relocation assistance eligibility

will be based on each individual's situation. You can wait for someone on the relocation assistance team to call you, or you can contact Patrick Forinash at ForinPa@wsdot.wa.gov or 206-768-5730 to set up an appointment.

10. What is the timeline for eligibility for relocation funds?

Tenants will become eligible for relocation assistance on the day the agency makes a written offer to buy the building and/or property. An offer is scheduled to occur after the Federal Highway Administration issues a Record of Decision in August 2011.

11. If tenants move out earlier than a certain date, will that make them ineligible?

Tenants who move out before an offer is made are likely to jeopardize their eligibility for relocation assistance, unless they have reached a prior written agreement with the agency.

12. Why do we wait until July to begin negotiations?

Offers to purchase property rights needed for the project are scheduled to occur after the Federal Highway Administration issues a Record of Decision in August 2011.

13. If I am not a citizen can I still qualify?

To be eligible for relocation advisory services and relocation payments, a person must be lawfully present in the United States. Federal law requires certification of residency status. Tenants will be required to sign a form certifying they are lawfully present in the United States before the relocation process can begin.

14. Is relocation money taxable?

Relocation payments are not considered as income for the purpose of the Internal Revenue Code of 1986.

15. How can tenants write questions to WSDOT and receive written replies?

If you have questions about relocation assistance, you should email your relocation specialist. If one has not been assigned to you yet, email Patrick Forinash at ForinPa@wsdot.wa.gov. If you have general questions about the program, contact the Alaskan Way Viaduct and Seawall Replacement Program via e-mail at viaduct@wsdot.wa.gov or by mail:

KaDeena Yerkan
Alaskan Way Viaduct and Seawall Replacement Program
999 Third Ave., Suite 2424
Seattle, WA 98104

16. We would like copies of the following documents related to the Western Building:

- **Any documents that refer to the relocation of the Western Building's tenants.**
- **All engineering diagrams, specifications, blueprints, schedules, budget, reports, etc. regarding what it would take to retrofit the Western Building**
- **All Alaskan Way-SR-99 Boring Tunnel project documents, all meeting notes, emails, memos, etc. that refer to the Western Building**

- **All documents regarding the notification of the building's upcoming retrofit/condemnation and evacuation, sent to and received from the Western Building's owner and sent to and received from other groups.**

Washington State law [RCW 42.56](#) requires all agencies to respond to requests for public records in a timely manner and in an acceptable way. Records that are created by the department during the course of business are considered public records.

In order to process your request, we need an individual contact to file a Public Disclosure Request. Please contact WSDOT Public Disclosure Request Coordinator Fred Chang at changf@wsdot.wa.gov or 206-805-2821.

17. What would be the last date someone could move into the building and still be eligible for relocation funds?

In order to qualify to receive relocation entitlements, you must be in occupancy of the property prior to the date WSDOT acquires the property.

18. Are there any considerations in terms of dollar amounts for relocation assistance depending on how long a person has been in the building?

Relocation entitlements are not based on the length of time in the building.

19. Are there any additional restrictions on sub-tenants for the mitigation process and/or award determination? (additional to the major lease holders)

Relocation is not a mitigation process and/or award determination. The Relocation Assistance Program is designed to provide fair, equitable and consistent treatment to persons displaced by projects administered by WSDOT.

20. Do the subtenants negotiate separately from the major leaseholders, and are they eligible for the same types and levels of benefits?

Relocation benefits are based on eligibility; they are not determined by negotiations. Benefits may be different depending on the complexity of the business operation, not the position of the lease agreement.

21. If someone gets a business license now, will that qualify them equally as a business as someone who has had a license for longer?

You are not required to have a business license to be considered a business.

22. If someone has no "official" business license, could other records or materials be used to show legitimacy as a "business" for negotiation purposes? (i.e. participating in First Thursdays, sales records, holding the overall lease and subletting space to other artists, letters from gallery dealers, museum curators, records of shows, etc.). Artists often conduct "business" and achieve legitimacy in different ways than other businesses.

Relocation entitlements are not determined through negotiations; they are determined by assessing each tenant's situation. It is not necessary to have a business license. To qualify as a business for relocation purposes you must meet the following definition and report business income on an annual tax return that you will be required to provide to WSDOT.

Definition of a business per [WAC 468-100-002\(4\)](#):

Primarily for the purchase, sale, lease, and/or rental of personal and/or real property, and/or for the manufacture, processing, and/or marketing of products, commodities, and/or any other personal property; or primarily for the sale of services to the public; or primarily for outdoor advertising display purposes, when the display must be moved as a result of the project; or by a nonprofit organization that has established its nonprofit status under applicable federal or state law.

23. Would there be any acceptance of the different ways that artists or the art world works, and alternative structures used by artists?

A Relocation Specialist will give advice for eligibility requirements and procedures for obtaining the individual's level of assistance.

24. I have been in the building for five months but don't have a lease. The floor manager doesn't give me a receipt for my rent checks. Do I qualify for the relocation program? If not, what do I need to do?

In short yes; your Relocation Specialist will assist with criteria to determine the appropriate level of eligibility.

25. I rent a space in the building. I signed a lease when I first moved in two years ago but it has expired. But there is a clause in it that if the lease is not renewed, it goes month to month. Do I qualify for the relocation program?

In short yes; your Relocation Specialist will assist with criteria to determine the appropriate level of eligibility.

26. I don't have a city license right now because I haven't needed one so far since I'm a student and not selling my art yet. If I go get a business license and city license, will that help me to qualify for more benefits?

It is not necessary to have a business license. To qualify as a business for relocation purposes you must meet the definition of a business (see Question 22) and report business income on an annual tax return that you will be required to provide to WSDOT.

27. I have an out-of-state corporation that I use for the art business I run out of my space at 619 Western. I don't make local sales since all my clients are in another state. I just use my studio for "manufacturing" the art I sell. Based on my situation my accountant has said I don't need a Washington State or Seattle City license. Does this hurt my relocation benefits?

It is not necessary to have a Washington State business license. To qualify as a business for relocation purposes you must meet the definition of a business (see Question 22) and report income on an annual tax return that you will be required to provide to WSDOT.

28. What about educational use expenses for a studio? If someone is using a studio at the 619 Western building to supplement their university studies, does this impact the relocation funding determination? If so, how can these be quantified?

A Relocation Specialist will assist with criteria to determine the appropriate level of eligibility.

29. Can artists who move to INscape receive funding to generate and attract First Thursday traffic? If these artists are not a state recognized business, is this assistance still available?

A Relocation Specialist would need to determine the appropriate level of eligibility prior to answering this question.

30. Will the cost of outfitting the new studio spaces be eligible for reimbursement?

Some costs of outfitting the new studio can be reimbursable under reestablishment. This is a separate entitlement and should not be confused with moving expenses. A qualified business may be reimbursed *up to* \$50,000 for expenses actually incurred in relocating and reestablishing the business. These are expenses that relate mainly to the replacement site. All costs must be determined reasonable and necessary by WSDOT to reestablish the particular business being displaced. If you qualify as a business you will work closely with your Relocation Specialist and obtain pre-approvals on eligible expenses. WSDOT can make relocation payments directly to a contractor on behalf of your business for approved relocation expenses.

If so, what percentage of the cost is typically eligible?

Reestablishment is not based on a percentage it's based on what is reasonable and necessary as determined by the department.

31. Does the new space have to be equal in scope (size/quality)?

The size and quality are a consideration as well as availability and necessity for the business to be successful at a new location.

32. Does the space need to be commercially zoned or could a "home" studio also be eligible?

Only if the business under consideration is required to be conducted in a commercially-zoned area; home studios are eligible.

33. Does accepting certain kinds (money..i.e. reimbursement for renovation of new space, moving expenses, etc.? from the relocation funds or other kinds of help like volunteer help, grants, etc ...) of help come with stipulations? If so, what?

A qualified business (see Question 22) can claim reasonable and necessary repairs to accommodate the business at the replacement site. Relocation funds are not grants. In order to qualify to receive relocation entitlements, you must be in occupancy of the property prior to the date WSDOT acquires the property. If you move before the offer, you may lose your eligibility to receive relocation assistance payments. All claims are required to be supported by appropriate documentation.

34. Could a general fundraiser for the 619 relocation have an impact on the relocation awards?

Relocation entitlements are not affected by fundraisers.

35. I have bad credit. When I moved into the building the person I'm sub-leasing from didn't ask for a rental application or credit check. I always pay my rent on time and I can get letters testifying to that from my current landlord at 619 and several others. What happens if the building I want to relocate to requires good credit, or a credit application? Would WSDOT help me secure a lease in that situation?

No, WSDOT cannot assist with securing a lease at a replacement site; however, we will assist in locating a similar situation. Ultimately it is the tenant's responsibility to secure a new space.

36. I've heard that my relocation benefits will be partly based on my business tax returns. Can you explain this?

One option for a displacee that is considered a business is based on the business's tax returns and is referred to as a fixed moving payment. The fixed moving payment provides an option for moving expense based on the net earnings of your business. If you choose this option you will not be eligible for any other relocation expense.

37. From what I'm hearing, people who are renting spaces in the building at the time the state officially announces the relocation plan will qualify for \$2,000 minimum. Is this true?

False. Relocation entitlements are based on each displacee's unique situation.

38. I have read that your art business tax return has to average \$20,000 per year gross income or more during the time you have rented space in the building to qualify for the maximum \$20,000 "flat cash payout" for relocation. What if I made \$40,000 the year before I moved to my studio at 619, and then nothing the first year I was in the building? The tax returns for those two years would average \$20,000. Would that count, or does my income from my art business have to average \$20,000 during the time I'm in the building to get the maximum amount?

The fixed payment offers a statutory minimum payment of \$1,000 to a maximum payment of \$20,000 and is based on an average business income for a period of two years prior to the displacement. In order to answer this question accurately, it would be necessary for your Relocation Specialist to review your completed tax documentation for the previous two years.

39. I heard at the first meeting with WSDOT that relocation benefits for each tenant could be as high as \$50,000. But when I did some research on that it looks like that money would be 75 percent in reimbursed payments for approved expenses that the tenant paid for. I read that you can qualify for up to 25 percent upfront cash to take care of approved moving costs, but the rest you have to pay yourself, and get reimbursement from WSDOT later. That means someone would have to have \$37,500 on hand to pay for moving costs, and then wait and hope they would get the money back later. Am I right?

No, this is incorrect. Relocation is a "spend it to get it" program and in order to qualify for reimbursement the expenditures must be actual, and be considered reasonable and necessary by the department.

The \$50,000 referred to in the question is a statutory limit for reestablishment expenses and is a separate entitlement that should not be confused with moving expenses. A qualified business may be reimbursed *up to* \$50,000 for expenses actually incurred in relocating and reestablishing the business. These are expenses that relate mainly to alterations made at the new business location. All costs must be determined reasonable and necessary to reestablish the particular business being displaced. If you qualify as a business you will need to work closely with your Relocation Specialist and obtain pre-approvals on eligible expenses. WSDOT can make relocation payments directly to a contractor on behalf of your business for approved relocation expenses.

The 25 percent upfront cash mentioned in this question refers to WSDOT's advance move payment

option.

Moving expenses are covered at their actual cost. There are three moving expenses available:

- Self move: You choose to move yourself.
- Commercial move: WSDOT pays for a commercial move.
- Fixed payment move: You move yourself based on net earnings and are not eligible for any other relocation payments.

Depending on which option the business chooses the department assures prompt payment of the amount incurred, if eligible. If the self move option is chosen, you may be eligible for 25 percent in advance to facilitate the move with the final payment once you have vacated the property entirely.

- 40. I heard that after WSDOT helps me find a new place as similar as possible to the one I have at 619 Western they will help me if the rent is higher at the new place by paying the difference for 42 months. How does this work? How much higher rent can the new place be from the one I have at the 619? I don't want to put myself in a situation where I can't afford the rent on my own at the new space. How can I be sure WSDOT will really help me?**

The answer depends on your specific situation, how much space you currently rent, what is available on the market, as well as other factors. Increased rents are considered a business reestablishment claim and you are only eligible for this if you qualify as a business displacement. Increased costs are based on 24 months, not 42 months.

- 41. Could a tenant move out, continue to pay rent, and then collect relocation benefits?**

No, you must be in occupancy of the property in order to be eligible for relocation entitlements.

- 42. Is there any compensation for money lost to major leaseholders by not being able to sublet space due to pending eviction? Is the property owner being compensated for such lost income?**

This would be better answered at a meeting of the major leaseholders. We are working on setting up this meeting.

- 43. I hold one of the main leases. I am concerned that during the next 12 months if I have a studio vacancy I might have a hard time getting someone to lease it due to the short time the building has left. Would WSDOT cover my loss of profit from the vacant space if this happens?**

This would be better answered at a meeting of the major leaseholders. We are working on setting up this meeting.

- 44. What are the considerations for loss due to business damages?**

Per [WAC 468-100-301\(8\)\(d\)](#) a displaced person is not entitled to payment for a loss of profits or a loss of goodwill. Relocation assistance supports moving and reestablishing the business in a replacement location.

- 45. When will the funds approved for early disbursement be available? Does/can this payment coincide with individual's move dates?**

You are not considered eligible for relocation until an offer has been made to the property owner. Within a reasonable time after that each person considered displaced will receive a Notice of Eligibility, Entitlements and 90-Day Assurance detailing what they are entitled to. WSDOT will work with you to make funds available as expenses are approved.

46. Does accepting relocation funds come with stipulations? If so, what?

Relocation is a “spend it to get it” program. You must vacate the property and actually incur eligible relocation expenses in order to be reimbursed. You will be required to provide documentation to WSDOT for all relocation expenses.

47. How can I know what is happening when I’m overseas?

To remain informed about the status of the relocation effort, please give your contact information to your Relocation Specialist. If you have not been assigned a Relocation Specialist, please contact Patrick Forinash at ForinPa@wsdot.wa.gov or 206-768-5730.

48. Do you pay for any legal advice we may need?

Relocation assistance does not pay for legal fees.

49. How do I get a fixed payment in lieu of/or in addition to relocation assistance? Can you compare those options before you choose one?

To obtain a fixed moving payment (payment in-lieu), submit your tax returns with an application for fixed moving payment to your Relocation Specialist. The fixed moving payment provides an option for moving expenses based on the net earnings of your business. If you choose this option you will not be eligible for any other relocation expenses. Your Relocation Specialist will give you the comparison information and advice to assist you in deciding the moving option that is best suited for your situation.

50. Can you move your business into your home and still receive relocation assistance?

Yes.

51. How much can be done to repair new space? How much negotiation can happen?

Some costs of outfitting the new studio can be reimbursable under reestablishment. This is a separate entitlement and should not be confused with moving expenses. A qualified business may be reimbursed *up to* \$50,000 for expenses actually incurred in relocating and reestablishing the business. These are expenses that relate mainly to the replacement site. All costs must be determined reasonable and necessary by WSDOT to reestablish the particular business being displaced. If you qualify as a business you will work closely with your Relocation Specialist and obtain pre-approvals on eligible expenses. WSDOT can make relocation payments directly to a contractor on behalf of your business for approved relocation expenses.

Relocation benefits are based on eligibility; they are not determined by negotiations.

52. If my business requires special needs (freight elevators) and I find a place to accommodate those needs prior to the offer, can I be compensated?

No; you are not considered eligible for relocation until an offer has been made to the property owner.

53. Do we have any opportunities for salvage during demolition or afterwards? For instance, those large wooden beams and all that wood in the floors! How about things like light fixtures, plumbing, doors, windows, etc....

If the building is demolished, we would work with preservation organizations to salvage historic elements of the building.

54. I would like information about the relocation budget:

- **How much money in total is budgeted for relocating the entire building's tenants?**
- **What is the overall maximum budget anticipated for the 619 relocation mitigation? What number appears in the project documents?**
- **How much is available (set aside already,) how much is not funded yet?**

There is not a specific budget associated with the relocation of the Western Building tenants. Once relocation eligibility is established, WSDOT pays for whatever the tenants are entitled to without exception.

55. We would like copies of all financial documents that refer to the relocation of the Western Building's tenants.

Washington State law [RCW 42.56](#) requires all agencies to respond to requests for public records in a timely manner and in an acceptable way. Records that are created by the department during the course of business are considered public records.

In order to process your request, we need an individual contact to file a Public Disclosure Request. Please contact WSDOT Public Disclosure Request Coordinator Fred Chang at changf@wsdot.wa.gov or 206-805-2821.

56. Explain the property management logistics after close of purchase.

Upon the date the funds are made available to the property owner, the tenants will be required to enter into a displacee lease, which typically lasts 90 days. The tenant will be charged their current lease rate or market rate, whichever is less, for 90 days. If a tenant stays longer than 90 days, their rent will be adjusted to market rate which is identified by the appraisal. As an incentive, WSDOT will refund the first month's rent if the tenant vacates within the first 30 days of the lease. Tenants must provide five days written notice of intent to vacate, all personal property must be removed from the property, and it must be left clean, orderly and in a rentable condition. The tenant will need to schedule a vacate inspection with WSDOT and turn over their keys. Funds are usually refunded within 30 days.

57. Do we stop paying rent once WSDOT buys the building?

No. Each tenant and subtenant would enter into new individual lease agreements with WSDOT at the point of ownership transfer. There would no longer be a master tenant and subtenant leasing structure. Each tenant would be responsible for paying according to the terms of their individual lease agreements.

58. What happens to subtenants if the master tenant can't pay his/her lease?

This would be better answered at a meeting of the major leaseholders. We are working on setting up this meeting.

59. What happens to leases that extend past the ROD/WSDOT purchasing the building?

If WSDOT purchases the building, tenants and subtenants would enter into new individual lease agreements with WSDOT at the point of ownership transfer. Old leases would be void.

60. Can you compensate master tenants for loss of rent as people (subtenants) move out?

This question would be better answered at a meeting of the major leaseholders. We are working on setting up this meeting.

61. Is it possible that artists could buy back the building from the state, if it was retrofit vs. demolished? What are likely costs of purchasing the building at that point...would they be "market" or could the costs be lower in some way?

If the building were to be retrofitted, and remain under current ownership, it would be up to the owner to determine if they want to sell the building and at what price. If WSDOT were to purchase the property and building and subsequently retrofit the building, it is likely that WSDOT would later declare the property a surplus asset and sell both the property and the building at fair market value as is required by state law.

62. Could the city or another non-profit buy the building if it was retrofitted?

Please see the response to Question 61.

63. Who else was notified about the building's upcoming retrofit/condemnation and evacuation, and when were they notified? (For example, we heard the Pioneer Historic Preservation group was notified in July 2010.)

As a historic property, the Western Building was addressed in the environmental review process for the proposed bored tunnel. During the environmental review, WSDOT conducted Section 106 consultation for historic and cultural resources. Section 106 of the [National Historic Preservation Act](#) requires WSDOT to take into account the effect of a project on historic properties.

WSDOT worked with consulting parties throughout the development of the Section 106: Historic, Cultural, and Archaeological Resources Discipline Report for the Supplemental Draft Environmental Impact Statement. In July 2010, all consulting parties were provided the draft discipline report for review and comment. At that time, the consulting parties included the City of Seattle, King County, Historic Seattle, Washington Trust for Historic Preservation, Department of Archaeology and Historic Preservation, and the State Historic Preservation Officer.

On Jan. 10, 2011 we announced our recommendation to demolish the 619 Western Building to the Section 106 consulting parties, which included the City of Seattle, King County, Historic Seattle, Washington Trust for Historic Preservation, Department of Archaeology and Historic Preservation, the State Historic Preservation Officer, the legal representatives for the building owner, Alliance for Pioneer Square, and 4Culture (three new consulting parties were added after July 2010).

Since we announced our recommendation, we have met with the Section 106 consulting parties twice - Jan. 13, 2011 and Feb. 15, 2011 - to discuss the future of the 619 Western Building.

64. How do you request an amendment or addition to meeting notes written by WSDOT? The meeting notes they sent us from the December 16, 2010 meeting are not accurate or complete.
The notes from our tenant briefings and meetings are intended to provide an overview of the material presented and answers to the questions asked. We do not create a verbatim record of the meetings; therefore, they are not intended to serve as official meeting minutes. As the meeting summary is not an official record, it is not necessary to amend the summary.

65. The tenants have a more complete version of the minutes from the Dec 16th meeting, is it possible for these to be amended into the official WSDOT minutes of this meeting?

Please see the response to Question 64.

66. What other WSDOT meetings are scheduled to discuss the Western Building with other groups invited (for example 4Culture, the City's Economic Development, Arts, and Neighborhoods, the Historical Preservation, the Port of Seattle) but not including 619 Western tenants?

We continue to meet with the consulting parties for the purposes of the Section 106 consultation process, which focuses on the historic nature of the building. At these meetings we review and discuss effects to historic properties; we do not discuss relocation assistance or tenant issues.

We have also convened a group of arts organizations, representatives from the city of Seattle and property owners/developers in the Pioneer Square neighborhood to begin identifying spaces within Pioneer Square that could meet the needs of 619 Western tenants. The group met on Jan. 20, 2011 and expects to hold additional meetings although none have been scheduled at this time. You can review the notes from the first meeting [online](#).

67. I dispute the timeline for relocation, I think the tenants should not be distracted by the relocation process before the final EIS is signed off in July. I would like to formally request six months delay on the relocation process, to give us time to figure out what is going on, identify solutions, and negotiate a resolution. This time period is within the environmental review period anyway. How do I formally file my dispute and request to delay relocation procedures?

The project schedule requires that we meet the timeline established for relocation. Tenant relocation would not begin until after the Record of Decision has been issued in summer 2011. We opted to begin a dialogue with the tenants of the 619 Western Building before the relocation process begins in order to provide more time for preparation and identification of new studio space.

Most of the comments we've received from tenants so far indicate that they would like to have more time to prepare and identify new studio space, not less. We will continue to provide information as requested and meet with individual tenants to assess their situation. There is not a vehicle to file a formal dispute regarding the timeline for the relocation procedures.

68. The Draft Environmental Impact Statement (DEIS) for the Alaskan Way Viaduct replacement project did not analyze the impact the loss of the all-arts Western Building will have on Pioneer Square's economy. Will WSDOT include this in the final version?

We will discuss it, but not as it relates to the economy.

69. The majority of tenants in the Western Building were not aware of threat the tunnel has on the building until after the public commenting period for the DEIS was closed. How can we formally request that the public commenting period be reopened?

The SDEIS comment period was 45 days, from Oct. 29, 2010 through Dec. 13, 2010. There is not an opportunity to reopen the public comment period. We received 15 comments about the Western Building and will respond to those in the Final Environmental Impact Statement.

70. I would like to formally ask that the DEIS be reopened to address the impact on Pioneer Square businesses, community and culture when there is a loss of over 100 artists in Pioneer Square. The hundreds of art walkers that will no longer be able to visit the 619 on 1st Thursday should also be included.

Please see the response to Question 69.

71. What happens to the land after the building is demolished and the tunnel is built?

If the building were demolished, the building's owner would be obligated to replace it and the new building's design would need to fit into the historic character of the district and be approved by the Pioneer Square Historic District.

72. What happens if there is not approval of the tunnel or enough funding?

The cost estimate for the Alaskan Way Viaduct replacement projects is \$3.1 billion. The projects have \$2.4 billion in committed funding from the state gas tax and federal sources. Additionally, the 2009 Legislature stated that up to \$400 million in funding could be generated through [tolls](#). The Port of Seattle also committed \$300 million to the replacement program.

While we do not have final approval to build the bored tunnel, we are on track to complete our environmental review of the project this summer.

73. Who else has gone through this relocation process with WSDOT?

As part of our S. Holgate Street to S. King Street Viaduct Replacement Project, WSDOT relocated four artisan vintners and one catering company that were sharing space in the SODO neighborhood. While the contacts below agreed to be references, they requested that you limit the number of Western Building tenants contacting them for information.

Jody Elsom
Elsom Cellars
425-298-3082

Alex Manoni
Stomani Cellars
206-340-6137

Jim Musielewicz
Sodovino
206-794-0966

Judith Papesh
Falling Rain
206-601-0549

74. What consideration is given to the loss of business? (i.e. no access to freight elevators)?

Per [WAC 468-100-301\(8\)\(d\)](#) a displaced person is not entitled to payment for a loss of profits or a loss of goodwill. Relocation assistance supports moving and reestablishing the business in a replacement location.

75. What if you/we can't find space right away that meets our needs?

Once you receive your Notice of Eligibility letter in August, you have at least 90 days to move. Once you vacate the Western Building, you have 12 months to occupy a new space and 18 months to file any claims.

76. Could we negotiate and aggregate larger space, and pool resources?

Ultimately it is the tenants' responsibility to find a larger group site, however your Relocation Specialist will assist you the best that they can. If you choose to move as a group, you can utilize your relocation entitlements together to establish a large group move.

77. How will you contact tenants? Will you contact the major lease holder first? (Recommend meeting with them first.)

Many of the tenants have already been contacted and interviews have been completed. We are still planning to hold a meeting for the major lease holders in the near future.