

3.14 DISPLACEMENTS AND RIGHT-OF-WAY ACQUISITION

3.14.1 Studies and Coordination

New right-of-way areas were estimated using different methods depending on the availability of information. For the I-405 mainline, aerial photos with right-of-way lines depicted for some of the projects were used. For those areas where right-of-way needs were not depicted on aerial photos (most of the arterials and the pedestrian/bicycle improvements), proposed roadway cross sections showing existing improvements and proposed improvements were reviewed. Additionally, in areas where neither of the foregoing was available, assumptions were made based upon right-of-way acquisition experience.

Displacements of residential housing and business establishments were estimated for the I-405 mainline by referring to the aerial photos.

In order to estimate right-of-way and displacement costs, a search of the real estate market was conducted. The data were studied and analyzed on the basis of price paid per square foot of site (land) area, for both unimproved and improved properties. The study included sales along the entire I-405 corridor, which encompasses a variety of markets.

Given the programmatic level of this study and the lack of detail inherent in the estimated right-of-way areas, a value was assigned for each of four categories of properties: Residential unimproved, residential improved, non-residential unimproved, and non-residential improved. Identifying properties in these categories facilitated the residential and non-residential (“business”) relocation/reestablishment aspects (displacements) consistent with the Uniform Relocation Act.

3.14.2 Methodology

Aerial photos were reviewed for the I-405 mainline. Project areas requiring right-of-way were calculated by scaling the various projects from approximately 1 inch = 200 feet photos. The right-of-way area calculated was expanded where appropriate when it appeared a structure was within the acquisition. The areas were categorized by square feet as residential unimproved, residential improved, non-residential unimproved, and non-residential improved. The estimated total number of parcels as well as the estimated number of residential relocations and business relocations was calculated. The numbers were summed by project and alternative.

Where proposed roadway cross sections were available, the existing right-of-way was estimated based on the width of the existing improvements plus 10 feet. All existing right-of-way was assumed to be at least 60 feet wide, which is recognized as the standard right-of-way width in the study area. The proposed right-of-way was estimated from the cross sections by adding the width of the proposed improvements plus 10 feet to account for the additional area needed for construction and maintenance. To determine additional right-of-way needs, the existing estimated width was subtracted from the proposed estimated width, and the difference was multiplied by length to arrive at square footage. This area was summed by project and alternative.

For the remaining right-of-way needs, primarily non-roadway site easements and BNSF rail line, areas were calculated based upon standard site area sizes for the type of improvement, i.e., park-

and-ride lots, transit centers, transit stations, etc., or in the case of BNSF, an existing 100-foot-wide right-of-way. Once again, these areas were summed by project and alternative.

This methodology was used at the programmatic level to estimate the number of affected parcels. It is highly likely that the parcel count as well as estimated numbers and locations of displacements would change at the final design stage.

The I-405 corridor real estate market was researched on a broad basis and in four categories: 1) residential unimproved properties, 2) residential improved properties, 3) non-residential unimproved properties, and 4) non-residential improved properties. Cost data were gathered from a variety of commercial sources for sales in these four categories; the common denominator in all categories was square footage. Data included improved properties, which were included in the cost analysis on the basis of price paid per square foot. This analysis resulted in estimated values per square foot for each category of properties included in this study. These unit values are:

- Residential unimproved - \$25.00 per square foot
- Residential improved - \$35.00 per square foot of land
- Non-residential unimproved - \$32.00 per square foot
- Non-residential improved - \$100.00 per square foot
- BNSF right-of-way - \$30.00 per square foot

The estimated unit values must be increased to account for additional costs associated with acquisition, relocation, administrative expenses, administrative settlements, and legal costs. To arrive at an estimated total cost to account for these additional expenses a multiplier is typically used. Typical multipliers of 1.5 - 2.0 are normal when applied to all acquisitions. A multiplier of up to 3.0 has been found applicable when improved properties with relocation are acquired. For the purposes of this FEIS a multiplier of 2.5 has been applied to the estimated costs for improved residential and non-residential properties. Therefore the costs of acquisition, relocation, administration, and administrative settlement and legal costs for residential improved properties has been estimated to be \$90.00 per square foot of site area; the cost of acquisition, relocation, administration, and administrative settlement and legal costs of non-residential improved properties is estimated to be \$250.00 per square foot of site area.

The analyses in this section are based on the *I-405 Corridor Program Draft Right-of-Way and Displacements Expertise Report* (DEA, 2001) herein incorporated by reference.

3.14.3 Affected Environment

The environment affected by displacements and right-of-way acquisition is discussed in the Land Use subsection (see Section 3.13.4).

3.14.4 Impacts

3.14.4.1 No Action Alternative

The construction and operational impacts of the committed projects in the No Action Alternative are assumed to occur with or without the I-405 Corridor Program. These impacts are, or will be, addressed in the project-level environmental analysis, documentation, and review conducted for those projects.

3.14.4.2 Alternative 1: HCT/TDM Emphasis

All of the displacement and right-of-way acquisition impacts for this alternative are considered to be construction impacts; there are no operational impacts.

The total additional right-of-way required for Alternative 1 is estimated at 25 million square feet, or approximately 580 acres (Table 3.14-1). Using the aerial photos depicting the improvements along the I-405 mainline for Alternative 1, an estimated 150 parcels would need to be acquired. For the remainder of the improvements, excluding the HCT project area within existing BNSF right-of-way, the number of parcels was estimated by calculating the parcel size based on the average parcel size for all acquisitions depicted on the aerial photographs. It is estimated that Alternative 1 would require approximately 1,000 right-of-way acquisitions. The HCT projects located on BNSF right-of-way are excluded from the parcel calculations because its unique size and shape would skew the estimate of affected parcels. Existing BNSF right-of-way accounts for approximately 12,800,000 square feet of acquisition area in Alternative 1. Total right-of-way cost including acquisition and relocation is estimated to be \$934,781,000.

Table 3.14-1: Summary of Action Alternative Right-of-Way Acquisition and Displacements

Alternative Number	Acquisition (million square feet / acres)	No. of Parcels	Displaced Units (Residential / Non-Residential)	Estimated Cost
1	25 / 580	1,000	260 / 30	\$934,781,000
2	34 / 770	1,600	450 / 100	\$1,335,645,000
3	17 / 400	1,400	330 / 110	\$973,044,000
4	19 / 440	1,300	280 / 80	\$1,145,589,000
Preferred Alt.	<u>31 / 730</u>	<u>1,600</u>	<u>400 / 150</u>	<u>\$1,398,450,000</u>

Total approximate displacements for Alternative 1 were 260 residential and 30 business relocations.

3.14.4.3 Alternative 2: Mixed Mode with HCT/Transit Emphasis

All of the displacement and right-of-way acquisition impacts for this alternative are considered to be construction impacts; there are no operational impacts.

The total additional right-of-way required for Alternative 2 is estimated at 34 million square feet, or approximately 770 acres (Table 3.14-1). Using the aerial photos depicting the improvements along the I-405 mainline for Alternative 2, an estimated 450 parcels would need to be acquired. For the remainder of the improvements, excluding the HCT project area within existing BNSF right-of-way, the number of parcels was estimated by calculating the parcel size based on the average parcel size for all acquisitions depicted on the aerial photographs. It is estimated that Alternative 2 would require approximately 1,600 right-of-way acquisitions. The HCT projects located on BNSF right-of-way are excluded from the parcel calculations because its unique size and shape would skew the estimate of affected parcels. Existing BNSF right-of-way accounts for approximately 12,800,000 square feet of acquisition area in Alternative 2. Total right-of-way cost including acquisition and relocation is estimated to be \$1,335,645,000.

Total approximate displacements for Alternative 2 are 450 residential and 100 business relocations.

3.14.4.4 Alternative 3: Mixed Mode Emphasis

All of the displacement and right-of-way acquisition impacts for this alternative are considered to be construction impacts; there are no operational impacts.

The total additional right-of-way required for Alternative 3 is estimated at 17 million square feet, or approximately 400 acres (Table 3.14-1). Using the aerial photos depicting the improvements along the I-405 mainline for Alternative 3 an estimated 540 parcels would need to be acquired. For the remainder of the improvements, the number of parcels was estimated by calculating the parcel size based on the average parcel size for all acquisitions depicted on the aerial photographs. It is estimated that Alternative 3 would require approximately 1,400 right-of-way acquisitions. Total right-of-way cost including acquisition and relocation is estimated to be \$973,044,000.

Total approximate displacements for Alternative 3 are 330 residential and 110 business relocations.

3.14.4.5 Alternative 4: General Capacity Emphasis

All of the displacement and right-of-way acquisition impacts for this alternative are considered to be construction impacts; there are no operational impacts.

The total additional right-of-way required for Alternative 4 is estimated at 19 million square feet, or approximately 440 acres (Table 3.14-1). Using the aerial photos depicting the improvements along the I-405 mainline for Alternative 4 an estimated 697 parcels would need to be acquired. For the remainder of the improvements, the number of parcels was estimated by calculating the parcel size based on the average parcel size for all acquisitions depicted on the aerial photographs. It is estimated that Alternative 4 would require approximately 1,300 right-of-way acquisitions. Total right-of-way cost including acquisition and relocation is estimated to be \$1,145,589,000.

Total approximate displacements for Alternative 4 are 280 residential and 80 business relocations.

3.14.4.6 Preferred Alternative

All of the displacement and right-of-way acquisition impacts for this alternative are considered to be construction impacts; there are no operational impacts.

The total additional right-of-way required for the Preferred Alternative, which includes certain projects not included in Alternative 3, is estimated at 31 million square feet, or approximately 730 acres (Table 3.14-1). Using the aerial photos depicting the improvements along the I-405 mainline for the Preferred Alternative, an estimated 736 parcels would need to be acquired. For the remainder of the improvements, the number of parcels was estimated by calculating the parcel size based on the average parcel size for all acquisitions depicted on the aerial photographs. It is estimated that the Preferred Alternative would require approximately 1,600 right-of-way acquisitions. Total right-of-way cost including acquisition and relocation is estimated to be \$1,398,450,000.

Total approximate displacements for the Preferred Alternative are 400 residential and 150 business relocations.

3.14.5 Mitigation Measures

WSDOT will make all attempts to avoid acquiring properties or displacing residents. Where avoidance is not reasonable or feasible, regulations will be followed to minimize impacts.

The right-of-way acquisition program in the state of Washington parallels that of the Federal Government when federal funds are involved. The controlling authority may be found in the Uniform Relocation Assistance and Real Property Policies Act of 1970, as amended (42 USC 4601 *et seq.*), hereinafter Uniform Act, and the regulations promulgated thereunder by FHWA at 49 CFR Part 24.

This law requires that all property proposed for acquisition be appraised at its fair market value (FMV), and that the property owner be offered at least FMV for the purchase of the property. In the event of a disagreement, WSDOT has provisions for an administrative settlement. Property owners are also entitled to a cost to cure any damages to the property resulting from a project (if the damaged property is not actually acquired).

Further, if the acquisition actually takes or effectively renders useless property on which there is a residence or a business, the Uniform Act requires relocation assistance to the property owner and tenants.

Benefits for displaced business can include moving costs reimbursement, re-establishment costs, and/or fixed schedule move options. The eligibility and amounts of these benefits will be determined at the time of displacement.

In the event acquisition of public facilities is necessary, the Uniform Act contains provisions for “functional replacement” of the facility.

Given the programmatic nature of this FEIS, impacts to specific properties cannot be identified at this time. However, during the project-specific design stage, analysis of mitigation to individual property acquisitions will be undertaken.

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