



Meeting Summary
SR 520 Legislative Workgroup Meeting #3
Tuesday, November 17, 2009
10 a.m. to 2 p.m.
Sound Transit, Ruth Fisher Board Room

Attendees:

In attendance:

- Representative Scott White, 43rd District, Co-chair
- Senator Rodney Tom, 48th District, Co-chair
- Speaker Frank Chopp, 43rd District
- Representative Jamie Pedersen, 43rd District
- Representative Ross Hunter, 48th District,
- Representative Deborah Eddy, 48th District
- Representative Larry Springer, 45th District
- Senator Ken Jacobsen, 46th District
- Senator Eric Oemig, 45th District
- Representative Judy Clibborn, House Transportation Committee Chair
- Washington Transportation Secretary Paula Hammond
- Senator Dan Swecker, 20th District
- Senator Mary Margaret Haugen, Senate Transportation Committee Chair
- State Transportation Commissioner Richard Ford

Not in attendance:

- Senator Ed Murray, 43rd District
- Representative Dan Roach, 31st District

Welcome and Introductions (Rep. White and Sen. Tom)

Rep. White and Sen. Tom, Workgroup co-chairs, welcomed the group to the meeting and reviewed the meeting [agenda](#). Sen. Tom stated that today's meeting would focus on developing draft recommendations. Barbara Gilliland, Workgroup Administrator, directed the members to their meeting packets, which included informational materials requested by subgroup members at the last Westside Subgroup meeting held on Nov. 10, 2009.

Finance Plan Update (David Dye and Brent Baker)

David Dye, WSDOT Deputy Secretary, and Brent Baker, Principal Consultant, Parsons Brinckerhoff, provided a finance plan update. Mr. Dye reviewed a funding decision [timeline](#) for the SR 520 floating bridge and landings that emphasized the critical path elements to opening the floating bridge to drivers in 2014. He highlighted the supplemental draft environmental impact statement (SDEIS) to be released in January

2010 and the direction from the governor to open the new floating bridge to drivers in 2014.

Mr. Dye stated that in order to meet the governor's request, it is necessary for the I-5 to Medina: Bridge Replacement and HOV Project to have a preferred alternative selected in the 2010 legislative session. Once a preferred alternative is selected, the I-5 to Medina project can move forward with a final environmental impact statement (FEIS), followed by a record of decision that will then allow the project to submit the necessary permits to begin construction. This schedule will open the bridge to drivers in 2014.

Mr. Baker reviewed the [tolling scenarios](#) analyzed by the [SR 520 Tolling Implementation Committee](#) and a potential [funding sources matrix](#) that was previously shared at the Nov. 5 working session. The tolling scenarios included the SR 520 general-purpose lane tolling only, SR 520 general-purpose lane tolling plus dual I-90 express lanes, and SR 520 plus I-90 general-purpose lane tolling. The potential funding sources matrix included a list of federal, regional and local funding sources.

QUESTION: Some of us went to Grays Harbor County to investigate jobs that will be created by the Pontoon Construction Project. We were told that until this decision was made, there will not be any jobs created. Am I correct? (Sen. Haugen)

RESPONSE: *You are partially correct. There is a project that will be under way in a design-build contract at the end of this year. This includes the pontoon construction site and the design of the first set of pontoons. Construction will most likely start at the beginning of 2011. These pontoons would be used to replace the floating bridge in the event of a catastrophic failure.*

This project is analyzed under a separate environmental document. The rest of the pontoons, including outfitting, towing into Lake Washington, anchoring, and connecting them up to each end, is tied to this National Environmental Policy Act (NEPA) action. (David Dye)

COMMENT: Well, we were told at that time that you had to have the environmental impact statement in print. (Sen. Haugen)

RESPONSE: *I'll have to go back and check the record on that. (David Dye)*

COMMENT: I appreciate that, because this is about jobs. (Sen. Haugen)

COMMENT: I am trying to help sort out the difference between the floating bridge and landings and the project we are working on that we have a request for proposals (RFP) out for the pontoon replacement? (Sec. Hammond)

RESPONSE: *There are two environmental processes that need to be completed to get a floating bridge on the lake and connected up on each side. The first is a standalone project that regardless of what happens, in terms of configuration or NEPA action, is an emergency storm response project. This is so that, in the hopefully unlikely event that we lost the bridge in a storm, we would avoid a scenario where the bridge is not replaced for five years. Instead, we will be able to build those pontoons, store them and keep them ready to be towed up to Lake Washington and outfitted as soon as possible. That project is proceeding under a separate environmental action. These jobs are going to begin, but we do have to complete design work first, so the construction jobs are out about a year.*

As we review the process for the westside, it means we take those pontoons, build additional ones, tow them to Lake Washington, outfit them with the roadway superstructure, and connect them to the existing approaches on both sides. (David Dye)

QUESTION: Regarding the pontoons, does this include both the Tacoma pontoons as well as the Grays Harbor pontoons, or are they separate? (Rep. Clibborn)

RESPONSE: *Tacoma pontoons and Grays Harbor pontoons are under both contracts. The first project does include options at Tacoma and also those to be built at the new facility in Grays Harbor. (David Dye)*

QUESTION: I have a question regarding the corridor schedule. I understand that the governor talked about having the corridor open by 2014 or so. But this shows 2018? (Speaker Chopp)

RESPONSE: *The governor had suggested two dates. Get the floating bridge replaced, with new traffic on it in 2014. Also, have the entire corridor operationally complete in 2016. That was predicated on a full funding scenario that we talked about in the 2009 legislative session. The full funding for the corridor was not provided at that time. Thus, we are making an estimate based on an assumption for when construction funding would become available. We can work on that timing further, but it is clear that the whole corridor is not in position to open in 2016 with additional pieces to be completed through 2018. (David Dye)*

QUESTION: Looking at the second scenario in which building might be under way on the Eastside in 2011, why are we building these projects today with overhead signs and enough concrete to build the Great Wall, if we will be ripping them up next year? (Sen. Tom)

RESPONSE: *We are putting in the infrastructure necessary to meet the requirements of the Urban Partnership Agreement for tolling and active traffic management. Construction in that corridor would likely not start until late into 2011 for the Eastside Transit and HOV Project under any scenario. It will provide good information for us and provide infrastructure to get tolling under way on the existing corridor. Other than the concrete bases, all of the materials that are being installed will be reusable. Only the concrete bases would need to be disposed. (David Dye)*

QUESTION: Talking about 2018 in terms of the westside, why can't there be continued negotiations with the directly affected corridor communities on the westside to come to a better solution, both in terms of cost and community impact, while the project goes forward? We are talking about having it finished at the earliest at 2018, and that is subject to litigation, and that may take many more years. Why can't we in some way have continued negotiations with the corridor community groups which are very well organized and working in good faith to come up with solutions that meet the criteria for transportation, cost, community impacts, and transit connections to Sound Transit, based on this timeline? What you just showed us, it won't be operating until 2018. (Speaker Chopp)

RESPONSE: *Looking at the schedule, you would think that there is a lot of free time. But the completion in 2018 is predicated on construction funding in 2011, with a decision being made and FEIS adoption. The westside is extremely complicated in terms of the amount of money you are trying to invest in a relatively small geographic area. It is a*

multiple year construction season project. To get where we want to get to, even under this scenario, funding must be lined up in 2011 and construction under way. We are being conservative with the 2018 date. We could likely beat that, and advance that date, but this is a multi-year construction project. (David Dye)

QUESTION: If we had a design-build delivery model on the westside, what would that do to the opening date? You show it as design-bid-build. (Sec. Hammond)

RESPONSE: *If we could take advantage of the opportunities that design-build grants us, we could accelerate that date. One of the issues and uncertainties is that it is not just when the project is fully financed, but what the cash flow is on a biennial basis to actually build the project. We might have a finance plan that says that by 2020 the full amount is available, but if you don't have that available between 2013 and 2016, you can't accomplish the work faster. Without any monetary and cash flow issues, the 2018 date could certainly be beaten. (David Dye)*

QUESTION: It is my understanding that we have had success with the design-build scenarios, and that has worked, saved money, and been faster. Is there value in going there, even beyond simply speed? It sounds like if we defer the westside design decision, then that defers the completion of the corridor as well? (Rep. Hunter)

RESPONSE: *Yes. (David Dye)*

COMMENT: That assumes that there is no litigation which delays the project because the community groups do not appreciate the proposal as it currently exists. They have been coming forward with design changes to save money and address environmental concerns. I am asking that people take a deep breath here. Clearly there is agreement on the Eastside and on moving forward with the project in general, and we want jobs, there is no question. At the same time, I know the political reality of a few things, including the community's acceptance of the proposal on the westside. I have been working with many people to urge them to come up with ideas to meet those goals of the project in the interest of coming to an agreement to avoid lengthy litigation. This happened with I-90, which I believe was delayed by litigation by at least ten years, causing the project costs to skyrocket or double. At that time, we had around 90 percent federal funding. Now we have around 10 percent federal funding, if we're lucky. I would urge people to look at a scenario that would give us the time to continue negotiations with the direct corridor communities. Also, the design-build contractors may have ideas on shaving costs. The community groups on the corridor are in disbelief as to the cost estimates for the tunnel, which is not that long. The community groups have made enormous progress from their original proposal in terms of meeting environmental concerns and costs. In the last Westside Subgroup, there were statements from the environmental agencies that Option M was much better in terms of meeting environmental concerns. (Spkr. Chopp)

QUESTION: Could these three timelines function independently? (Sen. Swecker)

RESPONSE: *Once we have an environmental impact statement for the westside, it enables the floating bridge to move forward. The Eastside is done under a separate environmental document, which has been signed by FHWA and will be released at the early part of next month. The Eastside can stand alone. The bridge is tied in with the westside environmental piece. So how would you move the bridge forward under the*

environmental process that includes the westside interchange design? I don't know if I can answer that question right now. (David Dye)

COMMENT: Maybe you could explore that option. We could do it obviously, but the question is how burdensome it would be, if we would have to do a whole new set of environmental documents. (Sen. Swecker)

RESPONSE: *We talked earlier about how one of the challenges regarding Option M is the introduction of new impacts. We spoke last time about a six-month process delay of the SDEIS, which directly impacts the bridge. The rest of it is open to discussion. (David Dye)*

COMMENT: One thought might be to proceed with the current EIS, recognizing that there might be subsequent revisions to the westside portions, which would have to go through the revision process, whatever that is. It would not be iron clad from the very beginning. Any changes would require updates or modifications to the EIS. (Sen. Swecker)

QUESTION: I like the 'time clock' graphics for the tolling scenarios. Does that represent the total available funds, or just a portion? (Sen. Swecker)

RESPONSE: *The symbols on the right-hand column indicate the ability of that toll scenario to meet the unfunded gap of \$2.36 billion for a \$4.65 billion program. They are in ranges at the bottom of the page. An empty circle is more than \$1.5 billion short. One quarter circle is between \$1 billion to \$1.5 billion short. A half circle is between \$0.5 billion and \$1 billion short. Three quarters is less than \$0.5 billion short. A full circle means it fully funds the \$4.65 billion program. (Brent Baker)*

QUESTION: I would like clarification on Scenario 15. It states there is a toll east and west of Mercer Island. Is that a segment toll? (Rep. Clibborn)

RESPONSE: *For the dynamically priced express toll lanes, it is in segments, but each section that you travel has a price. It is not a price across the lake. Instead, it is based on where you enter and exit, based on a per-mile basis. (Brent Baker)*

QUESTION: Would the two points for tolling I-90 be on the east channel and on the floating bridge? (Rep. Tom)

RESPONSE: *There would be many toll segments between Issaquah and I-5. We should clarify that there are not just two points, but dynamically priced segments out to Issaquah. I apologize for any confusion. Keep in mind that with the express toll lanes, there would be a choice to use them. The general-purpose lanes would be adjacent. (Brent Baker)*

QUESTION: This is different from our meeting a couple weeks ago. It seemed that Scenario 13 generated enough funds, with post-completion tolling starting in 2016, on I-90, and still have enough to fund the bridge. There is presumably other funding that could be added in early, to make it work. (Rep. Hunter)

RESPONSE: *To be clear, the financial capacity indicators on this chart indicate only the existing funding sources that have been identified and how tolling can go to fill that gap, not other funding sources that have been discussed by the Workgroup. (Brent Baker)*

QUESTION: If you took the original 35 cent toll from when the bridge opened in the early 1960s and escalate it year-by-year with the inflation, what would it be today? (Comm. Ford)

RESPONSE: *It would be approximately \$2.50 in today's dollars. (Brent Baker)*

COMMENT: I just wanted to keep this in perspective. The 35 cents happened to pay off the cheaply built bridge. They didn't sell very many bonds to build it. (Comm. Ford)

QUESTION: Do any of these toll scenarios charge more for freight? (Sen. Oemig)

RESPONSE: *Any of the general-purpose tolling does assume that trucks will pay a larger toll. This is true for all toll scenarios except for the express toll lanes on I-90. (Brent Baker)*

COMMENT: We have been looking at a lot of ways to pay, but not at any ways to save. I am looking at the scenarios that are within \$500 million. Rather than go to the next step, how would you save money to get to within the toll rate? (Rep. Clibborn)

RESPONSE: *Are you referring to the lids on some of the parts of the Eastside? (Spkr. Chopp)*

COMMENT: I just want to remember that when we are here talking about the bridge, we must look at the whole picture. I remember on I-90, there was nothing in the rest of the state that need large amounts of money. We want to do the job right but the rest of the state has huge needs. (Sen. Haugen)

QUESTION: I agree with much of what Sen. Haugen said. But another question that may have been answered previously is whether there has been targeted polling done on the tolling in the I-90 corridor? I remember in 1994, there was a huge backlash against the public-private partnerships in transportation that involved private financing and six different projects, including Highway 18. Two thousand people showed up at one meeting adamantly opposed to tolling there. The tolls in that corridor were going to pay for improvements to that same corridor and there was enormous backlash for tolling in that corridor. So has polling been done for charging tolls on I-90 and the money going to SR 520? As I understand it, the net revenue would pay for SR 520, rather than I-90 improvements. On what basis do we think that the public would support this? (Spkr. Chopp)

RESPONSE: *We would refer back to the Tolling Implementation Committee data and report from last summer. We did extensive surveying and outreach. The closer to I-90 people lived; the less excited they were about I-90 tolling. The further north you go, the more people thought both bridges should be tolled. We have data and the report out, and we should get it to you. The dollar amounts were not exactly the same as the tolling scenarios here. The level of funding has an impact on people's opinions, and the amount of diversion created. This is primarily what the public spoke to at our public meetings and on our survey. (Sec. Hammond)*

Transit Agency Update (Kevin Desmond)

Ms. Gilliland directed the members to a [letter](#) submitted by Sound Transit included in their meeting materials.

Kevin Desmond, General Manager, King County Metro, spoke to the Workgroup about King County's position on the SR 520 westside design options. He stated the importance of a continuous HOV and transit lane through the entire corridor. Mr. Desmond stated that per request of the Workgroup, King County Metro reviewed Option M. After this review, the agency has concerns with the way the option creates a merge between the HOV/transit and general-purpose lanes in the Montlake area. He stated that King County Metro still supports the A+ Hybrid design.

QUESTION: Based on your comments, you would still have a preference for Option A or A+ with its variations? This is while understanding that there is still development work occurring on Option M. Based on the information available for you now, your preference still stands? (Rep. White)

RESPONSE: *Yes. (Kevin Desmond)*

Westside Subgroup Observations (Barbara Gilliland and Jennifer Ziegler)

Rep. White summarized the work done in the Westside Subgroup. He stated the subgroup's commitment to hear from as many different perspectives as possible. He recounted statements made by various groups, including proponent groups, other community representatives, the Arboretum, the University of Washington, City of Seattle Councilmember Richard Conlin, Bellevue Mayor Grant Degginger, King County Metro Transit, Sound Transit, the Coast Guard, and environmental resource agencies. Rep. White mentioned direction given to WSDOT to work on hybrid options and towards cost reductions. He also noted that the observations highlighted in the Westside Subgroup's final meeting were not necessarily inclusive of all of the observations from the full Workgroup.

Barbara Gilliland, Workgroup Administrator, summarized key points from the [considerations table](#) of the Westside Subgroup's work, including discussion of design options, financing availability, transit, litigation concerns, permitting, and timing.

Jennifer Ziegler, Director, Government Relations and Communications, Toll Division, WSDOT, discussed the content of the [SR 520 statutory provisions](#). She focused on the legislation's language regarding a six-lane bridge, as well as tolling.

QUESTION: To clarify, the legislation calls effective connections for transit including high-capacity transit to the light rail station at the University of Washington. Correct? (Rep. Pedersen)

RESPONSE: *Yes, that is correct. (Jennifer Ziegler)*

QUESTION: It is my recollection that there was a monetary cap that was part of the criteria for the bridge. Was that \$4.65 billion not part of this? (Rep. Pedersen)

RESPONSE: *That was not pulled out for you in this analysis because we were focused on the six-lane and transit connection piece. Yes, ESHB 2211 says that there will be a finance recommendation from the Workgroup and that the project cost is capped at \$4.65 billion. (Jennifer Ziegler)*

Design Option Update (David Dye, Julie Meredith, Dave Warner)

David Dye, WSDOT Deputy Secretary, Julie Meredith, WSDOT SR 520 Program Director, and Dave Warner, SR 520 Westside Project Manager, presented information to the panel regarding a Westside [Option A+ Hybrid cost update](#), [retrofit options](#), and the [West Approach profile](#). The cost savings to Option A+ resulted from refining the design of the Portage Bay Bridge, the west approach bridge and pedestrian connection at Foster Island.

QUESTION: In reference to the west approach and highrise, how much savings is possible by not having a high profile, and instead pumping stormwater? Is this number significant? (Rep. Clibborn)

RESPONSE: *The actual cost difference between building a bridge that is very high or very low is not very significant. It is the environmental effects of each and if they can be permitted by the resource agencies. There are also visual effects of being high versus low that we need to take into account. Lastly, the navigation openings are impacted depending on the height of the profile. (Julie Meredith.)*

COMMENT: This is a major concern for communities near the corridor who must put up with construction and look at the bridge on a daily basis. They are concerned about the profile of the floating bridge being 30 feet high, which is not really known by the public. In addition, if the higher profiles are chosen, you will anger more people than if a lower profile is chosen. So any savings on not having to pump some water, you may have more problems with the community, leading to delays, and more costs. People must be thoughtful about all of the aspects of a high versus a low profile. (Spkr Chopp)

QUESTION: Why would there be an environmental difference when the water is being treated off the bridge and off-site? Isn't it irrelevant how we get it off the site? (Sen. Tom)

RESPONSE: *The environmental permitting agencies believe that the lower the profile, the more environmental effects you would have on the aquatic environment, shoreline, and wetlands. If we are pumping water, we end up with the need to build vaults, which can be compared to the size of a station wagon. These vaults would be tucked under the bridge deck. We would potentially need a column to hold them up, which may have additional impacts. Pumping is considered as an option in the SDEIS. We are looking at a navigation opening of up to 41 feet, to accommodate the Seattle Fire Departments' fireboat. The request is to move to below 16 feet, which would preclude fireboat access. (Julie Meredith)*

QUESTION: If we were to do the lower profile, what kind of mitigation would the permitting agencies require for that? (Sen. Swecker)

RESPONSE: *We have not completed our discussions with them on the specifics of mitigation. It would largely be wetland mitigation for fill in the water. (Julie Meredith)*

RESPONSE: *That conversation starts with looking for alternatives to avoid the impact. Then you look towards minimizing and mitigating. I think that is the larger issue here, not the pumping of the stormwater. From the Department of Ecology's perspective, the lower profile and the more shading there is, the greater the impact on the wetlands and habitats. The higher the profile, the more light gets in, leading to a more productive*

ecosystem. Also, there is the navigation issue with the fireboat. We would have to build another fire station for them, which they are not interested in. (David Dye)

QUESTION: Do you know how many times in the last ten years they have put out fires on the south end of Lake Washington using that fireboat? (Rep. Hunter)

RESPONSE: *We do not have that data, although we have met with the Seattle Fire Department many times to discuss their access, and they have said that it is vital to maintain a rapid response time and are not interested in lowering the height of the navigation channel. (Julie Meredith.)*

QUESTION: Rep. Clibborn, do you have a fireboat on Mercer Island? (Rep. Hunter)

RESPONSE: *Yes, we have a marine patrol boat. I will say that we have had a couple of dock fires on Lake Washington and Lake Union, and I don't think you want to play with that. (Rep. Clibborn)*

COMMENT: For me, as someone representing the rest of the state, I know that in my area we have had to deal with shading issues and placing columns in the water. How many bridges have we had for which we need columns in water throughout this state? For me, it is about consistency and about equal treatment. (Sen. Haugen)

RESPONSE: *We are an environmentally responsible organization, and that is why we are having this conversation. It is important to our regulatory partners to make sure that these wetlands are as protected as possible. (David Dye)*

COMMENT: I appreciate that, but there is a bottom line as far as dollars are concerned. It is not a bottomless pit, and I am upset when I hear us about spending more money. Either we will be consistent with how we address environmental issues or we will not. (Sen. Haugen)

RESPONSE: *I appreciate this thought. WSDOT's preferred alternative is analyzed in the SDEIS as the constant rise profile. It is what we have been doing in projects around the state, and what we recommend in the document. There are other points of view on that, as Spkr. Chopp noted. The community groups around the area do not like the added visual impact from a higher structure. (David Dye)*

QUESTION: I thought that one of the reasons for the higher bridge was maintenance. For substantial maintenance, you currently need to close the bridge. In the new design, you can work on the pontoons without disrupting traffic, correct? (Rep. Tom)

RESPONSE: *That is correct. With the high profile on the floating bridge, the concept is to allow pontoon maintenance to take place without having to close a lane of traffic instead of using access hatches located in the shoulders of the roadway. (David Dye)*

RESPONSE: *The other thing we have looked at is light rail. We feel that we could add light rail without obstructing traffic on the bridge. With the bridge deck raised above the pontoons, we can capture the stray current better to protect the future structure. (Julie Meredith)*

COMMENT: If some day there is a light rail component on SR 520, our structure would be able to accommodate it. (Sec. Hammond)

QUESTION: So it would be easier to add light rail to the proposed structure at the higher elevation than the lower elevation? (Rep. White)

RESPONSE: *Whereas today you drive right on the deck of the bridge, the superstructure is off the deck in the future structure. We have found that in the future, were light rail added, it would be easier to put this on an elevated superstructure. (Julie Meredith)*

QUESTION: The new Seattle mayor has made it clear that his preference is to put light rail on SR 520. Has there been any further discussion with him about his overall view of this particular project and the options? I understand that he actually prefers a four-lane alternative with light rail, rather than the six-lane alternative before us. (Spkr. Chopp)

RESPONSE: *We are reaching out, but transition is a very busy time. We expect to have these conversations either before the transition is completed, or shortly thereafter. (David Dye)*

QUESTION: You show a graphic of the design showing where the boats currently pass through the west end today. There are representations of 16 feet, 41 feet, and 44 feet designs. Can you give us an idea of the height closer to Foster Island? (Rep. Tom)

RESPONSE: *The height of the bridge for the flat profile sits roughly 10 feet above the water, similar to today, which is enough space for canoe or recreational usage. (Dave Warner)*

QUESTION: How high is the current existing structure? (Sen. Tom)

RESPONSE: *Where the existing profile is flat, it is about ten feet. Moving east, today's profile provides for a 44-foot navigation clearance. (Dave Warner)*

QUESTION: [Referencing where the west approach connects with the floating bridge] How much higher is it here? (Sen. Tom)

RESPONSE: *It is less than 20 feet higher. This is because the roadway is on a superstructure, rather than directly on the pontoon surface. (Dave Warner)*

QUESTION: If you have this platform, will it be safer than having a lower structure in heavy windstorms? (Sen. Haugen)

RESPONSE: *You will have less wind and wave action if the bridge is elevated off the deck. (Julie Meredith)*

RESPONSE: *There is also a regional bicycle and pedestrian path across the bridge. If you are familiar with I-90, crossing the floating bridge is very close to the water. There is more wind and wave action to the north of the lake, and an elevated structure would help with that. (Dave Warner)*

QUESTION: From previous meetings I understood that the cost of the retrofit would have been 75 percent of the cost of building the new bridge. According to my calculations, the new shaft retrofit cost would lead to a total westside cost of \$613 million to address westside safety concerns. Looking at the cheapest option for the westside of \$2.1 billion, that is roughly 28 percent of the cost. Is that correct? (Rep. Pedersen)

RESPONSE: *I apologize for being unclear the last time we spoke about this. The 75 to 80 percent figure was for a bridge of the same area, of four-lanes. You are correct, when comparing the retrofit with options A, K or L, there is a significant difference. (Larry Kyle)*

COMMENT: To put that another way, that difference is around \$1.3 billion to \$1.5 billion, yes? (Rep. Pedersen)

RESPONSE: *That is in the correct range, yes. (Larry Kyle)*

QUESTION: What kind of lifespan do you get out of a retrofitted bridge? (Sec. Hammond)

RESPONSE: *The design of the new shaft bridge retrofit would be designed for 75 years. The girders are in good shape, and would last for 50 to 75 years. The deck, however, is the problem. Within 25 years, there would have to be a replacement deck, which would result in significant traffic impacts, if not closure of the bridge so that the deck could be replaced. (Larry Kyle)*

QUESTION: What would be the impact on traffic of retrofitting the preferred option? Would you have to shut down the bridge to do the retrofit? (Sen. Swecker)

RESPONSE: *Retrofitting the existing bridge would keep the bridge open for the majority of the time. There would be selected closures, but we would try to schedule them for weekends and evenings, to impact traffic as little as possible. (Larry Kyle)*

QUESTION: What would the average lifespan of the deck on a new bridge be? (Rep. White)

RESPONSE: *Design life is 75 years. (Larry Kyle)*

COMMENT: If we were to have to replace the deck of a retrofit option in 25 years, we would have to add that cost, of replacing that deck, to come up with a comparable percentage. (Rep. White)

RESPONSE: *That is one of the notes on your handout. The analysis of the lifecycle costs has not been completed. (Larry Kyle)*

QUESTION: What would be the total cost for the project with the retrofit, ending up with essentially what we already had? (Comm. Ford)

RESPONSE: *\$3 billion with the four-lane bridge. (Rep. Pedersen)*

QUESTION: I assume the federal government would want its money back, as there would then be no transit or HOV improvements? (Comm. Ford)

RESPONSE: *We have not had that conversation. Part of the conversation would be gauged with what happens in the rest of the corridor. If you utilize the roadway on the bridge and on the Eastside, you have HOV lanes, at least somewhere across the lake. That would have to be factored into the conversation. (David Dye)*

QUESTION: If we did go with this retrofit, is it possible to downsize the pontoon project to save money? (Sen. Jacobsen)

RESPONSE: *Anything is possible, but I would refer this question back to the panel to discuss. (David Dye)*

QUESTION: Having worked on the Tolling Implementation Committee, I find it difficult to believe that people will want to pay tolls on a bridge with no suggestion that they will get a better structure with more capacity in the future. While we certainly have a safety problem, and if it is immediate, this conversation is worthwhile. Otherwise, it seems to me that we are digressing in this conversation. I say that while hoping we do not

lose the bridge anytime soon. However, I am very concerned that we keep focused in terms of improvements. The transit piece is critical in my mind to make this whole project work. When we were looking at the analysis, we thought that people would divert, or go at a different time to avoid tolls. David, in doing the EIS on this project, is the imposition of tolls being factored into the traffic modeling simulations? (Comm. Ford)

RESPONSE: *Part of the goal of the rates that were tested was that there wasn't an inordinate diversion over to I-90. There was a diversion estimate of approximately seven to 13 percent, of which only three percent was to I-90. So we have taken this into consideration and evaluation. With a four-lane scenario, we would have to redo the revenue calculations as well. (David Dye)*

Design Option Recommendations (Member Discussion)

Sen. Tom invited the Workgroup back into session after a break, and stated that they would be moving on to the design options and making recommendations.

Sen. Jacobsen: I move that the Legislative Workgroup adopt Option A+. I believe it meets the requirements of state law. It requires the least mitigation for environmental impact. The price is doable. We have been working on this since 1985, and it is time that we move forward.

Spkr Chopp: I would again urge an amendment to that to continue the negotiations with the communities directly on the corridor. The project is on schedule to be finished on the westside in 2018. It seems to me that there is plenty of time to keep working on that, particularly since the committee has been working in good faith, with a variety of ideas regarding environmental concerns and the cost issue. In terms of financing, it is clear that we are \$2 billion short at the current time. I would urge people to look at the tolling scenarios we just saw. It implies that by 2016 or so, tolls roundtrip for I-90 are around \$13.50. So a round-trip cost on I-90 and 520 would be over \$13. So I think there might be a public concern about that. We have time to keep the process going. I have been pleased by the corridor communities, for their numerous ideas to address concerns. They are also concerned about the price estimates. The price estimate for the one section in contention is \$1.8 billion. That is the same cost as the entire deep-bore tunnel on the Alaskan Way Viaduct, which will be about eight to nine times as long. The community is concerned about the accuracy of the estimates in contention. I would just ask to continue the dialogue, to avoid lengthy opposition or litigation. This is a right, which has been used in the past. I would like to keep people at the table, negotiating, and working towards our goals.

Sen. White: I would like to clarify the process. Multiple motions on different options can be voted on today. In other words, we are voting today on draft options to carry forward for final consideration at the next meeting. We are putting options in play, and taking input at the public hearing.

Rep. Eddy: I would like to second and affirm the motion made by Sen. Jacobsen.

Sen. Haugen: I have a concern when anyone starts discussing the cost of the toll. It is my understanding that the numbers stated earlier were only at the peak hours. These are variable tolls, which will be lower at different times of day.

Sec. Hammond: As a reminder, it is the Transportation Commission that has the authority to set the toll rates.

Sen. Haugen: I appreciate that. We do not make that determination here, it is an estimate. But again, it will be a variable toll.

Spkr. Chopp: Without repeating myself, I proposed to amend the motion to continue the discussions with the directly affected corridor communities, WSDOT, and the Governor's office on Option M to continue working towards resolving differences on the price estimates and other concerns.

Sen. Tom: I would ask members to reject the amendment now, and instead consider it as a separate motion.

Spkr. Chopp: I do not mind stating it as a separate motion. I withdraw my amendment. This is a concern I had: the intent of the Workgroup was to reconcile different points of views and still meet the goals, in a common solution. Setting up a process where a decision is made prematurely will harden positions and create worse problems later in terms of litigation and other things.

Rep. Pedersen: When I set out on this process a couple years ago, we set up some objectives for ourselves, for the bridge, and for this process. We wanted to provide a six-lane bridge. This idea of a six-lane bridge was not wildly popular in my district. This bridge would be one that would provide an effective transit connection to the light rail station at Husky Stadium, and one that could be built for \$4.65 billion. I believe, unfortunately, that we have not succeeded in identifying an option, at all, including Option A+ hybrid, which meets those criteria. The cost is closer in this latest estimate we saw for the first time today. It continues to be my strong belief, especially given the testimony by the Coast Guard, that when you are faced with putting transit through a bridge that can be raised 18 hours per day by someone's sailboat going by, that that is not an effective connection to the light rail station at Husky Stadium. So from my perspective, because we do not have an option that meets the criteria that we set out to begin with, we need to go back and look at why we are doing this project, and why we have the urgency that we have, to begin with. The urgency is largely driven by concerns about safety and for the region if we lost the bridge entirely. What I am prepared to support at this time, given the information we received this morning, is that we ought to go forward with the rest of the project, but on the westside to proceed with a retrofit or provide a new four-lane bridge, and continue to negotiate a balance of cost and increased functionality. I don't believe we have that option at this time, so I cannot support the motion.

Rep. Eddy: I will speak in support of the motion. Thirteen years ago, the City of Kirkland named their first representative to the Trans-Lake Study group. We are not acting precipitously. The transit, schools, businesses, and communities on both sides of

the lake have been actively involved in this discussion for over a decade. I believe that this Workgroup has worked through all major issues raised in previous statutes. It is a fair thing to say that we have arrived at a reasonable design conclusion. The fears of litigation will not be assuaged by further delay. Litigation cannot occur until someone makes a decision. For that purpose, our action today helps us move the project along and brings closure to something that should get wound down into action. Our charge is to represent the entire Puget Sound region, the users of the bridge, both in HOV lanes and general purpose lanes, and on current and future transit.

Sen. Tom: I would like to make an amendment to remove the lid over I-5. I would consider this outside the corridor. We haven't fully analyzed the I-5 corridor function in the future. We need to keep the tolls down as much as possible. On the Eastside, we have been very careful to come forward with designs that minimize costs as much as possible. The Eastside segment is several miles long, and is under \$900 million in cost. I think that the lid over I-5 is beyond the scope of this project.

Rep. Hunter: I have a question to staff about the motion. Are we expecting to have the vetting process for Option A+ prior to the Dec. 8, 2009 meeting, such as expert review? I am seeing a 'no.' I ask because this is the first time we have seen an option with a cost below \$4.65 billion. I am concerned about making changes to design without keeping the detail on the cost plan we have had on other options. This Option A+ we do have a cost plan for, though.

Barbara Gilliland: For the WSDOT staff, do you have additional meetings with the proponent groups? Perhaps we need to suspend those for now?

Rep. Hunter: I think we should sit on the plan as it stands, and keep it unchanged while the public comments on it.

Sen. Tom: I withdraw my amendment regarding I-5, but it is an important issue to discuss.

Rep. Springer: I want to comment in support of the motion on the floor to recommend Option A+. We have been at this a long time. I was that first representative appointed by the City of Kirkland; I want this to come to a resolution. I realize that this will be an iterative process, though. They will continue to evolve over time. I just want to note that the hard work and good faith of westside communities, to make them fit within budget. I think what is necessary at this point is for this group to make a decision, to make a recommendation, and to put that out to the public, which will garner further support. We have two opportunities for further public input. I would not be surprised if we modified our recommendations based on that input on Dec. 8, 2009. The discussion is not over, but I think we need to put something on the table for the public. I support the motion and Option A+.

Comm. Ford: It seems to me that what has just been said is the correct point. You have to come to closure. This has gone on for so long. There can be modifications until the EIS is issued, so there is some flexibility. Before we rush ahead and think everything is solved, I think we need to solve at least two issues today. We really do not know what

this project will cost, or whether we have the resources to fund that cost. There is much work to be done on that, which will be part of the future review. The harder issue is what can be permitted. Who will issue permits, and who will tell you no, and it will stop the project all together. Some of that would be determined in litigation, but some by players on the permitting side. I am concerned about the Native American tribes who move a different pace than the rest of us. Twelve years for them is not a long time. Another 12 more would not be either. Those two factors make this problematic. Risk analysis needs more discussion. Assuming money and permits are obtained – it is still a very complicated project, no matter which alternative is picked. One big project with lots of success with design-build was the Tacoma Narrows Bridge. The contractor took a substantial part of the risk. No contractors will even talk with you about a project without a decision on design. I would hope that WSDOT and the legislature very seriously consider that minor changes in a project can cost millions of dollars. When the project is in the billions, it is harder to afford. We need this, it is time. The public can comment on an alternative. But if you do not move forward, you could have another 12 years of discussion, and more options.

Spkr. Chopp: I think that the process here was to not repeat history. The Tacoma Narrows design-build concept did save money, but the project was delayed. Using public financing saved over \$1.2 billion over 30 years. For I-90, there were ten years of litigation over that. The community groups offered to settle, and the state refused the community group's offer of compromise. After ten years of dispute, the community group's idea was enacted, at a much higher price. We don't want to repeat history and cause long delays.

Rep. White: I would like to remind everyone that the motion is simply to move forward on the Option A+ as a possible draft recommendation for consideration at the next working group meeting.

Rep. Hunter: That was not the motion that I heard. The motion I heard was that we make a recommendation for Option A+. You observed that we have another meeting for public input, and other motions could be made in our final meeting. The motion that I heard was that we recommend Option A+. That could be changed, but I didn't hear that we would need another motion later. Am I correct?

Sen. Jacobsen: I made a motion that the Legislative Workgroup recommends adoption of Option A+.

Sen. White: I have a question. If we are making a motion for a specific recommendation, does that mean that we can entertain another motion for a specific recommendation, and have two recommendations go forward? I want to make sure that working group members are clear and comfortable that another motion would be in order after this vote.

Sen. Tom: Correct, these motions are not mutually exclusive. With the motion we have before us now, we will vote, and hear any other motions. Any other questions? All those in favor, please raise your hand. All opposed?

This motion passes, 11 votes in favor to two against. (Two in opposition included Spkr. Chopp and Rep. Pedersen; Sen. Murray and Rep. Roach not in attendance; Sec. Hammond non-voting member)

Spkr. Chopp: The committee has made their intent clear. I don't think that any additional motions to move forward with Option M will meet the committee's approval, unless I hear otherwise.

Finance Plan Recommendation (Member Discussion)

Rep. Hunter: I have most of a motion prepared. I move that we take public input at our next meeting based on the one-page grid of funding options that we heard today. The members of the committee should submit final recommendations by the end of Friday, Dec. 4, 2009 so we have the benefit of the public input on that.

Rep. Tom: So we have a motion from Rep. Hunter. Any discussion?

Rep. Eddy: I second this motion. I have a question: after we act on this motion, will we discuss the procedure of the public input?

RESPONSE: Yes. (Barbara Gilliland)

Rep. Pedersen: I am wondering about the logic about having a preferred design option so the public can react to it, so we also ought to have a recommendation on financing so they can also react to that. We have been discussing these two issues in parallel the whole time. We should make a concrete recommendation. Our option costs \$4.65 billion. It seems to be more transparent if this group stood behind that recommendation for Option A+ with specifics on funding.

Rep. Hunter: You have a valid point. It would have to be more detailed than the chart. We could construct one to go forward with. You would need a lot of detail work on what you are asking the legislature to do, more work than with the design. But I am willing to work on it.

Sen. Swecker: I also agree that we should select a specific option so that the public can react to it. When I look at the grid, I think that we should talk about Scenario 11 and Scenario 14. It is a set of principles about how we will go forward.

Rep. Clibborn: I do not have a problem with a list of principles. I vote for a delay, though. We did not know what was needed to have a financing plan to go forward. I ask that we have the input come in a generic way. I don't know which of these is best. Picking principles is not a problem with me. We should get a legal reading on what a finance plan needs to include as part of the report before it is due.

Sen. Haugen: I would be comfortable with principles, but I have a problem with us establishing a real finance plan, because there are so many unknowns. Everyone understands that tolling will be a part of the project. This will be a partnership program. Principles are fine, but coming up with details is difficult.

Rep. Pedersen: I think that you could say the same thing about the design pieces in terms of unknowns. When talking about buying a set of improvements to capacity for \$4.65 billion, until we identify how we will pay for that, we won't be able to get the public's reaction. It would be worthwhile to put out something for public comment.

Sen. Jacobsen: I would support Rep. Clibborn's opinion that we should get a legal opinion. I would move to table Rep. Hunter's motion at this meeting until the next meeting.

Sen. Swecker: This begs the question of whether this does the job. The principle is already listed. The principles are that we impose the tolls on I-90 at the lower level. We can certainly get public feedback on this. To put all of the scenarios out to the public, I would vote for the cheapest one.

Sen. Haugen: I get nervous when we talk about voting. We do not set the toll. The Transportation Commission sets the toll rate. We all want the tolls to be low. But it does not work to talk about specific amounts of money. I do not have an issue with general principles, though.

Rep. Eddy: Let us keep in mind what we are asking the public to comment next week.

The Workgroup took a short recess to develop a list of guiding principles to move forward for public comment.

Rep. Hunter: Mr. Chair, I hereby would like to withdraw my previous motion, and I have an alternative for you.

I move that this legislative workgroup recommends to the governor and legislature a financing strategy that includes:

- Use of the base funding previously identified, including early tolling of SR 520 under scenario 7.
- The creation of and early tolling of HOT lanes on I-90 as soon as is reasonable and practical.
- The remaining gap to be filled by new federal or state revenue that would be identified in the next year or two, depending on where it fits in the schedule. But if that revenue does not appear, we would fill any remaining gap with general tolling of I-90, starting no sooner than 2014, to fill that gap.
- We would also recommend cost savings by further refinements of cost estimates and design.

Rep. Springer: Second.

Rep. Pedersen: For a point of clarification, is there a particular scenario being chosen in terms of HOV exclusions, or will you leave it to the Transportation Commission?

Rep. Hunter: I made the motion not address that particular issue so that the legislature or the Transportation Commission could make that decision. I don't know that we need to make that level of decision here to add that up. I think that is a policy decision that can be made later.

Rep. Clibborn: I support this. It meets the needs of the public to know what is on the table, and gives them something to respond to, but does not put it into the framework of being tied to particulars. We would like to hear from the public about this. We are working on new funding packages in the next couple years for transportation across the state. SR 520 will be a major player. We have not looked about how we will save money, and instead looked primarily at design. I support Option A+ because it stays close to budget limits. We have cost savings on there, and tolling, and how I-90 is a player will depend on the bridge's cost and money we can attract. I appreciate that we are not authorizing anything, but instead a motion for public input.

Sen. Haugen: I will support this motion, but I want to caution against too many specifics. We have given the responsibility of tolling to the Transportation Commission. The legislature is not who determines who pays what and how much. The fact is that tolling will be a fact of life for many structures. But we must understand that it is the responsibility of the commission to set the tolls, and decide who pays.

Rep. Clibborn: That reminded me to refute the \$13 toll figure stated earlier. There is no \$13 scenario on any of our scenarios. To the press and media, I would like to caution everyone and senators that we not talk about this, because we are not at a point where we know how much that would be.

Sen. Swecker: I second this motion as well, as it sets principles.

Comm. Ford: With the tolls and finance issue, there can be lots of misinformation. I do know that until the legislature puts together the financing package on this and gets enough votes to approve, we do not have a financing plan. We know where this needs to be developed. The Transportation Commission will work with the legislature. The treasurer will help us with this funding. Much of it will be bonded. It is hard to work out a detailed financial plan. As long as we are reasonably confident that we are within striking distance, it is a number we can reach.

Rep. Eddy: I would like to support the recommendation. The WSDOT staff has done a great job with these matrices with the different funding options. I recommend that the public who will be commenting next week will have a chance to see this. Barbara, I assume that these matrices will be displayed prominently on the Web site? We can recommend a sequencing of finance strategy. We cannot usurp the legislature's role, or the Transportation Commission's role. But we can recommend a sequence of choices.

Rep. Tom: Any further discussion? All in favor please raise your hand. All opposed?

This motion passes, unanimously. (11 votes in favor to none against; Sen. Murray, Rep. Roach and Spkr. Chopp not in attendance; Sec. Hammond is a non-voting member)

Next Steps and Public Involvement (Barbara Gilliland)

Ms. Gilliland passed out information to the group about upcoming public meetings. The Workgroup will host a town hall meeting from 6 to 8 p.m. on Tuesday, Nov. 24 at the University of Washington Center for Urban Horticulture. That same morning, Ms. Gilliland and Julie Meredith will brief the Seattle City Council Committee of the Whole. The Workgroup members were encouraged to attend these meetings. She also announced that following the release of the draft recommendations, the public will be able to comment online.

COMMENT: I would just like to take a moment to thank the staff. Barbara, you have done an extraordinary job. To WSDOT, I say thank you for spending the many hours you have on this process. (Sen. Haugen)

COMMENT: If you are available, please join us at the town hall next Tuesday. The last meeting will be held on Dec. 8, 2009, here, from 10 a.m. to 12 p.m. (Sen. Tom)

COMMENT: Thank you to all the members of the Workgroup and Westside Subgroup. I would like to thank Sen. Jacobsen and Rep. Hunter for putting forward their motions. I am disappointed that we will not be considering more options as we move forward, but that is the case. Thank you to everyone for their participation. I would encourage the public and the communities to get online, look at the options, so that we can continue with an open process. (Rep. White)